

DRAFT

ENVIRONMENTAL IMPACT REPORT

FIRST HATHAWAY LOGISTICS

BANNING, CALIFORNIA

SCH NO. 2022040441



June 2024

This page intentionally left blank

DRAFT

ENVIRONMENTAL IMPACT REPORT

FIRST HATHAWAY LOGISTICS

BANNING, CALIFORNIA

SCH NO. 2022040441

Submitted to:

City of Banning
Community Development
99 East Ramsey Street
Banning, California 92220

Prepared by:

LSA
1500 Iowa Avenue, Suite 200
Riverside, California 92507
951.777.2338

Project No. FRT2102



June 2024

This page intentionally left blank



TABLE OF CONTENTS

TABLE OF CONTENTS	I
FIGURES AND TABLES	ix
LIST OF ABBREVIATIONS AND ACRONYMS.....	xiii
1.0 EXECUTIVE SUMMARY	1-1
1.1 Project Under Review.....	1-1
1.2 Summary of Impacts, Mitigation Measures, And Regulatory Compliance Measures.....	1-1
1.2.1 Potential Areas of Controversy.....	1-1
1.2.2 Significant Impacts.....	1-2
1.2.3 Significant and Unavoidable Impacts	1-3
1.2.4 Alternatives to the Project.....	1-4
1.2.5 Cumulative Impacts	1-5
1.3 Summary Table.....	1-5
2.0 INTRODUCTION AND PURPOSE	2-1
2.1 Lead Agency	2-1
2.2 Purpose Of CEQA and the Environmental Impact Report.....	2-1
2.3 Regionally Significant Project.....	2-3
2.4 Format of the Environmental Impact Report.....	2-4
2.5 Documents Incorporated By Reference	2-5
2.5.1 City of Banning.....	2-5
2.5.2 Other Relevant Plans/Programs	2-7
2.6 Technical Studies.....	2-8
2.7 Public Involvement and Review of the Draft Environmental Impact Report.....	2-10
2.7.1 Notice of Preparation	2-10
2.7.2 Public Scoping Meeting	2-12
2.7.3 Native American Consultation.....	2-13
2.7.4 Draft Environmental Impact Report	2-13
2.8 Mitigation Monitoring and Reporting Program	2-14
3.0 PROJECT DESCRIPTION	3.1-1
3.1 Overview	3.1-1
3.2 Project Location	3.2-1
3.2.2 Project Site Location	3.2-2
3.3 Existing Setting	3.3-2
3.3.1 Project Site Conditions	3.3-2
3.3.2 Existing General Plan and Zoning	3.3-13
3.4 Proposed Project.....	3.4-17
3.4.1 Tentative Parcel Map No. 38256	3.4-17
3.4.2 Building Program and Use	3.4-17
3.4.3 Landscaping	3.4-21
3.4.4 Circulation and Parking.....	3.4-21
3.4.5 Drainage	3.4-25
3.4.6 Utilities.....	3.4-27



3.4.7 Construction 3.4-28

3.5 Project Objectives..... 3.5-33

3.6 Required Actions..... 3.6-34

3.6.1 Other Agencies (as Required) 3.6-34

4.0 SETTING, IMPACTS, AND MITIGATION MEASURES 4-1

4.1 Aesthetics 4.1-1

4.1.1 Scoping..... 4.1-1

4.1.2 Methodology 4.1-1

4.1.3 Existing Environmental Setting 4.1-3

4.1.4 Regulatory Setting 4.1-9

4.1.5 Thresholds of Significance 4.1-11

4.1.6 Project Impact Analysis..... 4.1-11

4.1.7 Cumulative Impacts 4.1-48

4.2 Agriculture and Forestry Resources 4.2-1

4.2.1 Scoping..... 4.2-1

4.2.2 Methodology 4.2-1

4.2.3 Existing Environmental Setting..... 4.2-2

4.2.4 Regulatory Setting 4.2-6

4.2.5 Thresholds of Significance 4.2-9

4.2.6 Project Impact Analysis..... 4.2-10

4.2.7 Cumulative Impacts 4.2-12

4.3 Air Quality 4.3-1

4.3.1 Scoping..... 4.3-1

4.3.2 Methodology 4.3-1

4.3.3 Existing Environmental Setting 4.3-2

4.3.4 Regulatory Setting 4.3-14

4.3.5 Thresholds of Significance 4.3-23

4.3.6 Project Impact Analysis..... 4.3-27

4.3.7 Cumulative Impacts 4.3-45

4.4 Biological Resources 4.4-1

4.4.1 Scoping..... 4.4-1

4.4.2 Methodology 4.4-2

4.4.3 Existing Environmental Setting..... 4.4-5

4.4.4 Regulatory Setting 4.4-8

4.4.5 Thresholds of Significance 4.4-11

4.4.6 Project Impact Analysis..... 4.4-12

4.4.7 Cumulative Impacts 4.4-29

4.5 Cultural Resources 4.5-1

4.5.1 Scoping..... 4.5-1

4.5.2 Methodology 4.5-2

4.5.3 Existing Environmental Setting 4.5-3

4.5.4 Regulatory Setting 4.5-7

4.5.5 Thresholds of Significance 4.5-11

4.5.6 Project Impact Analysis..... 4.5-11

4.5.7 Cumulative Impacts 4.5-15

4.6 Energy 4.6-1

4.6.1 Scoping..... 4.6-1

4.6.2 Methodology 4.6-1



4.6.3	Existing Environmental Setting	4.6-2
4.6.4	Regulatory Setting	4.6-4
4.6.5	Thresholds of Significance	4.6-10
4.6.6	Project Impact Analysis.....	4.6-10
4.6.7	Cumulative Impacts	4.6-16
4.7	Geology and Soils	4.7-1
4.7.1	Scoping	4.7-1
4.7.2	Methodology	4.7-1
4.7.3	Existing Environmental Setting.....	4.7-2
4.7.4	Regulatory Setting	4.7-7
4.7.5	Thresholds of Significance	4.7-9
4.7.6	Project Impact Analysis.....	4.7-10
4.7.7	Cumulative Impacts	4.7-21
4.8	Greenhouse Gas Emissions	4.8-1
4.8.1	Scoping	4.8-1
4.8.2	Methodology	4.8-1
4.8.3	Existing Environmental Setting.....	4.8-1
4.8.4	Regulatory Setting	4.8-5
4.8.5	Thresholds of Significance	4.8-18
4.8.6	Project Impact Analysis.....	4.8-18
4.8.7	Cumulative Impacts	4.8-27
4.9	Hazards and Hazardous Materials	4.9-1
4.9.1	Scoping	4.9-1
4.9.2	Methodology	4.9-1
4.9.3	Existing Environmental Setting.....	4.9-3
4.9.4	Regulatory Setting	4.9-5
4.9.5	Thresholds of Significance	4.9-12
4.9.6	Project Impact Analysis.....	4.9-12
4.9.7	Cumulative Impacts	4.9-31
4.10	Hydrology and Water Quality	4.10-1
4.10.1	Scoping	4.10-1
4.10.2	Methodology	4.10-1
4.10.3	Existing Environmental Setting.....	4.10-1
4.10.4	Regulatory Setting	4.10-6
4.10.5	Thresholds of Significance	4.10-17
4.10.6	Project Impact Analysis.....	4.10-18
4.10.7	Cumulative Impacts	4.10-31
4.11	Land Use and Planning	4.11-1
4.11.1	Scoping	4.11-1
4.11.2	Methodology	4.11-1
4.11.3	Existing Environmental Setting.....	4.11-2
4.11.4	Regulatory Setting	4.11-4
4.11.5	Thresholds of Significance	4.11-8
4.11.6	Project Impact Analysis.....	4.11-8
4.11.7	Cumulative Impacts	4.11-25
4.12	Mineral Resources.....	4.12-1
4.12.1	Scoping	4.12-1
4.12.2	Methodology	4.12-1
4.12.3	Existing Environmental Setting.....	4.12-2



4.12.4	Regulatory Setting	4.12-4
4.12.5	Thresholds of Significance	4.12-6
4.12.6	Project Impact Analysis.....	4.12-6
4.12.7	Cumulative Impacts	4.12-7
4.13	Noise and Vibration	4.13-1
4.13.1	Scoping.....	4.13-1
4.13.2	Methodology	4.13-1
4.13.3	Existing Environmental Setting	4.13-2
4.13.4	Regulatory Setting	4.13-7
4.13.5	Thresholds of Significance	4.13-12
4.13.6	Project Impact Analysis.....	4.13-12
4.13.7	Cumulative Impacts	4.13-30
4.14	Population and Housing.....	4.14-1
4.14.1	Scoping.....	4.14-1
4.14.2	Methodology	4.14-1
4.14.3	Existing Environmental Setting.....	4.14-1
4.14.4	Regulatory Setting	4.14-5
4.14.5	Thresholds of Significance	4.14-7
4.14.6	Project Impact Analysis.....	4.14-7
4.14.7	Cumulative Impacts	4.14-11
4.15	Public Services	4.15-1
4.15.1	Scoping.....	4.15-1
4.15.2	Methodology	4.15-1
4.15.3	Existing Environmental Setting.....	4.15-1
4.15.4	Regulatory Setting	4.15-9
4.15.5	Thresholds of Significance	4.15-12
4.15.6	Project Impact Analysis.....	4.15-13
4.15.7	Cumulative Impacts	4.15-26
4.16	Recreation.....	4.16-1
4.16.1	Scoping.....	4.16-1
4.16.2	Methodology	4.16-1
4.16.3	Existing Environmental Setting.....	4.16-1
4.16.4	Regulatory Setting	4.16-5
4.16.5	Thresholds of Significance	4.16-7
4.16.6	Project Impact Analysis.....	4.16-7
4.16.7	Cumulative Impacts	4.16-9
4.17	Transportation	4.17-1
4.17.1	Scoping.....	4.17-1
4.17.2	Methodology	4.17-2
4.17.3	Existing Environmental Setting.....	4.17-6
4.17.4	Regulatory Setting	4.17-9
4.17.5	Thresholds of Significance	4.17-12
4.17.6	Project Impact Analysis.....	4.17-13
4.17.7	Cumulative Impacts	4.17-24
4.18	Tribal Cultural Resources.....	4.18-1
4.18.1	Scoping.....	4.18-1
4.18.2	Methodology	4.18-2
4.18.3	Existing Environmental Setting.....	4.18-2
4.18.4	Regulatory Setting	4.18-3



4.18.5	Thresholds of Significance	4.18-5
4.18.6	Project Impact Analysis.....	4.18-5
4.18.7	Cumulative Impacts	4.18-7
4.19	Utilities and Service Systems.....	4.19-1
4.19.1	Scoping	4.19-1
4.19.2	Methodology	4.19-2
4.19.3	Existing Environmental Setting.....	4.19-2
4.19.4	Regulatory Setting	4.19-8
4.19.5	Thresholds of Significance	4.19-16
4.19.6	Project Impact Analysis.....	4.19-17
4.19.7	Cumulative Impacts	4.19-36
4.20	Wildfire.....	4.20-1
4.20.1	Scoping	4.20-1
4.20.2	Methodology	4.20-1
4.20.3	Existing Environmental Setting.....	4.20-2
4.20.4	Regulatory Setting	4.20-11
4.20.5	Thresholds of Significance	4.20-16
4.20.6	Project Impact Analysis.....	4.20-17
4.20.7	Cumulative Impacts	4.20-34
5.0	OTHER CEQA CONSIDERATIONS.....	5-1
5.1	Significant Environmental Effects That Cannot be Avoided if the Proposed Project Is Implemented	5-1
5.1.1	Energy Resources.....	5-4
5.1.2	Agricultural Resources.....	5-5
5.1.3	Mineral Resources	5-6
5.1.4	Biological Resources	5-6
5.1.5	Hazards and Hazardous Materials	5-8
5.2	Growth-Inducing Impacts.....	5-8
5.2.1	Remove Obstacles to or Otherwise Foster Growth (Construction or Extension of Infrastructure)	5-9
5.2.2	Foster Economic Growth	5-11
5.2.3	Involve Characteristics That May Encourage and Facilitate Other Activities That Could Significantly Affect the Environment.....	5-11
6.0	ALTERNATIVES	6-1
6.1	Overview of Proposed Project and Alternatives	6-1
6.1.1	Project Summary	6-2
6.1.2	Project Objectives.....	6-4
6.1.3	Significant and Unavoidable Impacts	6-4
6.1.4	Summary of Project Alternatives.....	6-7
6.2	Alternatives Considered But Not Selected for Further Analysis	6-8
6.2.1	Off-Site Alternative	6-8
6.2.2	General Plan Amendment Alternative.....	6-9
6.2.3	Mixed Use (Residential/Commercial, Warehouse, and Professional Offices) Alternative	6-10
6.3	No Project/No Build Alternative (Alternative 1)	6-11
6.3.1	Alternative 1 Characteristics.....	6-11
6.3.2	Analysis of No Project/No Build Alternative.....	6-11



6.3.3 Summary of No Project/No Build Alternative (Alternative 1)..... 6-16

6.4 Modified site plan/reduced intensity Alternative 6-17

6.4.1 Modified Site Plan/Reduced Intensity Alternative Characteristics..... 6-17

6.4.2 Analysis of Modified Site Plan/Reduced Intensity Alternative (Alternative 2) 6-17

6.4.3 Summary of Modified Site Plan/Reduced Intensity Alternative 6-27

6.5 Environmentally Superior Alternative 6-27

7.0 LIST OF PREPARERS..... 7-1

8.0 REFERENCES 8-1

APPENDICES

A: NOTICE OF PREPARATION/SCOPING INFORMATION

- A-1: Notice of Preparation
- A-2: Notice of Preparation Comment Letters
- A-3: Scoping Meeting Materials

B: AIR QUALITY TECHNICAL DOCUMENTATION

- B-1: First Hathaway Logistics Warehouse Project Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum
- B-2: Health Risk Assessment
- B-3: CalEEMod Output

C: BIOLOGICAL ASSESSMENT LETTER REPORT FOR THE FIRST HATHAWAY REDEVELOPMENT PROJECT

D: CULTURAL RESOURCES STUDY FOR THE FIRST HATHAWAY PROJECT

E: GEOLOGY AND SOILS TECHNICAL DOCUMENTATION

- E-1: Geotechnical Investigation For The Proposed Banning Industrial Park
- E-2: Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside

F: HAZARDS AND HAZARDOUS MATERIALS TECHNICAL DOCUMENTATION

- F-1: Phase I Environmental Site Assessment, First Hathaway
- F-2: Phase II Environmental Site Assessment, First Hathaway
- F-3: Phase I and Phase II ESA Peer Review
- F-4: Riverside County Airport Land Use Commission Banning Municipal Airport Compatibility Review
- F-5: Federal Aviation Administration Compatibility Review

G: HYDROLOGY AND WATER QUALITY TECHNICAL DOCUMENTATION

- G-1: Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center
- G-2: Preliminary Hydrology Report for First Hathaway Logistics Center
- G-3: Water Supply Assessment



APPENDICES (CONTINUED)

H: NOISE AND VIBRATION IMPACT ANALYSIS MEMORANDUM FOR THE FIRST HATHAWAY LOGISTICS WAREHOUSE PROJECT IN THE CITY OF BANNING, CALIFORNIA

I: TRANSPORTATION TECHNICAL DOCUMENTATION

I-1: First Hathaway Logistics Center Local Transportation Analysis

I-2: First Hathaway Logistics Center VMT Assessment

J: PUBLIC SAFETY PLANS

J-1: Fire Protection Plan, First Hathaway Logistics Project

J-2: Wildfire Evacuation Plan, First Hathaway Logistics Project



This page intentionally left blank



FIGURES AND TABLES

FIGURES

Figure 3-1: Regional Setting	3.3-3
Figure 3-2: Project Location and Vicinity.....	3.3-5
Figure 3-3: Existing Setting	3.3-9
Figure 3-4: Proposed Tentative Parcel Map No. 38256	3.3-11
Figure 3-5: Existing General Plan Land Use and Zoning Designation	3.3-15
Figure 3-6: Conceptual Site Plan	3.4-19
Figure 3-7: Proposed Interim Offsite Street Striping Plan for Tentative Parcel Map No. 38256 ...	3.4-23
Figure 3-8: Proposed Conceptual Utility Systems Map	3.4-29
Figure 3-9: Proposed Grading Exhibit.....	3.4-31
Figure 4-1: Cumulative Projects	4-5
Figure 4.1.1: Key Viewpoints	4.1-6
Figure 4.1-2: Key View Map.....	4.1-17
Figure 4.1-3a: Project Development, Southeast Perspective (Aerial) [VA1]	4.1-19
Figure 4.1-3b: Project Development, Northeast Perspective (Aerial) [VA2]	4.1-21
Figure 4.1-3c: Project Development, Southwest Perspective (Aerial) [VA3]	4.1-23
Figure 4.1-3d: Project Development, Northwest Perspective (Aerial) [VA4]	4.1-25
Figure 4.1-4a: Project Development, Hathaway Street at Project Entry [P1]	4.1-27
Figure 4.1-4b: Project Development, Nicolet Street View East [P2]	4.1-31
Figure 4.1-4c: Project Development, Wilson Street View West [P3]	4.1-33
Figure 4.1-4d: Project Development, First Industrial Way View North [P4]	4.1-35
Figure 4.1-4e: Corner Detail, Nicolet Street and First Industrial Way [P5]	4.1-37
Figure 4.1-5a: Conceptual Landscape Plan.....	4.1-41
Figure 4.1-5b: Conceptual Landscape Plan, Corner Details and Cross Sections	4.1-43
Figure 4.3-1: California Population, Gross State Product (GSP), Diesel Cancer Risk, and Diesel Vehicle Miles Traveled Regulatory Context.....	4.3-14
Figure 4.4-1: MSHCP Special Linkage	4.4-19
Figure 4.4-2: San Gorgonio River Connectivity.....	4.4-23
Figure 4.10-1: Proposed Drainage Management Areas	4.10-3
Figure 4.15-1: Nearest Public Services to Project Site	4.15-3
Figure 4.20-1: CAL FIRE Hazard Severity Zone.....	4.20-5
Figure 4.20-2: Project Site Vicinity Fire History Map.....	4.20-9

TABLES

Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report.....	1-6
Table 2.A: Notice of Preparation Agency Comments Received	2-11
Table 3.3.A: Existing Land Uses and Zoning	3.3-14
Table 4.A: Cumulative Project List.....	4-4
Table 4.2.A: Riverside County Agricultural Production Value 2017 vs. 2021	4.2-2



Table 4.2.B: Riverside County Agricultural Land Conversion 2016–2018..... 4.2-3

Table 4.3.A: Sources and Health Effects of Air Pollutants 4.3-4

Table 4.3.B: Federal and State Ambient Air Quality Standards 4.3-8

Table 4.3.C: South Coast Air Basin Attainment Status..... 4.3-11

Table 4.3.D: Ambient Air Quality in the Project Vicinity..... 4.3-13

Table 4.3.E: Regional Thresholds for Construction and Operational Emissions..... 4.3-24

Table 4.3.F: SCAQMD Localized Significance Thresholds..... 4.3-25

Table 4.3.G: Development Project Consistency Analysis with the City of Banning General
Plan 4.3-29

Table 4.3.H: Short-Term Regional Construction Emissions 4.3-31

Table 4.3.I: Project Operation Emissions (lbs/day) Without Mitigation..... 4.3-33

Table 4.3.J: Project Operation Emissions (lbs/day) with Mitigation..... 4.3-33

Table 4.3.K: Construction Localized Impacts Analysis 4.3-39

Table 4.3.L: Long-Term Operational Localized Impacts Analysis 4.3-40

Table 4.3.M: Health Risk Levels for Nearby Residents and Workers..... 4.3-44

Table 4.6.A: Proposed Project Energy Consumption Estimates During Construction..... 4.6-11

Table 4.6.B: Estimated Annual Energy Use of the Proposed Project..... 4.6-13

Table 4.6.C: General Plan Consistency Analysis, Energy..... 4.6-15

Table 4.8.A: Global Warming Potential for Selected Greenhouse Gases 4.8-3

Table 4.8.B: Construction Greenhouse Gas Emissions 4.8-20

Table 4.8.C: Long-Term Operational Greenhouse Gas Emissions..... 4.8-21

Table 4.8.D: Mitigated Long Term Operational Greenhouse Gas Emissions..... 4.8-22

Table 4.9.A: Compatibility Criteria for Land Use Actions..... 4.9-19

Table 4.10.A: Historic Groundwater Production—Acre-Feet/Year 4.10-5

Table 4.10.B: Beneficial Uses of Surface Receiving Waters 4.10-11

Table 4.10.C: Surface Water Quality Objectives for Inland Waters..... 4.10-12

Table 4.10.D: Groundwater Objectives..... 4.10-15

Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan 4.11-11

Table 4.13.A: Short-Term Ambient Noise Level Measurements 4.13-4

Table 4.13.B: Long-Term Ambient Noise Monitoring Results..... 4.13-4

Table 4.13.C: Existing Traffic Noise Levels 4.13-8

Table 4.13.D: Interpretation of Vibration Criteria for Detailed Analysis 4.13-9

Table 4.13.E: Construction Vibration Damage Criteria 4.13-9

Table 4.13.F: Land Use Compatibility for Community Noise Environments..... 4.13-10

Table 4.13.G: City of Banning Maximum Noise Level Standards 4.13-12

Table 4.13.H: Typical Construction Equipment Noise Levels..... 4.13-14

Table 4.13.I: Summary of Construction Phase, Equipment, and Noise Levels 4.13-15

Table 4.13.J: Existing Conditions Without and Plus Project Traffic Noise Levels 4.13-18

Table 4.13.K: Opening Year (2023) Without and Plus Project Traffic Noise Levels 4.13-19

Table 4.13.L: Cumulative Conditions (2023) Traffic Noise Levels Without and Plus Project..... 4.13-20

Table 4.13.M: Daytime and Nighttime Stationary Noise Levels 4.13-24

Table 4.13.N: Vibration Source Amplitudes for Construction Equipment..... 4.13-26

Table 4.13.O: Potential Construction Vibration Annoyance..... 4.13-27

Table 4.13.P: Potential Construction Vibration Damage 4.13-29

Table 4.14.A: Population, Housing, and Employment Forecasts (2016–2045) 4.14-2



Table 4.14.B: Riverside County and City of Banning Age Characteristics (2017–2021)	4.14-4
Table 4.15.A: BUSD Classroom Enrollment and Capacity (2022–2023)	4.15-7
Table 4.16.A: Parks and Recreational Facilities in the City of Banning	4.16-2
Table 4.16.B: Joint-Use School Facilities	4.16-5
Table 4.17.A: Project VMT Summary.....	4.17-20
Table 4.19.A: Projected Groundwater Supply (Acre-Feet/Year)	4.19-3
Table 4.19.B: Normal, Single-Dry, Multiple-Dry Year Water Demand (Acre-Feet/Year).....	4.19-4
Table 4.19.C: Riverside County Waste Management Department Landfills	4.19-7
Table 4.19.D: Estimated Project Water Demand	4.19-19
Table 4.19.E: Project Wastewater Generation.....	4.19-22
Table 4.19.F Normal Year/Single Dry Year/Multiple Dry Year Comparison with Project Build Out.....	4.19-31
Table 4.19.G: Projected Project Solid Waste Generation	4.19-34
Table 4.19.H: Solid Waste Generation Rates in Banning	4.19-35
Table 5.A: Significant Environmental Effects That Cannot Be Avoided.....	5-1
Table 6.A: Significant and Unavoidable Project Impacts.....	6-5
Table 6.B: Project Alternatives’ Ability to Meet the Project Objectives	6-29
Table 6.C: Proposed Project and Project Alternatives Impact Comparison	6-31



This page intentionally left blank



LIST OF ABBREVIATIONS AND ACRONYMS

°C	degrees Celsius
°F	degrees Fahrenheit
2022 Wildfire Guidance	<i>Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act (State of California Office of the Attorney General 2022)</i>
AB	Assembly Bill
ACS	American Community Survey
ADOE	Archeological Determinations of Eligibility
AG	Agricultural (land use designation)
AGR	Agriculture Supply
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
amsl	above mean sea level
APN	Assessor's Parcel Number
APS	Alternative Planning Strategy
AQMP	Air Quality Management Plan
AQUA	Aquaculture
AST	aboveground storage tank
ASTM	ASTM International
ATMP	Archaeological Monitoring and Treatment Plan
AWSC	all-way stop controlled
BCVWD	Beaumont-Cherry Valley Water District
BERD	Built Environment Resources Directory



BEU	Banning Electric Utility
Biological Assessment	<i>Biological Assessment Letter Report for the First Hathaway Redevelopment Project</i> (BLUE Consulting Group 2022)
BLD	Banning Library District
BLM	Bureau of Land Management
BMC	City of Banning Municipal Code
BMP	best management practice
Board	Riverside County Board of Supervisors
BP	Business Park (land use designation)
BPD	Banning Police Department
Brief	Brief of Amicus Curiae
BSA	Biological Study Area
BTU	British thermal units
BUSD	Banning Unified School District
CAA	Clean Air Act
CAAQS	California ambient air quality standards
CAFE	Corporate Average Fuel Economy
Cal/EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Occupational Safety and Health Administration
CalEEMod	California Emission Estimator Model
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation



CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CARB Handbook	<i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (CARB 2005)
CARE CA	California Allied for a Responsible Economy
CASSA	Criteria Area Species Survey Area
CBC	California Building Code
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CEUS	Commercial End Use Survey
CFC	California Fire Code
CFR	Code of Federal Regulations
CGP	Construction General Permit
CGS	California Geological Survey
CH ₄	methane
CIP	Capital Improvement Program
City	City of Banning
CIWMB	California Integrated Waste Management Board
CIWMP	Countywide Integrated Waste Management Plan



CLCA	California Land Conservation Act of 1965
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
COA	Condition of Approval
COLD	Cold Freshwater Habitat
County	County of Riverside
CPTED	Crime Prevention Through Environmental Design
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRMP	Cultural Resource Management Plan
CTC	county transportation commission
CTR	California Toxics Rule
Cultural Resources Study	<i>Cultural Resources Study for the First Hathaway Project</i> (Brian F. Smith and Associates, Inc. 2022)
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWC	California Water Code
dBA	A-weighted decibel(s)
DBESP	Determination of Biologically Equivalent or Superior Preservation
DDT	dichlorodiphenyltrichloroethane
DDE	dichlorodiphenyldichloroethylene
DEH	County of Riverside Department of Environmental Health



DERA	Diesel Emissions Reduction Act
DIF	Development Impact Fee
DIR	California Department of Industrial Relations
DOC	California Department of Conservation
DOF	California Department of Finance
DPM	diesel particulate matter
DRRP	Diesel Risk Reduction Plan
DSL	Digital Subscriber Line
DTSC	California Department of Toxic Substance Control
du	dwelling unit(s)
DWR	State Department of Water Resources
EIA	United States Energy Information Administration
EIC	Eastern Information Center
EIR	Environmental Impact Report
EJ	environmental justice
EMFAC	California Emission Factor Model
EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
FAA	Federal Aviation Administration
FAR	floor area ratio
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency



FESA	Federal Endangered Species Act
FHSZ	fire hazard severity zones
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FMZ	Fuel Modification Zone
Forest Practice Act	Z'Berg-Nejedly Forest Practice Act
FPP	Fire Protection Plan
FR	Federal Register
FRA	Federal Responsibility Area
FRAP	Fire and Resources Assessment Program
Friant Ranch case	<i>Sierra Club v. County of Fresno</i>
FRSH	Freshwater Replenishment
FSZ	Farmland Security Zone
FTA	Federal Transit Administration
Geotechnical Investigation	<i>Geotechnical Investigation for the Proposed Banning Industrial Park (Southern California Geotechnical 2022)</i>
GHG	greenhouse gas
GLO	General Land Office
GSA	groundwater sustainability agency
GSP	Gross State Product
GWh	gigawatt-hours
GWP	Global Warming Potential
GWR	Groundwater Recharge



H ₂ S	hydrogen sulfide
Handbook	<i>Whitewater River Region Storm Water Quality Best Management Practice Design Handbook for Low Impact Development (RCFCWCD 2014)</i>
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HDPE	high-density polyethylene
HDR	High Density Residential
HDT	heavy-duty truck
HDTV	High-Definition Television
HFCs	hydrofluorocarbons
HI	Hazard Index
	or
	Heavy Industrial (land use designation)
HMBP	Hazardous Materials Business Plan
HRA	Health Risk Assessment
HSC	California Health and Safety Code
HVAC	heating, ventilation, and air conditioning
Hydrology Report	<i>Preliminary Hydrology Report for First Hathaway Logistics Center (Stantec 2023)</i>
I	Interstate
I/MR	Industrial-Mineral Resources
IARC	International Agency for Research on Cancer
ICC	International Code Council
IMP	Integrated Master Plan
IND	Industrial Service Supply



in/sec	inch(es) per second
IOU	investor-owned utilities
ITE	Institute of Transportation Engineers =
IWMP	Integrated Waste Management Plan
kBTU	thousand British thermal units
kV	kilovolt(s)
kWh	kilowatt-hours
LCFS	low carbon fuel standard
LDR	Low Density Residential
LEA	Local Enforcement Agency
LEED	Leadership in Energy and Environmental Design
L_{eq}	equivalent continuous sound level
LI	Light Industrial (land use designation)
LID	Low Impact Development
L_{max}	maximum instantaneous noise level
Local Transportation Analysis	<i>First Hathaway Logistics Center Local Transportation Analysis (Stantec 2023)</i>
LOS	Level(s) of service
LRA	Local Responsibility Area
LSA	LSA Associates, Inc.
LST	localized significance threshold
M&I	Municipal and Industrial
MBTA	Migratory Bird Treaty Act
MDT	medium-duty truck



MEI	maximum exposed individual
MEK	methyl ethyl ketone
mg/L	milligrams/liter
MICR	maximum individual cancer risk
MLD	Most Likely Descendant
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
MMT CO ₂ e	million metric ton(s) of carbon dioxide equivalent
Morongo	Morongo Band of Mission Indians
mpg	mile(s) per gallon
mph	mile(s) per hour
MPO	Metropolitan Planning Organization
MRMP	Mineral Resource Management Policies
MS4	Municipal Separate Storm Sewer System
MRZ	Mineral Resource Zone
MSDS	Material Safety Data Sheet
MSHCP	Multiple Species Habitat Conservation Plan
MT	metric ton(s)
MT CO ₂ e	metric ton(s) of carbon dioxide equivalent
MUN	Municipal and Domestic Supply
MW	megawatt(s)
MWD	Metropolitan Water District
MWELO	Model Water Efficient Landscape Ordinance



N ₂ O	nitrous oxide
NAAQS	national ambient air quality standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
NEPSSA	Narrow Endemic Plant Species Survey Area
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NO	nitric oxide
NO ₂	nitrogen dioxide
NOA	Notice of Availability
NOC	Notice of Completion
NOI	Notice of Intent
Noise and Vibration Impact Analysis	<i>Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California (LSA 2023)</i>
NOP	Notice of Preparation
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O ₃	ozone
OA	Operational Area
OEHHA	Office of Environmental Health Hazard Assessment



OES	Governor’s Office of Emergency Services
OHP	Office of Historic Preservation
OPR	Governor’s Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Paleontological Assessment	<i>Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside</i> (Brian F. Smith and Associates, Inc. 2021)
Phase I ESA	Phase I Environmental Site Assessment
Phase II ESA	Phase II Environmental Site Assessment
PCBs	polychlorinated biphenyls
PCC	Portland cement concrete
PCE	passenger car equivalent
PDP	Priority Development Project
PFCs	perfluorocarbons
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PM ₁₀	particulate matter less than 10 microns in diameter
Porter-Cologne Act	Porter-Cologne Water Quality Control Act of 1970
POW	Hydropower Generation
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	California Public Resources Code
PRD	Permit Registration Document
proposed project	First Hathaway Logistics Project
PVC	polyvinyl chloride



RARE	Preservation of Rare, Threatened, or Endangered Species
RASS	Residential Appliance Saturation Survey
RCA	Regional Conservation Authority
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCM	Regulatory Compliance Measure
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RCWMD	Riverside County Waste Management Department
REC	recognized environmental condition
REC I	Water Contact Recreation
REC II	Non-Contact Water Recreation
RHNA	Regional Housing Needs Assessment
RMS	root-mean-square
ROG	reactive organic gases
ROW	right-of-way
RPS	Renewable Portfolio Standard
RTIP	county transportation commission
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SAFZ	San Andreas Fault Zone
SB	Senate Bill
SBNF	San Bernardino National Forest



SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCPPA	Southern California Public Power Authority
SCS	Sustainable Communities Strategy
SDWA	Safe Drinking Water Act
SEMS	Standardized Emergency Management System
SF ₆	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SGP Subbasin	San Geronio Pass Subbasin
SGPWA	Beaumont-Cherry Valley Water District
SHMA	Seismic Hazard Mapping Act
SHMP	State Hazard Mitigation Plan
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act of 1975
SMARTS	Stormwater Multiple Application and Report Tracking System
SMGB	California State Mining and Geology Board
SMJU	Small and Multi-Jurisdictional Utilities
SO ₂	sulfur dioxide
SO _x	sulfur oxides
SoCalGas	Southern California Gas Company



SOI	Secretary of the Interior
SPRR	Southern Pacific Railroad Company
SR	State Route
SRA	Source Receptor Area
SRRE	Source Reduction and Recycling Element
SUV	sport utility vehicle
SWP	California State Water Project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TDS	total dissolved solids
THPO	Tribal Historic Preservation Officer
TMDL	total maximum daily load
TPM	Tentative Parcel Map
TPZ	Timberland Production Zone
TRU	transport refrigeration unit
TSD	Treatment, Storage, and Disposal
TUMF	Transportation Uniform Mitigation Fee
TWSC	two-way stop control
UCR	University of California, Riverside
UPRR	Union Pacific Railroad
URF	unit risk factor
USACE	United States Army Corps of Engineers
USC	United States Code



USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
VdB	vibration velocity decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VMT Assessment	<i>First Hathaway Logistics Center VMT Assessment (Stantec 2023)</i>
VOC	volatile organic compound
WAIRE	Warehouse Actions and Investments to Reduce Emissions
WARM	Warm Freshwater Habitat
WARP	Working Age Resident Population
WDF	water demand factor
WDID	Waste Discharge Identification Number
WDR	waste discharge requirement
Whitewater River Watershed MS4 Permit	<i>NPDES Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Within the Whitewater River Watershed Riverside County Flood Control and Water Conservation District, County of Riverside, Coachella Valley Water District and Incorporated Cities of Riverside County within the Whitewater River Basin</i>
WILD	Wildlife Habitat
Wildfire Evacuation Plan	<i>Wildfire Evacuation Plan, First Hathaway Logistics Project (Dudek 2023)</i>
Working Group	GHG CEQA Significance Threshold Working Group



WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WRF	Wastewater Reclamation Facility
WRRRA	Waste Reuse and Recycling Act
WSA	Water Supply Assessment
WUI	wildland-urban interface
WWUD	City of Banning Water and Wastewater Utilities Department
XRF	X-ray fluorescence
ZEV	zero-emission vehicle
ZNE	zero net energy



1.0 EXECUTIVE SUMMARY

This chapter provides an overview of the proposed project and the findings outlined in this Environmental Impact Report (EIR), including a discussion of alternatives and cumulative project impacts.

1.1 PROJECT UNDER REVIEW

This EIR has been prepared to evaluate the environmental consequences of approval and implementation of the First Hathaway Logistics Project (project). The project site is situated in the eastern portion of Banning on 94.86 gross acres. The project applicant (First Industrial Realty Trust, Inc.) seeks to entitle and permit the development of the project site with an approximately 1,420,722 square-foot warehouse distribution building with truck docks, trailer parking, passenger vehicle parking, landscaping, and associated improvements. Requested project entitlements include Design Review, a Tentative Parcel Map, and other discretionary and ministerial approvals, permits, and actions by the City of Banning (City) (e.g., grading permit, off-site street and utility permits, and building permit). Refer to Chapter 3.0, Project Description, for a complete description of the proposed project and requested permits and approvals.

1.2 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND REGULATORY COMPLIANCE MEASURES

This summary provides an overview of the analysis contained in Chapter 4.0, Setting, Impacts and Mitigation Measures. The California Environmental Quality Act (CEQA) requires a summary to include discussion of: (1) potential areas of controversy; (2) significant impacts; (3) recommended mitigation measures; (4) alternatives to the project; and (5) cumulative impacts.

1.2.1 Potential Areas of Controversy

The City issued a Notice of Preparation (NOP) to the public to solicit comments on the scope of the analysis to be included in the EIR. The 30-day public comment period extended from April 22 to May 22, 2022. Comments received during the public review of the NOP are summarized in detail in Table 2.A: Notice of Preparation Agency Comments Received, which concerned the following issues:

- Disclosure of information about water and sanitary sewer systems and the potential for adverse effects to hazardous materials on site (see Sections 4.9: Hazards and Hazardous Materials and 4.19: Utilities and Service Systems);
- Native American scoping procedures (see Sections 4.5: Cultural Resources and 4.18: Tribal Cultural Resources);
- Tribal cultural resource impacts (see Sections 4.5: Cultural Resources and 4.18: Tribal Cultural Resources);
- Airport Land Use Plan Consistency (see Sections 4.9: Hazards and Hazardous Materials and 4.11: Land Use;



- Appropriate assessment of potential impacts related to certain warehouse uses, vehicle miles traveled by heavy-duty truck traffic, and inclusion of health risk assessment in the EIR analysis (see Sections 4.3: Air Quality, 4.8: Greenhouse Gas Emissions, and 4.17: Transportation.);
- Appropriate truck access and assessment of cumulative traffic impacts, evaluation of project alternatives that reduce impacts, and potential impacts to the San Gorgonio/San Bernardino-San Jacinto mountains special linkage (see Sections 4.4: Biological Resources, 4.17: Transportation, 4.18: Tribal Cultural Resources, and 6.0: Alternatives.);

The NOP and all comments received during the 30-day public review period are provided in Appendices A-1 and A-2, respectively.

The Public Scoping Meeting was held in the Council Chambers of Banning City Hall on May 19, 2022. Two public comments were received during the Public Scoping Meeting. These comments included:

- **Inge Schuler:** The issue of concern was that the 18-wheelers generated by the proposed project would be of such a substantial number as to impact area circulation. The commenter expressed concern that, when Interstate I-10 (I-10) is congested, motorists would use Ramsey Street through town to bypass congestion on the interstate. The commenter further stated that freeway access on Hargrave Street is limited and the parking of idle 18-wheelers would impact surrounding residential areas (from vehicle emissions).
- **Joe Rodriguez:** This commenter stated that the additional truck traffic is a specific issue requiring assessment in the EIR.

The Public Scoping Meeting presentation is provided in Appendix A-3 of this EIR.

1.2.2 Significant Impacts

Under CEQA, a significant impact on the environment is defined as "...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." Impacts in the following areas would be significant without the implementation of mitigation measures, but would be reduced to a less than significant level with the implementation of the mitigation measures recommended in this EIR:

- Biological Resources;
- Cultural Resources;
- Geology and Soils (Paleontological Resources);
- Hazards and Hazardous Materials; and
- Tribal Cultural Resources.



1.2.3 Significant and Unavoidable Impacts

Although mitigation measures (MMs) and Regulatory Compliance Measures (RCMs),¹ would be implemented to reduce or avoid identified impacts, construction and/or operation of the proposed project would result in the following significant and unavoidable impacts:

1.2.3.1 Air Quality

- The project would not be consistent with the South Coast Air Quality Management District's (SCAQMD) 2022 Air Quality Management Plan (AQMP) because operation of the project would exceed established SCAQMD thresholds for maximum daily emissions of criteria pollutants.
- Emissions associated with operation of the proposed project would exceed established SCAQMD thresholds. Despite the incorporation of **Mitigation Measure AQ-1** (as discussed in Section 4.3, Air Quality, and Table 1.A), operation of the proposed project would result in significant and unavoidable impacts for daily emissions of nitrogen oxides (NO_x).
- Criteria pollutant emissions would exceed SCAQMD thresholds, which could hinder the attainment of air quality standards. Therefore, air quality emissions associated with the proposed project, even with the implementation mitigation, would result in a cumulatively considerable impact. This impact would be significant and unavoidable.

1.2.3.2 Greenhouse Gas Emissions

- Project-related greenhouse gas (GHG) emissions would exceed the SCAQMD's 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year threshold. While the implementation of **MM GHG-1** through **MM GHG-3** (as discussed in Section 4.8, Greenhouse Gas Emissions and Table 1.A), would reduce GHG emissions, the majority of the GHG emissions (74 percent of unmitigated and mitigated emissions) are associated with nonconstruction-related mobile sources. No additional feasible measures are available that would further reduce GHG emissions because emissions of motor vehicles are controlled by State and federal standards, and the project has no control over these standards; therefore, this impact remains significant and unavoidable.
- The project would not conflict with local, regional, and statewide plans, policies, programs, and regulations that have been adopted for the purpose of reducing GHG emissions. Despite this consistency, the project's long-term operational activities would generate GHG emissions that exceed the City's threshold of 3,000 MTCO₂e per year despite implementing project design features and all feasible mitigation. Thus, the project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050), and a significant and unavoidable impact would occur.
- Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own; however, because project-related carbon dioxide equivalent (CO₂e) emissions would exceed the scaled SCAQMD thresholds even with

¹ Regulatory Compliance Measures consist of various federal, State, and/or local acts, laws, rules, regulations, municipal codes, etc. required as a matter of policy.



mitigation, the proposed project would have a significant contribution to cumulatively considerable GHG emission impacts. Impacts would be significant and unavoidable.

1.2.3.3 Noise

- Construction of roadway and infrastructure improvements would expose the closest residential buildings to an interior construction noise level of 71.7 A-weighted decibels (dBA) equivalent continuous sound level (L_{eq}) and would exceed the City's construction noise standard of 55 dBA for more than 15 minutes per hour. Although **RCM N-1** (discussed in Section 4.13, Noise, and Table 1.B) would be implemented during construction of the proposed project, construction noise impacts would be significant and unavoidable because existing driveway access from the sensitive residential uses on Hathaway Street precludes implementation of temporary construction barriers to attenuate noise levels generated from construction activities along Hathaway Street.

1.2.3.4 Transportation

- A significant impact to vehicle miles traveled (VMT) would occur since the proposed project would result in project-generated VMT per employee that exceeds the City's significance threshold of 30.42. The proposed project's VMT per employee would be 10.5 percent above the average VMT per employee for the region; therefore, the proposed project would not meet the City's VMT significance threshold of "no net increase in VMT per employee." Although Transportation Demand Measures would be implemented pursuant to **MM TRA-1** (as discussed in Section 4.17, Transportation, and Table 1.A), because the proposed warehouse end-user is speculative, the effectiveness of **MM TRA-1** cannot be quantified with certainty and may not reduce VMT per employee to 30.42 or less. In the absence of verifiable mitigation, this impact remains significant and unavoidable.
- VMT impacts at the project level would also be considered cumulatively significant. Because implementation of the Transportation Demand Strategies identified in **MM TRA-1** cannot guarantee VMT reductions, and the proposed project VMT per employee would still exceed the average VMT per employee for the Western Riverside Council of Governments (WRCOG) region, the proposed project impacts from VMT would be cumulatively considerable and significant. No additional mitigation is feasible to reduce the impact further.

1.2.4 Alternatives to the Project

The following alternatives were evaluated within the EIR:

- **Alternative 1: No Project/No Build Alternative.** This alternative assumes that the project site would remain in its current, undeveloped condition.
- **Alternative 2: Modified Site Plan/Reduced Intensity Alternative.** This alternative assumes that the eastern portion of the project site would be developed with one warehouse building totaling 1,207,614 square feet (0.33 floor area ratio [FAR]). This represents a reduction in development of 213,108 square feet, or approximately 15 percent, compared to the proposed project.



Based on the analysis in Chapter 6.0, the environmentally superior alternative that meets all project objectives, albeit to a lesser extent, is **Alternative 2: Modified Site Plan/Reduced Intensity Alternative**.

1.2.5 Cumulative Impacts

The cumulative effect of the project and other past, present, and reasonably foreseeable projects is provided in Chapter 4.0 following the assessment of each environmental issue.

1.3 SUMMARY TABLE

Information in Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures has been organized to correspond with the environmental issues discussed in Chapter 4.0. The table is arranged in four columns: (1) impacts; (2) level of significance prior to mitigation; (3) mitigation measures and regulatory compliance measures; and (4) level of significance after mitigation. Levels of significance are categorized as follows:

- **SU:** Significant and Unavoidable
- **S:** Significant
- **LTS:** Less Than Significant

Applicable Regulatory Compliance Measures (RCMs) are prescribed for the proposed project in instances where the project would be required to adhere to various federal, State, and/or local acts, laws, rules, regulations, municipal codes, etc. as a matter of policy. The RCMs are not mitigation and are standard requirements for development projects in the City. For a complete description of potential impacts and recommended mitigation measures and RCMs, please refer to the specific topical discussions in Chapter 4.0.



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
4.1: Aesthetics			
<i>No significant aesthetic impacts would occur. No Mitigation Measures or Regulatory Compliance Measures are required.</i>			
4.2: Agricultural and Forestry Resources			
<i>No significant impacts to agricultural or forestry resources would occur. No Mitigation Measures or Regulatory Compliance Measures are required.</i>			
4.3: Air Quality			
4.3.6.1: The regional operational-source emissions are anticipated to exceed the regional thresholds of significance for nitrogen oxides (NO _x), resulting in an inconsistency with the 2022 Air Quality Management Plan (AQMP).	S	Implementation of MM AQ-1 (cited below).	SU
4.3.6.2: The daily emissions of NO _x would exceed the significance criteria established by the South Coast Air Quality Management District (SCAQMD) for this criteria pollutant.	S	MM AQ-1: The project applicant shall ensure that the following multi-part mitigation measure is implemented during project operation. <ul style="list-style-type: none"> a. All appliances within the project shall be Energy Star-rated appliances. b. All water fixtures shall be water efficient (toilets/urinals: 1.5 gallons per minute [GPM] or less, showerheads: 2.0 GPM or less, and faucets: 1.28 GPM or less). c. All equipment used to maintain the landscaping within the project shall be electric. d. 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 the 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 (City), the South Coast Air Quality Management District (SCAQMD), and the State upon request. e. Tenant lease agreements for the project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 5 minutes while on site. f. All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. 	SU



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>g. Interior- and exterior-facing signs, including signs directed at all project entrances, loading docks and delivery areas, and truck parking areas shall be provided identifying idling restrictions and contact information to report violations to the California Air Resources Board (CARB), SCAQMD, and the building manager.</p> <p>h. 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.</p> <p>i. Prior to issuance of occupancy permits for the project, the operator shall be required to establish and promote a rideshare program, and to 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, such as carpooling/vanpools, public transit, and biking.</p> <p>j. Signs at every truck exit driveway shall be provided showing directional information to the truck route. Signs shall be provided on adjacent local residential streets to indicate trucks are prohibited.</p> <p>k. The 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 to make records available for inspection by the City, SCAQMD, and the State upon request.</p> <p>l. The tenant shall be required to enroll in the United States Environmental Protection Agency’s SmartWay program and shall be required to use carriers that are SmartWay carriers.</p> <p>m. The tenant shall be provided with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.3.7: Even with the with implementation of MM AQ-1, operational impacts from criteria pollutant emissions would exceed SCAQMD thresholds, which could hinder the attainment of air quality standards. Therefore, air quality emissions associated with the proposed project would result in a cumulatively considerable impact.</p>	S	Implementation of MM AQ-1 (cited above).	SU
<p>4.4: Biological Resources</p>			
<p>4.4.6.1: Burrowing owls have historically been observed in the general vicinity of the project site, and they could potentially inhabit the survey areas that were previously determined to be unoccupied. While no evidence of occupation of the site by burrowing owls was identified during the 2022 focused surveys, because it is a mobile species, pre-construction surveys are required.</p>	S	<p>MM BIO-1: Within 30 days prior to commencement of ground-disturbing activities, a pre-construction burrowing owl survey shall be conducted by a qualified biologist. The results of the single 1-day survey shall be submitted to the City of Banning (City) for review prior to issuance of a grading permit. If burrowing owls are not detected during the pre-construction survey, no further mitigation is required.</p> <p>If burrowing owls are detected during the pre-construction survey, a burrowing owl protection and relocation program shall be prepared by a qualified biologist and submitted to the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) for review and approval. If any burrowing owls are identified on site, the owls shall be relocated/excluded from the site outside of the breeding season (February through August) following accepted protocols, as specified in Multiple Species Habitat Conservation Plan (MSHCP) Section 6.3.2. The project applicant shall submit evidence to the City that required and applicable provisions of the burrowing owl protection and relocation program (pursuant to applicable California Department of Fish and Wildlife and/or United States Fish and Wildlife Service guidelines) and any subsequent relocation efforts have been satisfied prior to the start of any on-site ground-disturbing activity.</p>	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.4.6.4: The site has been previously graded and disturbed and harbors only ruderal and nonnative vegetation. In its current condition, the site provides marginal potential for nesting species, although none are candidate species or species of concern. Regardless, all native, resident, and migratory bird species are federally protected under the Migratory Bird Treaty Act (MBTA).</p>	S	<p>MM BIO-2: Prior to on-site vegetation clearance, the project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:</p> <ul style="list-style-type: none"> a. The pre-construction nesting survey may be conducted concurrent with the burrowing owl pre-construction survey prescribed in MM BIO-1. b. The survey shall be conducted no more than 3 days prior to the initiation of clearance/construction work. c. If preconstruction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required. d. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until said qualified biologist determines that all young have fledged (i.e., are no longer reliant upon the nest). e. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that a pre-construction survey has been conducted and that either: (1) the site is free of any nesting activity; (2) the appropriate buffers will be maintained around on-site nesting activity; and/or (3) construction/grading operations will commence after the completion of on-site nesting activities. 	LTS
<p>4.4.6.6: The City is required to take all necessary and appropriate actions (following its permit enforcement practices and procedures) to enforce the terms of project approvals, including compliance with MSHCP, and to carry out applicable requirements identified in the MSHCP.</p>	S	Implementation of MM BIO-1 and MM BIO-2 (cited above).	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.4.7: A cumulatively considerable effect would occur if the project, in conjunction with cumulative projects, would result in a significant impact on sensitive species or protected wetlands/riparian resources, or conflicted with adopted conservation plans/programs designed to protect biological resources.</p>	S	Implementation of MM BIO-1 and MM BIO-2 (cited above).	LTS
<p>4.5: Cultural Resources</p>			
<p>4.5.6.1: Although no cultural resources have been currently identified within the project site, the site is located directly adjacent to the southern boundary of the Morongo Band of Mission Indians (Morongo) Reservation and in close proximity to two mapped locations of the ethnohistoric Cahuilla village known as Pihatapa. Furthermore, the project is just south of the San Gorgonio River, which was utilized by the pre-contact inhabitants of the region. These factors heighten the potential for the discovery of archeological material during the course of ground-disturbing activities of the project schedule.</p>	S	<p>MM CUL-1: Native American Treatment Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Agreement with the Morongo Band of Mission Indians (Morongo) for the project. The Tribal Monitor shall be on site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.</p> <p>MM CUL-2: Retention of Archaeologist. Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a qualified archaeologist who meets the United States Secretary of the Interior Standards (SOI). The archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities, as well as the procedures to be followed in such an event.</p>	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>MM CUL-3: Cultural Resource Management Plan. Prior to any ground-disturbing activities, the project archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This plan shall be written in consultation with the Cultural Resource Management Plan consulting Tribe(s) and shall include the following: approved mitigation measures/Conditions of Approval (COAs), contact information for all pertinent parties, parties’ responsibilities, procedures for each mitigation measure or COA, and an overview of the project schedule.</p> <p>MM CUL-4: Pre-Grade Meeting. The retained qualified archeologist and Consulting Tribe(s) representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.MM CUL-5: On-Site Monitoring. During all ground-disturbing activities, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.</p> <p>MM CUL-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbing activities in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</p> <p>If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier shall be constructed. All work shall be diverted away from the vicinity</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>of the find so that the find can be evaluated by the qualified archaeologist and Tribal Monitor(s). The archaeologist shall notify the Lead Agency and consulting Tribe(s) of said discovery. The qualified archaeologist, in consultation with the Lead Agency, the consulting Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the qualified archaeologist in consultation with the Tribe(s) and the Native American monitor(s) and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:</p> <ol style="list-style-type: none"> a. Full avoidance. b. If avoidance is not feasible, preservation in place. c. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or deed restriction. d. If all other options are proven to be infeasible, data recovery shall be conducted through excavation, followed by curation of the items in a curation facility that meets the Federal Curation Standards (CFR Section 79.1). <p>MM CUL-7: Inadvertent Discovery of Human Remains. Morongo requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the Coroner, with written approval by the consulting Tribe(s).</p> <ol style="list-style-type: none"> a. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing; grubbing; tree and bush removal; grading; trenching; fence post placement and removal; construction excavation; excavation for all water supply, electrical, and irrigation lines; and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected, and project personnel/observers will be restricted. The County Coroner is to be contacted within 24 	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.</p> <p>b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of determination pursuant to subdivision (c) of California Health and Safety Code (HSC) §7050.5.</p> <p>c. The NAHC shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.</p> <p>d. If Morongo has been named the MLD, the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance, where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). The reburial location of human remains and/or cremations will be determined by the Tribe’s MLD, the landowner, and the City of Banning Planning Department.</p> <p>MM CUL-8: Final Report: The final report(s) created as a part of the project (ATMP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe(s) for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center and the Consulting Tribe(s).</p>	
<p>4.5.6.2: Construction of the proposed project has the potential to disturb undocumented human remains that have potential to occur on the project site.</p>	<p>S</p>	<p>Implementation of MM CUL-7 (cited above).</p>	<p>LST</p>



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
4.5.7: A cumulatively considerable effect would occur if the project, in conjunction with cumulative projects, would result in a significant impact on archaeological resources, including historical resources pursuant to §15064.5, and human remains.	S	Implementation of MM CUL-1 through MM CUL-8 (cited above).	LST
4.6: Energy			
<i>No significant impacts related to energy resources. No Mitigation Measures or Regulatory Compliance Measures are required.</i>			
4.7: Geology, Soils, and Seismicity			
4.7.6.2: Construction and operation of the project could directly or indirectly cause adverse effects involving seismic ground shaking.	LTS	<p>RCM GEO-1: Compliance with California Building Code and Site-Specific Geotechnical Investigation.</p> <p>a. Prior to the issuance of grading and/or building permits, the applicant shall provide evidence to the City of Banning (City) for review and approval that proposed structures, features, and facilities to be constructed on the project site have been designed and will be constructed in conformance with applicable provisions of the most current edition of the California Building Code (CBC) in effect at the time of development application submittal and that the Final Geotechnical Investigation recommendations conform to the most current CBC.</p> <p>b. Additionally, the Applicant shall provide evidence to the City that the recommendations cited in the project-specific Final Geotechnical Investigation are incorporated into project plans and/or implemented as deemed appropriate by the City. The Final Geotechnical Investigation 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 structure constructed on the project site.</p> <p>c. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the Final Geotechnical Investigation 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 and engineered slope parameters shall be in accordance with the Final Geotechnical Investigation to protect against lateral spreading and on-site landslides. Construction of concrete structures in contact with</p>	LST



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		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 Investigation shall be implemented to the satisfaction of the City's Building and Safety Director or designee.	
4.7.6.3: Construction and operation of the project could directly or indirectly cause adverse effects involving ground failure, including liquefaction.	LTS	Implementation of RCM GEO-1 (cited above).	LTS
4.7.6.4: Construction and operation of the project could directly or indirectly cause adverse effects involving ground failure, including landslides.	LTS	Implementation of RCM GEO-1 (cited above).	LTS
4.7.6.5: Construction and operation of the project could result in substantial soil erosion or the loss of topsoil.	LTS	Implementation of RCM GEO-1 (cited above). Implementation of RCM HYD-1 through RCM HYD-3 (cited below).	LTS
4.7.6.6: Construction and operation of the project could result in risk to structures and/or occupants from potentially unstable soils.	LTS	Implementation of RCM GEO-1 (cited above). Implementation of RCM HYD-2 (cited below).	LTS
4.7.6.7: Construction and operation of the project could result in risk to structures and/or occupants from potentially expansive soils.	LTS	Implementation of RCM GEO-1 (cited above).	LTS
4.7.6.9: Excavation depths for rough grading, compaction for building foundations, and utility trenching would reach approximately 50 feet below the existing grade in the northwestern portion of the project site, potentially deep enough to encounter late Pleistocene-aged alluvium.	S	MM GEO-1: Paleontological Resources Monitoring a. 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 project Applicant, and a representative of the City of Banning (City). The nature of potential paleontological resources shall be discussed, as well as the protocol that is to be implemented following the discovery of any fossiliferous materials.	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>b. For earthmoving within young alluvial fan deposits (Qyf) and young alluvial valley deposits (Qya) mapped at the project 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>c. In the field, the primary monitor or monitors under the direction and supervision of the project paleontologist shall be the responsible person(s) on site with the assigned authority and responsibility to control all grading operations that might adversely affect any salvage efforts.</p> <p>d. Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or 5-gallon buckets. Notes shall be taken on the map location and stratigraphy of the site, which shall be photographed before it is vacated and fossils are removed to a safe place.</p> <p>e. All paleontological monitors shall immediately notify all concerned parties (project Applicant and lead agency [i.e., the City of Banning]) at the time of any discovery. The City shall ensure that the recommendations from the qualified professional paleontologist shall be followed by the project Applicant and construction contractor(s).</p> <p>f. Within 90 days of final paleontological monitoring, a final monitoring and mitigation report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to and accepted by the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.7.7: A cumulatively considerable effect would occur if the project, in conjunction with cumulative projects, would result in significant impacts from seismic activity, soil erosion, landslides, lateral spreading, subsidence, liquefaction, collapse, expansive soil, unsupported septic or other alternative wastewater disposal systems, or if impacts would occur to paleontological resources.</p>	S	<p>Implementation of RCM GEO-1 (cited above). Implementation of RCM HYD-1 through RCM HYD-3 (cited below). Implementation of MM GEO-1 (cited above).</p>	LTS
<p>4.8: Greenhouse Gas</p>			
<p>4.8.6.1: The project would generate 17,974 metric tons of carbon dioxide equivalent (MTCO₂e) per year. Project-related greenhouse gas (GHG) emissions would exceed the South Coast Air Quality Management District’s (SCAQMD) 3,000 MTCO₂e per year threshold. Thus, operation of the proposed project would result in a significant impact for GHG emissions.</p>	S	<p>Implementation of MM AQ-1 (cited above).</p> <p>MM GHG-1: The project applicant shall 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 pick-up. The applicant shall provide a commercial recycling/composting program that provides 70 percent diversion of waste for the commercial land uses prior to occupancy by tenants. The applicant shall also provide an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses during project operation.</p> <p>MM GHG-2: The project applicant shall 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 during project construction.</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>	SU



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<ul style="list-style-type: none"> a. Building envelope insulation of conditioned space within the building shall be R15 or greater for walls and R30 or greater for attics/roofs. b. Windows shall have an insulation factor of 0.28 or less U-factor and 0.22 or less solar heat gain coefficient (SHGC). c. All roofing material shall be Cool Roof Rating Council (CRRC) rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance. d. All heating/cooling ducting within the buildings shall be insulated with R6 or greater insulation. e. All heating and cooling equipment shall be energy efficient ration (EER) 14/78 percent annual fuel utilization efficiency (AFUE), or 7.7 heating seasonal performance factor (HSPF) levels of efficiency or greater. f. All water heaters shall be high-efficiency electric water heaters with a minimum 0.72 Energy Factor or greater. g. Lighting within the building shall be high-efficiency light-emitting diode (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><u>4.8.6.2:</u> The project would not conflict with local, regional, or statewide plans, policies, programs, and regulations that have been adopted for the purpose of reducing GHG emissions. Despite this consistency, the project’s long-term operational activities would generate GHG emissions that exceed the City’s threshold of 3,000 MTCO₂e per year despite implementing project design features and all feasible mitigation. Thus, the project may impede various plans’ long-term GHG reduction goals (e.g., for 2030 and 2050), and a significant and unavoidable impact would occur.</p>	S	Implementation of MM AQ-1 and MM GHG-1 through MM GHG-3 (cited above).	SU



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p><u>4.8.7:</u> Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own; however, because project-related CO₂e emissions would exceed the scaled SCAQMD thresholds even with mitigation, the proposed project would have a significant contribution to cumulatively considerable GHG emission impacts.</p>	S	Implementation of MM AQ-1 and MM GHG-1 through MM GHG-3 (cited above).	SU
<p>4.9: Hazards and Hazardous Materials</p>			
<p><u>4.9.6.1:</u> Construction and operation of the project could create a significant hazard to the public or the environment from the transport, use, or disposal of hazardous materials.</p>	LTS	Implementation of RCM HYD-1 and RCM HYD-2 (cited below). RCM HAZ-1: Hazardous Materials Business Plan. Prior to issuance of a certificate of occupancy, the warehouse tenant/end-user shall submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Department of Environmental Health and the Riverside County Fire Department. The HMBP shall, at a minimum, include an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees.	LTS
<p><u>4.9.6.2:</u> Construction and operation of the project could create a significant hazard to the public or the environment from the accidental release of hazardous materials into the environment.</p>	LTS	Implementation of RCM HYD-1 and RCM HYD-2 (cited below). Implementation of RCM HAZ-1 (cited above).	LTS
<p><u>4.9.6.3:</u> Construction and operation of the project could emit hazardous emissions near a school.</p>	LTS	Implementation of RCM HYD-1 (cited below). Implementation of RCM HAZ-1 (cited above).	LTS
<p><u>4.9.6.5:</u> The project site is approximately 0.3 mile north of Banning Municipal Airport. Banning Municipal Airport includes one runway and associated taxiways, ramp space, and hangars. The project site is within Compatibility Zone D</p>	S	MM HAZ-1: The following conditions shall be met pursuant to Federal Aviation Administration <i>Aeronautical Study No. 2022-AWP-10883-OE</i> : a. Any increase in building area or a change in use that differs from what was previously evaluated by the Riverside County Airport Land Use Commission (ALUC) under File No. ZAP1047BA22 shall require an amended review by the ALUC.	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>(Primary Traffic Patterns and Runway Buffer Area) of the [Banning Municipal Airport] Riverside County Airport Land Use Compatibility Plan (ALUCP.) On July 11, 2022 under File No. ZAP1047BA22, the Riverside County Airport Land Use Commission (ALUC) requested that the mitigation ensure the proposed project would not exceed obstruction standards and would not be a hazard to air navigation.</p>		<p>b. The maximum height of the proposed structures to top point shall not exceed 55 feet above ground level, and the maximum elevation at the top of the structures shall not exceed 2,332 feet above mean sea level. The maximum height and top-point elevation specified above shall not be amended without further review by the ALUC and the Federal Aviation Administration (FAA); provided, however, that reduction in structure height or elevation shall not require further review by the ALUC.</p> <p>c. Temporary construction equipment used during actual construction of the structures shall not exceed 55 feet in height and a maximum elevation of 2,332 feet above mean sea level, unless separate notice is provided to the FAA through the Form 7460-1 process.</p> <p>d. If marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 2 and shall be maintained in accordance therewith for the life of the project. Furthermore, any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.</p> <p>MM HAZ-2: The following uses shall be prohibited:</p> <p>a. Any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.</p> <p>b. Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.</p> <p>c. Any use that would generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features; aquaculture; outdoor production of cereal grains, sunflower, and row crops; composting operations; wastewater management facilities; artificial marshes;</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; fly ash disposal; and incinerators.)</p> <p>d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.</p> <p>e. Highly noise-sensitive outdoor nonresidential uses.</p> <p>Any use that results in a hazard to flight, including physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.</p> <p>MM HAZ-3: A Riverside County ALUC-approved “Notice of Airport in Vicinity” shall be provided to all prospective purchasers and occupants of the property and be recorded as a deed notice. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map if an ECS is otherwise required.</p> <p>MM HAZ-4: Any proposed stormwater basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and remain totally dry between rainfalls. Vegetation in and around the basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent large expanses of contiguous canopy when mature. Landscaping in and around the basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.</p> <p>Landscaping in the stormwater basin, if not rip-rap, shall be in accordance with the guidance provided in Riverside County ALUC “LANDSCAPING NEAR AIRPORTS” brochure and “AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT” brochure, which list acceptable plants from the Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.</p> <p>A notice sign shall be permanently affixed to the stormwater basin with the following language: “There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>strikes.” The sign shall also include the name, telephone number or other contact information of the person or entity responsible for monitoring the stormwater basin.</p> <p>MM HAZ-5: Within 5 days after construction of the structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the FAA. This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure.</p> <p>MM HAZ-6: At least 9.5 acres of Riverside County ALUC-eligible open areas (at least 75 feet in width and 300 feet in length), as depicted on the Open Space exhibit of the <i>Airport Land Use Commission (ALUC) Development Review – Director’s Determination, File No.: ZAP1047BA22, dated July 11, 2022</i>, shall be kept obstacle- and obstruction-free per the ALUC’s definition of “open area” (no objects greater than 4 feet in height with a diameter of 4 inches or greater).</p> <p>MM HAZ-7: The project does not include rooftop solar panels at this time. However, if the project were to include solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the ALUC and Riverside County Aviation Division as owner and operator of Banning Municipal Airport. In the event of any reasonable complaint about glare related to aircraft operations, the applicant shall agree to such specific mitigation measures as determined or requested by the Riverside County Aviation Division.</p>	
4.9.6.6: Construction and operation of the project could interfere with an applicable emergency response plan or emergency evacuation plan	LTS	Implementation of RCM PUB-1 and RCM PUB-2 (cited below). Implementation of RCM TRA-2 (cited below). Implementation of RCM FIRE-1 (cited below).	LTS
4.9.6.7: Construction and operation of the project could expose people or structures to impacts from wildfires.	LTS	Implementation of RCM PUB-1 and RCM PUB-2 (cited below). Implementation of RCM FIRE-1 (cited below).	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.9.7: Development of the proposed project in conjunction with cumulative projects within a 1-mile radius has the potential to result in a cumulatively considerable impact related to hazards and hazardous materials during operation and construction.</p>	S	<p>Implementation of RCM HAZ-1 (cited above). Implementation of MM HAZ-1 through MM HAZ-7 (cited above). Implementation of RCM HYD-1 and RCM HYD-2 (cited below). Implementation of RCM PUB-1 and RCM PUB-2 (cited below). Implementation of RCM TRA-2 (cited below). Implementation of RCM FIRE-1 (cited below).</p>	LTS
<p>4.10: Hydrology and Water Quality</p>			
<p>4.10.6.1: Construction and operation of the project could violate water quality standards.</p>	LTS	<p>RCM HYD-1: Prior to commencement of construction activities, the applicant 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 (Construction General Permit)</i>, NPDES No. CAS000002, Order No. 2022-0057-DWQ, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-related documents required by the permit, to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the project from the SMARTS and provided to the City of Banning Director of Public Works, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Project construction shall comply with all applicable requirements specified in the Construction General Permit, including, but not limited to: preparation of a 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 project. The SWPPP shall identify the sources of pollutants that may affect the quality of stormwater and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in stormwater runoff. Upon completion of construction activities and stabilization of the project site, a Notice of Termination shall be submitted via SMARTS.</p>	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>RCM HYD-2: In compliance with City Ordinance No. 1388, Grading, Erosion, and Sediment Control, the 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 the proposed project. The applicant shall also submit erosion and sediment control plans annually to the City of Banning Director of Public Works, or designee, for review and approval.</p> <p>RCM HYD-3: Prior to issuance of a grading permit, the applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the City of Banning Director of Public Works, or designee, for review and approval. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project site. The Final WQMP shall also incorporate the results of the Final Hydrology and Hydraulic Analysis to demonstrate that the detention facilities meet the hydromodification requirements of the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) Permit. The Director of Public Works, or designee, shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.</p>	
<p>4.10.6.3: Construction and operation of the project could alter drainage patterns.</p>	<p>LTS</p>	<p>Implementation of RCMs HYD-1 through RCM HYD-3 (cited above.).</p> <p>RCM HYD-4: Prior to issuance of a grading permit, the applicant shall submit a Final Hydrology and Hydraulic Analysis to the City of Banning Public Works Director, or designee, and the Riverside County Flood Control and Water Conservation District (RCFCWCD) for review and approval. The Final Hydrology and Hydraulic Analysis shall be prepared consistent with the requirements of the RCFCWCD <i>Hydrology Manual</i>, the <i>Riverside County Whitewater River Region Storm Water Quality Best Management Practice Design Handbook for Low Impact Development</i>, and the Phase I MS4 Permit R7-2013-0011 to demonstrate that the proposed infiltration facilities meet the City's on-site stormwater retention requirements specified in the Whitewater River MS4 Permit and Ordinance No. 1415 of the City Municipal Code. The City of Banning Public Works Director, or designee, shall ensure that the drainage facilities specified in the Final Hydrology and Hydraulic Analysis are incorporated into the final project design.</p>	<p>LTS</p>



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
4.10.6.4: Construction and operation of the project could expose the public or structures to Flood, tsunami, and seiche zones.	LTS	Implementation of RCM HYD-1 through RCM HYD-4 (cited above).	LTS
4.10.6.5: Construction and operation of the project could conflict with an applicable Water Quality Control Plan or Groundwater Management Plan.	LTS	Implementation of RCM HYD-1 through RCM HYD-4 (cited above).	LTS
4.10.7: Development of the proposed project in conjunction with related cumulative projects could potentially increase the volume of stormwater runoff and contribute to pollutant loading in stormwater runoff reaching Banning’s storm drain system, the Coachella Valley Storm Channel, and the San Gorgonio River Watershed, thereby resulting in cumulative impacts to hydrology and surface water quality.	LTS	Implementation of RCM HYD-1 through RCM HYD-4 (cited above).	
4.11: Land Use and Planning			
4.11.6.2: Implementation of the project has the potential to conflict with relevant goals and policies of the Banning General Plan related to biological and cultural resources, flooding and hydrology, noise, as well as conflict with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and Banning Municipal Airport Master Plan.	S	Implementation of RCM HYD-1 through RCM HYD-4 (cited above). Implementation of RCM N-1 (cited below). Implementation of MM BIO-1 and MM BIO-2 (cited above). Implementation of MM CUL-1 through MM CUL-8 (cited above). Implementation of MM HAZ-1 through MM HAZ-7 (cited above).	LTS
4.12: Mineral Resources			
<i>No significant impacts to mineral resources would occur. No Mitigation Measures or Regulatory Compliance Measures are required.</i>			



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
4.13: Noise and Vibration			
4.13.6.1: During construction, the project would generate a substantial temporary increase in ambient noise levels in the project vicinity in excess of standards established by the City.	S	<p>RCM N-1: The construction contractor shall limit construction-related activities to between the hours of 7:00 a.m. and 6:00 p.m. pursuant to Section 8.44.090(E) of the Banning Municipal Code. No construction shall be permitted outside of these hours.</p> <p>There are no feasible mitigation measures that would reduce noise levels at off-site residential uses to the west from the construction of roadway and infrastructure improvements on Hathaway Street.</p>	SU
4.14: Population, Employment, and Housing			
<i>No significant impacts related to population, employment, or housing would occur. No Mitigation Measures or Regulatory Compliance Measures are required.</i>			
4.15: Public Services and Recreation			
4.15.6.1: Construction and operation of the project could increase demand on fire protection services such that new or physically altered facilities could be required, the construction of which could result in adverse physical impacts to the environment.	LTS	<p>Implementation of RCM TRA-2 (cited below).</p> <p>Implementation of RCM FIRE-1 (cited below).</p> <p>RCM PUB-1: In accordance with County of Riverside (County) ordinances and/or recognized fire protection standards, prior to the issuance of building permits by the City of Banning (City), the project applicant shall provide documentation that the following fire protection measures have been incorporated into the proposed project's plans:</p> <ol style="list-style-type: none"> Fire Protection Water Supplies/Fire Flow: Minimum fire flow for the construction of all buildings is required per California Fire Code (CFC) Appendix B. Prior to building permit issuance for new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Refer to CFC 507.3. Fire Protection Water Supplies/Hydrants: The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and National Fire Protection Association (NFPA) 24. Fire hydrants shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Riverside County Fire Department (RCFD). Fire hydrants shall be at least 40 feet from the building they are serving. A fire hydrant shall be located within 20 to 100 feet of the RCFD connection for buildings protected with a firesprinkler system. The size and 	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>number of outlets required for the approved fire hydrants are 4" x 2 ½" x 2 ½" (super hydrant). Refer to CFC 507.5, CFC Appendix C, and NFPA 24.</p> <p>3. Fire Department Access: Fire apparatus access roads shall be provided to within 150 feet of all exterior portions of buildings unless otherwise approved by the RCFD. Fire apparatus access roads shall have an unobstructed width of no less than 24 feet. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with an approved turnaround. The minimum required turning radii of a fire apparatus access road are 38 feet outside radius and 14 feet inside radius. The construction of the fire apparatus access roads shall be all-weather and capable of sustaining 75,000 pounds. Unless otherwise approved, the grade of a fire apparatus access road shall not exceed 16 percent and the cross slope shall not exceed 2.5 percent. The angles of approach and departure for fire apparatus access roads shall be a maximum of 6 percent grade change for 25 feet of approach/departure. Refer to CFC 503.1.1, 503.2.1, as amended by the County, and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.4.</p> <p>4. Fire Department Access Turnaround: Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with a bulb turnaround at the terminus measuring a minimum of 38 feet outside radius and 14 feet inside radius. Parallel parking around the perimeter of the bulb is acceptable provided the bulb's outside turning radius is increased by 8 feet. In lieu of a bulb, a hammerhead-type turnaround is acceptable where the top of the "T" dimension is 120 feet with the stem in the center. Additional turnaround designs may be acceptable as approved by the RCFD. Refer to CFC 503.1.1, 503.2.1, as amended by the County, and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.</p> <p>5. Secondary Access: Unless otherwise approved by the RCFD, dead-end fire apparatus access roads shall not exceed 1,320 feet. Secondary egress/access fire apparatus access roads shall provide independent egress/access from/to the area or as otherwise approved by the RCFD. Secondary egress/access fire apparatus access roads shall be as remote as possible from the primary fire apparatus access road to reduce the possibility that both routes will be obstructed by a single emergency. Additional fire apparatus</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>access roads based on the potential for impairment by vehicle congestion, condition of terrain, climatic conditions, anticipated magnitude of a potential incident, or other factors that could limit access may be required by the RCFD. Refer to CFC 503.1.2 and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.</p> <p>a. First Industrial Way shall be constructed and completed prior to Certificate of Occupancy to allow adequate secondary emergency vehicle access.</p> <p>6. Fire Department Building Construction Plan Review: Submittal of construction plans to the RCFD will be required. Final fire and life safety conditions will be addressed when the RCFD reviews the plans. These conditions will be based on the CFC, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Refer to CFC 105.1.</p> <p>7. Fire Sprinkler System: All new commercial buildings and structures 3,600 square feet or larger will be required to install a fire sprinkler system. Refer to CFC 903.2, as amended by the County.</p> <p>8. Fire Alarm and Detection System: A water flow monitoring system and/or fire alarm system may be required as determined at the time of building construction plan review. Refer to CFC 903.4 and CFC 907.2.</p> <p>9. Traffic Calming Devices: Requests for the installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Fire Code Official. Refer to CFC 503.4.1.</p> <p>10. Gate Access: All electronically operated gates shall be provided with Knox key switches and automatic sensors for access. These gates shall be provided with access to gate equipment or another method to open the gate if there is a power failure. (Manual gates shall not be locked unless a Knox Box containing the key to the lock is installed in an approved location on the approach side of the gate). A pedestrian gate, if used to provide access, shall be a minimum of 3 feet wide and provided with a Knox Box/padlock if locked. Refer to CFC 506.1.</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>11. Fire Department Access Doors: If high-piled storage will be utilized in the building, RCFD access doors may be required every 150 feet along all portions of the interior of the building that are along the fire apparatus access road. Refer to CFC 3206.7.</p> <p>12. Dock Loading: Dock loading shall not impede RCFD access lanes.</p> <p>13. Addressing: All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Refer to CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01.</p> <p>14. Water Plans: If fire hydrants are required to be installed, the applicant/developer shall furnish the water system fire hydrant plans to the RCFD for review and approval prior to building permit issuance. Plans shall be signed by a registered civil engineer and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the RCFD for review and approval. Refer to CFC 105.4.1.</p> <p>15. Emergency Responder Communication Coverage Systems: Projects that do not meet the exceptions set forth by the Riverside County Office of the Fire Marshal shall provide plans for an emergency responder radio coverage system. Refer to CFC 510.1 and Riverside County Office of the Fire Marshal Technical Policy #TP19-002.</p> <p>16. Fire Planning Review: This planning case will also be reviewed by the RCFD Planning Section for the cumulative impact on the RCFD's ability to provide an acceptable level of service. Additional requirements may be conditioned by Fire Planning to mitigate these impacts. Questions for Fire Planning can be addressed to RRUOFMPlanning@fire.ca.gov.</p> <p>RCM PUB-2: Prior to the issuance of building permits by the City of Banning, the most current Fire Protection Facilities Development Impact Fee (DIF) 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 Fire Protect Facilities DIF is paid.</p>	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p>4.15.6.2: Construction and operation of the project could increase demand on police protection services such that new or physically altered facilities could be required, the construction of which could result in adverse physical impacts to the environment.</p>	LTS	<p>Implementation of RCM TRA-2 (cited below.)</p> <p>RCM PUB-3: Prior to the issuance of building permits by the City of Banning, the most current Police Facilities DIF for commercial and industrial development shall be paid as calculated by the City. The building permits will be issued by the City after proof that the appropriate Police Facilities DIF is paid.</p>	LTS
<p>4.15.6.3: Construction and operation of the project could increase demand on school services such that new or physically altered facilities could be required, the construction of which could result in adverse physical impacts to the environment.</p>	LTS	<p>RCM PUB-4: Prior to the issuance of building permits by the City of Banning, the most current School DIF to Banning Unified School District (BUSD) for commercial and industrial development shall be paid as calculated by the City, as applicable. The building permits will be issued by the City after proof that the appropriate School DIF to BUSD are paid.</p>	LTS
<p>4.16: Recreation</p>			
<p><i>No significant impact related to recreation facilities would occur. No Mitigation Measures or Regulatory Compliance Measures are required.</i></p>			
<p>4.17: Transportation</p>			
<p>4.17.6.2: The vehicle miles traveled (VMT) per employee for the project is 10.5 percent above the average VMT per employee for the region; therefore, the proposed project does not meet the City’s VMT significance threshold of “no net increase in VMT per employee” and a potentially significant VMT impact would result from project development.</p>	S	<p>MM TRA-1: Prior to issuance of occupancy permits, the project applicant shall prepare a Transportation Demand Management (TDM) strategy report for review and approval by the City Traffic/Transportation Manager. The TDM strategy shall include measures to reduce employee vehicle miles traveled (VMT), including, but not limited to:</p> <ul style="list-style-type: none"> a. Provide pedestrian network improvements (0.00%–2.00% reduction in VMT). b. Provide bike parking and end-of-trip facilities (lockers, showers, etc.) for bicycle commuters (0.625% reduction in VMT). c. Implement or provide access to a voluntary commute reduction program (1.00%–6.20% reduction in VMT). d. Provide teleworking options (0.07%–5.50% reduction in VMT). e. Implement preferential parking program for carpools and vanpools (variable reduction in VMT). f. Provide bicycling network improvements (negligible reduction in VMT) 	SU



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
<p><u>4.17.6.3:</u> Construction and operation of the project could result in inadequate intersection line of sight distance.</p>	LTS	<p>RCM TRA-1: Compliance with Banning Municipal Code Section 17.28.060, Parking Lot Design Standards. Prior to the issuance of building permits, the applicant shall provide evidence to the City that project site and landscape plans demonstrate the project is designed consistent with Banning Municipal Code Section 17.28.060. Specifically, landscaping would be limited to 30 inches in height, and no trees, walls, or other obstructions would be placed within the limited use areas, defined as the required line of sight distance of 250 feet along the project site frontage of Hathaway Street to the north and south from the proposed project driveway opposite George Street, to provide the required sight distance pursuant to Banning Municipal Code Section 17.28.060. Similarly, the sight distance at the project driveways along Wilson Street and Nicolet Street would be provided by limiting landscaping to 30 inches in height, and no trees, walls, or other obstructions would be placed in the limited use areas, defined as the required line of sight distance of 250 feet along the project site frontage in each direction from the proposed driveways along Wilson Street and Nicolet Street.</p>	LTS
<p><u>4.17.6.4:</u> Construction and operation of the project could result in inadequate emergency access.</p>	LTS	<p>RCM TRA-2: The construction contractor is required to prepare and implement a Transportation Management Plan (TMP) during construction of the proposed project. The Draft TMP shall be reviewed and approved by City of Banning (City) staff prior to the initiation of construction. The TMP shall be prepared consistent with the recommendations of the California Temporary Traffic Control Handbook and shall include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction.</p>	LTS
<p><u>4.17.7:</u> Implementation of Transportation Demand Management (TDM) strategies cannot guarantee VMT reductions, and the proposed project VMT per employee would still exceed the average VMT per employee for the Western Riverside Council of Governments (WRCOG) region and be cumulatively considerable and significant.</p>	S	<p>Implementation of MM TRA-1 (cited above).</p>	SU



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
4.18: Tribal Cultural Resources			
4.18.6.1: Due to the potential presence of tribal cultural resources at the project site, the City is engaged in ongoing consultation efforts with the Morongo Band of Mission Indians (Morongo) and will continue to consult with Morongo as project construction occurs in the event that any tribal cultural resources are encountered.	S	Implementation of MM CUL-1 through MM CUL-8 (cited above).	LTS
4.18.7: A cumulatively considerable effect would occur if the project, in conjunction with cumulative projects, would result in a significant impact on a Tribal Cultural Resource, defined in PRC Section 21074, Pursuant to PRC Sections 5020.1(k) and 5024.	S	Implementation of MM CUL-1 through MM CUL-8 (cited above).	LTS
4.19: Utilities and Service Systems			
4.19.6.1: Construction and operation of the project could result in the need for new or expanded utility infrastructure.	LTS	RCM UT-1: Wastewater and Water Facilities Development Impact Fees. Prior to the issuance of grading permits by the City of Banning (City), the most current Wastewater Facilities and Water Facilities Development Impact Fees (DIFs) for 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 DIFs are paid.	LTS
4.20: Wildfire			
4.20.6.1: Construction and operation of the project could impair implementation of an emergency response or evacuation plan.	LTS	Implementation of RCM PUB-1 and RCM PUB-2 (cited above). Implementation of RCM TRA-1 (cited above). RCM FIRE-1: The proposed project shall adhere to the site-specific Fire Protection Plan and Wildfire Evacuation Plan and implement the specific measures in both documents. The following measures shall be implemented to reduce impacts associated with wildfires: <ol style="list-style-type: none">1. Project building will be constructed of ignition-resistant construction materials that resist 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 California Building	LTS



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>Code Chapter 7A and State Fire Marshal Standard 12-7A-5, Ignition-Resistant Materials and include automatic fire sprinkler systems based on the latest adopted Building and Fire Codes for occupancy types.</p> <ol style="list-style-type: none"> 2. Fuel Modification will be provided as needed around the perimeter of the project site as required by the Riverside County Fire Department (RCFD) and will be a minimum of 100 feet wide. At least 100 feet is provided between the perimeter of the structure and the property line, allowing this minimum 100-foot fuel modification to be obtainable on property owned by the owners of the structure. Further, all portions of the 100-foot perimeter are either paved or landscaped, and any landscaping will comply with the applicable fuel modification zone. 3. If the square footage or footprint of a proposed building has been modified from that described in this Fire Protection Plan, the applicant shall submit, and the RCFD shall have approved, the revised Fire Protection Plan, consistent with Item 2, above. 4. Landscape plantings will not utilize prohibited plants that have been found to be highly flammable. 5. Fire apparatus access roads (i.e., public and private streets) will be provided throughout the development and will vary in width and configuration but will all provide at least the minimum required unobstructed travel lanes, lengths, turnouts, turnarounds, and clearances required by applicable codes. Primary access and internal circulation will comply with the requirements of the RCFD 6. Buildings will be equipped with automatic commercial fire sprinkler systems meeting RCFD's requirements. 7. The project shall demonstrate provision of water capacity and delivery to ensure a reliable water source for operations and during emergencies, which may require extended fire flow. 8. Should future iterations of the project's site plan result in buildings that do not achieve a minimum of 100 feet of defensible space, then alternative materials and methods may be proposed to provide the functional equivalency of a full 100 feet of defensible space. Alternative materials and methods will be to the satisfaction of the RCFD and may include structural hardening enhancements or landscape features, like noncombustible walls. 	



Table 1.A: Summary of Impacts, Mitigation Measures, and Regulatory Compliance Measures from the Environmental Impact Report

Environmental Impact	Level of Significance Without Mitigation or Regulation	Mitigation Measure (MM) or Regulatory Compliance Measure (RCM)	Level of Significance with Mitigation and/or Regulation
		<p>The following measures shall be the responsibility of the property owners but may be delegated to the property manager or assigned to the tenant through an approved lease. Annual maintenance shall occur before May 1 of each year and be inspected by RCFD or an approved third party.</p> <ol style="list-style-type: none"> Ongoing maintenance of all fuel modification will be managed by the owner, the owner’s property management company, or another approved entity at least annually or as needed. The property owner or property management company will provide the business owner/tenant informational brochures at time of occupancy, which will include an outreach and educational role to ensure the fire safety measures detailed in this Fire Protection Plan have been implemented and prepare development-wide “Ready, Set, Go!” plans. 	
<p><u>4.20.6.2:</u> Construction and operation of the project could exacerbate wildfire risks due to slope, prevailing winds, and other factors.</p>	LTS	<p>Implementation of RCM PUB-1 and RCM PUB-2 (cited above). Implementation of RCM FIRE-1 (cited above).</p>	LTS
<p><u>4.20.6.3:</u> Construction and operation of the project could exacerbate wildfire risks due to the installation or maintenance of infrastructure.</p>	LTS	<p>Implementation of RCM PUB-1 and RCM PUB-2 (cited above). Implementation of RCM FIRE-1 (cited above).</p>	LTS
<p><u>4.20.6.4:</u> Construction and operation of the project could expose people or structures significant post-fire risks.</p>	LTS	<p>Implementation of RCM GEO-1 (cited above). Implementation of RCM PUB-1 (cited above). Implementation of RCM FIRE-1 (cited above).</p>	LTS
<p><u>4.20.7:</u> Implementation of the proposed project, when considered along with the impacts of past, present, and reasonably foreseeable projects in the city of Banning, could result in a significant cumulative impact related to wildfire.</p>	LTS	<p>Implementation of RCM GEO-1 (cited above). Implementation of RCM PUB-1 and RCM PUB-2 (cited above). Implementation of RCM TRA-1 (cited above). Implementation of RCM FIRE-1 (cited above).</p>	LTS

Compiled by: LSA, 2024



2.0 INTRODUCTION AND PURPOSE

This Environmental Impact Report (EIR) has been prepared to evaluate the environmental impacts associated with the proposed First Hathaway Logistics Project (“proposed project” or “project”) in the eastern portion of the City of Banning (“City”). This section of the EIR provides an overview of the California Environmental Quality Act (CEQA) process, outlines the document format, summarizes public review of the EIR, and describes the Mitigation Monitoring and Reporting Program (MMRP).

The project site is situated in the eastern portion of Banning on 94.86 gross acres. The project applicant (First Industrial Realty Trust, Inc.) seeks to entitle and permit development of the project site with an approximately 1,420,722 square-foot warehouse distribution building with employee/visitor and trailer parking on a total of 72.89 acres; additional trailer parking on 7.22 acres; additional passenger vehicle parking on 4.01 acres; and public roadways to facilitate access to the site and adjacent properties dedicated on approximately 10.74 acres. Approximately 20.64 acres of the 94.86-acre project site would be landscaped.

As detailed in Chapter 3, Project Description, of this EIR, requested project entitlements include Design Review, Tentative Parcel Map, and other discretionary and ministerial approvals, permits, and actions by the City (e.g., grading permit, off-site street and utility permits, building permit). Other City, regional, and State departments/agencies also may use the EIR in conjunction with other required permits and approvals.

2.1 LEAD AGENCY

CEQA requires the preparation of an EIR for any project that has the potential to significantly affect the environment.¹ The City is the “... public agency which has the principal responsibility for carrying out or approving the project.” As such, the City of Banning is the “Lead Agency” pursuant to CEQA.² Through its preliminary review, the City has determined the project constitutes a “discretionary”³ project that could have a potentially significant effect on the environment and, therefore, has required the preparation of this EIR.

2.2 PURPOSE OF CEQA AND THE ENVIRONMENTAL IMPACT REPORT

According to Section 15002 of CEQA Guidelines, the basic purposes of CEQA are to:

-
- ¹ Per CEQA Guidelines §15360, “environment” is defined as the physical conditions that exist within the areas that will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be that in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions.
 - ² CEQA Guidelines §15367.
 - ³ Per CEQA Guidelines § 15357, a discretionary project is defined as a project that requires the exercise of judgement or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, regulations, or other fixed standards.



- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;
- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and,
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

CEQA requires that the Lead Agency consider the information contained in the EIR prior to taking any discretionary action on a project. This EIR provides information to the Lead Agency and other public agencies, the general public, and decision-makers regarding the potential environmental impacts from the construction and operation of the proposed project. The purpose of the public review of the EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

Under CEQA (Public Resources Code Section 21002.1[a]):

“The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the proposed project, and to indicate the manner in which those significant effects can be mitigated or avoided.”

As permitted under CEQA, LSA Associates, Inc. (LSA) has prepared the EIR under the direction of professional City planning staff. Prior to certification, the Planning Commission and the City Council must independently review the methodologies used and conclusions reached in the EIR.⁴ The City is

⁴ CEQA Guidelines. 2023. Sections 15084(d) and (e).



undertaking an independent review of this EIR by having City planning staff work with LSA on the EIR. If certified by the City, the information included and conclusions reached in the EIR will therefore represent the City's independent judgment.

This EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies, and other publicly available data. Alternatives to the proposed project are also discussed, and mitigation measures that would offset, minimize, or otherwise avoid significant environmental impacts from the proposed project have been identified. This EIR has been prepared in accordance with CEQA⁵ to inform City decision-makers, representatives of other affected/responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project.

2.3 REGIONALLY SIGNIFICANT PROJECT

When an EIR is prepared for any project that is considered to be of statewide, regional, or areawide significance, the Draft EIR must be submitted to the appropriate metropolitan area council of governments for review and comment. A project is considered to be of statewide, regional, or areawide significance if it meets any of the following criteria:⁶

- (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.
- (2) A project that has the potential to cause significant effects on the environment extending beyond the city or county in which the project would be located. Projects of this nature would include:
 - (a) A proposed residential development of more than 500 dwelling units.
 - (b) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
 - (c) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
 - (d) A proposed hotel/motel development of more than 500 rooms.
 - (e) A proposed industrial, manufacturing, processing plant, or industrial park planned to employ more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.
- (3) A project that would result in cancellation of an open space contract made pursuant the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.

⁵ California Public Resources Code §21000 *et seq.* and the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Division 6, Chapter 3).

⁶ CEQA Guidelines, 2023. Section 15206.



- (4) A project for which an EIR has been prepared that is located in and would substantially affect areas of critical environmental sensitivity.
- (5) A project that would substantially affect sensitive wildlife habitats and habitats for endangered, rare, or threatened species.
- (6) A project that would interfere with the attainment of regional water quality control standards as stated in the approved areawide waste treatment management plan.
- (7) A project that would provide housing, jobs, or occupancy for 500 or more persons within 10 miles of a nuclear power plant.

The proposed project would be considered a “project of statewide, regional or areawide significance” per criterion 2(E); therefore, the Notice of Preparation (NOP), Draft EIR, and Notice of Completion (NOC) will be transmitted to the appropriate metropolitan area council of governments (in this case, the Southern California Association of Governments [SCAG]) for review and comment.

2.4 FORMAT OF THE ENVIRONMENTAL IMPACT REPORT

This EIR is organized as follows:

- **Chapter 1.0, Executive Summary:** Chapter 1.0 (a) provides a summary of the project; (b) identifies potentially significant impacts, mitigation measures, and the level of significance of each impact following mitigation; and (c) provides a description of project alternatives.
- **Chapter 2.0, Introduction and Purpose:** Chapter 2.0 (a) outlines the EIR document’s format, including technical appendices; (b) 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; (c) summarizes the public review of the EIR to date; and (d) identifies environmental issues that are discussed.
- **Chapter 3.0, Project Description:** Chapter 3.0 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, Environmental Impact Evaluation:** Chapter 4.0 provides a general summary of the methodology used in the assessment of each environmental topic. Sections 4.1 through 4.20 provide detailed analysis of each of the environmental issue topics outlined in the State CEQA Guidelines, including cumulative impacts.
- **Chapter 5.0, Other CEQA Topics:** Chapter 5.0 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 6.0, Alternatives:** Chapter 6.0 contains discussion 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 7.0, List of Preparers:** Chapter 7.0 identifies City and consultant staff who participated in the preparation and review of the EIR.
- **Chapter 8.0, References:** Chapter 8.0 identifies the references used in the preparation of the EIR, the persons contacted, and the other source material.
- **Appendices:** The Appendices contain the NOP, NOP mailing list, NOP comment letters and responses, and public scoping meeting information; the various technical studies that support the EIR analysis; referenced materials; and other relevant material utilized during the preparation of the EIR.

2.5 DOCUMENTS INCORPORATED BY REFERENCE

CEQA permits the incorporation by reference of all or portions of other documents that provide information relevant to the project and the environmental analysis.⁷ Documents incorporated by reference must be available for public review at an office of the Lead Agency or other public building. The documents identified below are incorporated by reference, and where relevant, the information therein is summarized throughout the EIR.

2.5.1 City of Banning

The following City documents provide information relevant to the project and the environmental analysis of this EIR.

2.5.1.1 City of Banning General Plan (2006)

The State of California mandates that every city and county adopt a General Plan. The City's General Plan is considered its blueprint for the future. It lays out the vision for how the City would develop. As stated itself, the General Plan provides, ". . .goals, policies and programs to guide the development of the City and to preserve its valued assets, resources and quality of life. In addition to goals and policies, the General Plan includes issues discussions, exhibits, and tables that provide direction for the rational and thoughtful management of existing and future development."⁸ The City's General Plan was adopted in January 2006.

⁷ CEQA Guidelines §15150.

⁸ City of Banning General Plan. *Chapter II Introduction and Administration*. Page II-1. Adopted January 31, 2006.



2.5.1.2 City of Banning General Plan Final EIR (2006)

The City of Banning General Plan Final EIR summarizes the potential environmental impacts associated with implementation of the City's General Plan, including growth-inducing and cumulative impacts. The Final EIR was certified by the Banning City Council on January 31, 2006.⁹

The City's General Plan, Final EIR, and subsequent General Plan Amendments are available for review at the City's Community Development Department and can be accessed online at the following location: <http://banning.ca.us/468/General-Plan-Amendments>.

2.5.1.3 City of Banning Integrated Master Plan (2018)

This Integrated Master Plan (IMP) evaluates the performance and condition of the City's potable water, wastewater, and recycled water systems under existing and future conditions through 2040.¹⁰ The IMP informs the City during the development and update(s) of its capital improvement plan (CIP) and identifies, plans, and develops the system of water, wastewater, and recycled water system facilities necessary to serve current customers and to support anticipated growth through 2040. The IMP can be accessed online at the following location: <http://www.ci.banning.ca.us/DocumentCenter/Index/1759>.

2.5.1.4 City of Banning Development Impact Fee Study (2019)

The City imposes public facilities fees under authority granted by the Mitigation Fee Act.¹¹ The primary purpose of the Development Impact Fee Update Study was to update the City's impact fees, thus enabling the City to expand its inventory of public facilities as new development leads to increases in service demands.¹² The Development Impact Fee (DIF) Study can be accessed online at the following location: <https://www.ci.banning.ca.us/DocumentCenter/View/6361/Banning---Development-Impact-Fee-Update-Study---Final-8-7-19>.

2.5.1.5 City of Banning Urban Water Management Plan (2020)

The 2020 Urban Water Management Plan (UWMP)¹³ for the City was prepared in compliance with the Urban Water Management Planning Act.¹⁴ This act requires "every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to prepare and adopt, in accordance with prescribed requirements, an UWMP assessing the supply and demand of water over a 20-year or a 25-year planning horizon under normal rainfall and various drought conditions." The act also requires that water shortage contingency planning and drought response be included in UWMPs. The City's most current UWMP can be

⁹ Terra Nova Planning & Research, Inc. *Final Environmental Impact Report (SCH# 2005011039) for the City of Banning Comprehensive General Plan and Zoning Ordinance*. January 18, 2006.

¹⁰ Carollo Engineers. *City of Banning Integrated Master Plan*. March 2018; Revision 1.2, October 2018.

¹¹ Government Code Sections 66000 et seq.

¹² Willdan Financial Services. *City of Banning Development Impact Fee Update Study*. August 7, 2019.

¹³ West & Associates Engineering, Inc. and John Robinson Consulting, Inc. *2020 Urban Water Management Plan, City of Banning, CA*. May 2021.

¹⁴ California Water Code, Sections 10610 through 10657.



accessed online at the following location: <http://www.ci.banning.ca.us/DocumentCenter/View/9109/2020-Urban-Water-Management-Plan-UWMP-with-Appendices>.

2.5.1.6 City of Banning Municipal Code

A Municipal Code refers to the collection of laws passed by a local governing body. These laws may be referenced in various ways, such as “ordinance,” “bylaw,” or “measure.” In Banning, “ordinance” is the term used. As long as these ordinances do not conflict with the laws of the State, they have the “force and effect of law.” The City of Banning Municipal Code (BMC) is organized to make the laws of the City as accessible as possible to City officials, City employees, and private citizens. The BMC has been supplemented and is up to date through Ordinance 1601 (March 26, 2024) and can be accessed at the following location: https://library.municode.com/ca/banning/codes/code_of_CityofBanningMunicipalCodeordinances?nodeIdCityofBanningMunicipalCode=BANNING_CALIFORNIAMUCO.

These documents are also available for review at the following location during regular business hours:

City of Banning
Community Development Department
99 East Ramsey Street
Banning, California 92220
8:00 a.m.–5:00 p.m., Monday–Friday

2.5.2 Other Relevant Plans/Programs

The following regional planning and resource agency documents provide information relevant to the project and the environmental analysis of this EIR.

2.5.2.1 Western Riverside County Multiple Species Habitat Conservation Plan

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is a comprehensive, multijurisdictional Habitat Conservation Plan (HCP) focusing on conservation of species and their associated habitats in Western Riverside County.¹⁵ The MSHCP Plan Area includes all unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line and 18 incorporated cities,¹⁶ and calls for the conservation and management of approximately 500,000 acres within the MSHCP area. The overall goal of this plan is to maintain biological and ecological diversity within a rapidly urbanizing region. The MSHCP allows Riverside County and participating cities to better control local land use decisions and maintain a strong economic climate in the region while addressing the requirements of the State and federal Endangered Species Acts. The City is a party to the Implementing Agreement for the MSHCP and a member of the Regional Conservation Authority (RCA). The MSHCP document library, which includes the MSHCP documents, amendments, agency resource files, fee studies, and environmental reference materials, can be accessed at: <https://www.wrc-rca.org/document-library/>.

¹⁵ Dudek & Associates, Inc. *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*. Approved June 17, 2003.

¹⁶ The cities of Temecula, Murrieta, Wildomar, Menifee, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Eastvale, Jurupa Valley, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto.



2.5.2.2 Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy

The Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), adopted by SCAG on September 3, 2020, analyzed the region’s transportation system, future growth projections, and potential funding sources in order to develop a long-term framework for transportation improvements and maintenance.¹⁷ The RTP/SCS includes policies and regulations set forth to ensure that development within the SCAG regional area is within planned and forecast socioeconomic projections. As part of the RTP, SCAG developed an SCS, which was required by Senate Bill (SB) 375, the Sustainable Communities Act of 2008. The SCS is intended to combine land use and transportation planning with the overall goal of reducing greenhouse gas emissions generated by vehicle travel. This document is accessible online at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176.

2.5.2.3 Air Quality Management Plan

Developed and adopted by the South Coast Air Quality Management District (SCAQMD), the 2022 Air Quality Management Plan (AQMP) builds upon measures already in place from previous AQMPs.¹⁸ The primary purpose of the 2022 AQMP is to identify, develop, and implement strategies and control measures to meet the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS) of 70 parts per billion (ppb) as expeditiously as practicable, but no later than the statutory attainment deadline of August 3, 2038, for the South Coast Air Basin (Basin) and August 3, 2033, for the Riverside County portion of the Salton Sea Air Basin (referred as the Coachella Valley Planning Area or Coachella Valley). The AQMP identifies a variety of strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero-emissions technologies, when cost-effective and feasible, and low-nitrogen oxides (NO_x) technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other Clean Air Act (CAA) measures to achieve this standard. The 2022 AQMP was adopted by the SCAQMD on December 2, 2022. The 2022 AQMP and supporting information can be accessed at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>.

2.6 TECHNICAL STUDIES

A number of technical project-related reports have been prepared to assess specific issues that may result from the construction and operation of the project. As relevant, the EIR analysis is supported by information obtained from the following technical studies, which have been included as appendices to this EIR (listed in order of appearance). Complete copies of the following appendices are included and attached to the EIR. The EIR and appendices are available at City Hall and the City Library, and are also available for review online at the City’s website at <http://banning.ca.us/70/Documents-Applications-and-Information>. A complete listing of all references is provided in Section 7.0.

¹⁷ Southern California Association of Governments. *Connect SoCal, The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*. Adopted on September 3, 2020.

¹⁸ South Coast Air Quality Management District. *2022 Air Quality Management Plan*. Adopted December 2, 2022.



- **Appendix A:** Notice of Preparation/Scoping Information
 - **A-1:** Notice of Preparation
 - **A-2:** Notice of Preparation Comment Letters
 - **A-3:** Scoping Meeting Materials
- **Appendix B:** Air Quality Technical Documentation
 - **B-1:** First Hathaway Logistics Warehouse Project Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum
 - **B-2:** Health Risk Assessment
 - **B-3:** CalEEMod Output for Alternative 2 (Modified Site Plan/Reduced Intensity Alternative)
- **Appendix C:** Biological Assessment Letter Report for the First Hathaway Redevelopment Project
- **Appendix D:** Cultural Resources Study for the First Hathaway Project
- **Appendix E:** Geology and Soils Technical Documentation
 - **E-1:** Geotechnical Investigation for the Proposed Banning Industrial Park
 - **E-2:** Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside
- **Appendix F:** Hazards and Hazardous Materials Technical Documentation
 - **F-1:** Phase I Environmental Site Assessment, First Hathaway
 - **F-2:** Phase II Environmental Site Assessment, First Hathaway
 - **F-3:** Phase I and Phase II ESA Peer Review
 - **F-4:** Riverside County Airport Land Use Commission Banning Municipal Airport Compatibility Review
 - **F-5:** Federal Aviation Administration Compatibility Review
- **Appendix G:** Hydrology and Water Quality Technical Documentation
 - **G-1:** Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center
 - **G-2:** Preliminary Hydrology Report for First Hathaway Logistics Center
 - **G-3:** Water Supply Assessment



- **Appendix H:** Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California
- **Appendix I:** Transportation Technical Documentation
 - **I-1:** First Hathaway Logistics Center Local Transportation Analysis
 - **I-2:** First Hathaway Logistics Center VMT Assessment
- **Appendix J:** Public Safety Plans
 - **J-1:** Fire Protection Plan, First Hathaway Logistics Project
 - **J-2:** Wildfire Evacuation Plan, First Hathaway Logistics Project

These documents are included in the appendices of this EIR. In addition, these documents are available for review at the following locations:

City of Banning
Community Development Department
99 East Ramsey Street
Banning, California 92220
8:00 a.m.–5:00 p.m., Monday–Friday

and

Banning Library
21 West Nicolet Street
Banning, California 92220
9:00 a.m.–6:00 p.m., Monday, Tuesday, Thursday, and Friday
10:00 a.m.–7:00 p.m., Wednesday
10:00 a.m.–5:00 p.m., Saturday

2.7 PUBLIC INVOLVEMENT AND REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

2.7.1 Notice of Preparation

The Notice of Preparation (NOP) for the project was distributed to the State Clearinghouse, as well as to agencies and organizations that may provide comment on the project’s potential environmental impact(s) to the environment. The 30-day public comment period extended from April 22 to May 22, 2022. Comments received during the public review of the NOP are summarized in Table 2.A and utilized to identify the potential environmental impacts addressed in Chapter 4.0 of this EIR. The NOP and all comments received during the public review period are provided in **Appendices A-1** and **A-2**, respectively.



Table 2.A: Notice of Preparation Agency Comments Received

Agency/ Organization/ Individual	Date	Comments	Addressed in Section(s) of the EIR
County of Riverside Department of Environmental Health	4/22/2023	Kristine Kim: Requested payment of review fees for the County of Riverside DEH to review the project for compliance with State and local laws/regulations specific to the department’s areas of expertise. The DEH also requested information about water sources and sanitary sewer service. Finally, the DEH advised City staff that the DEH maintains an Environmental Cleanup Program that conducts environmental reviews on planning projects to ensure existing site conditions would not negatively affect human health or the environment and that such reviews may result in a site-specific Phase I ESA to be required for select projects.	4.9: Hazards and Hazardous Materials 4.19: Utilities and Service Systems
California Native American Heritage Commission	4/26/2023	Andrew Green: Detailed State procedures for compliance with Assembly Bill 52, Senate Bill 18, and other State regulations related to tribal resources and CEQA.	4.5: Cultural Resources 4.18: Tribal Cultural Resources
Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians)	5/9/2023	Bonnie Bryant: Recognized the project site is outside Serrano ancestral territory and that the Yuhaaviatam would not be requesting consultation with the City of Banning or review of any documents created for the project.	4.5: Cultural Resources 4.18: Tribal Cultural Resources
Morongo Band of Mission Indians	5/13/2022	Bernadette Ann Brierty: Discussed the location of the project site within ancestral and traditional use areas of the Morongo, the adjacency of the project site to the Morongo reservation, the sensitivity of cultural resources, and requests for data related to the project development. The Morongo formally requested consultation with the City pursuant to Assembly Bill 52.	4.5: Cultural Resources 4.18: Tribal Cultural Resources
Riverside County ALUC	5/13/2023	Jackie Vega: Indicated the project site is within Zone D of the Banning Municipal Airport Influence Area, and review by ALUC is required because the City of Banning is not yet consistent with the [Banning Municipal Airport] Riverside County ALUCP. The ALUC also indicated it does not review pre-applications, and a formal application would be required for ALUC review.	4.9: Hazards and Hazardous Materials 4.11: Land Use and Planning
Banning Electric Utility	5/18/2022	Brandon Robinson: The Banning Electric Utility Supervisor would not be available to attend the Scoping Meeting and would assign a representative to participate.	4.19: Utilities/ Service Systems
Californians Allied for a Responsible Economy	5/19/2023	Jeff Modrzejewski: Outlined the purpose of CEQA and EIRs and advised that substantial evidence is required for all findings. The EIR must evaluate impacts from construction and operation of cold-storage warehouse space and the potential use of transportation refrigeration units, and that the vehicle miles traveled analysis in the EIR should include heavy truck traffic. The EIR must include a Health Risk Assessment. Mitigation measures must be effective and enforceable. All sources and reference materials must be made available as part of the EIR.	4.3: Air Quality 4.8: Greenhouse Gas Emissions 4.17: Transportation



Table 2.A: Notice of Preparation Agency Comments Received

Agency/ Organization/ Individual	Date	Comments	Addressed in Section(s) of the EIR
Kathleen Dale	5/23/2023	Kathleen Dale: Raised concerns regarding proposed project truck access directly across Hathaway Street from existing homes causing project-level and cumulative traffic-related impacts that cannot be mitigated below a level of significance. The EIR must look at alternatives that would reduce these impacts. The EIR should include an alternative that looks at circulation system improvements for the planned industrial area generally east of Hathaway Street to provide a truck access route that keeps truck traffic out of residential areas, possibly using Ramsey Street and Hathaway Street south of Williams Street. Additionally, the EIR should identify enforceable project elements and/or mitigation measures to confine truck access to the designated access route and to prohibit errant truck traffic through the adjoining residential neighborhoods. The project site is within a criteria cell intended to preserve a major wildlife corridor under the Western Riverside County MSHCP, namely the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage. The EIR must address potential impacts in this regard and acknowledge this as an element of the project entitlements. The NOP indicates the entitlements include a parcel map, which, according to City of Banning Municipal Code Sections 17.44.010 and 17.44.020, establishes the City Council as the final decision-making body.	4.5: Biological Resources 4.17: Transportation 4.18: Tribal Cultural Resources

Notes: All NOP response letters are included in Appendix A-2 of the EIR.

- ALUC = Airport Land Use Commission
- ALUCP = Airport Land Use Compatibility Plan
- CEQA = California Environmental Quality Act
- DEH = Department of Environmental Health
- EIR = Environmental Impact Report
- MSHCP = Multiple Species Habitat Conservation Plan
- NOP = Notice of Preparation

2.7.2 Public Scoping Meeting

The Public Scoping meeting was held in the Council Chambers of Banning City Hall on May 19, 2022, at 10:00 a.m. and also was broadcasted on Banning City TV,¹⁹ which is a government-access cable television station. Notice of the Public Scoping Meeting was published in the *Banning Record Gazette* on April 22, 2022, providing the appropriate instructions for public participation in the Scoping Meeting. The Public Scoping Meeting included a presentation providing a summary of the project, required actions, and the environmental review process. Two public comments were received during the Scoping Meeting. These comments included:

- **Inge Schuler:** The issue of concern was that the 18-wheelers generated by the proposed project would be of such a substantial number as to impact area circulation. The commenter expressed

¹⁹ City of Banning. *Banning City TV, Government Access Television*. Website: <http://banning.ca.us/139/Government-Access-TV-Channels>. (Accessed August 4, 2023).



concern that, when Interstate 10 (I-10) is congested, motorists would use Ramsey Street through town to bypass congestion on the interstate. The commenter further stated that freeway access on Hargrave Street is limited and that the parking of idle 18-wheelers would impact surrounding residential areas (from vehicle emissions).

- **Joe Rodriguez:** Stated the additional truck traffic is a specific issue requiring assessment in the EIR. The Scoping Meeting presentation is provided in **Appendix A-3** of this EIR.

2.7.3 Native American Consultation

The Native American Heritage Commission (NAHC) was contacted on March 3, 2021, to conduct a Sacred Lands File (SLF) search and provide a Native American Contact List for the project site pursuant to AB 52. The NAHC responded on March 12, 2021, stating that an SLF search was completed for the project site with negative results. The NAHC recommended contacting 19 Native American individuals representing the Cahuilla, Serrano, Luiseño, and Quechan groups to potentially provide information regarding cultural resources that could be affected by the proposed project.

As part of the AB 52 consultation process, pursuant to MSHCP requirements for projects within the Special Linkage Area (San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage), and in response to a request from the Morongo Band of Mission Indians (Morongo) during the scoping process, the City sent a consultation initiation request letter to the identified Morongo representative on November 27, 2022, to inform Morongo about the proposed project and to request information regarding Native American cultural resources near the project site. From this initial correspondence, Morongo responded on December 29, 2022, requesting formal consultation with the City regarding the proposed project. Requested documents were forwarded to Morongo for review on January 10, 2023.

A formal consultation meeting occurred on June 7, 2023, with Morongo, City staff, the project applicant, and the applicant's environmental consultant. During the Consultation, Morongo informed the project team that known tribal cultural resources occur in the vicinity of the project site and tribal cultural resources have the potential to occur even in disturbed contexts. Accordingly, Morongo recommended specific mitigation measures to address unanticipated encounters with tribal cultural resources, including human remains.

Additional detail regarding Native American consultation for the proposed project is provided in **Section 4.18** of this EIR.

2.7.4 Draft Environmental Impact Report

This EIR was distributed to responsible and trustee agencies, other affected agencies, and interested parties. The EIR has been provided to all parties who have previously requested copies.²⁰ The Notice of Completion (NOC) and Notice of Availability (NOA) of the EIR have been distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices have been made available for review. The Draft EIR and supporting documentation is accessible for review on the City's

²⁰ Public Resources Code §21092(b)(3).



website at <https://banningca.gov/Archive.aspx?AMID=60&Type=&ADID=> and at the following locations during the public review period:

City of Banning
Community Development Department
99 East Ramsey Street
Banning, California 92220
8:00 a.m.–5:00 p.m., Monday–Friday

and

Banning Library
21 West Nicolet Street
Banning, California 92220
9:00 a.m.–6:00 p.m., Monday, Tuesday, Thursday, and Friday
10:00 a.m.–7:00 p.m., Wednesday
10:00 a.m.–5:00 p.m., Saturday

Written comments and email comments related to this EIR should be addressed to:

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

After the 45-day public review period, written responses to all comments on the Draft EIR will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearings before the City’s Planning Commission and City Council, at which time the certification of the Final EIR will be considered. The City will respond as appropriate to comments made at public hearings on the project and this EIR. The Final EIR (which will include the Draft EIR, the public comments and responses to the Draft EIR, and findings) will be included as part of the environmental record used during the consideration of the project by the City decision-makers.

2.8 MITIGATION MONITORING AND REPORTING PROGRAM

When mitigation measures are required to avoid or reduce the severity of significant impacts, State law requires the adoption of an MMRP. The monitoring program is intended to ensure compliance with all mitigation measures and regulatory compliance measures prescribed to the project during implementation of the project. An MMRP will be prepared for this EIR to comply with the requirements of State law²¹ and will be considered by the City Council concurrent with certification of the Final EIR for the proposed project.

²¹ Public Resources Code §21081.6.



3.0 PROJECT DESCRIPTION

This chapter describes the proposed First Hathaway Logistics Project (“proposed project” or “project”) that is evaluated in this Environmental Impact Report (EIR) in conformance with the *California Environmental Quality Act (CEQA) Guidelines*.¹ The following includes a description of the geographic setting, project location, project setting, relevant General Plan and zoning designations, project characteristics, project objectives, and discretionary actions required to implement the proposed project. The project description is used as the basis for analyzing the proposed project’s impacts on the existing physical environment in Section 4.0 of the EIR.

3.1 OVERVIEW

The project site is situated in the eastern portion of the City of Banning (City) on 94.86 gross acres. The project applicant (First Industrial Realty Trust, Inc.) seeks to entitle and permit development of the project site with an approximately 1,420,722 square-foot warehouse distribution building with employee/visitor and trailer parking on a total of 72.89 acres; additional trailer parking on 7.22 acres; additional passenger vehicle parking on 4.01 acres; and public roadways to facilitate access to the site and adjacent properties dedicated on approximately 10.74 acres. Approximately 20.64 acres of the 94.86-acre project site would be landscaped.

As detailed in Section 3.6, below, requested project entitlements include Design Review, Tentative Parcel Map (TPM), and other discretionary and ministerial approvals, permits, and actions by the City (e.g., grading permit, off-site street and utility permits, and building permit).

3.2 PROJECT LOCATION

The following describes the location and boundaries of the proposed project, including its geographic context, and provides a brief overview of the existing land uses within and in the vicinity of the project site.

3.2.1 Local and Regional Location

The project site is located in the city of Banning, in western Riverside 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 I-10 (I-10), which is a regionally and nationally important east-west transportation facility that connects Banning to the greater Los Angeles area to the west and other major metropolitan areas (e.g., Phoenix, El Paso, San Antonio, Houston, Baton Rouge, Mobile, and Jacksonville) to the east. Regional connectivity is further provided by interchanges on I-10 connecting to State Routes (SR) 60, 62, 111, and 243, which provide access to Moreno Valley/Riverside, Yucca Valley/Twenty-nine Palms, Palm Springs, and Idyllwild, respectively. Banning Municipal Airport is located approximately 0.3 mile south of the project site, on the south side of I-10.

The city comprises approximately 14,823 acres, extending easterly from Highland Springs Avenue to Fields Road, and from the San Bernardino County line generally on the north side of the city boundary

¹ *CEQA Guidelines*, § 15124.



to Bobcat Road on the south. The City's Sphere of Influence includes eight separate areas on the north and south ends of the city, totaling 5,436 acres.²

Within the San Geronio Pass region, the cities of Beaumont and Calimesa are located to the west of Banning, while the unincorporated community of Cabazon and tribal reservation land administered by the Morongo Band of Mission Indians (Morongo) is located northeast of the city. The Coachella Valley metropolitan area (Palm Springs, Indio, Palm Desert, Rancho Mirage, and other cities) is located farther east along I-10. Figure 3-1 depicts the city's regional location.

3.2.2 Project Site Location

The project site consists of six parcels (Assessor's Parcel Numbers [APNs] 532-110-001, -002, -003, -008, -009, and -010) located in the eastern portion of Banning, Riverside County. The site is located on Section 11 of Township 3 South, Range 1 East of the United States Geological Survey (USGS) 7.5-minute series *Cabazon, California* quadrangle, San Bernardino Baseline and Meridian, as shown on Figure 3-2. 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 approximately 400 feet north of I-10, 750 feet north of the Union Pacific Railroad (UPRR), adjacent to the east of Hathaway Street, and south of Wilson Street. Single- and multifamily residential uses are located west of the project site across Hathaway Street. North and east of the site is undeveloped land, while undeveloped land and a materials and equipment staging yard operated by the California Department of Transportation (Caltrans) are adjacent to the south.

3.3 EXISTING SETTING

The following describes the existing physical setting, land use designations, and zoning of the project site and surrounding properties.

3.3.1 Project Site Conditions

3.3.1.1 Site Characteristics and Current Site Conditions

The project site is currently vacant and substantially disturbed from prior use of the site 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 these were demolished and removed from the site between 2011 and 2012, with the exception of one building in the west-central portion of the project site. A retaining wall ranging from 1 to 6 feet in height and approximately 200 feet in length exists near the southern and eastern areas of the existing building. The balance of the project site (APNs 532-110-003, -008, -009, and -010), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning

² City of Banning General Plan. *Chapter III, Community Development, Land Use Element*. Page III-1. Adopted January 2006.

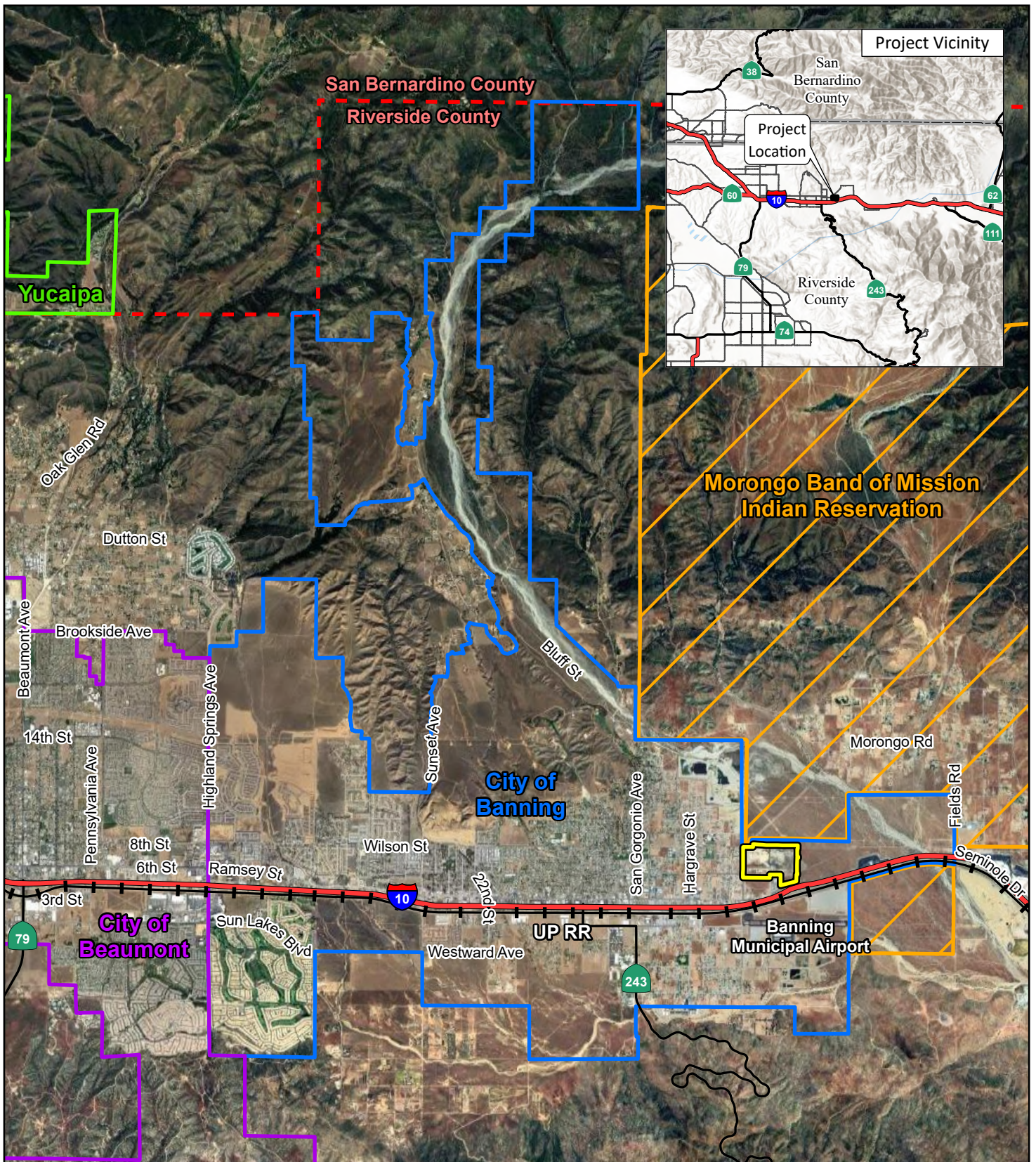


FIGURE 3-1

LSA



0 3350 6700
FEET

- Project Location
- Rail Alignment
- Morongo Band of Mission Indian Reservation Boundary
- County Boundary
- City Boundary
 - Banning
 - Beaumont
 - Yucaipa

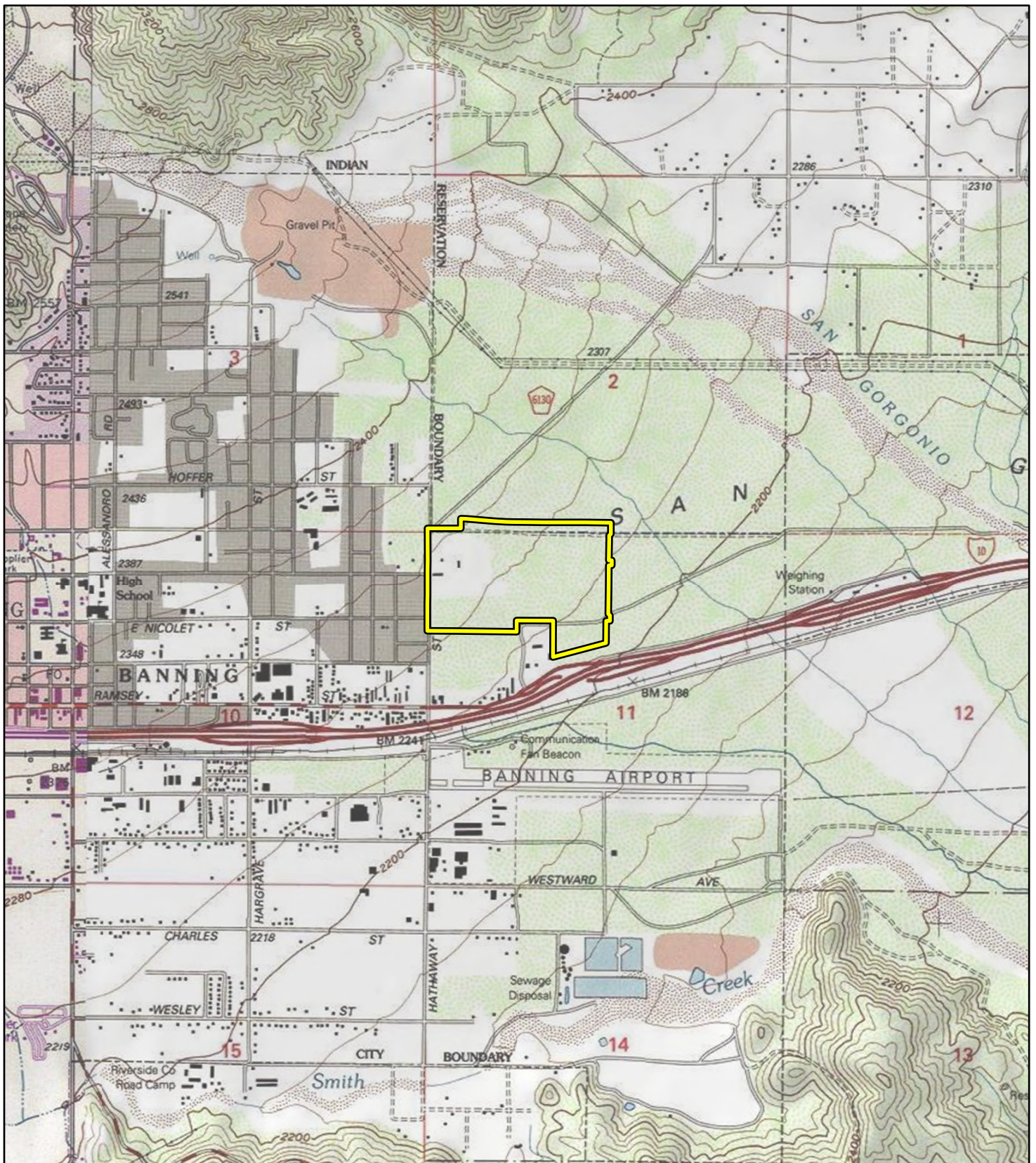
SOURCE: Google Maps (2023)

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (4/11/2024)

First Hathaway Logistics Project
Regional Setting



This page intentionally left blank




 Project Location

FIGURE 3-2

LSA



0 1000 2000
FEET

SOURCE: USGS 7.5' Quad - Cabazon (1988), CA

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (9/15/2023)

First Hathaway Logistics Project
Project Location and Vicinity



This page intentionally left blank



Business Park Project) that was not constructed due to changes in market demand.³ The site has remained generally fallow since 2011 and is enclosed with chain-linked fencing.⁴ Figure 3.3 depicts the project site in relation to surrounding properties.

Overall, site topography generally slopes downward to the southeast at a gradient of approximately 4 percent. The existing site grades range from a maximum elevation of approximately 2,334 feet above mean sea level (AMSL) in the northwestern corner of the site to a minimum elevation of approximately 2,211 feet AMSL in the southeastern corner of the site. Additionally, prior grading of the site established six detention basins ranging from 7 to 14 feet in depth, as well as several slopes located generally along the boundaries of the six parcels composing the project site. Slope inclines range from 2h:1v (horizontal to vertical) to 5h:1v and range from 5 to 24 feet in height. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in length, and approximately 4 to 11 feet in height. 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 not constructed. Overhead and underground utility lines also traverse the site and run along its perimeter. Figure 3-4 shows the TPM with existing utilities.

3.3.1.2 Surrounding Land Uses

The project site is surrounded by a variety of land uses. Existing conditions in the project area are 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 to the City as part of a land swap with the Morongo Band of Mission Indians. Land north of this narrow strip is part of the Morongo Reservation and includes an electrical transmission line and guard house along Morongo Road, and a northeast/southwest-traversing road that leads from Hathaway Street to the communities of the Morongo Reservation. The Robertson's Rock and Sand Quarry, an aggregate products and mining facility, is located farther to the northwest.

³ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancellation of the approved development by the developer.

⁴ A 10-foot fiber optic utility easement within the project site continues to the east and west for a total of 16,000 linear feet. As part of an unrelated action, T-Mobile installed conduit, handholes, and vaults within their easement through the project site. The trenching for this unrelated work was backfilled in early 2024. Also, in 2022/2023, Southern California Gas Company (SoCalGas) conducted operations and maintenance on existing facilities in the northwest corner of the project site. SoCalGas graded portions of the northern site boundary and built an above-ground water basin used to test pressure of the existing 30-inch gas main that parallels the Wilson Street corridor along the northern site boundary.



This page intentionally left blank



 Project Site

FIGURE 3-3

LSA



0 500 1000
FEET

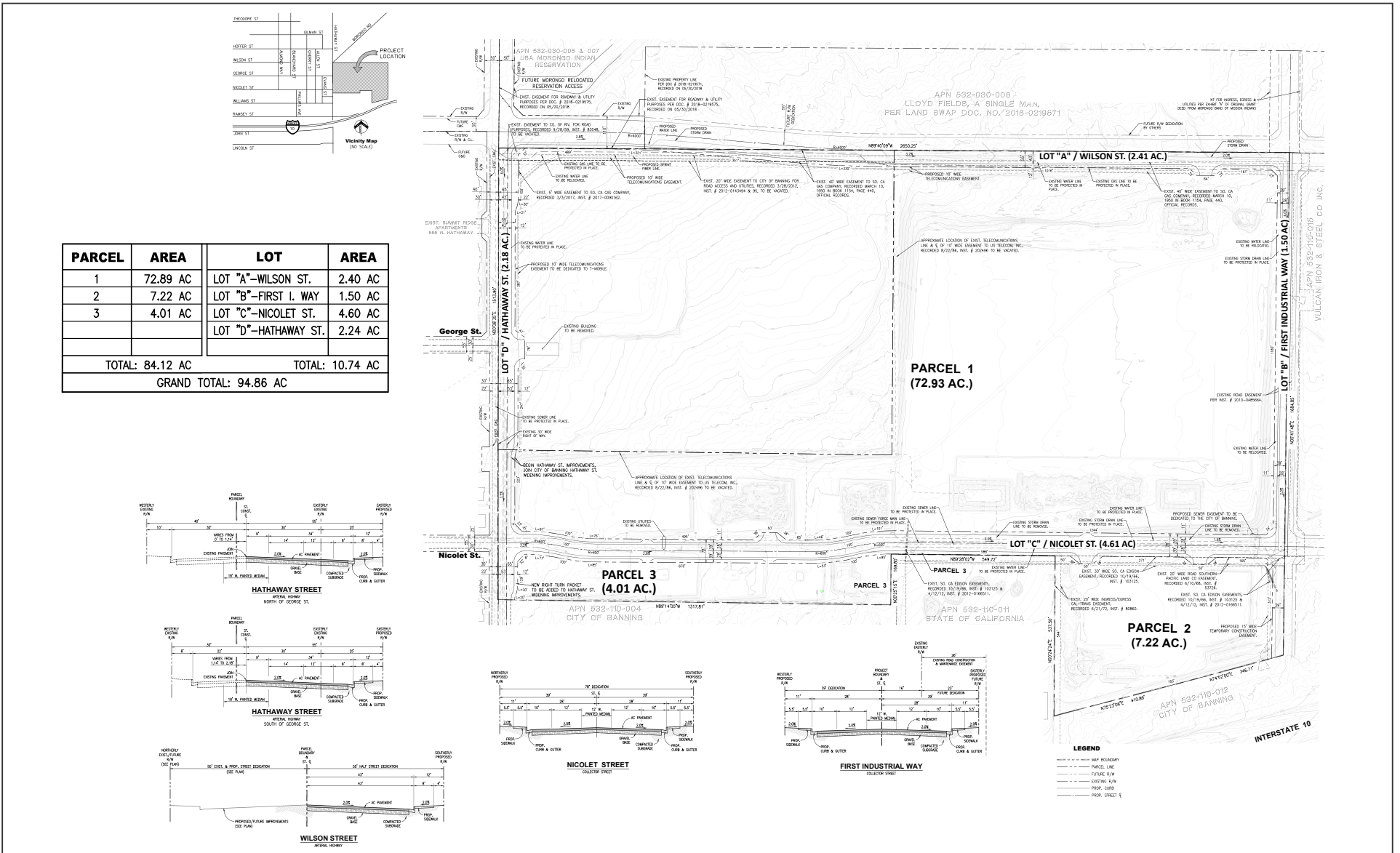
SOURCE: Nearmap (2023)

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (9/15/2023)

First Hathaway Logistics Project
Existing Setting



This page intentionally left blank



PARCEL	AREA	LOT	AREA
1	72.89 AC	LOT "A"-WILSON ST.	2.40 AC
2	7.22 AC	LOT "B"-FIRST I. WAY	1.50 AC
3	4.01 AC	LOT "C"-NICOLET ST.	4.60 AC
		LOT "D"-HATHAWAY ST.	2.24 AC
TOTAL: 84.12 AC		TOTAL: 10.74 AC	
GRAND TOTAL: 94.86 AC			

LSA



0 225 450

FEET

Source: Stantec

I:\FRT2102\G\Parcel_Map.ai (9/15/2023)

FIGURE 3-4

First Hathaway Logistics Project
 Proposed Tentative Parcel Map No. 38256



This page intentionally left blank



- **East:** Property adjacent to the east of the project site is vacant and undeveloped, and a portion of this area was previously graded in 2011 as part of the previously approved industrial warehouse development that was approved on the project site. Additionally, an electric distribution circuit and associated utility road extends 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, a hardscape sales and materials yard, I-10 and the UPRR line, and Banning Municipal Airport on the south side of I-10. Additionally, the City completed improvements at Hathaway Street and Ramsey Street in proximity to the project site. This City-sponsored project resulted in widening of Hathaway Street to the ultimate full width per the General Plan standard for a Major Highway (four lanes) from Williams Street southbound to Ramsey Street. Additionally, the City widened Ramsey Street to the ultimate full width per the General Plan standard for a Major Highway (four 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 Ramsey Street include new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations.
- **West:** Land uses adjacent to the west of the project site include Hathaway Road, single- and multifamily residential uses, and associated local roadways. Hoffer Elementary School and Roosevelt Williams Park are located farther west, approximately 0.26 mile west of the project site.

Figure 3-3 depicts the project site in relation to surrounding properties.

3.3.2 Existing General Plan and Zoning

This section describes the existing land use and zoning designations of the project site and adjacent properties.

3.3.2.1 Project Site

The General Plan land use designation and zoning for the project site is 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."⁵

The proposed warehouse development is a permitted use in the existing Business Park (BP) land use designation and zoning district.

⁵ City of Banning General Plan. Chapter III, Community Development, Land Use Element. Pages III-7 and III-8. Adopted January 2006.



3.3.2.2 Adjacent Properties

Adjacent uses to the north, east, and south that are within the city of Banning are designated Business Park (BP). Land uses to the south are also designated as Public Facilities – Railroad/Interstate.⁶ Land uses to the west are designated High Density Residential (HDR) (11–18 dwelling units [du] per acre [ac])⁷ and Low Density Residential (LDR) (0–5 du/ac).⁸

The existing land use and zoning designations of the site and adjacent areas are provided in Table 3.3.A, Existing Land Uses and Zoning, and shown in Figure 3-5.

Table 3.3.A: Existing Land Uses and Zoning

Direction	Existing Land Use	General Plan Designation	Zoning Designation
Project Site	Vacant	Business Park (BP)	Business Park (BP)
North	Vacant ¹ and Entry Kiosk ² to Morongo Band of Mission Indians Reservation	Business Park (BP) for properties within city limits ¹	Business Park (BP) for properties within city limits ¹
East	Vacant	Business Park (BP)	Business Park (BP)
South	Vacant, Caltrans equipment and materials staging yard, Interstate 10, and Union Pacific Railroad	Business Park (BP) and Public Facilities – Railroad/Interstate	Business Park and Public Facilities – Railroad/Interstate
West	Single-family and multifamily residences	Low-Density Residential (0–5 du/ac) and High-Density Residential (11–18 du/ac)	Low-Density Residential (0–5 du/ac) and High-Density Residential (11–18 du/ac)

Source: Willdan Engineering. *City of Banning General Plan Land Use & Zoning*. June 14, 2021. Website: <http://banning.ca.us/74/Zoning-Code> (accessed June 17, 2023).

¹ City of Banning (refer to Figure 3-5).

² Morongo Band of Mission Indians Reservation (refer to Figure 3-5).

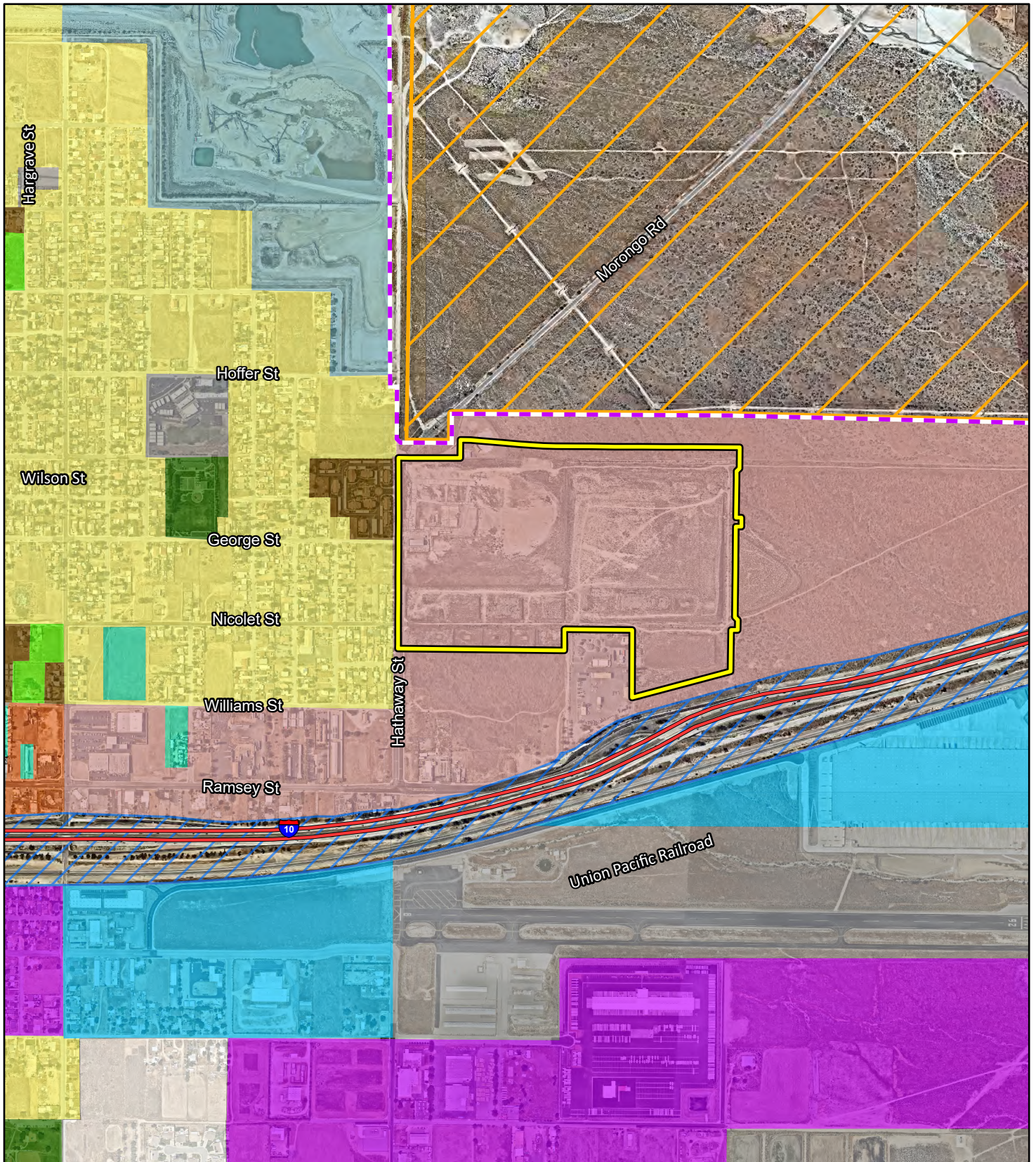
Caltrans = California Department of Transportation

du/ac = dwelling units per acre

⁶ Pursuant to Chapter 17.16 of the Banning Municipal Code, the purpose of Public Facilities districts is to provide for the orderly development of government, school, and public health and safety facilities within the city. These districts are subject to equivalent development standards as the residential and commercial land uses in the city.

⁷ High-density residential uses include condominiums and townhomes, as well as apartments with the provision of common-area amenities and open space. Duplex and multiplex development is the most prevalent type of development with this designation. The clustering of condominiums and townhomes may be appropriate with the provision of common-area amenities and open space. Mobile home parks and subdivisions may also be appropriate with the approval of a Conditional Use Permit. Home occupations are permitted (City of Banning General Plan. Chapter III, Community Development, Land Use Element. Page III-7).

⁸ Low-density residential uses include development of attached and detached single-family homes in traditional subdivisions and planned communities. The clustering of condominiums and townhomes may be appropriate with the provision of common-area amenities and open space when a Specific Plan is prepared. Home occupations are permitted. Bed-and-breakfasts and similar uses may be appropriate with the approval of a Conditional Use Permit.



LSA



0 400 800
FEET

SOURCE: Nearmap (2023)

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (9/15/2023)

Project Site

City Boundary

Morongo Band of Mission Indian Reservation

I-10 Freeway

City of Banning General Plan Land Use Map

Airport Industrial

Very Low Density Residential (0-2 du/ac)

Low Density Residential (0-5 du/ac)

High Density Residential - (11-18 du/ac)

High Density Residential - 20/ Affordable Housing Opportunity (20-24 du/ac)

Mobile Home Parks

General Commercial

Business Park

Industrial

Industrial - Mining Resources

Open Space - Parks

Public Facilities

Public Facilities - Railroad/ Interstate

FIGURE 3-5

First Hathaway Logistics Project

Existing General Plan Land Use Designation and Zoning



This page intentionally left blank



3.4 PROPOSED PROJECT

This section provides a description of the proposed project as identified in the project applicant's application materials submitted to the City, dated March 14, 2023. The proposed project includes the construction of one warehouse distribution building with truck docks, trailer parking and passenger car parking and associated improvements on the approximately 94.86-acre project site. The conceptual site plan for the proposed project is shown in Figure 3-6. Individual project components are further discussed below.

3.4.1 Tentative Parcel Map No. 38256

The proposed project site is currently composed of six parcels. A TPM is proposed (refer to Figure 3-4) to consolidate the 94.86-acre project site into three parcels for the proposed warehouse building with employee/visitor and trailer parking on 72.89 acres, additional trailer parking on 7.22 acres, additional passenger vehicle parking on 4.01 acres, and public roadways to facilitate access to the site and adjacent properties dedicated on approximately 10.74 acres.

3.4.2 Building Program and Use

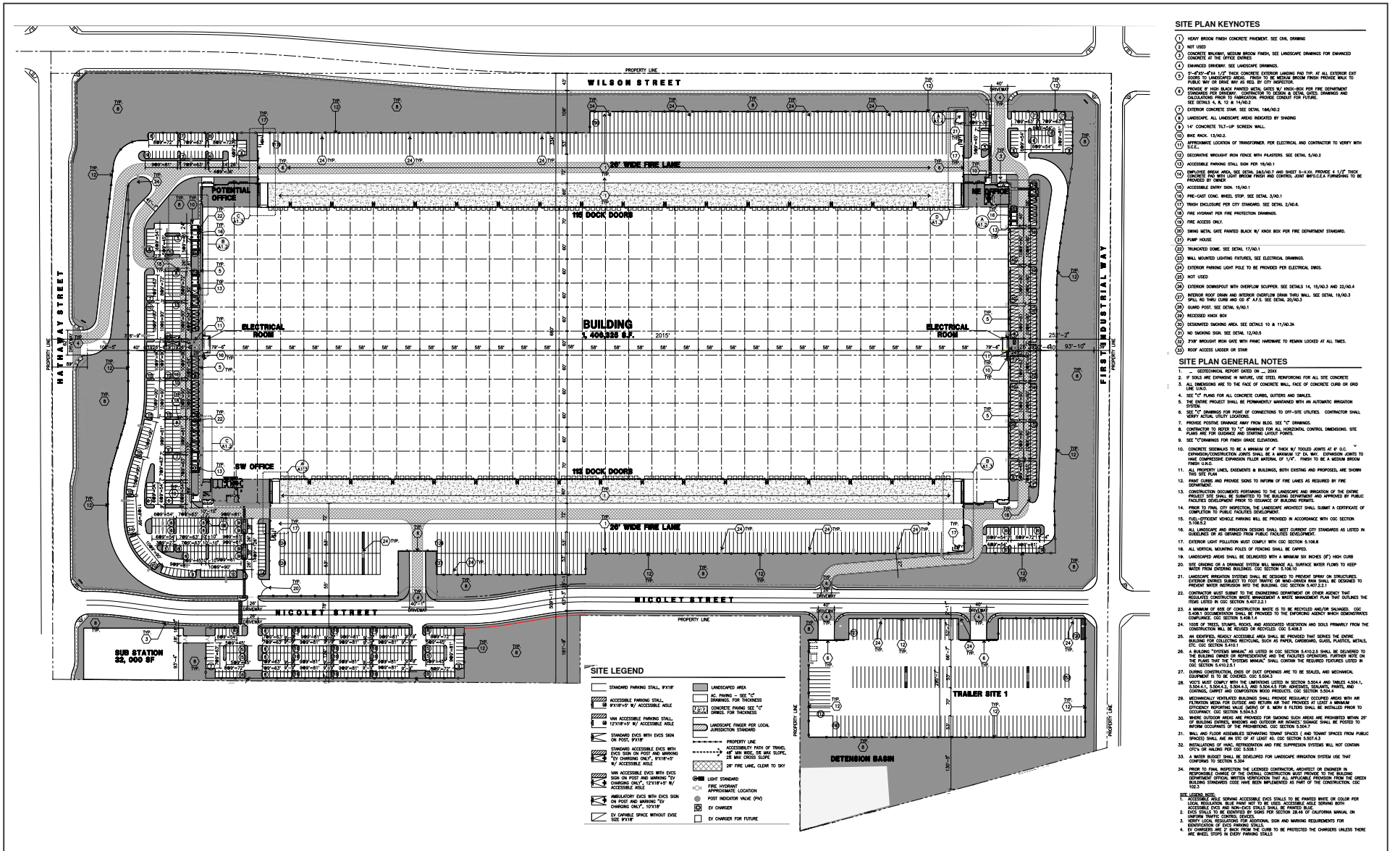
The proposed project would include the construction of an approximately 1,420,722-square-foot warehouse distribution building, 40,000 square feet of which would consist of two-story office space and a mezzanine. The office spaces would be located in the corners of the building, with warehouse use concentrated in the center. The proposed warehouse building would be designed and constructed to Leadership in Energy and Environmental Design (LEED) Silver standards under the United States Green Building Council.

The proposed warehouse building would be constructed to a maximum height of 50 feet, plus architectural parapets that would reach up to 55 feet,⁹ 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. The project site would be enclosed with decorative wrought iron fencing with pilasters.

⁹ 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.



This page intentionally left blank



SITE PLAN KEYNOTES

- 1 HEAVY BROOM FINISH CONCRETE FINISHES. SEE CIVIL DRAWING.
- 2 NOT USED.
- 3 CONCRETE FINISHES, MEDIUM BROOM FINISH. SEE LANDSCAPE DRAWINGS FOR ENHANCED CONCRETE AT THE FIVE LEVELS.
- 4 ENHANCED FINISHES. SEE LANDSCAPE DRAWINGS.
- 5 12"-18" X 4" X 1/2" THICK CONCRETE CURBS. PROVIDE 2" MIN. AT ALL EXTERIOR CURB JOINTS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO CURB FROM SIDE OF DRIVE WAY AS PER CITY REQUIREMENTS.
- 6 PROVIDE 4' HIGH BACK PAVED SIDEWALKS BY SIDE OF DRIVEWAY FOR FIRE DEPARTMENT STATIONARY EQUIPMENT. CONCRETE TO BE COLOR COATED. DRAWINGS AND SEE DETAILS 4, 6, 13 & 14/2024.
- 7 EXTERIOR CONCRETE DRIVE. SEE DETAIL 14/2024.
- 8 LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY DRAWING.
- 9 14" CONCRETE TILT-UP SCREEN WALL.
- 10 BAY RACK. 12/2024.
- 11 APPROXIMATE LOCATION OF TRANSFORMERS FOR ELECTRICAL AND CONTRACTOR TO VERIFY WITH E.E.C.
- 12 ACCESSIBLE WROUGHT IRON FENCE WITH PLANTINGS. SEE DETAIL 3/2024.
- 13 ACCESSIBLE PARKING RETAIN WALL PER 16/2024.
- 14 EMPLOYEE BREAK AREA. SEE DETAIL 24/2024 AND SHEET 12-12024. PROVIDE A 1/2" THICK CONCRETE FLOOR. CONCRETE TO BE COLOR COATED. DRAWINGS AND SEE DETAILS 4, 6, 13 & 14/2024.
- 15 ACCESSIBLE DRIVEWAY. 15/2024.
- 16 PRE-CAST CONC. WHEEL STOP. SEE DETAIL 3/2024.
- 17 TRUCK ENCLOSURE PER CITY STANDARDS. SEE DETAIL 3/2024.
- 18 FIVE FOOTING FOR FIRE PROTECTION DRAWINGS.
- 19 FIRE ACCESS ONLY.
- 20 SWING METAL GATE PAINTED BLACK W/ 1/2" X 3/4" BOX PER FIRE DEPARTMENT STANDARD.
- 21 PUMP HOUSE.
- 22 TREATED DRINK. SEE DETAIL 17/2024.
- 23 WALL MOUNTED LIGHTING FIXTURES. SEE ELECTRICAL DRAWINGS.
- 24 EXTERIOR PARKING LIGHT POLE TO BE PROVIDED PER ELECTRICAL DINGS.
- 25 NOT USED.
- 26 EXTERIOR DOWNPOST WITH OVERFLOW SCUPPER. SEE DETAILS 14, 15/2024 AND 22/2024.
- 27 EXTERIOR ROOF DRAIN AND RATCH OFFFLOW COLLECTION DRAIN. FINISH TO ALL EXTERIOR CURB SHALL BE 1/4" IN 2' TO DRAIN AND 1/4" A.P.C. SEE DETAIL 20/2024.
- 28 GUARD POST. SEE DETAIL 9/2024.
- 29 RECESSED HOOK BOX.
- 30 DESIGNATED SHADING AREA. SEE DETAILS 10 & 11/2024.
- 31 NO SHADING SIGN. SEE DETAIL 12/2024.
- 32 7/8" WROUGHT IRON SIDE WITH WIND WINDOW TO REMAIN LOCKED AT ALL TIMES.
- 33 ROOF ACCESS LADELS OR SIGN.

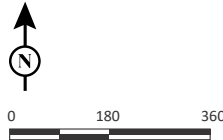
SITE PLAN GENERAL NOTES

- 1 - GEOLOGICAL REPORT DATED ON ... 2024.
- 2 IF SOILS ARE EXPANDED IN NATURE, USE STEEL REINFORING FOR ALL SITE CONCRETE.
- 3 ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL. FACE OF CONCRETE CURB OR GRID LINE UNLESS NOTED.
- 4 SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND CHANNELS.
- 5 THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC PROTECTION SYSTEM.
- 6 SEE "T" DRAWINGS FOR TYPICAL CONNECTIONS TO OFF-SITE UTILITIES. CONNECTION SHALL VERIFY ACTUAL UTILITY LOCATIONS.
- 7 PROVIDE TYPICAL DIMENSIONS FROM FACE OF CONCRETE.
- 8 CONNECTION TO REFER TO "C" DRAWINGS FOR ALL DIMENSIONAL CONTROL DIMENSIONS. SEE PLAN AND FOR DIMENSIONS FOR CONCRETE.
- 9 SEE "C" DRAWINGS FOR FINISH GRACE ELEVATIONS.
- 10 CONCRETE JOINTS SHALL BE A MINIMUM OF 1/2" THICK W/ TOOLS JOINTS AT 4' O.C. EXPANDED/CONCRETE JOINTS SHALL BE A MINIMUM OF 1/4" MIN. EXPANDED JOINTS TO SMALL COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH.
- 11 ALL PROPOSED FINISHES, ELEMENTS & BUILDINGS, BOTH EXISTING AND PROPOSED, ARE SHOWN ON THIS PLAN.
- 12 FINAL CLIMATE AND PROPOSED SITES TO SHOW OF FIRE LANCES AS REQUIRED BY THE DEPARTMENT.
- 13 CONNECTIONS INVOLVED BEING IN THE LANDSCAPE AND PROPOSED BY THE CITY. PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEPARTMENT PRIOR TO COMMENCEMENT OF BUILDING PERMITS.
- 14 PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION FOR PUBLIC FACILITIES DEPARTMENT.
- 15 FULL-TIME VEHICLE PARKING WILL BE PROVIDED IN ACCORDANCE WITH CCC SECTION 5.106.2.
- 16 ALL LANDSCAPE AND IRRIGATION DESIGNERS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN CODEBOOKS OR AS DETERMINED FROM PUBLIC FACILITIES DEPARTMENT.
- 17 EXTERIOR LIGHT POLLUTION MUST COMPLY WITH CCC SECTION 5.106.8.
- 18 ALL VERTICAL MOVING POINTS OF FINISHES SHALL BE CAPPED.
- 19 LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
- 20 SITE DRAINAGE ON A DRAINAGE SYSTEM WILL MAINTAIN ALL SURFACE WATER FLOWS TO KEEP WATER FROM EXISTING BUILDINGS. CCC SECTION 5.106.9.
- 21 LANDSCAPE IRRIGATION SYSTEM SHALL BE DESIGNED TO PREVENT SPRAY ON STRUCTURES. EXTERIOR DRAINAGE SUBJECT TO CITY REVIEW OF DRAINAGE PLAN SHALL BE DESIGNED TO PREVENT WATER INTRUSION INTO THE BUILDING. CCC SECTION 5.107.2.3.
- 22 CONTRACTOR MUST SUBMIT TO THE ENGINEERING DEPARTMENT OR OTHER AGENCY THAT REGULATES CONSTRUCTION MUST MAINTAIN A WATER MANAGEMENT PLAN THAT OUTLINES THE FLOOD LISTED IN CCC SECTION 5.107.2.3.
- 23 A NUMBER OF SITES OF CONSTRUCTION MUST BE PROVIDED TO THE ENGINEERING DEPARTMENT. CCC SECTION 5.107.2.3.
- 24 USE OF TREES, SHRUBS, BUSHES AND ASSOCIATED VEGETATION AND SOILS PRIMARILY FROM THE CONSTRUCTION SHALL BE PROVIDED TO THE ENGINEERING DEPARTMENT. CCC SECTION 5.107.2.3.
- 25 AN IDENTIFIED, READILY ACCESSIBLE AREA SHALL BE PROVIDED THAT SERVES THE ENGINEERING DEPARTMENT. CCC SECTION 5.107.2.3.
- 26 A "BUILDING PROTECTION AREA" AS LISTED IN CCC SECTION 5.107.2.3 SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEPARTMENT PRIOR TO COMMENCEMENT OF BUILDING PERMITS.
- 27 DURING CONSTRUCTION, EXISTING CURB OPENINGS ARE TO BE SEALED AND MECHANICAL.
- 28 CURB MUST COMPLY WITH THE DIMENSIONS LISTED IN CCC SECTION 5.104.4 AND TABLE A.5.1.1, 5.104.4.1, 5.104.4.2, 5.104.4.3, AND 5.104.4.4 FOR APPROVED, STANDARD, PARTS, AND CONNECTIONS. CURB AND CONNECTION WOOD PRODUCTS. CCC SECTION 5.104.4.
- 29 MECHANICALLY VENTILATED BUILDING SHALL PROVIDE PROPERLY COVERED AREAS WITH AIR FILTRATION MEDIA FOR OUTSIDE AIR RETURN AIR THAT PROVIDES AT LEAST A MINIMUM OF 100% FRESH AIR. OUTSIDE AIR RETURN AIR SHALL BE PROVIDED TO THE BUILDING. CCC SECTION 5.107.2.3.
- 30 WHERE OUTSIDE AREAS ARE PROVIDED FOR SHADING SUCH AREAS ARE PROHIBITED WITHIN 20' OF BUILDING PERMITS. WHERE OUTSIDE AIR RETURN AIR SHALL BE PROVIDED TO THE BUILDING. CCC SECTION 5.107.2.3.
- 31 WALL AND FLOOR ASSEMBLY PENETRATIONS (TRUCK TRUCK) AND TRUCK SPACES FROM PUBLIC SPACES SHALL BE AN 8" AT LEAST AS CCC SECTION 5.107.2.3.
- 32 INSTALLATION OF FIRE PROTECTION AND FIRE ALARMING SYSTEMS SHALL NOT CONTAIN OPEN OR WELDED PER CCC SECTION 5.107.2.3.
- 33 A WATER BARRIER SHALL BE PROVIDED FOR LANDSCAPE PROTECTION SYSTEM USE THAT COMFORMS TO SECTION 5.104.
- 34 REFER TO FINAL SPECIFICATIONS FOR LANDSCAPE CONSTRUCTION, ARCHITECT OR ENGINEER IS RESPONSIBLE CHANGE OF THE CONSTRUCTION MUST PROVIDE TO THE BUILDING DEPARTMENT OFFICIAL REVIEW AND APPROVAL PRIOR TO COMMENCEMENT OF CONSTRUCTION. ALL DIMENSIONS SHALL BE IN ACCORDANCE WITH THE GREEN BUILDING STANDARDS CODE HAVE BEEN IMPLEMENTED AS PART OF THE CONSTRUCTION. CCC SECTION 5.107.2.3.

SITE LEGEND

	STANDARD PARKING STALL, P11F		LANDSCAPE AREA
	ACCESSIBLE PARKING STALL, P11F/12 W/ ACCESSIBLE AISLE		AC FINISH - SEE "C" DRAWINGS FOR THICKNESS
	VAN ACCESSIBLE PARKING STALL, 1211F/12 W/ ACCESSIBLE AISLE		CONCRETE FINISH SEE "C" DRAWINGS FOR THICKNESS
	STANDARD ACCESSIBLE EDC WITH 2"00 SIGN ON POST AND MOUNTING TV CHANGING ONLY, 1211F/12 W/ ACCESSIBLE AISLE		LANDSCAPE FINISH PER LOCAL JURISDICTION STANDARDS
	VAN ACCESSIBLE EDC WITH EDC SIGN ON POST AND MOUNTING TV CHANGING ONLY, 1211F/12 W/ ACCESSIBLE AISLE		PROPERTY LINE
	AMBULATORY EDC WITH EDC SIGN ON POST AND MOUNTING TV CHANGING ONLY, 1211F		ACCESSIBILITY SIGN OF TRAILER
	COVERED SPACE WITHOUT EXIST. SEE P11F		LIGHT STANDARD
			FIRE HYDRANT
			POST INDICATOR VALVE (PIV)
			EV CHARGER
			EV CHARGER FOR FUTURE

LSA



SOURCE: HPA Architecture

First Hathaway Logistics Project
Proposed Conceptual Site Plan

FIGURE 3-6



This page intentionally left blank



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. As such, the project applicant has requested approval for the future warehouse to operate 24 hours per day/7 days per week depending on business/operational needs. Accordingly, the analysis in this EIR assumes this level of activity.

3.4.3 Landscaping

A combination of drought-tolerant plant material including evergreen and deciduous trees, low shrubs, and masses of groundcovers would be installed throughout the project site to create a cohesive and inviting environment for employees/visitors, pedestrians, and passing motorists. Prominent landscape focal points would be installed at street corners, along roadways, at building entrances, and in passenger vehicle parking lots. Landscaping would include accent trees, shrubs, and groundcover 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 would incorporate standard streetscape landscaping along project roadways and would include a variety of standard “interfaces” that would provide buffering between the on-site industrial uses and adjacent off-site uses.

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 would constitute a drip design to apply water slowly, allowing plants to be deep soaked, and to reduce runoff.

3.4.4 Circulation and Parking

Regional access to the project site is provided via I-10 at the Ramsey Street and Hargrave Street interchanges. Hargrave Street and Hathaway Street connect to Ramsey Street. Hathaway Street between the city limits to the north and Ramsey Street to the south, Hargrave Street between Ramsey Street and Lincoln Street, and Ramsey Street from Highland Springs Avenue to the I-10 interchange east of Hathaway Street are classified as commercial vehicle routes.¹⁰ The warehouse portion of the project site would have primary access off Hathaway Street on the west side of the site, and Hathaway Street would be improved along the site frontage with a new 250-foot-long combination bus stop and deceleration lane south of the proposed driveway to facilitate mass transit and unobstructed vehicle access at this location. The project would result in the construction of three additional roadways along the northern, eastern, and southern perimeters of the site and dedication of ROW to the City for public use. The proposed project would result in the construction of the following street improvements that would be accepted as part of the public domain:

- **Wilson Street:** Construct and dedicate to the ultimate 110-foot full width per the General Plan standard for an Arterial Highway on the east leg of the Wilson Street/Hathaway Street intersection for the first 489 feet east of the Hathaway Street centerline. From that point, the project includes construction and dedication to the ultimate 55-foot half-width per the General Plan standard for an Arterial Highway with an interim 5-foot shoulder from the centerline for approximately 2,160 feet along the project site northern frontage east to First Industrial Way and

¹⁰ City of Banning. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.

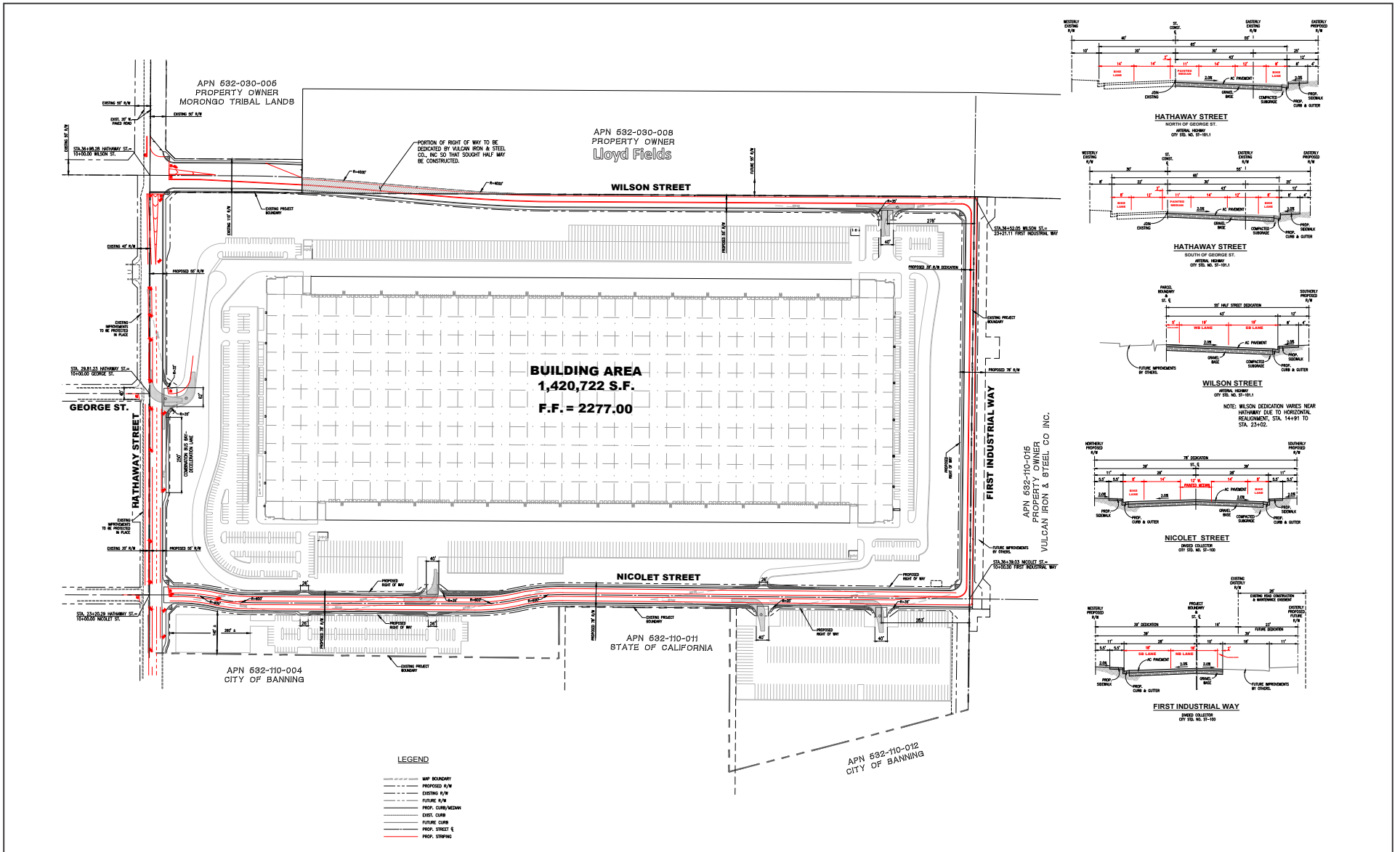


installation of curb, gutter, sidewalk, parkway landscaping, and street lights and trees along the south side of the street fronting the project site between (existing) Hathaway Street and proposed First Industrial Way. Wilson Street/Hathaway Street would become a three-way stop sign intersection, and Wilson Street east of Hathaway Street would terminate at its junction with First Industrial Way.

- **First Industrial Way:** Construct and dedicate to the ultimate 39-foot half-width plus 10 feet past the centerline, per the General Plan standard for a Divided Collector Street, and install curb, gutter, sidewalk, parkway landscaping, streetlights, and trees along the west side of the street fronting the project site between proposed Wilson Street and proposed Nicolet Street. The proposed construction of First Industrial Way would occur between Wilson Street to the north and Nicolet Street to the south and would terminate at those junctions.¹¹
- **Nicolet Street:** Construct and dedicate to the ultimate 78-foot full width per the General Plan standard for a Divided Collector Street with a 12-foot painted median and install curb, gutter, sidewalk, parkway landscaping, streetlights, and trees along both sides of the street fronting the project site between proposed First Industrial Way and (existing) Hathaway Street. Nicolet Street/Hathaway Street would become a two-way stop-controlled (TWSC) intersection, and Nicolet Street east of Hathaway Street would terminate at its junction with First Industrial Way.
- **Hathaway Street:** Dedicate and widen to the ultimate 55-foot half-width per the General Plan standard for an Arterial Highway with an 11-foot painted median that would join with the existing westerly portion of the street. Install curb, gutter, sidewalk, parkway landscaping, streetlights, and trees along the east side of the street fronting the project site from approximately 200 feet south of Nicolet Street north to proposed Wilson Street. Along this segment, Hathaway Street would be improved with two northbound through lanes while the existing southbound through lane would be protected in place. The northbound segment would also include a 100-foot dedicated right-turn lane onto Nicolet Street and a 250-foot combination bus stop and deceleration lane to facilitate vehicle access to the primary project driveway. One of the two northbound lanes would become a dedicated right-turn lane onto Wilson Street. South of the proposed project improvements, Hathaway Street has been improved by the City to the ultimate full width per the General Plan standard for a Major Highway (four lanes) from Williams Street southbound to Ramsey Street.

All street improvements would be constructed consistent with City standards and regulations, as shown in the Interim Offsite Street Striping Plan for Tentative Parcel Map No. 38256 (Figure 3-7).

¹¹ The project includes reservation of right of way along First Industrial Way to the south of Nicolet Street for approximately 350 feet adjacent to the additional trailer parking lot in the southeast corner of the project site.



LSA

FIGURE 3-7



0 225 450
FEET

SOURCE: Stantec

I:\FRT2102\G\Offsite_Striping_Plan.ai (4/10/2024)

First Hathaway Logistics Project
Proposed Interim Offsite Street Striping Plan
for Tentative Parcel Map No. 38256



This page intentionally left blank



The main entrance to the project site would be from Hathaway Street via a 62-foot-wide automobile driveway that would be constructed opposite George Street to create a TWSC intersection while Hathaway Street would remain a through street. The main driveway entrance off Hathaway Street would be signed to allow full access for passenger vehicles and only ingress for trucks. This driveway would be accessed via the 250-foot-long combination bus stop and deceleration lane proposed along northbound Hathaway Street south of the proposed driveway to facilitate mass transit and unobstructed vehicle access to the project site. This driveway would connect to an 800-foot-long on-site drive aisle leading downslope to employee and trailer parking. One 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 and four additional 26-foot-wide automobile driveways would be constructed along Nicolet Street along the project site's southern frontage. Combined, six of the seven driveways proposed along Nicolet Street would result in three two-way stop-control (TWSC) intersections facilitating access north to the warehouse building property and south to the additional trailer parking lot, with the seventh 40-foot-wide truck/automobile driveway facilitating access to the additional trailer parking lot composing the southeast portion of the project site. The project site would include 875 passenger vehicle parking stalls and 661 trailer parking stalls.¹² The conceptual site plan for the project showing the perimeter roadways, driveways, and on-site drive aisles is depicted in Figure 3-6.

It should be noted there are additional roadway improvements in proximity to the project site that are planned for future execution by the City, Morongo, 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 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 Morongo has plans underway to relocate their main entrance to the reservation lands (Morongo Road) to the north along Hathaway Street, near Hoffer Street. Robertson's Ready Mix has an existing obligation to improve Hathaway Street north of Wilson Street, and the Morongo also plan to improve the east half of Hathaway Street from Morongo Road north to Hoffer Street. These street improvements are expected to commence in 2024.

3.4.5 Drainage

Stormwater 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. These existing facilities would be utilized and modified as necessary as part of the proposed project and updated with new site-specific storm water facilities.

The project site would be divided into three drainage areas (Drainage System A, C, and D)¹³ and would include on-site drainage improvements to convey and capture flows generated by the placement of

¹² Trailer parking stalls can be converted to passenger vehicle parking stalls if necessary.

¹³ There is no Drainage System B.



new impervious structures and pavement. Figure 4.10-1 in Section 4.10 of this EIR shows the proposed drainage areas.

- **Drainage System “A” (North Portion of Parcel 1):** Storm runoff for this drainage area would be managed by two storm drain lines, one retention chamber gallery, and two water quality/sediment removal structures. Each of the main storm drain lines (SD Line A and SD Line A1) would convey flows into Chamber Gallery “A.” Designed as a water quality treatment facility, the chamber gallery would capture and infiltrate storm volumes for a 100-year/3-hour storm event. Two pre-treatment structures would be installed upstream of the chamber gallery. These devices would focus on removing fine sediment and reducing potential contaminants accumulating within the chamber gallery. Excess flows from the chamber gallery would be discharged into SD Line E via a 24-inch high-density polyethylene (HDPE) storm pipe, which would connect downstream to the proposed storm drain line within First Industrial Way.
- **Drainage System “C” (East Parking Area and Southeast Portion of Parcel 1, Together with Parcel 2 [Downstream Remote Trailer Parking Lot]):** Storm runoff for this drainage area would be managed by two storm drain lines, an at-grade retention basin, and an underground retention chamber gallery. Designed as water quality treatment facilities, the retention basin and chamber gallery would capture and infiltrate storm volumes for a 100-year/3-hour storm event. A pre-treatment structure would be installed upstream of the chamber gallery to focus on removing fine sediment and reducing potential contaminants. Excess flow from the retention basin would discharge into an existing outlet structure to the south of the project site boundary.
- **Drainage System “D” (West Parking Area and Southwest Portion of Parcel 1, Together with Parcel 3 [Four-Acre Parcel South of Nicolet Street]):** Storm runoff for this drainage area would be managed by a single storm drain line, an at-grade retention basin, and an underground retention chamber gallery. Designed as a water quality treatment facility, the retention basin and chamber gallery would capture and infiltrate storm volumes for a 100-year/3-hour storm event. A pre-treatment structure would be installed upstream of the chamber gallery. This device would focus on removing fine sediment and reducing potential contaminants. Excess flow from the retention basin would discharge into a proposed outlet structure on the south side of the retention basin.

Additionally, Hathaway, Wilson, First Industrial Way, and Nicolet streets would be improved with curb and gutter for the capture of storm water flows in accordance with the City’s National Pollutant Discharge Elimination System (NPDES) stormwater permit, as follows.¹⁴

- **Perimeter Earthen Channel:** An earthen channel is proposed on the north side of Wilson Street, along the project northern frontage, to intercept off-site flows. This channel would have a 20-foot bottom width and a height of 4 feet. The channel is designed as a trapezoid for a length of 2,150 feet.

¹⁴ 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 (MS4) permit.



- **SD Line E (Wilson Avenue/First Industrial Way):** Storm drain infrastructure includes the construction of 2,700 linear feet of new reinforced concrete pipe (RCP). The RCP sizes would range from 24 inches to 48 inches in diameter. Some portions of the existing 48-inch RCP would be removed and reconstructed within First Industrial Way. Other improvements include inlet riser pipes (five each) with 24-inch RCP laterals and catch basins (three each) with 24-inch RCP laterals. The total length of laterals is estimated to be 450 feet.
- **SD Line F (Nicolet Street/First Industrial Way):** Approximately 1,700 linear feet of existing RCP would remain. The existing RCP sizes vary from 24 inches to 30 inches in diameter. Infrastructure improvements include the removal and reconstruction of two catch basins and approximately 60 linear feet of 24-inch RCP laterals.

The proposed project would include Low Impact Development (LID) Best Management Practices (BMPs) for Source Control, Pollution Prevention, Site Design, LID Implementation, and Structural Treatment Control. BMPs would 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 stormwater runoff volume or time of concentration does not exceed pre-development stormwater runoff in accordance with the NPDES Permit.

Off-site 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.

3.4.6 Utilities

Gas, electric, telecommunications, water, sewer, and storm drain facilities currently exist along Hathaway Street and run 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 Street. Southern California Edison has overhead facilities along the proposed Nicolet Street alignment. Telecommunications are provided by Time Warner Cable as underbuilds on the electric poles. Water and sewer services are provided by the City Public Works Department. Stormwater management is administered by the Riverside County Flood Control District and the City 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.

The existing distribution circuit on Hathaway Street, beginning just south of East Jacinto View Road and continuing north to Wilson Street, would be relocated underground in the same alignment as currently configured. The underground requirements would include underground conversion of all overhead utilities at this intersection and terminating primary conduits at an existing pad-mounted switchgear located at the southwest corner of Hathaway Street and George Street. The underground conversion would also require street crossings at East Jacinto View Road, Nicolet Street, and George Street. A minimum of two primary circuits would be required to serve the proposed warehouse, and the point of primary utility connection would be at Hathaway Street. Utility distribution would extend underground from Hathaway Street east along both Nicolet Street and Wilson Street to First Industrial



Way and would consist of underground infrastructure for the utility's 69-kilovolt (kV)/34.5kV and 12.47kV voltages and fiber-optic communication.¹⁵

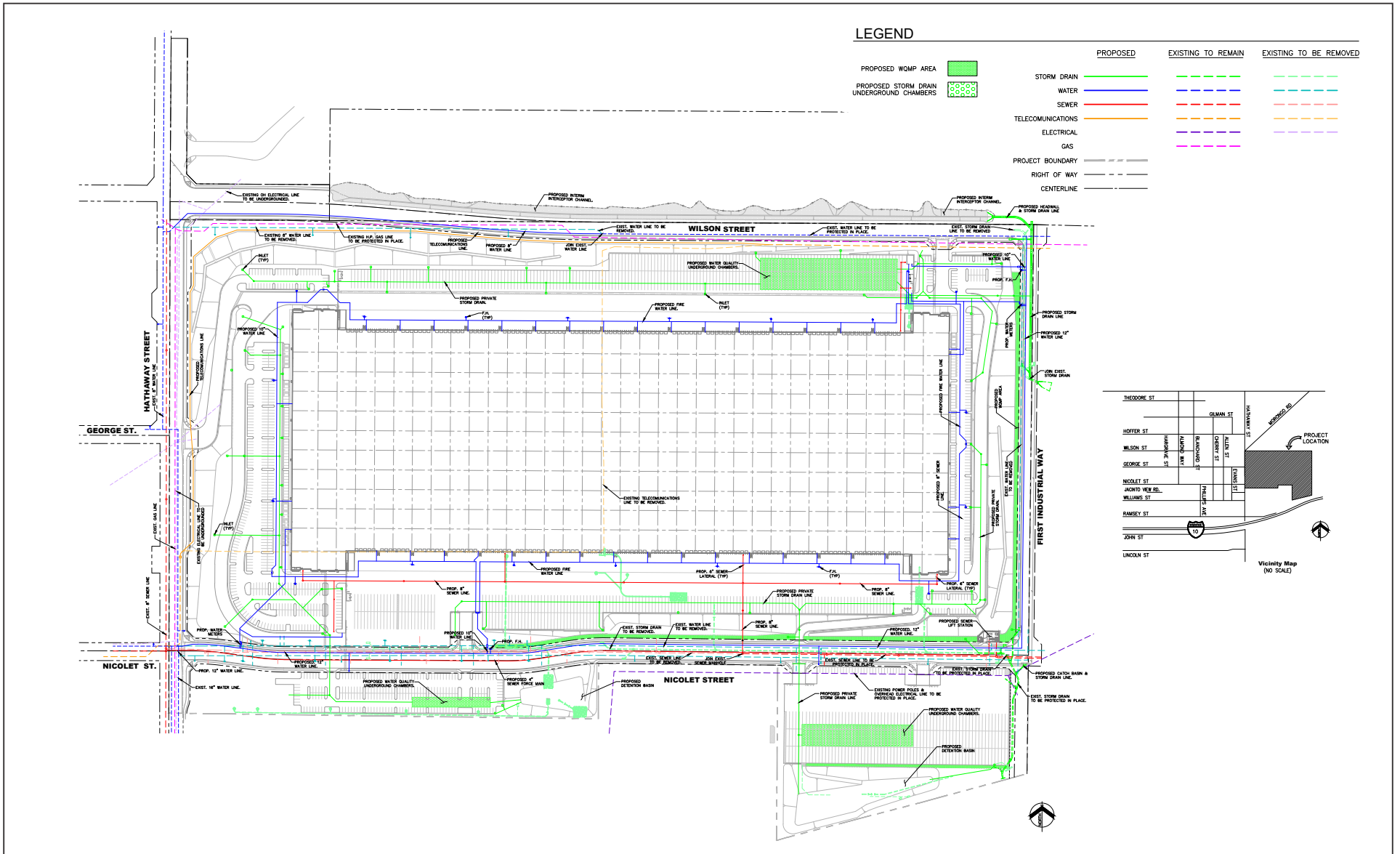
The project is designed collect wastewater flows from the warehouse building into a proposed on-site 8-inch sewer main, which would be located along the south, west, and east sides of the proposed warehouse building. The proposed collection mains on the west and east sides of the building are designed to service the proposed office space locations at the northwest and northeast corners of the building. All three mains would connect downstream into an existing 8-inch sewer main within Nicolet Street, which was installed in 2010 as part of a previous industrial project that was not completed. This existing sewer main within Nicolet Street flows downstream to the east to a location at the northwest corner of First Industrial Way and Nicolet Street. This is a low point of the project site and the location of a future sewer lift station that would pump the wastewater within an existing 4-inch force main previously constructed within Nicolet Street. The wastewater flow in this force main would be pumped westerly, upstream, within Nicolet Street, to an existing 8-inch gravity public sewer main within Hathaway Street. This existing gravity public sewer main within Hathaway Street flows downstream, in a southerly direction, and crosses I-10 to ultimately end up at the City of Banning Wastewater Treatment Plant located near Charles and Scott streets. Figure 3-8 shows the Conceptual Utility Systems Map for the project.

3.4.7 Construction

The anticipated construction schedule assumes that construction of the proposed project would begin end of 2024 and be completed by mid-2026, a period of approximately 18 months. The proposed project would require demolition/site preparation, grading, building construction, architectural coating, and paving. Demolition activities include demolition of one 4,700-square-foot cinder block structure and approximately 237,700 square feet of paved areas of the remnant Orco Block and Hardscape Company facility. Grading of the proposed cut slope along the western frontage of the site and fill slope along the eastern frontage of the site would require approximately 950,000 cubic yards of cut and 950,000 cubic yards of fill. During grading, on-site soils would be excavated and recompacted in accordance with the California Building Code (CBC) to accommodate the proposed warehouse and paved areas, including drive aisles and parking and loading areas. Therefore, no soil import or export would be required. Excavation depths for rough grading, compaction for building foundations, and utility trenching would reach approximately 50 feet below the existing grade in the northwestern portion of the project site.¹⁶ Figure 3-9 shows the Proposed Grading Exhibit.

¹⁵ The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action.

¹⁶ 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.



LSA

FIGURE 3-8



0 220 440
FEET

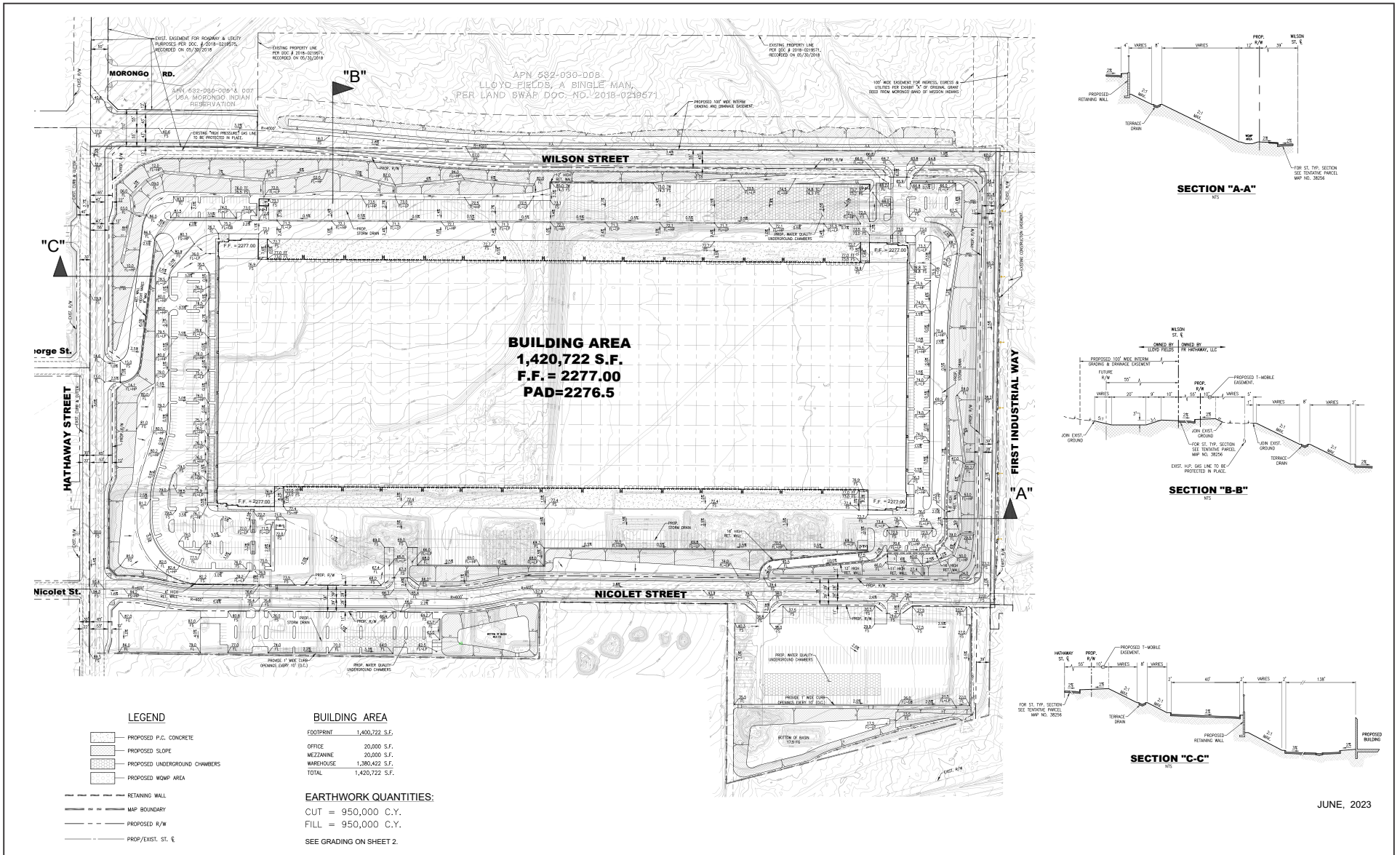
SOURCE: Stantec

I:\FRT2102\G\Utility_Systems.ai (4/10/2024)

First Hathaway Logistics Project
Proposed Conceptual Utility Systems Map



This page intentionally left blank



LSA



FEET
 SOURCE: Stantec

I:\FRT2102\G\Preliminary_Grading.ai (9/15/2023)

FIGURE 3-9

First Hathaway Logistics Project
 Proposed Grading Exhibit



This page intentionally left blank



Building construction is expected to entail the longest duration of the construction schedule and occur for approximately 302 days, and architectural coating would occur during the building and paving phases. Construction parking and staging would occur on the project site. However, it is possible there would be temporary lane closures and/or detours necessary along Hathaway Street during various periods of project construction.

3.5 PROJECT OBJECTIVES

The *CEQA Guidelines* require that an EIR include “a statement of objectives sought by the proposed project.” The following objectives are identified for the proposed project relative to the planning and CEQA processes:

- Provide industrial warehousing that is consistent with the General Plan land use and zoning designation and that helps fulfill the unmet demands of businesses in the city and Riverside County;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;
- Provide perimeter street improvements, including Hathaway Street (Major Highway), facilitating area vehicle circulation and identify capital improvements for water, sewer, drainage, and water quality that serve planned land uses within and adjacent to project site;
- Provide a variety of new employment opportunities for the residents of Banning and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area’s proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity of municipal services;
- Cluster industrial warehouse uses relatively close to access points of the State highway system to reduce traffic congestion on surface streets and reduce local air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with positive revenues compared to public service costs;
- Establish a unified thematic concept for the project site through design elements such as architecture, theme walls, and landscaping using a long-range comprehensive planning approach; and,
- Create a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment while minimizing the demand for water resources.



3.6 REQUIRED ACTIONS

In accordance with Sections 15050 and 15367 of the *CEQA Guidelines*, the City is the Lead Agency for the proposed project and has principal authority and jurisdiction for CEQA actions. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by the proposed project. As established in *CEQA Guidelines* Section 15124(d)(2), “If a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed.”

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 1,420,722-square-foot warehouse distribution building with employee/visitor and trailer parking.
- **Certification of the Project EIR (ENV 21-1519):** 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:** An encroachment permit will be necessary to excavate or otherwise encroach within the City of Banning’s public road ROW.
- **Any Other Discretionary Approvals:** Additional discretionary actions may include, but not be limited to: final maps, , TPMs, grading permits, and water and sewer system approvals.

3.6.1 Other Agencies (as Required)

CEQA Guidelines Section 15124(d)(1) further requires the City, to the extent the information is known, to include a list of the agencies expected to use the EIR in their decision-making processes, a list of permits and other approvals required to implement the project, and a list of related environmental review/consultation requirements established by federal, State, or local law, regulation and/or policy. Following certification of the EIR and adoption of the discretionary actions listed above, additional actions and approvals will be required by the City and other agencies. Key approvals include:



- **Review and Approval of All On-Site and Off-Site Grading and Infrastructure Plans:** These include street and utility improvements pursuant to the proposed project conditions of approval.
- **Approval of a Water Quality Management Plan (WQMP):** This is to mitigate post-construction runoff flows pursuant to the proposed project conditions of approval.
- **Building Permits:** Building permits will be required pursuant to the proposed project conditions of approval and may include, but would not be limited to: lighting, landscape, roadway improvement, mechanical, electrical, plumbing, building and other plans.
- **Any Other Nondiscretionary Actions:** Consistent with the conditions of approval to implement the proposed project.
- **Other Actions and Approvals:** Other City, regional, and State departments/agencies also may use the EIR in conjunction with other required permits and approvals, including (but not limited to) the following:
 - State Water Resources Control Board
 - South Coast Air Quality Management District
 - California Air Resources Board
 - California Department of Fish and Wildlife
 - United States Fish and Wildlife Service
 - Western Riverside County Regional Conservation Authority
 - Riverside County Airport Land Use Commission
 - Caltrans
 - Banning Water and Wastewater Utilities Department
 - Riverside County Flood Control and Water Conservation District
 - California Department of Forestry and Fire Protection
 - Federal Aviation Administration
 - National Pollutant Discharge Elimination System Permit
 - United States Green Building Council



This page intentionally left blank



4.0 SETTING, IMPACTS, AND MITIGATION MEASURES

This chapter contains an analysis of each potentially significant environmental issue that has been identified for the proposed First Hathaway Logistics Project (project). This introduction to the chapter: (1) identifies how a determination of significance is made; (2) identifies the environmental issues addressed in this chapter; (3) describes the context for the evaluation of cumulative effects; (4) lists the format of the topical issue section; and (5) provides an evaluation of each potentially significant issue in Sections 4.1 through 4.20.

DETERMINATION OF SIGNIFICANCE

Under the California Environmental Quality Act (CEQA), a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in the environment.¹ The 2023 *CEQA Guidelines* direct that this determination be based on scientific and factual data.² Each impact evaluation in this chapter is based on criteria of significance, which are the thresholds for determining whether an impact is significant. These criteria of significance are the criteria set forth in Appendix G of the *CEQA Guidelines*, thresholds specifically adopted by the City of Banning (City) as described in *CEQA Guidelines* Section 15064.7, or resource agencies, as applicable. In determining whether a project's impacts are significant, an Environmental Impact Report (EIR) compares those impacts with existing environmental conditions, which are referred to as the "baseline" for the impact analysis. This EIR compares the project impacts with environmental conditions in existence at the time the Notice of Preparation (NOP) for this EIR was published, except as otherwise noted.

ISSUES ADDRESSED IN THE DRAFT EIR

Sections 4.1 through 4.20 of this chapter describe the environmental setting of the project as evaluated in the EIR and the impacts that are expected to result from implementation of the project. Mitigation measures are proposed to reduce potential impacts where appropriate. The following environmental issues are addressed in this chapter:

- | | |
|---|---------------------------------|
| 4.1: Aesthetics | 4.11: Land Use and Planning |
| 4.2: Agriculture and Forestry Resources | 4.12: Mineral Resources |
| 4.3: Air Quality | 4.13: Noise |
| 4.4: Biological Resources | 4.14: Population and Housing |
| 4.5: Cultural Resources | 4.15: Public Services |
| 4.6: Energy | 4.16: Recreation |
| 4.7: Geology and Soils | 4.17: Transportation |
| 4.8: Greenhouse Gas Emissions | 4.18: Tribal Cultural Resources |
| 4.9: Hazards and Hazardous Materials | 4.19: Utilities and Services |
| 4.10: Hydrology and Water Quality | 4.20: Wildfire |

¹ *CEQA Guidelines*. 2023 (California Code of Regulations [CCR] Title 14, Chapter 3, Sections 15000–15397); Section 21068.

² *CEQA Guidelines*. 2023. Section 15064(b)(1).



CUMULATIVE ANALYSIS

CEQA defines cumulative effects as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”³ The assessment of cumulative impacts contained in EIRs is typically based on either: (1) past, present, and probable future projects, which are either approved or being considered for approval by the City or other municipalities (or anticipated to be submitted for consideration, including projects in the design phase or under construction); or (2) growth projections set forth in regional plans, including regional modeling plans.

Incremental increases in employment and demand for infrastructure and utilities are anticipated to occur as the result of the proposed project, as well as growth in population, housing, and employment from development of other projects in Banning and the surrounding region. An EIR must include a discussion of the potential cumulative impacts of a proposed project when that project’s individual impact has the potential to be cumulatively considerable.⁴ A cumulative impact from several projects is an adverse change in the environment that results from the incremental impact of the proposed project when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future projects.

Criteria for evaluating the significance of adverse effects are identified for each environmental issue topic in Sections 4.1 through 4.20 of this chapter. These criteria, which are based on resource sensitivity, quality, and quantity, are also instructive when evaluating whether the environmental effect resulting from implementation of a particular project is cumulatively considerable. The timing and duration of each activity is also an important consideration for evaluating the potential cumulative effects of activities that may occur only for a limited period. In such cases, a cumulative effect may occur only when two or more of the activities are occurring simultaneously.

Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a specific period of time within a specific physical domain. These temporal and spatial parameters are specific to each environmental issue topic and are defined accordingly in Sections 4.1 through 4.20 of this chapter; they may range from the City of Banning to the County of Riverside to the entire Southern California Association of Governments (SCAG) region when necessary. For example, the cumulative universe for air quality impacts is expected to be the entire South Coast Air Basin, which is much larger than the cumulative universe for public services impacts (i.e., the service area of the various service providers).

With respect to the analysis of cumulative impacts, CEQA generally requires the following:

- a. Cumulative impacts shall be discussed when the project’s incremental effect is cumulatively considerable.
- b. The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects

³ *CEQA Guidelines*, 2023. Section 15355.

⁴ *CEQA Guidelines*, 2023. Section 15130(a)(1).



attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Past, present, and reasonably foreseeable or probable future projects determined to be cumulatively considerable to the proposed project were established through consultation with the City Planning Department via the transportation scoping process.⁵ The traffic study scope of work and cumulative projects list were approved for the proposed project on December 15, 2021.⁶ Table 4.A summarizes data provided by the City Planning Department and extracted from the project-specific *Local Transportation Analysis* of the potential development projects that, when considered together with the proposed project, could result in cumulatively considerable impacts to the environment.⁷ The locations of these various cumulative projects are shown on Figure 4-1, Cumulative Projects. The significance of a cumulative impact may be greater than the effects resulting from the individual actions if the effects of more than one action are additive. Thus, as set forth above, this chapter evaluates the proposed project together with (1) the reasonably foreseeable potential effects of other closely related past, present, and reasonably foreseeable or probable future development in the project area, and (2) growth projections set forth in regional plans.

Cumulative projects in Banning and in the vicinity of the project site are identified in Table 4.A: Cumulative Project List.

Implementation of the mitigation measures identified in each specific section of this EIR will reduce the cumulative impact of the project to the extent feasible. In many cases, the mitigation measures result in reducing the project's cumulative impact to a less than significant level. For other impacts, the implementation of the identified mitigation measures will not avoid a significant cumulative impact. Where applicable, the 20 sections of Chapter 4.0 (i.e., Sections 4.1 through 4.20) identify those significant, unavoidable cumulative impacts that would not be reduced to a less than significant level through implementation of the identified mitigation measures presented in each of those sections. In addition, the analyses indicate to what degree the proposed project makes a significant contribution to cumulatively considerable impacts for each environmental issue (air quality, noise, traffic, etc.).

⁵ Stantec. *Traffic Study Scope of Work for First Hathaway Logistics*. December 8, 2021.

⁶ Engineering Resources of Southern California, Inc. *CITY OF BANNING – First Hathaway Logistics – Traffic Study Scope of Work – 169- PC3 MEMO*. December 15, 2021.

⁷ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Table 6-1. March 14, 2023.



Table 4.A: Cumulative Project List

Cumulative Project	Location	Description
1. Butterfield-Pardee Homes Specific Plan	Northwest corner of Highland Home Road and Wilson Street	4,862 dwelling units and 36 acres of commercial uses
2. Loma Linda-Banning Bench Specific Plan	Northeast corner of Sunset Avenue and Wilson Street	944 dwelling units and 10 acres of commercial uses
3. Little Europe Specific Plan	Southwest corner of Sunset Avenue and Jacinto View Road	39,700 square feet of commercial uses and a 40-room hotel
4. Rancho San Geronio Specific Plan	Southwest corner of San Geronio Avenue and Westward Avenue	598 dwelling units and a 500-student elementary school (Phase 3 – 2022)
5. Silverstone	Northeast corner of Highland Springs Avenue and Sun Lakes Boulevard	47.1 acres of commercial uses
6. La Quinta Inn	Northwest corner of Hargrave Street and Ramsey Street	91-room hotel and 4,000 square feet of fast-food restaurant
7. Work Lofts	Southwest corner of Hathaway Street and Lincoln Street	24 dwelling units, 9,900 square feet of office space, and 26,950 square feet of industrial uses
8. Anderson Equipment	Northwest corner of Hathaway Street and Charles Street	2,240 square feet of office space and 8,000 square feet of industrial uses
9. Smart & Final	Southeast corner of Highland Springs Avenue and Ramsey Street	30,000-square-foot grocery store
10. Fiesta Development	Southwest corner of Mountain Avenue and Evergreen Lane	303 dwelling units
11. Nordquist	Northwest corner of Mountain Avenue and Wilson Street	19 dwelling units
12. St. Boniface	Northwest corner of Wyte Way and Gilman Street	65 dwelling units
13. Banning Distribution Center	Southeast of Interstate 10 and Banning Airport	1,000,000 square feet of industrial uses
14. Kohavi	Southwest corner of Hargrave Street and Nicolet Street	4 dwelling units
15. Our Savior Lutheran	Southwest corner of 12 th Street and Ramsey Street	5,000-square-foot day care
16. Diversified Pacific	Northwest corner of Sunrise Avenue and Wilson Street	98 dwelling units
17. Robertson’s Ready Mix Quarry	1990 North Hargrave Street	23-acre expansion for mining uses
18. Downing Construction Corporation Office/Yard	Galleher Way east of San Geronio Avenue	9,320 square feet of office space
19. Lawrence Equipment Expansion	1879 Lincoln Street	146,900 square feet of industrial uses and 73,400 square feet of industrial uses
20. Morongo Medical Clinic*	Northwest corner of Hathaway Street and Morongo Road	49,900-square-foot medical clinic

Source: Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Table 6-1. March 14, 2023.

* Located on Morongo Reservation Land (preliminary information only).

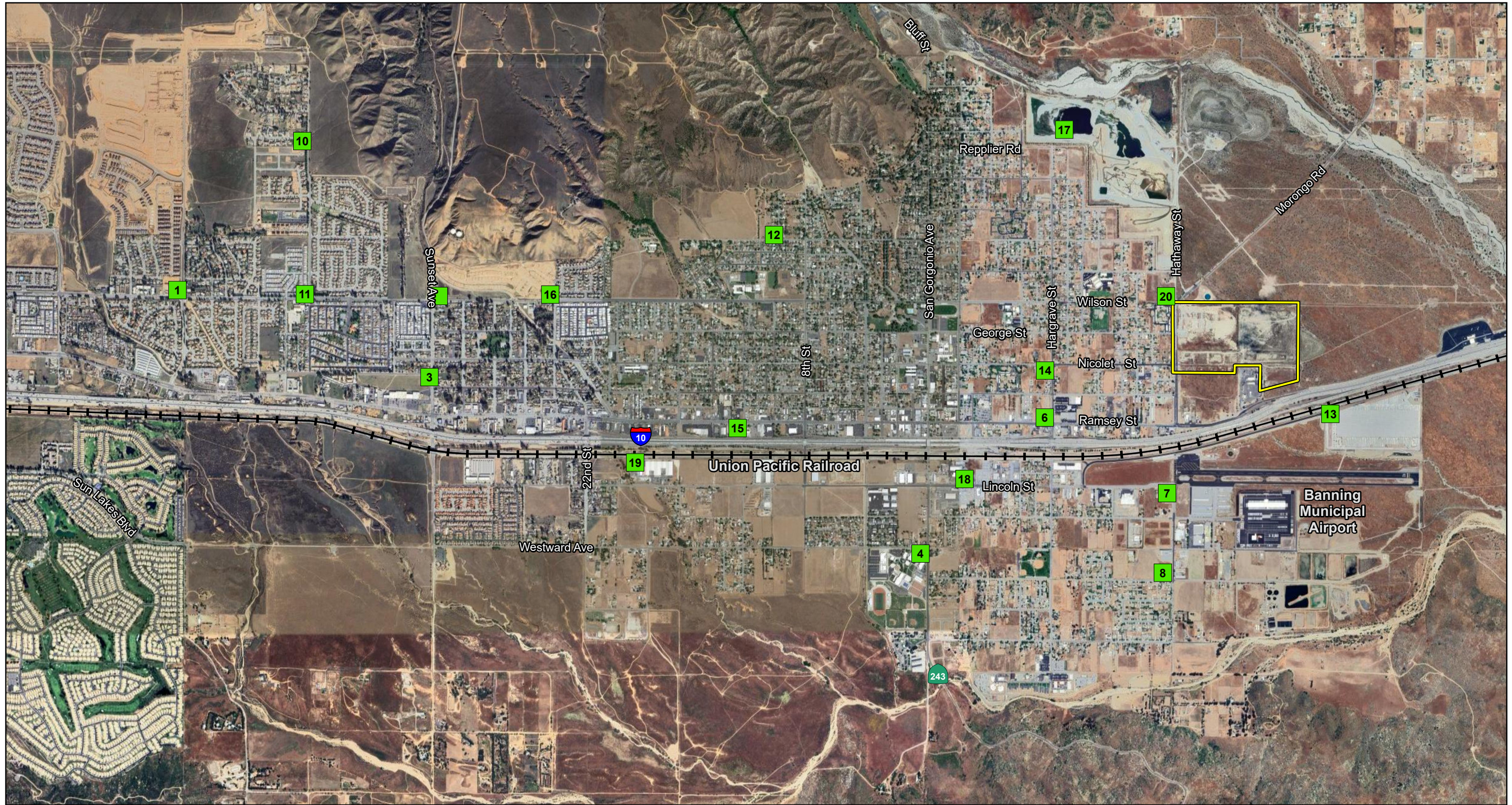


FIGURE 4-1

LSA

LEGEND

- Project Location
- Cumulative Projects



0 1000 2000
FEET

SOURCE: Google Maps (2023)

I:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (4/25/2024)



This page intentionally left blank



FORMAT OF RESOURCE SECTIONS

This chapter contains 20 sections. Each section addresses one environmental resource topic listed in Appendix G of the *CEQA Guidelines*.

For each environmental impact issue analyzed, the EIR includes a description of the existing conditions, thresholds of significance that will be applied to determine whether the project's impacts are significant or less than significant, analysis of the environmental impacts, and a determination of whether the project would have a significant impact if implemented. A "significant impact" or "significant effect" means "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and object of aesthetic significance. An economic or social change by itself shall not be considered to be a significant effect on the environment."⁸ A discussion of the cumulative effects of the project when considered in combination with other projects, causing related impacts, for each environmental resource topic is included in each respective section of this chapter as required by *CEQA Guidelines* Section 15130.

Each of the environmental topic sections is organized into the following subsections:

- **Introduction** briefly describes the topics and issues covered in the section.
- **Scoping** summarizes the public comments received during the public scoping meeting held on May 19, 2022, for the proposed project, as well as any correspondence received by City staff in response to the NOP issued between April 22 and May 22, 2022, for the topic under investigation.
- **Methodology** describes the approach and methods employed to analyze the environmental impacts, if any, for the topic under investigation.
- **Existing Environmental Setting** describes the relevant physical conditions that exist at the time of the issuance of the NOP, unless otherwise noted, that may influence or affect the topic under investigation. This section focuses on physical project site characteristics that are relevant to the environmental topic being analyzed.
- **Regulatory Setting** lists and discusses the laws, ordinances, regulations, plans, and policies that relate to the specific environmental topic and how they apply to the project.
- **Thresholds of Significance** sets forth the thresholds against which the impacts of the project are measured and that are the basis of the conclusions regarding significance.
- **Project Impact Analysis** describes the potential environmental changes to the existing physical conditions that may occur if the project and the associated project design features relevant to impacts are implemented. Evidence is presented to show the cause-and-effect relationship between the project and potential changes in the environment. In accordance with *CEQA Guidelines* Section 15126.2(a), this EIR is required to "identify and focus on the significant environmental effects" of the project. The magnitude, duration, extent, frequency, and range or

⁸ *CEQA Guidelines*. 2023. Section 15382.



other parameters of a potential impact are ascertained to the extent feasible to determine whether impacts may be significant. In accordance with CEQA, potential project impacts, if any, are classified as follows for each of the environmental topics discussed in this EIR.

- **Significant and Unavoidable Impact:** If the project is approved with significant and unavoidable impacts, the decision-making body is required to adopt a statement of overriding considerations pursuant to Public Resources Code Section 21081 and *CEQA Guidelines* Section 15093 explaining why the project benefits outweigh the unavoidable adverse environmental effects caused by those significant and unavoidable environmental impacts.
 - **Less Than Significant with Mitigation Incorporated:** This classification refers to potentially significant environmental impacts that can be feasibly mitigated to less than significant levels. If the project is approved, the decision-making body is required to make findings pursuant to *CEQA Guidelines* Section 15091 that mitigation measures have been prescribed or incorporated into the project that avoid or substantially lessen significant environmental effects.
 - **Less Than Significant Impact:** Less than significant impacts are environmental impacts that have been identified but do not rise to levels of significance. Mitigation is not required for less than significant impacts.
 - **No Impact:** A “no impact” determination is made when the project is found to have no environmental impact.
- **Level of Significance Prior to Mitigation** summarizes the potentially significant impacts of the project, if any, prior to mitigation.
 - **Regulatory Compliance Measures and Mitigation Measures** describes relevant and applicable laws or regulations that must be adhered to with respect to construction and/or operation of the project and that would reduce or lessen potential impacts related to a particular issue area. This subsection also identifies project-specific measures that avoid, minimize, rectify, reduce, eliminate, or compensate for a potentially significant impact.
 - **Level of Significance After Mitigation** describes the significance of potential impacts after implementation of mitigation measures. Potential significant unavoidable impacts, if any, are clearly stated in this section.
 - **Cumulative Impacts** focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable cumulative projects within the project study area.



4.1 AESTHETICS

This section identifies the existing aesthetic condition of the First Hathaway Logistics Project (project) site and the surrounding area and evaluates the potential for impacts related to changes to scenic vistas and highways, changes in aesthetic conditions, and lighting impacts. This section also evaluates the potential adverse effects to existing visual resources and effects on public views. Information in this section is based on architectural renderings of the project and policies contained in the City of Banning (City) General Plan Land Use Element¹ and Open Space and Conservation Element.²

4.1.1 Scoping

Potential impacts to aesthetics and visual resources were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to aesthetics and visual resources. For copies of the NOP comment letters, refer to Appendix A of this Draft Environmental Impact Report (EIR).

4.1.2 Methodology

This section describes the criteria against which the project is evaluated to determine if impacts to aesthetics and visual resources would occur.

4.1.2.1 Key Concepts

The assessment of aesthetic impacts is subjective by nature and is guided by the general consensus of the community in which a scenic resource is located and/or the general viewing public. Generally, high-quality views have topographic relief, a variety of vegetation, rich colors, impressive scenery, and unique natural and/or built features. Moderate-quality views have interesting but minor landforms, some variety in vegetation and color, and/or moderate scenery. Low-quality views have uninteresting features, little variety in vegetation and color, uninteresting scenery, and/or common elements. In addition, viewer types in the project area are broad, and may include motorists, pedestrians, and neighboring uses. Public viewer groups are limited to motorists and pedestrians along public roadways in the project vicinity, as well as users of nearby parks and/or public open spaces.³ An assessment of a project's aesthetic impacts generally utilizes the following concepts.

Scenic Resources. Scenic resources are defined as natural or manmade elements that contribute to an area's scenic value and are generally viewed as visually pleasing or otherwise in a positive light. Scenic resources may include landforms, vegetation, water, or adjacent scenery and may include a

¹ City of Banning General Plan. Chapter III, Community Development, Land Use Element. Adopted January 2006.

² City of Banning General Plan. Chapter IV, Environmental Resources, Open Space and Conservation Element. Adopted January 2006.

³ The California Court of Appeals concluded, in its *Mira Mar Mobile Community v. Oceanside* decision, that potential impacts related to views from private lands are not considered impacts under the California Environmental Quality Act (CEQA) unless the Lead Agency has specifically adopted a standard or policy relevant to the project site specifically protecting a private landowner's views. The City of Banning, as the CEQA Lead Agency for the proposed project, has not adopted any such policy or standard.



cultural modification to the natural environment. A development could impact a scenic resource directly through physical changes (e.g., removal, disturbance, or development on a ridgeline, hillside, peak or shoreline) and/or through limiting access to the scenic resource to the viewing public. The degree to which these resources are present or significant is based on the values of the community and the viewing public.

Scenic Vista. A scenic vista typically consists of an expansive view or viewshed designated by the community or a feature valued by the viewing public. A development project can affect a scenic vista by either blocking or partially obstructing publicly available views of the vista, or by blocking access to said vistas.

Scenic Corridors. Scenic corridors are public features that facilitate movement (primarily by automobile, transit, bicycle, or foot) from one location to another and provide expansive views of natural landscapes and/or visually attractive manmade development. Scenic corridors analyzed under the California Environmental Quality Act (CEQA) typically include State-designated scenic highways and locally designated scenic routes.

Scenic Character. The scenic character of an area is defined by the natural or manmade features that create an overall impression of an area. In this context, scenic “character” will vary widely based on one’s location. For example, the scenic character of a residential neighborhood may be defined by a pleasing streetscape with mature landscaping and well-maintained residences, while that of a commercial area may be defined by the age, style, and mix of uses; the pedestrian scale (or lack thereof); access and parking areas; landscaping; and public amenities. In general, scenic character can be organized around four basic elements: (1) site utilization, (2) buildings and structures, (3) landscaping, and (4) signage. Adverse effects to scenic character may result from the development of incompatible uses, the absence of required public amenities, poor building siting and design, and/or insufficient, inappropriate, incompatible signage, landscaping, screening, or lighting.

Glare. Glare is a continuous or periodic intense light that may cause eye discomfort or be temporarily blinding to humans. Sunlight reflecting off windows and building surfaces (glare) may affect adjacent uses or interfere with the operation of motor vehicles, aviation, or other activities. Glare can also be produced during evening and nighttime hours by artificial light sources, such as illuminated signage and vehicle headlights. Glare-sensitive uses generally include residences and transportation corridors (i.e., roadways).

Light Sources. A device that produces illumination, including incandescent bulbs, fluorescent and neon tubes, halogen and other vapor lamps, LED fixtures, and reflecting surfaces or refractors incorporated into a lighting fixture. Any translucent enclosure of a light source is considered to be part of the light source.

4.1.2.2 Analytical Approach

Any assessment of aesthetic impacts is subjective by nature. To address potential aesthetic impacts related to development of the project, the impact analysis compares the current aesthetic condition of the project site and project area to the post-development conditions. Viewer exposure conditions were determined based on a review of a variety of data, including project maps and architectural



plans/renderings, ground-level photographs of the project area, conceptual simulations of the proposed project, and field observations. Variables include the viewing distance, terrain (existing and proposed) angle of view, the extent to which views are screened or unobstructed, and duration of view. Viewing distances are described according to whether the proposed project would be viewed within a foreground zone (within 0.5 mile), middleground zone (0.5 to 2 miles), or background zone (beyond 2 miles). Viewing angle and extent of visibility consider the relative location of the proposed project to the viewer and whether visibility conditions are open and panoramic, or limited by intervening vegetation, structures, or terrain.

As the project is consistent with development permitted in the City's Business Park land use and zoning designations, the assessment will identify how the project complies with the design standards for commercial and industrial uses and its potential effect on surrounding areas. This would include changes in vistas and viewsheds where visual changes would be evident, potential conflicts with applicable zoning and other regulations governing scenic quality, changes to scenic resources along designated scenic roads, and the introduction of new sources of light and glare. The assessment presents architectural renderings¹ of the post-development condition to illustrate project compliance with the City's design standards for industrial development and the community policies related to visual resources contained in the City's General Plan.

4.1.3 Existing Environmental Setting

The 94.86-acre project site is located in Banning in western Riverside County. The city is located in the San Gorgonio Pass area, an east-west-trending valley situated between the San Bernardino and San Jacinto mountains. The city encompasses approximately 23.1 square miles (14,784 acres), extending easterly from Highland Springs Avenue to Fields Road, and from the San Bernardino/Riverside county line on the north to Bobcat Road on the south. Banning's Sphere of Influence includes eight separate areas on the north and south ends of the city, totaling 5,436 acres of noncontiguous lands.² The City encompasses a variety of geographic and geologic conditions, including the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. The adjacent mountain canyons form the alluvial plains on which portions of the city have developed.³

The project site's topography generally slopes downward to the southeast at a gradient of approximately 4 percent. The existing site elevation ranges from approximately 2,334 feet above mean sea level (amsl) in the northwestern corner of the site to approximately 2,211 feet amsl in the southeastern corner of the site. Prior grading of the site established six detention basins ranging from 7 to 14 feet in depth, as well as engineered slopes located generally along the boundaries of the project site. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in

¹ The architectural renderings cited in this section are conceptual in nature and represent the currently planned bulk, mass, siting, and design of the proposed building and associated improvements. They are based on the applicant's interpretation of City's current development regulations and design guidelines. These materials have been incorporated into this EIR to facilitate the assessment of potential aesthetic impacts. The final design of the building and associated improvements is subject to City review and approval.

² City of Banning General Plan. Chapter III, Community Development, Land Use Element. Page III-1. Adopted January 2006.

³ City of Banning General Plan. Chapter II, Introduction and Administration. Page II-1. Adopted January 2006.



length, and approximately 4 to 11 feet in height. On-site vegetation communities/land cover types include graded/disturbed grassland. A number of former on-site structures were demolished between 2011 and 2012. A single structure and paved areas associated with the former use still remain. Overhead and underground utility lines also traverse the site and extend along its perimeter.

According to the United States Census Bureau, Banning is located within the Riverside-San Bernardino Urbanized Area.^{1,2} The existing pattern of land use adjacent to the project site and general visual character of the project area is described below. Key viewpoints of the surrounding area and the project site are shown in Photos 1 through 8 on Figure 4.1-1 and are further described below. Photo viewpoint locations are shown on the photo key map provided in Figure 4.1-2.

- **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 to the City as part of a land swap with the Morongo Band of Mission Indians (Morongo) Reservation. Land north of this narrow strip is part of the Morongo Reservation and includes an electrical transmission line and guard house along Morongo Road, as well as a northeast/southwest-traversing road that leads from Hathaway Street to the communities of the Morongo Reservation.

The prominent scenic vistas visible from the northern boundary of the project site are the San Bernardino Mountains, the foothills of which are approximately 1.3 miles to the north. The crest of these mountains is approximately 7.5 miles from the site. The peaks of the San Bernardino Mountains, including Mount San Gorgonio (the highest peak in southern California, at 11,503 feet amsl in elevation), provide background views beyond the foothills. Foreground views from the northern boundary of the project site include undisturbed scrub, the Morongo facilities, and electrical transmission features (see Figure 4.1-1, Photo 1).

- **East:** Property adjacent to the east of the project site is vacant and undeveloped. A portion of this property was previously graded in 2011 as part of the previously approved industrial warehouse development that was not constructed due to changes in market demand. Additionally, an electric distribution circuit and associated two-track utility roads 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, which are administered by the California Highway Patrol along Interstate 10 (I-10).

¹ United States Census Bureau. Riverside-San Bernardino, CA Urbanized Area No. 75340. Website: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340_000.pdf (accessed January 31, 2023).

² As described in *CEQA Guidelines* Section 15387 and defined by the United States Census Bureau, an “urbanized area” is a central city or a group of contiguous cities with a population of 50,000 or more people, together with adjacent densely populated areas having a population density of at least 1,000 people per square mile. Because Banning is located in an urbanized area, the project site is also within an urbanized area.



This page intentionally left blank



Photo 1: Off-site Views, North.



Photo 2: Off-site Views, East.



Photo 3: Off-site Views, South



Photo 4: Off-site Views, West.



Photo 5: On-site Condition, Center of Site – View South.



Photo 6: On-site Condition, Southwest corner of Site – View West



Photo 7: On-site Condition, Center of Site – View East



Photo 8: On-site Condition, Western Project Boundary



From the eastern boundary of the project site, both mountain ranges (San Gorgonio and San Jacinto) are visible. The Morongo Casino Resort & Spa is visible 3 miles to the east. More background views of the Little San Bernadino Mountains (approximately 24 miles east) are visible through the pass between the ranges. Foreground views from this location are limited to undisturbed scrub, while the mid-range views take in the transportation and utility features cited above (see Figure 4.1-1, Photo 2).

- **South:** Property adjacent to the south of the project site includes undeveloped land and a materials and equipment staging yard operated by the California Department of Transportation (Caltrans). Farther to the south are an automotive service and repair facility, a hardscape sales and materials yard, I-10 and the Union Pacific Railroad (UPRR), and Banning Municipal Airport on the south side of I-10.

The San Jacinto Mountains are the prominent scenic feature looking south from the project site. The foothills of this range are located approximately 1.4 miles to the south. The steep escarpment of Mount San Jacinto (10,834 feet amsl in elevation and approximately 14 miles southeast) provides the backdrop for these foothills. Foreground and mid-range views from the southern property boundary include previously cleared land containing ruderal vegetation and the previously cited Caltrans facility, respectively (see Figure 4.1-1, Photo 3).

- **West:** Property adjacent to the west of the project site includes Hathaway Street and single- and multifamily residential uses and associated local roadways. The multifamily residences consist of a number of two-story structures situated along Hathaway Street. Frontage improvements include sidewalk, decorative walls, landscaping (areas of turf, shrubs, and mature trees), and utility appurtenances. Parking areas and parking canopies are visible within the gated space of the multifamily properties. The single-family uses consist of single-story structures with a variety of landscaping and fencing styles (see Figure 4.1-1, Photo 4).

The existing visual condition of the site is depicted in Figure 4.1-1 (Photos 5–8). Existing sources of lighting in the project area include street lighting on Hathaway Street, residential lighting, security and lot lighting at adjacent properties, and vehicle lighting on local roadways.

I-10 bisects the city. As the growth envisioned under the General Plan occurs, development would occur both north and south of I-10. The General Plan EIR¹ recognized the visual sensitivity along this corridor is relatively low except for views of the surrounding mountains.² 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

¹ Terra Nova Planning & Research. *Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance*. Pages 189–191, Section J (Visual Resources). June 2005.

² The General Plan aims to protect and preserve these areas through land use designation (including open space for the Ranch/Agriculture Hillside designation, which provides for lot sizes at a minimum of 10 acres) and/or land use planning using Specific Plans, which may be characterized by clustered low-density residential development with large open-space uses.



designation.”¹ The proposed project is consistent with the General Plan designation and zoning for the site, as the proposed warehouse development is a permitted use in the existing Business Park (BP) land use and zoning designation.

4.1.4 Regulatory Setting

The following describes federal, State, regional, and local regulations applicable to the proposed project with regard to aesthetics and visual resources.

4.1.4.1 Federal Regulations

No federal policies or regulations pertaining to aesthetics are applicable to the proposed project.

4.1.4.2 State Regulations

Caltrans Scenic Highway Program. The Caltrans Scenic Highway Program protects the natural scenic beauty of the State’s highways and corridors through its designated scenic highways throughout the State.² Caltrans defines a scenic highway as any freeway, highway, road, or other public right-of-way (ROW) that traverses an area of outstanding scenic quality and contains striking views, flora, geology, and other unique natural attributes. Other considerations given to a scenic highway designation include how much of the natural landscape a traveler may see and the extent to which visual intrusions degrade the scenic corridor.

According to Caltrans, the nearest State-designated scenic highway is a 28-mile portion of State Route (SR) 243. The scenic highway designation begins at Old Idyllwild Road at the southern limits of the city, approximately 1.5 miles southwest of the project site.³

4.1.4.3 Regional Regulations

No regional policies or regulations pertaining to aesthetics are applicable to the proposed project.

4.1.4.4 Local Regulations

City of Banning General Plan. The following provisions from the City’s General Plan Land Use Element⁴ and Open Space and Conservation Element⁵ would apply to the proposed project in order to limit potential visual impacts to nearby scenic resources located within Banning.

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

² California Department of Transportation (Caltrans). 2008. Scenic Highway Guidelines. Website: <https://dot.ca.gov/-/media/dot-media/programs/design/documents/scenic-hwy-guidelines-04-12-2012.pdf> (accessed November 11, 2020).

³ California Department of Transportation (Caltrans). *List of Eligible and Officially Designated State Scenic Highways*. 2019. Website: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed January 10, 2023).

⁴ City of Banning General Plan. Chapter III, Community Development, Land Use Element. Adopted January 2006.

⁵ City of Banning General Plan. Chapter IV, Environmental Resources, Open Space and Conservation Element. Adopted January 2006.



Open Space and Conservation Element

- Goal 1:** Open space and conservation lands that are preserved and managed in perpetuity for the protection of environmental resources or hazards, and the provision of enhanced recreational opportunities and scenic qualities in the City.
- Goal 2:** A balance between the City's built and open space environment and local and regional protection and preservation of its unique environment.
- Policy 6:** Where practical, new development shall integrate pipeline, above- and underground utility corridors and other easements (including electric, cable and telephone distribution lines) into a functional open space network.
- Policy 7:** Drought tolerant landscaping materials and design features shall be incorporated into parks, roadway medians, common area landscaping, public facilities and other appropriate open space lands to retain and preserve the natural environment.

Land Use Element, Open Space and Conservation Goals, Policies, and Programs

- Policy 3:** The City of Banning shall protect the peaks and ridgelines within the City and encourage coordination with adjacent jurisdictions to protect the peaks and ridgelines within the City's area of influence, to protect the historic visual quality of the hillside areas and natural features of the Pass area.
- Policy 5:** All land use proposals shall be consistent with the goals, policies and programs of this General Plan, and with the Zoning Ordinance.

Banning Municipal Code, Chapter 17.12. Banning Municipal Code (BMC) Chapter 17.12 provides design guidelines for commercial and industrial development in the city. Per Section 17.12.090, General Design Principles, desirable elements of project design for commercial and industrial development include:

- Significant texture for building surfaces
- Wall articulation (insets, canopies, wing walls, and trellises)
- Multi-planed, pitched roofs
- Roof overhangs, arcades, and covered walkways
- Regular window distribution
- Articulated mass and bulk
- Significant landscape and hardscape elements
- Clearly identifiable access driveways
- Convenient and accessible parking
- Landscaped and screened parking
- Unified and complementary signage



Subsequent sections of BMC Chapter 17.12 identify commercial and industrial design standards as follows:

- 17.12.120 Site Planning
- 17.12.110 Parking and Circulation
- 17.12.120 Landscaping
- 17.12.130 Walls and Fencing
- 17.12.140 Screening
- 17.12.150 Architectural Design Standards
- 17.12.170 Roofs
- 17.12.170 Lighting

Banning Municipal Code, Chapter 17.24. BMC Section 17.24.100, Lighting, establishes general development standards related to lighting and requires that lights do not blink or flash and are not of unusually high intensity or brightness. Exterior lighting shall be shielded or recessed and directed downward and away from adjoining properties and public ROWs.

4.1.5 Thresholds of Significance

Significance determinations utilized in this section are from Section I of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact to aesthetics and visual resources if it would:

Threshold 4.1-1: Have a substantial adverse effect on a scenic vista;

Threshold 4.1-2: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;

Threshold 4.1-3: In non-urbanized areas, 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 publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality; or

Threshold 4.1-4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4.1.6 Project Impact Analysis

Potential impacts of the project related to aesthetics and visual resources are discussed below pursuant to the thresholds established in Section 4.1.5, above.

4.1.6.1 Scenic Vistas

Threshold 4.1-1: Would the project have a substantial adverse effect on a scenic vista?

Generally, a development project has the potential to impact scenic vistas in two ways: (1) a development could physically alter a designated scenic resource itself (e.g., disturb or develop upon



a ridgeline, hillside, peak, or shoreline); and/or (2) it could block or substantially obscure public views of a scenic vista (e.g., designated scenic views from public roads, trails, parks, and landmarks).¹

The proposed project is located in a valley between the San Bernardino Mountains and the San Jacinto Mountains, which rise prominently to the north and south, respectively. Both mountain ranges, along with the associated foothills, constitute prominent scenic features that are visible from roadways and other public areas in the city. Two of the highest peaks in southern California are visible from the project site: (1) San Gorgonio Mountain in the San Bernardino Mountains, the highest peak in southern California (11,503 feet amsl), is approximately 11 miles north of the project site, and (2) San Jacinto Peak in the San Jacinto Mountains (10,834 feet amsl) is approximately 14 miles southeast of the project site. Both ranges and the stated peaks are visible from the project site and local roadways throughout the City.

Implementation of the project would convert the site from its current undeveloped, albeit disturbed, condition to an industrial use. As stated in Section 3.3, Existing Setting, of this EIR, the site has been previously disturbed and graded. Prior grading activity on site has established detention basins ranging in depth from 7 to 14 feet and engineered slopes ranging in height from 5 to 24 feet. The site also harbors a number of stockpiles of boulders and large cobbles up to 11 feet in height and vegetated with graded/disturbed grassland consisting of nonnative deer weed (*Lotus scoparius*), Russian thistle (*Salsola tragus*), and prickly lettuce (*Lactuca serriola*).

The project includes construction of an approximately 1,420,722-square-foot warehouse distribution building, 40,000 square feet of which would consist of two-story office space and a mezzanine. The office space would be located in the four corners of the proposed rectangular building, with warehouse uses concentrated in the center. The proposed warehouse building would be constructed to a maximum height of 50 feet, plus architectural parapets that would reach up to 55 feet and would have substantial setbacks from the public ROW in every direction (i.e., 300 feet from Hathaway Street and 200 feet from proposed Wilson Street, proposed First Industrial Way, and proposed Nicolet Street, respectively). Based on the proposed square footage, not including office areas, the building would extend approximately 2,015 feet east-west and 680 feet north-south.

The project would not disturb or be developed on a ridgeline, hillside, peak, or any other designated scenic resource. The finished floor elevation of the proposed building would be 2,277 feet amsl; therefore, the top of the building's parapet would reach 2,332 feet amsl. The conceptual grading plan, including selected cross sections at First Industrial Way ("A-A"), Wilson Street ("B-B"), and Hathaway Street "C-C"), is provided in Figure 3-9 of this EIR. The street elevation on Hathaway Street would range from approximately 2,340 feet to 2,290 feet amsl (north to south, respectively). As depicted in conceptual grading cross section "C-C," the finished floor elevation of the proposed building would be substantially below the grade of Hathaway Street. Motorists and pedestrians at the intersection of Hathaway and Willson streets would maintain uninterrupted views to the east. As travelers proceed south on Hathaway Street, the mass of the building would temporarily obstruct views east. South of Nicolet Street, however, project features (e.g., landscaping, parking areas) would not meaningfully obstruct views eastward.

¹ Views from private properties are not a legal right or protected government interest; therefore, views from private properties are not considered viewing points for the purpose of this analysis.



There are currently no publicly available views along proposed Nicolet Street, proposed Wilson Street, or proposed First Industrial Way since these roadways do not yet exist on the project site. Upon construction of the proposed roadway improvements, and with development of the proposed warehouse building, publicly available views from these roadways would consist of engineered slopes, landscaping, parking areas, and the warehouse. The bulk of the proposed warehouse building, engineered slopes, and associated above-grade improvements (e.g., landscaping) would be visible from other roadways in the project area, notably I-10, although background views to the San Bernardino Mountains would be fully retained.

As noted, the San Bernardino and San Jacinto mountains dominate the viewshed from points throughout the city. Views to these mountain and hillside areas would be partially obstructed on selected roadways, and then only as travelers move past the immediate vicinity of the project site. The City's General Plan EIR recognizes, "...regardless of the type of development, elements of the built environment, such as buildings, signage, parking lots, utility poles and wires, indoor and outdoor lighting, fences, and walls, will change the appearance of the valley floor and alter the viewsheds of the surrounding hillsides."¹ Due to the expanse and prominence of surrounding mountains and the temporary nature of any project-related obstruction of view, potential impacts to an identified scenic vista would be limited and **less than significant**. Mitigation is not required.

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

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: Less Than Significant Impact.

4.1.6.2 Damage Scenic Resources within a State scenic highway

Threshold 4.1-2: Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The nearest State-designated scenic highway is a 28-mile section of SR-243. The scenic highway designation begins at Old Idyllwild Road at the southern limits of the city, approximately 1.5 miles southwest of the project site. The project site is not visible from this location. Several switchbacks occur along SR-243 as it extends upslope into the San Jacinto Mountains to Mountain Center (at the junction of SR-74). As SR-243 gains elevation, where topography does not intervene, expansive views of the San Gorgonio Pass, the city, and distant views of the project site are visible to motorists.

A scenic corridor is the land generally adjacent to and visible from the highway. The project site is not located adjacent to or within a scenic corridor established for SR-243. Due to intervening topography, distance, and elevation, specific features associated with development are not readily discernable to motorists on SR-243. As such, implementation of the project would not substantially damage scenic resources, including, but not limited to: trees, rock outcroppings, and historic buildings within a State scenic highway. **No impact** would occur, and no mitigation measures are required.

¹ Terra Nova Planning & Research, Inc. *City of Banning Comprehensive General Plan, Draft Subsequent Environmental Impact Report*. Page III-190. June 2005.



Level of Significance prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: No Impact.

4.1.6.3 Degrade Existing Visual Character

Threshold 4.1-3: In non-urbanized areas, 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 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?

According to the United States Census Bureau, Banning is located within the Riverside-San Bernardino Urbanized Area and has a total area of 23.1 square miles.¹ As described in *CEQA Guidelines* Section 15387 and defined by the United States Census Bureau, an “urbanized area” is a central city or a group of contiguous cities with a population of 50,000 or more people, together with adjacent densely populated areas having a population density of at least 1,000 people per square mile. As detailed in Section 4.14, Population and Housing, of this EIR, the current (2023) population of the City of Banning is approximately 31,250. As such, the City of Banning has an average of 1,352.8 persons per square mile; therefore, the project site is located within an urbanized area, and this analysis focuses on the project’s potential to conflict with applicable zoning and other regulations governing scenic quality.

The existing aesthetic condition of the project site and adjacent areas has been previously discussed in Section 4.1.3, Existing Environmental Setting, above. The project has been previously partially developed, disturbed, and graded. Prior grading activity on site has established detention basins ranging in depth from 7 to 14 feet and engineered slopes ranging in height from 5 to 24 feet. The site also contains numerous stockpiles of boulders and large cobbles up to 11 feet in height. Vegetation consists of graded/disturbed grassland consisting of nonnative deer weed mixture.

Areas of Banning east of Hathaway Street and south of I-10 are designated for Business Park, Industrial, Airport Industrial, and Public Facility uses. Due to the previous uses on the project site and past disturbance, as well as its current condition, the project site does not exhibit any aesthetically unique or visually sensitive characteristics, nor does it harbor any natural feature designated by the City as a scenic resource. As described in Section 4.1.3, above, areas adjacent to the project site are either undeveloped (to the north and east, as well as select properties to the south), contain an existing Caltrans facility (to the south), or are residential areas (to the west). City improvements on adjacent local roadways, including Hathaway Street, are currently underway.

Construction. As detailed in Section 3.4.7, Construction, of this EIR, the anticipated construction period would extend for a duration of approximately 18 months and would include demolition of an approximately 4,700-square-foot cinder block structure and approximately 237,700 square feet of

¹ United States Census Bureau. *Riverside-San Bernardino, CA Urbanized Area No. 75340*. Website: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340_000.pdf (accessed January 31, 2023).



pavement remaining from previous on-site uses. Grading of the proposed cut slope along the western frontage of the site and fill slope along the eastern frontage of the site would require approximately 950,000 cubic yards of cut and 950,000 cubic yards of fill. During grading and construction operations, various pieces of heavy machinery would be used. This equipment, earthmoving and grading activities, material stockpiling, equipment storage, and other construction-related operations would be visible from local roadways and adjacent properties. However, all project-related construction activities would be temporary, and all construction equipment would be removed from the project site following the completion of project construction activities. Past on-site activities included material storage and manufacture of concrete and masonry block and hardscape products. Although no industrial activity currently occurs on site, a remnant structure associated with the Orco Block and Hardscape Company remains on the property. Other structures associated with this past use have been demolished and removed from the site. Due to the disturbed nature of the project site, including from prior development of industrial uses on the property, as well as from prior grading and stockpiling of boulders and large cobbles, construction of the project would not substantially degrade the existing visual character or quality of public views of the project site and its surroundings. Therefore, construction-related impacts to the visual character of the site and its surroundings would be **less than significant**. Mitigation is not required.

Operation. As previously detailed, Banning Municipal Code Section 17.12.090 establishes desirable elements of project design for commercial and industrial development, which include:

- Significant texture for building surfaces
- Wall articulation (insets, canopies, wing walls, trellises)
- Multi-planed, pitched roofs
- Roof overhangs, arcades, and covered walkways
- Regular window distribution
- Articulated mass and bulk
- Significant landscape and hardscape elements
- Clearly identifiable access driveways
- Convenient and accessible parking
- Landscaped and screened parking
- Unified and complementary signage

The proposed warehouse building would be constructed to a maximum height of 50 feet, plus architectural parapets that would reach up to 55 feet in height,¹ and would have substantial setbacks from the public ROW in every direction (e.g., 300 feet from Hathaway Street and 200 feet from proposed Wilson Street, proposed First Industrial Way, and proposed 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

¹ 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.



uses to the west and up to 32 feet higher in elevation than proposed First Industrial Way at the eastern end of the site. The proposed warehouse building would be characterized by ample façade articulation and scoring, varying colors and textures, evenly spaced windows, and appropriate landscape screening. The proposed building does not include large, blank, unpainted expanses of wall; reflective surfaces; unrelated architectural details (e.g., towers); or expansive parking areas devoid of landscape relief. The conceptual landscape pallet provides a consistent landscape scheme along the project perimeter, along roadways, and in parking areas.

Conceptual nonscale renderings of the project have been developed to depict potential representative post-development conditions on site. They are referenced in this analysis for illustrative purposes only and are subject to change through the design review process. These renderings are generally representative of the scale, mass, and proportion of post-development conditions. Figure 4.1-2 provides a viewpoint map of photos and conceptual renderings, while Figures 4.1-3a through 4.1-3d provide general aerial perspectives of the post-development condition from the southeast, northeast, southwest, and northwest corners of the site, respectively.

As previously mentioned, the site has been previously developed and substantially disturbed by said development and the placement of engineered slopes intended to accommodate a prior approved project. Upon development, general views of the site would center on the proposed building and the surrounding paved truck yard/parking areas. Post-development, the extension of Nicolet and Wilson streets and the installation of First Industrial Way would be visible. Engineered slopes and peripheral project landscaping would be clearly visible from these perspectives. Although the elevated perspective may exaggerate the contrast in size between the proposed warehouse building and existing off-site uses, it should be noted that the proposed warehouse development is permitted in the Business Park (BP) land use and zoning designation established by the City for the project site. Ground-level renderings detailed in Figures 4.1-4a through 4.1-4e illustrate ground-level conditions of the project site post-development.

- **Hathaway Street at Project Entry (Figure 4.1-4a):** The pre-development view at this location includes the remnant Orco Block and Hardscape Company structure and surrounding asphalt areas. Overhead electrical lines are located along the eastern edge of Hathaway Street. Patchy ruderal vegetation dominates this location. Views of the foothills and higher peaks of the San Bernardino Mountains are visible in the background. Upon development, Hathaway Street will be developed to its full width and the overhead electrical lines will be undergrounded. The finished grade of the proposed warehouse building and parking lot would be up to 42 feet lower in elevation than Hathaway Street, so that the primary mass of building would be masked by the engineered slope from Hathaway Street to the on-site parking area. The conceptual landscape plan envisions a variety of trees, shrubs, and ground cover along this frontage and engineered slope to further mask the building mass. Due to their prominence, background views to the San Bernardino Mountains would generally be maintained, although views to lower-elevation foothills would be partially obscured as motorists and pedestrians move past the site.

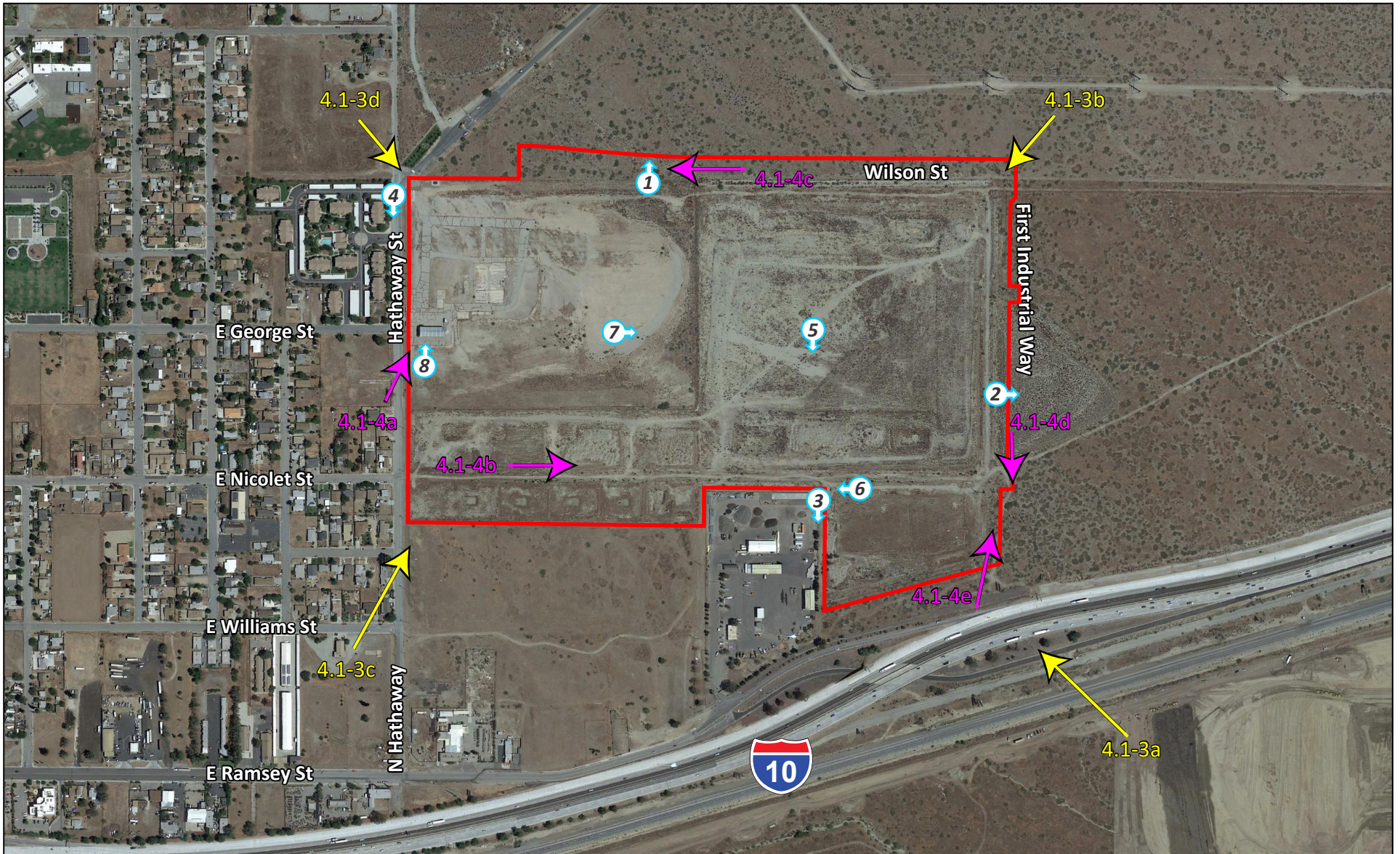
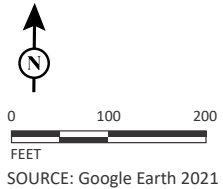


FIGURE 4.1-2

LSA

- LEGEND
- Project Site
 - # Photo Key (per Figure 4.1-1)
 - Conceptual Renderings, Aerial Perspective
 - Conceptual Renderings, Ground-Level Perspective



SOURCE: Google Earth 2021

I:\FRT2102\G\Key_Map.ai (10/5/2023)

First Hathaway Logistics Project
Key Map



This page intentionally left blank



FIGURE 4.1-3a

LSA



NOT TO SCALE

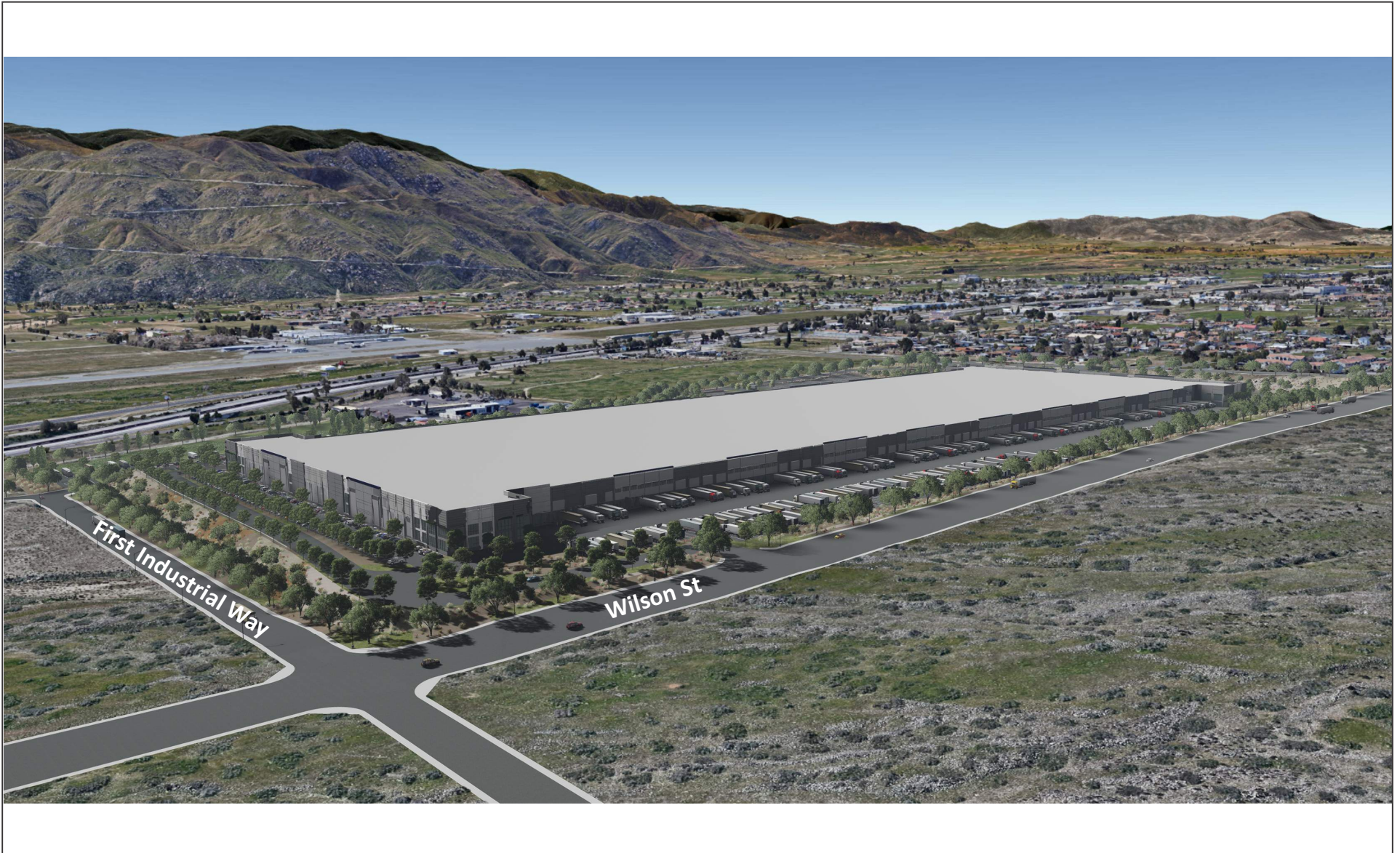
SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_A.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Southeast Perspective



This page intentionally left blank



LSA

FIGURE 4.1-3b



NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_B.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Northeast Perspective



This page intentionally left blank



FIGURE 4.1-3c

LSA



NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_C.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Southwest Perspective



This page intentionally left blank



FIGURE 4.1-3d

LSA



NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_D.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Northwest Perspective



This page intentionally left blank



LSA

FIGURE 4.1-4a

NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_A2.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Hathaway Street at Project Entry



This page intentionally left blank



- **Nicolet Street Extension (Figure 4.1-4b):** The pre-development view at this location includes previously disturbed land, ruderal vegetation, and stockpiles of boulders/cobbles. Background views of the San Bernardino and San Jacinto mountains are visible to the north and south, respectively. The proposed finished grade of Nicolet Street ranges from approximately 2,294 feet to 2,222 feet amsl west to east; therefore, post-development, the mass of the proposed warehouse building would obstruct direct views of the San Bernardino Mountains to the north. Views to the mountains would be recovered once the viewer moves past the building. Project-related truck and vehicle parking would be visible along the road. The post-development condition includes the installation of a variety of landscape material between the street improvements/sidewalks and the proposed parking areas. Ground-level parking areas and landscaping south of Nicolet Street at this location would not substantially alter views to the San Jacinto Mountains.
- **Wilson Street Extension (Figure 4.1-4c):** The pre-development view at this location includes previously disturbed land, ruderal vegetation, and stockpiles of boulders/cobbles. Background views of the San Bernardino and San Jacinto mountains are visible to the north and south, respectively. The planned finished grade of the proposed Wilson Street improvements ranges from approximately 2,337 feet to 2,260 feet amsl (west to east). The finished floor elevation of the proposed building is 2,277 feet amsl; therefore, the top of the building's parapet would reach 2,332 feet amsl. Therefore, the proposed warehouse building would partially (and temporarily) obstruct views south to the San Jacinto Mountains for motorists and pedestrians traveling along proposed Wilson Street. Post-development views north to the San Bernardino Mountains would be retained. The mass of the building and project-related truck and vehicle parking would be visible at this location. The post-development condition includes the installation of a variety of landscape material between the street improvements/sidewalks and the engineered slope south of Wilson Street.
- **First Industrial Way (Figures 4.1-4d and 4.1-4e):** The pre-development condition at this location includes engineered slopes up to 24 feet in height created during previous on-site grading operations and patchy ruderal vegetation. Views of the San Bernardino and San Jacinto mountains are provided along the future alignment of this roadway, to the north and south, respectively. Post-development, the proposed warehouse will be visible at the top of the re-engineered slope, which will be planted with a variety of landscape material. The future First Industrial Way will provide a view corridor, maintaining views to both mountain ranges.

Past on-site activities included material storage and manufacture of concrete and masonry block and hardscape products. As stated in the General Plan EIR, implementation of the General Plan will generally have "...limited impacts on the visual resources of the City" and would not significantly change the suburban nature of its development."¹ The City maintains development and design standards dictating the location, manner, and design of industrial development in Banning. The General Plan EIR concludes that visual resource (aesthetic) impacts are mitigatable provided that development conforms to the City's Zoning Code (Title 17) and the following measures:²

¹ Terra Nova Planning & Research, Inc. *City of Banning Comprehensive General Plan, Draft Subsequent Environmental Impact Report*. Section III, Part J. June 2005.

² Ibid.



This page intentionally left blank



LSA

FIGURE 4.1-4b

NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_B2.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Nicolet Street, View East



This page intentionally left blank



LSA

FIGURE 4.1-4c

NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_C2.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, Wilson Street, View West



This page intentionally left blank



LSA

FIGURE 4.1-4d

NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_D2.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, First Industrial Way, View North



This page intentionally left blank



LSA

FIGURE 4.1-4e

NOT TO SCALE

SOURCE: HPA Architecture, June 2021

I:\FRT2102\G\AES\Project_Dev_E.ai (9/25/2023)

First Hathaway Logistics Project
Project Development, First Industrial Way/Nicolet Street Corner Detail



This page intentionally left blank



- ***The City shall assure that development projects in the private and public sectors comply with the community design standards, the General Plan, and the Zoning Ordinance, which will enhance the City's distinctive visual character by protecting scenic resources.***

As reviewed and approved by the City during its planning oversight, the proposed warehouse building, ancillary features, and site improvements would adhere to the applicable and appropriate design and development guidelines outlined in Chapter 17.12, Commercial and Industrial Districts, of the Banning Municipal Code.

- ***Development projects shall incorporate landscape designs and materials that complement the native desert environment, and the City shall require site-sensitive designs to provide a linkage between the natural and man-made environments.***

The Conceptual Landscape Plan (see Figures 4.1-5a and 4.1-5b) details the project perimeter, roadside areas, parking areas, and engineered slopes, which include a variety of trees, shrubs, ground coverings, and hardscape material to provide a variety of height, color, and textures to these landscaped areas. Per the conceptual landscape plan, new 24-inch box street trees are proposed along Hathaway Street, proposed Nicolet Street, proposed Wilson Street, and proposed First Industrial Way. Flowering accent trees at focal areas (intersections, driveways, and building entries) and evergreen screening trees would be located throughout the site as warranted and would be minimally sized at 24-inch box. Parking areas would be planted with 24-inch box trees to provide shade. Foundation plantings would include a variety of flowering and nonflowering shrubs, and accent agave/succulents. Landscaped areas at intersections would be underlain by decorative decomposed granite or gravel areas with decorative boulders or layered background drought-tolerant vegetation. Slopes greater than 3:1 would be stabilized with erosion control ground cover. The landscape material proposed and landscape plan that would be approved by the City would conform to applicable water-efficient and drought-tolerant requirements. 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 would include a drip design to apply water slowly, allowing plants to be deep soaked and reducing runoff.

- ***Overhead utility lines shall be undergrounded to the greatest extent possible. The City should coordinate with local utility purveyors to establish an undergrounding program and guidelines.***

Southern California Edison has overhead facilities along the proposed Nicolet Street alignment. Telecommunications are provided by Time Warner Cable as underbuilds on the electric poles. Water and sewer services are provided by the City of Banning Public Works Department. Storm water management is administered by the Riverside County Flood Control District and the City 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. The transfer of overhead electrical circuits to underground conduits would be completed as necessary. As required, project development would include coordination with the providers of utilities to ensure connection (and undergrounding of systems where required) satisfies the requirements of the respective utility.

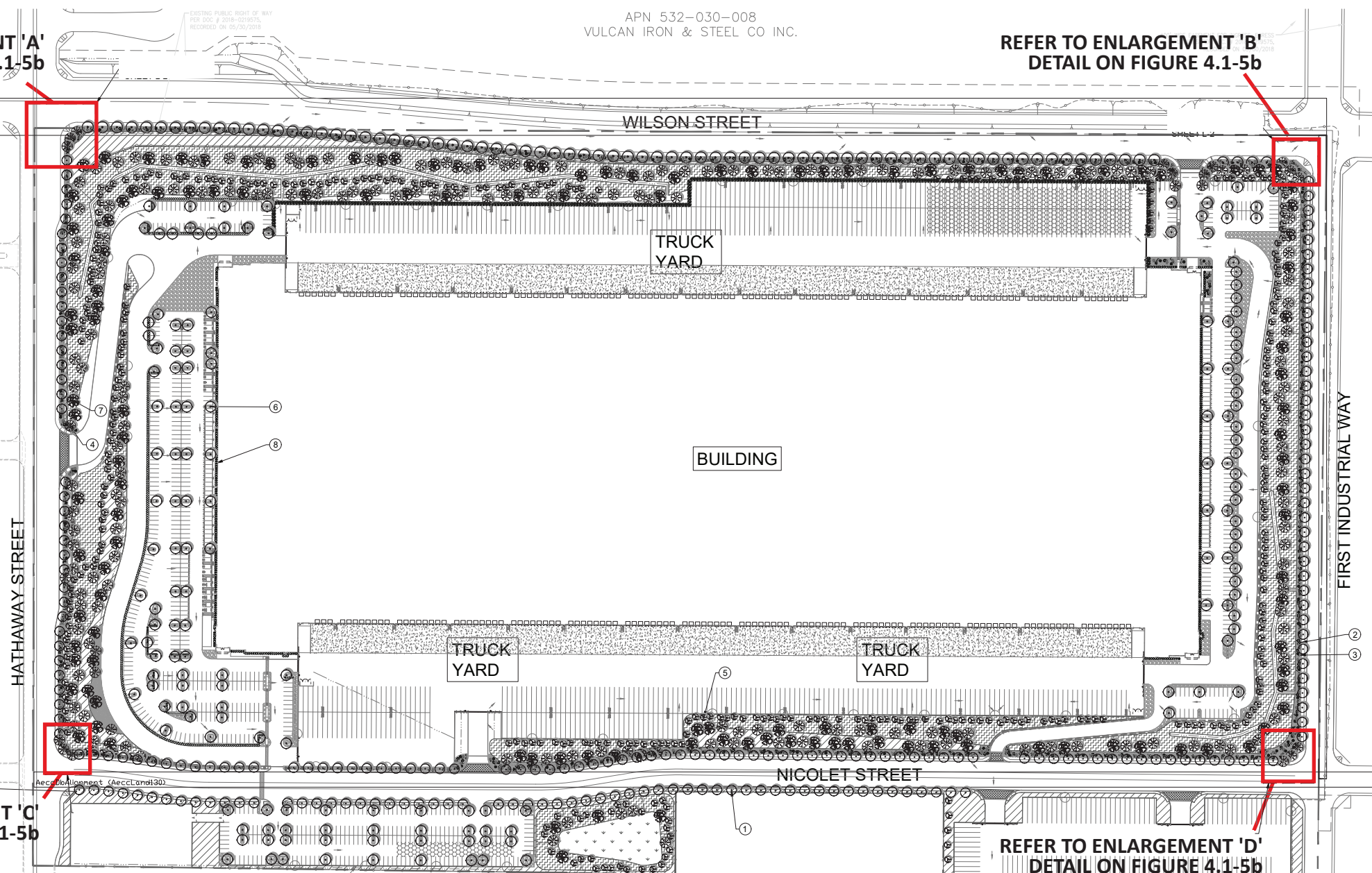


This page intentionally left blank

APN 532-030-008
VULCAN IRON & STEEL CO INC.

REFER TO ENLARGEMENT 'A'
DETAIL ON FIGURE 4.1-5b

REFER TO ENLARGEMENT 'B'
DETAIL ON FIGURE 4.1-5b



CONCEPTUAL PLAN NOTE:
THIS IS A CONCEPTUAL LANDSCAPE PLAN. IT IS BASED ON PRELIMINARY INFORMATION WHICH IS NOT FULLY VERIFIED AND MAY BE INCOMPLETE. IT IS MEANT AS A COMPARATIVE AID IN EXAMINING ALTERNATE DEVELOPMENT STRATEGIES AND ANY QUANTITIES INDICATED ARE SUBJECT TO REVISION AS MORE RELIABLE INFORMATION BECOMES AVAILABLE.

WUCOLS PLANT FACTOR
THIS PROJECT IS LOCATED IN 'WUCOLS' REGION '4-SOUTH INLAND'.

H = HIGH WATER NEEDS
M = MODERATE WATER NEEDS
L = LOW WATER NEEDS
VL = VERY LOW WATER NEEDS

IRRIGATION NOTE:
THE PROJECT WILL BE EQUIPPED WITH A LOW FLOW IRRIGATION SYSTEM CONSISTING OF ET WEATHER BASED SMART CONTROLLER, LOW FLOW ROTATORS, BUBBLER AND/ OR DRIP SYSTEMS USED THROUGHOUT. THE IRRIGATION WATER EFFICIENCY WILL MEET OR SURPASS THE CURRENT STATE MANDATED AB-1881 WATER ORDINANCE.

REFER TO ENLARGEMENT 'C'
DETAIL ON FIGURE 4.1-5b

REFER TO ENLARGEMENT 'D'
DETAIL ON FIGURE 4.1-5b

GENERAL NOTES:

- SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH EROSION CONTROL GROUND COVER PER LEGEND, AND MULCH MATERIAL WITH 'BINDER' MATERIAL SHALL BE APPLIED FOR EROSION CONTROL.
- ROCK RIP-RAP MATERIAL SHALL BE INSTALLED WHERE DRAIN LINES CONNECT TO INFILTRATION AREAS.
- ALL UTILITY EQUIPMENT SUCH AS BACKFLOW UNITS, FIRE DETECTOR CHECKS, FIRE CHECK VALVE, AND AIR CONDITIONING UNITS WILL BE SCREENED WITH EVERGREEN PLANT MATERIAL ONCE FINAL LOCATIONS HAVE BEEN DETERMINED.

- DESIGN KEY NOTES:**
- REQUIRED STREET TREE PER LEGEND.
 - TYP. LAYERED ACCENT PLANTING ALONG STREET FRONTAGE PER LEGEND.
 - LOW-GROWING ACCENT PLANTING PER LEGEND.
 - FLOWERING ACCENT TREE AT FOCAL AREAS.
 - EVERGREEN SCREEN SHRUB PER LEGEND.
 - TYP. PARKING LOT CANOPY TREE (LOW-LITTER TYPE).
 - LARGE SPECIMEN SIZE TREE PER LEGEND.
 - FOUNDATION SHRUB PLANTING PER LEGEND.

PLANTING LEGEND

TREES			
SYMBOL	TREE NAME	QTY.	WUCOLS
○	NEW STREET TREE ALONG HATHAWAY ST. & NICOLET ST. QUERCUS ILEX, HOLLY OAK 24" BOX SIZE	210	L
○	NEW STREET TREE ALONG WILSON ST. BRACHYCHITON POPULNEUS, BOTTLE TREE 24" BOX SIZE	79	M
○	PARKING LOT SHADE TREE PARKINSONIA X DESERT MUSEUM, DESERT MUSEUM PALO VERDE 24" BOX SIZE	170	L
●	EVERGREEN SCREEN TREE PINUS ELGARICA, MONDELL PINE 24" BOX SIZE	390	L
●	QUERCUS AGRIFOLIA, COAST LIVE OAK 24" BOX SIZE	147	L
●	PLATANUS RACEMOSA, CALIFORNIA SYCAMORE 15 GAL. SIZE	201	L

SHRUBS - SHRUBS SHALL CONSIST OF THE FOLLOWING:

SYMBOL	NAME	WUCOLS
●●●	DODONAEA VISCOSA 'PURPUREA', PURPLE HOPSEED BUSH 5 GAL. SIZE	L
●●●	WESTRINGIA FRUTICOSA, COAST ROSEMARY 5 GAL. SIZE	L
●●●	LEUCOPHYLLUM FRUTESCENS, TEXAS RANGER 5 GAL. SIZE	L
●●●	LIGUSTRUM TEXANUM, TEXAS PRIVET 5 GAL. SIZE	L
●●●	CALLISTEMON 'LITTLE JOHN', DWARF BOTTLE BRUSH 5 GAL. SIZE	L

GROUND COVERS - GROUND COVERS SHALL CONSIST OF THE FOLLOWING:

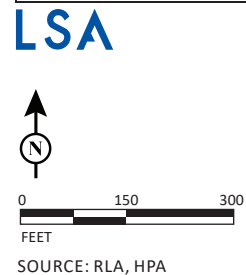
SYMBOL	NAME	WUCOLS
▨	ROSMARINUS O. 'PROSTRATUS', PROSTRATE ROSEMARY 1 GAL @ 24" O.C.	L
▨	LANTANA CAMARA 'DWARF GOLD', DWARF LANTANA 1 GAL SIZE @ 30" O.C.	L
▨	SALVIA GREGGII, AUTUMN SAGE 1 GAL @ 24" O.C.	L
▨	MUHLENBERGIA CAPILLARIS 'LENCA', REGAL MIST PINK MUHLY 1 GAL @ 42" O.C.	L
▨	SALVIA CLEVELANDII, CLEVELAND SAGE 5 GAL @ 48" O.C.	L
▨	DIANELLA TASMANICA 'VARIEGATA', WHITE STRIPED TASMAN FLAX LILY 1 GAL @ 24" O.C.	L
▨	BACCHARIS P. 'PIGEON POINT', DWARF COYOTE BRUSH 1 GAL @ 42" O.C.	L

NOTE: APPLY A 3" MIN. LAYER OF MULCH TOP DRESSING WITHIN ALL PLANTING AREAS. A SAMPLE IS REQUIRED PRIOR TO APPLICATION.

SYMBOL	NAME	WUCOLS
●●●	SCE EASEMENT SHALL RECEIVE A NON-IRRIGATED HYDROSEED MIX CONSISTING OF THE FOLLOWING: <ul style="list-style-type: none"> ACHILLEA MILLEFOLIUM 1.0 LBS/ ACRE ESCHSCHOLZIA CAESPITOSA 1.0 LBS/ ACRE JUNCUS BUFONIUS 1.0 LBS/ ACRE LEYMUS TRITICODIDESRIO 6.0 LBS/ ACRE DESCHAMISIA DESPITOSA 4.0 LBS/ ACRE FESTUCA RUBRA 'MOLATE' 10.0 LBS/ ACRE HORDEUM BRACHYANTHERUM 8.0 LBS/ ACRE MUHLENBERGIA RIGENS 1.0 LBS/ ACRE MUHLENBERGIA MICROSPERMA 3.0 LBS/ ACRE HORDEUM DEPRESSUM 3.0 LBS/ ACRE 	M

ACCENT SUCCULENTS

SYMBOL	NAME	WUCOLS
●●●	AGAVE 'BLUE FLAME' 5 GAL SIZE	VL
●●●	AGAVE 'BLUE GLOW', BLUE GLOW AGAVE 5 GAL SIZE	VL
●●●	AGAVE 'MEDIOPICTA ALBA', WHITE-STRIPED CENTURY PLANT 15 GAL SIZE	VL

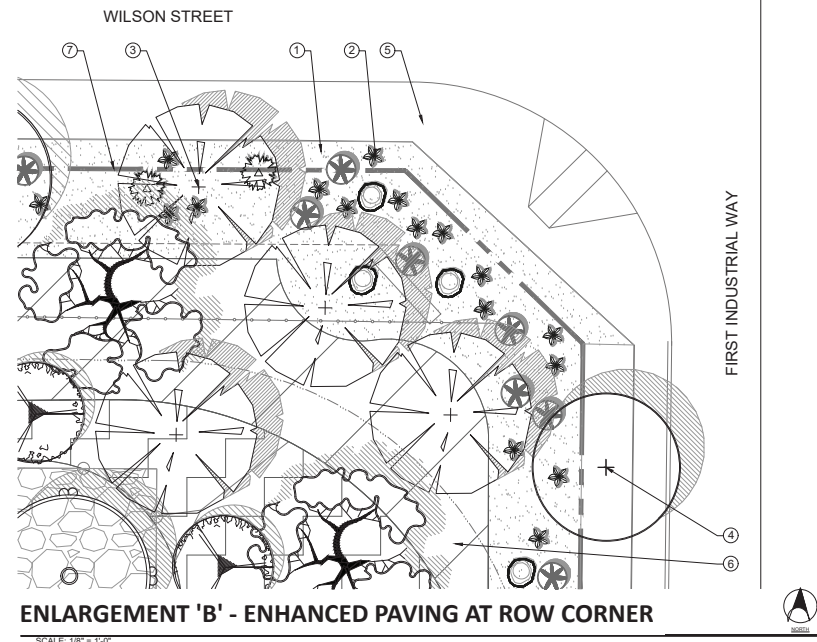
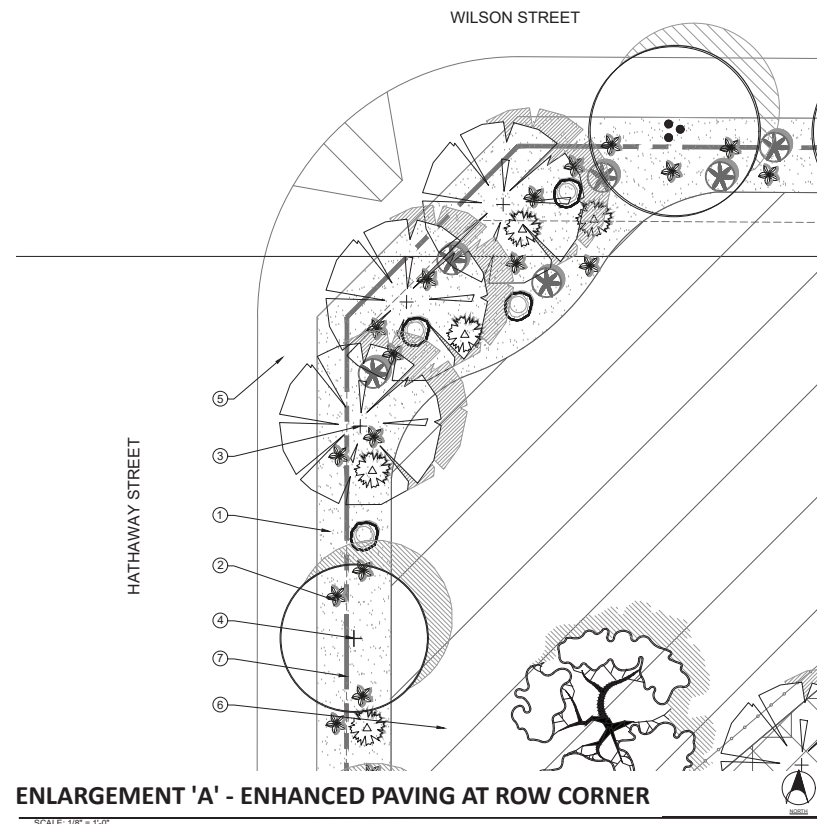


SOURCE: RLA, HPA
I:\FRT2102\G\Landscap_Plan.ai (4/11/24)

FIGURE 4.1-5a

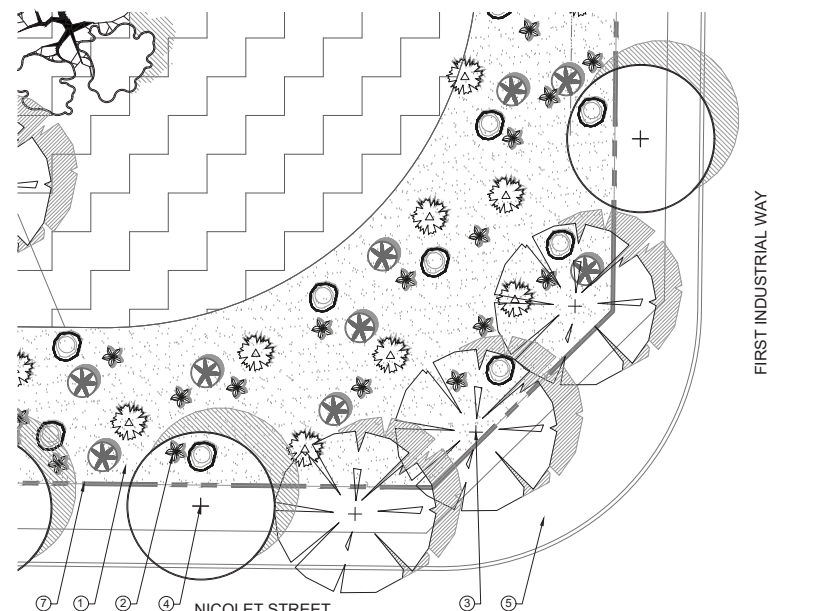
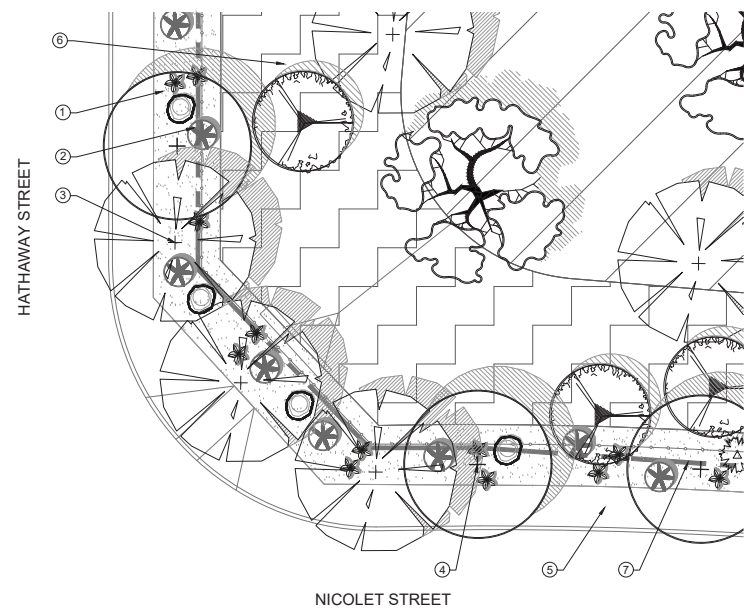


This page intentionally left blank



ENLARGEMENT KEYNOTES

1. CRUSHED ROCK PAVING BAND THAT FOLLOWS BACK OF PUBLIC SIDEWALK
2. ACCENT SUCCULENT PLANTING PER LEGEND ON SHEET L-1
3. FLOWERING TREES PER LEGEND ON SHEET L-1
4. REQUIRED STREET TREE PER LEGEND ON SHEET L-1
5. PUBLIC RIGHT OF WAY
6. PLANTING PER LEGEND ON SHEET L-1
7. PROPERTY LINE





This page intentionally left blank



- ***Utility infrastructure, including wells, substations, and switching stations, shall be effectively screened to preserve scenic viewshed and limit visual clutter.***

Banning Municipal Code Section 17.12.140, Screening, provides that all equipment located on roofs, the side of a structure, or on the ground be screened from view, and that such screening be integrated with the building's architecture and the site's landscape plan. The proposed building includes a 5-foot-high parapet that would effectively screen rooftop equipment from at-grade viewsheds. All utility equipment, such as backflow units, fire detector check valves, and air conditioning units, would be screened with evergreen plant material. City approval of project plans, including those for utility equipment and ancillary features (e.g., electrical transformers and trash enclosures) is required prior to construction, thereby ensuring appropriate screening of these features would be provided.¹

- ***Outdoor lighting shall be limited to the minimum height, number of fixtures, and intensity needed to provide sufficient security and identification in each development, making every reasonable effort to protect the City's night skies. Commercial and mixed use development shall be designed with particular attention to limiting the lighting impacts on adjacent residential neighborhoods.***

Banning Municipal Code Section 17.12.170, Lighting, identifies the requirements for commercial and industrial lighting. City approval of project plans, including those for on-site building, parking, and trailer lot lighting, is required prior to construction, thereby ensuring that project lighting is appropriately sized, located, shielded, and operated to minimize intrusion onto adjacent properties.

- ***Signage shall be limited to the locations, sizes, and maintenance requirements necessary to provide functional identification.***

Project signage would be limited to building identification signage, monument signage at project entries, and directional signage necessary for safe and efficient movement through the site.

- ***All grading and development proposed within scenic viewsheds, including hillsides, shall be regulated to minimize adverse impacts to these viewsheds.***

The project is not located in a natural hillside area above the toe of slope, on a ridgeline, or on a site designated as a significant scenic resource. Although project development would represent a change in the visual character of the site, it would not significantly affect scenic views of local mountains due to the location, extent, and prominence of local mountain ranges.

In addition to the mitigation measures cited in the General Plan EIR, the General Plan includes citywide goals and policies applicable to the assessment of the visual character of the site, as listed

¹ The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5-kilovolt (kV)/12.47 kV step-down power transformation substation in the future under a separate action. Development of the future substation would be subject to environmental review for aesthetics and other factors at the time it is proposed.



in Section 4.1.4.4, above. Table 4.11.A, Project Consistency Analysis with the City of Banning General Plan, in Section 4.11, Land Use and Planning, of this EIR provides a consistency analysis of all applicable goals and policies within the General Plan and the proposed project, including goals and policies related to aesthetics and visual resources. As detailed in Table 4.11.A, the proposed project would be designed and developed in accordance with all applicable goals and policies adopted to protect aesthetic and visual resources.

Compliance with applicable provisions of the Banning Municipal Code related to the design and development of industrial uses, and the project's consistency with applicable General Plan goals polices would ensure potential impacts resulting from changes in the aesthetic character of the project site remain **less than significant**. Mitigation is not required.

Level of Significance prior to Mitigation: Less Than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: Less Than Significant Impact.

4.1.6.4 Substantial Light or Glare

Threshold 4.1-4: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Although portions of the site were previously utilized for material storage and manufacture of concrete and masonry block and hardscape products, no industrial activity currently occurs on-site. However, a remnant structure associated with the Orco Block and Hardscape Company remains on the property, while the remaining structures have been demolished and removed from the site. The remnant structure is vacant, and no active lighting of the site currently occurs. Existing sources of lighting in the project area include street lighting on Hathaway Street, residential lighting, security and lot lighting at adjacent properties, and vehicle lighting on local roadways. There are no structures or features on site that produce glare or reflect sunlight.

Construction. The majority of construction activities on the project site would occur during daylight hours. Any construction-related illumination during evening and nighttime hours would consist of the minimum lighting required for safety and security purposes only and would occur only for the duration required for the temporary construction process. Due to the limited nature and duration of nighttime construction lighting, light resulting from construction activities would not substantially impact adjacent uses, alter the lighting condition of off-site areas, or interfere with the performance of an off-site activity. As construction of the proposed project would not create a substantial new source of light or substantially adversely affect nighttime conditions in the project area, construction-related lighting impacts are **less than significant**. Mitigation is not required.

Operation. Upon development, the proposed industrial use would introduce new lighting onto the site in the form of building lighting and parking lot/trailer yard lighting. Associated roadway improvements include the installation of streetlighting per City requirements. Project-related vehicles (passenger cars and trucks) would increase vehicle lighting on local roadways.



The County of Riverside has adopted Ordinance 655, which limits the use of certain light fixtures that affect nighttime astronomical observations from the Mount Palomar Observatory. The Mount Palomar Observatory is approximately 39 miles south of the project site, within the County-designated “Zone B” established under Ordinance 655.¹ Although the City has not adopted County Ordinance 655, the City’s Municipal Code provides lighting guidelines governing general lighting throughout the City (Municipal Code Section 17.24.100) and commercial/industrial uses specifically (Municipal Code Section 17.12.170). The City’s general lighting requirement disallows blinking, flashing, or light of high intensity or brightness. Exterior lighting must be shielded or recessed so that light is contained within the boundaries of the property on which the lighting is located. Additionally, all lighting is required to be directed downward and away from adjoining properties and public ROW. Additional lighting requirements specific to commercial and industrial uses are specified in Banning Municipal Code Section 17.12.170, Lighting, as follows:

- Lighting in commercial and industrial projects should be only the minimum required for safety and security.
- Light standards should be limited to 18 to 25 feet. Smaller pedestrian-oriented light standards are encouraged in the downtown commercial district.
- Lighting should be integrated into the structure’s architecture to the greatest extent possible.
- All lighting fixtures shall not have a visible light source and must be shielded and directed downward to confine light spread within the site boundaries.

The stated City standards intend to limit the spread of light from the project site onto adjacent areas. The design, installation, and operation of on-site lighting would conform to applicable and appropriate provisions of the Banning Municipal Code, as reviewed and approved by the City during its routine site planning process. As the Banning Municipal Code provides guidelines that govern the operation of lighting sources, new on-site lighting and street lighting resulting from implementation of the project would not create a substantial new source of lighting that would affect daytime or nighttime views; therefore, lighting-related impacts are **less than significant**. Mitigation is not required.

Window areas located at the corners or along the perimeter of the building would consist of glazed and tempered glass. Insulated blue-glazed vision glass² would be accented with clear anodized mullions³ and blue-glazed spandrel glass. Due to the location of glass on the building, the presence of

¹ Ordinance 655 establishes two zones around the Mount Palomar Observatory that dictate the type of lighting that can be used in new development to reduce nighttime light pollution. Zone A is a circular area 15 miles in radius centered on the observatory, and Zone B is a circular area 45 miles in radius centered on the observatory (encompassing Zone A). Both zones provide lamp type and shielding requirements for lighting fixtures. The preferred source of lighting in these zones is shielded, low-pressure sodium lamps. Ordinance 655 further provides conditions for operation of various classes of lighting within areas under County of Riverside jurisdiction.

² Vision glass is any type of glass that can be seen through. It is the opposite of spandrel glass. Spandrels are opaque glass panels located between areas of vision glass, which are often used to conceal structural building components such as columns, floor slabs, HVAC systems, vents, wiring, and plumbing.

³ Mullions are the vertical bars between the panes of glass in a window.



building landscape near building entries, grade differentials (on Hathaway Street and proposed Wilson Street), and distance from adjacent streets (200 feet and 300 feet from proposed Wilson Street and Hathaway Street, respectively), glass surfaces installed on the proposed warehouse building would not create a substantial new source of glare affecting motorists on roadways accessing the site. The project does not include the installation of solar panels or other equipment that would reflect sunlight onto adjacent properties. The planned aesthetic and finishing treatments used on the proposed warehouse building would be subject to the applicable and appropriate provisions of the Banning Municipal Code, as reviewed and approved by the City during its routine site planning process. As the Banning Municipal Code provides guidelines that govern architectural treatments, the project would not create a substantial new source of glare that would adversely affect adjacent uses; therefore, glare related impacts are **less than significant**. Mitigation is not required.

Level of Significance prior to Mitigation: Less Than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: Less Than Significant Impact.

4.1.7 Cumulative Impacts

The purpose of this section is to evaluate any additional incremental impact that the proposed project is likely to cause over and above the combined impacts of recently approved and proposed projects in Banning and its Sphere of Influence. As detailed in *CEQA Guidelines* Section 15130, cumulative impacts are the incremental effects of past, current, and probable future projects within the cumulative study area.

The City's General Plan recognizes that without mitigation, visual impacts associated with new development on undeveloped or partially developed hillsides could be significant. However, potential impacts can be effectively mitigated through proper and thoughtful project design and the implementation of mitigation measures. Per the City's General Plan EIR, provided that individual projects conform to applicable provisions of the City's Zoning Code, potential project-level impacts to visual resources and the aesthetic condition of Banning would be less than significant.¹

All development in Banning is required to adhere to City regulations designed to reduce and/or avoid impacts related to aesthetics. Each development proposal received by the City is subject to review by the various City departments to ensure it satisfies applicable guidelines for the siting, design, and construction of structures and ancillary features. As previously stated, the project's impacts related to aesthetics and visual resources are less than significant. As required during any project-level review, appropriate conditions, compliance measures, design features, and/or mitigation measures would be identified to address the potential impacts each cumulative project may have related to the visual or aesthetic condition of its project area and the City as a whole. Adherence to standards and requirements intended to reduce and/or avoid impacts related to aesthetics would ensure cumulative

¹ Terra Nova Planning & Research. *Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance*. Pages 189–191, Section J (Visual Resources). June 2005.



impacts related to aesthetics would be **less than significant** and the proposed project's contribution to aesthetic and visual resource impacts would not be cumulatively considerable.



This page intentionally left blank



4.2 AGRICULTURE AND FORESTRY RESOURCES

This section evaluates the potential for implementation of the First Hathaway Logistics Project (project) to impact agriculture and forestry resources. This section also discusses the existing setting of agriculture and forestry resources within and near Banning and sets forth the relevant regulatory requirements that apply to the analysis of the project’s impact on agriculture and forestry resources. This section is based, in part, on information provided by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), the United States Department of Agriculture (USDA), and the Natural Resources Conservation Service (NRCS), as well as applicable provisions of the City of Banning’s (City) and County of Riverside’s (County) general plans.

4.2.1 Scoping

Potential impacts to agriculture and forestry resources were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project’s potential impacts to agriculture and forestry resources. For copies of the NOP comment letters, refer to Appendix A of this Environmental Impact Report (EIR).

4.2.2 Methodology

Impacts to agriculture and forestry resources were assessed based on documents and maps from the DOC, the County Agricultural Commissioner’s Office, and the City’s General Plan. Impacts to agricultural resources were determined based on the proposed project’s potential to affect any farmland,¹ land used or zoned for agricultural purposes, or historical or current Williamson Act lands. Impacts to forestry resources were considered based on the proposed project’s potential to convert or accelerate deterioration of forestry resources.

The *California Forests and Rangelands 2017 Assessment* defines forests as “a biological community of plants and animals that is dominated by tree and other wood plants; by definition in the Assessment, all lands with greater than 10 percent tree canopy cover including all California Wildlife Habitat Relationship types in the Conifer Forest, Conifer Woodland, Hardwood Forest and Hardwood Woodland land cover classes.”²

Section 12220(g) of the California Public Resources Code (PRC) defines forest land as “land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits.”

This information was used in this section of the EIR to assess potential impacts to agricultural and forestry resources on the project site. Impacts that could result from implementation of the

¹ “Farmland” is defined as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP of the California Resources Agency.

² California Department of Forestry and Fire Protection, Fire and Resource Assessment Program, *California’s Forests and Rangelands 2017 Assessment*. Website: https://frap.fire.ca.gov/media/3180/assessment_2017.pdf (accessed May 20, 2022), pg. 286.



proposed project were evaluated qualitatively based on existing conditions on the project site,³ expected construction practices, and operational activities.

4.2.3 Existing Environmental Setting

The following describes the existing physical setting of the County, City, and project site as it relates to agricultural and forestry resources.

4.2.3.1 Riverside County

Agricultural and forestry resources within the county are discussed below.

Agricultural Resources. Agriculture is one of the most important economic and historical land uses in Riverside County. The Agricultural (AG) land use designation was established by the County to help conserve productive agricultural lands within its boundaries. These include lands occupied by row crops, nurseries, citrus groves and vineyards, dairies, ranches, poultry and hog farms, and other agricultural uses.

In 2021, the year for which the most recent data is available, the gross value of agricultural production in the county was approximately \$1.4 billion (\$1,405,910,000), which represents a decrease of \$12.3 million (-1 percent) compared to 2020.⁴ The largest increase (8 percent) occurred in nursery production, followed by a 6 percent increase in aquaculture. Field and seed crops had a 13.5 percent decrease in value during 2021 compared to 2020. Agriculture was the largest industry by dollar value in Riverside County in 2021.⁵

For a broader view of agricultural production trends in Riverside County, Table 4.2.A shows the value of agricultural production in 2017 versus 2021 and provides a percent change between these years in the county.

Table 4.2.A: Riverside County Agricultural Production Value 2017 vs. 2021

Agricultural Category	2017 Value	2021 Value	Percent Change
Citrus	\$177,055,000	\$127,473,000	-28.00%
Tree and Vine	\$228,315,000	\$280,105,000	22.68%
Vegetable, Melons, Misc.	\$331,986,000	\$324,895,000	-2.14%
Field and Seed	\$99,224,000	\$135,033,000	36.09%
Nursery	\$153,749,000	\$267,547,000	74.02%
Apiculture	\$5,415,000	\$5,925,000	9.42%
Aquaculture	\$4,764,000	\$4,873,000	2.29%
Livestock and Poultry	\$221,750,000	\$260,059,000	17.28%
Total	\$1,222,258,000	\$1,405,910,000	15.03%

Source: Riverside County Agricultural Commissioner's Office. *Riverside County Annual Crop Report 2021*. Page 1. Website: <https://rivcoawm.org/resources/publications-databases> (accessed June 2023).

³ As described in Chapter 3 of this EIR, the baseline condition generally consists of the existing conditions on and in the vicinity of the project site at the time the NOP was published (April 22, 2022).

⁴ Riverside County Agricultural Commissioner's Office. *Riverside County Agricultural Production Report 2021*. Page 1. Website: <https://rivcoawm.org/resources/publications-databases> (accessed June 2023).

⁵ Ibid.



Overall, citrus had the highest drop in production valuation (28 percent) between 2017 and 2021. Field and seed (36.09 percent) and nursery (74.02 percent) values had the highest increase in production valuation between 2017 and 2021.

The most recent agricultural land conversion data available for Riverside County is for the 2016–2018 period and was obtained through the DOC FMMP.⁶ Land converted in this period is shown in Table 4.2.B: Riverside County Agricultural Land Conversion 2016–2018. In summary, for the 2-year period from 2016 to 2018, the total amount of Important Farmland (Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance) inventoried decreased by 5,980 acres, and the total amount of agricultural land that was inventoried in the county decreased by 6,325 acres.

Table 4.2.B: Riverside County Agricultural Land Conversion 2016–2018

Land Use Category	Total Acreage Inventoried		2016–2018 Acreage Changes
	2016	2018	Net Acreage Changed
Prime Farmland	117,486	116,926	(560)
Farmland of Statewide Importance	43,757	43,610	(147)
Unique Farmland	32,566	32,121	(445)
Farmland of Local Importance	226,029	221,201	(4,828)
Important Farmland Subtotal	419,838	413,858	(5,980)
Grazing Land	110,202	109,857	(345)
Agricultural Land Subtotal	530,040	523,715	(6,325)
Urban and Built-Up Land	334,445	342,584	8,139
Other Land	1,017,634	1,020,057	2,423
Water Areas	62,361	58,124	(4,237)
Total Area Inventoried	1,944,480	1,944,480	0

Source: California Department of Conservation, Division of Land Resources Protection. Farmland Mapping and Monitoring Program, Table A-25 Riverside County 2016–2018 Land Use Conversion. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx> (accessed June 2023).

Forestry Resources. The Cleveland and San Bernardino national forests, which are part of the Sierra Mountain Range, are the only forested land within Riverside County. At lower elevations in Riverside County, these forests are commonly bordered by mixed evergreen forest, oak woodlands, and chaparral. Riverside County designates forestland within its boundary as the following: High Coniferous Forests, Coniferous Forests, Montane Forests, Lowland Forests/Woodlands, and Desert Woodlands.⁷

4.2.3.2 City of Banning

Agricultural and forestry resources within the City are discussed below.

⁶ California Department of Conservation, Division of Land Resource Protection. Table A-25 Riverside County 2016–2018 Land Use Conversion, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx> (accessed June 2023).

⁷ Riverside County, County of Riverside General Plan Chapter 5 Multipurpose Open Space Element, Figure OS-3a Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas, December 8, 2015.



Agricultural Resources. According to the City of Banning General Plan EIR, approximately 22 percent of the General Plan planning area is developed. Residential land uses represent approximately 66 percent of the developed lands, dominated by rural residential single-family dwelling units within the city limits and in the balance of the General Plan study area.⁸ Agricultural uses are accounted for under the land use designations of Ranch/Agriculture (1 dwelling unit [du]/10 acres), Ranch/Agriculture/Hillside (1 du/10 acres), Rural Residential (0–1 du/acre), and Rural Residential/Hillside uses, which allow for agricultural and ranching activities. These Rural Agricultural and Rural Residential uses account for approximately 1,203.1 acres within the City’s municipal boundaries and 5,550.6 acres in the combined study area (City limits and sphere of influence). The agricultural acreage with potential for use for either dry farming or ranching/grazing accounts for approximately 28 percent of the total General Plan planning area.⁹ At the time the City’s General Plan was adopted in 2006, approximately 3,500 acres of land within Banning were under Williamson Act contracts. Williamson Act contract lands in the city were located near the Banning Bench, in the northwest portion of the city, between Highland Springs Avenue and Highland Home Road, and in the city’s southerly sphere of influence, south of Westward Avenue. According to the DOC, the City of Banning does not have any properties currently enrolled in a Williamson Act contract, although approximately 1,490.4 acres in unincorporated Riverside County within the city’s southerly sphere of influence south of Westward Avenue are currently under Williamson Act contracts.¹⁰

Agricultural activity in the Banning area is not a major source of revenue and employed approximately 1 percent or less of the total Banning labor force in 2019.¹¹ Since the reporting includes agricultural, forestry, mining, fishing, and hunting, the percentage of the City’s labor force involved in agriculture production is probably under 1 percent.

Within the General Plan planning area, agricultural uses include a fruit orchard located on the Banning Bench as well as privately owned equestrian estates used for horse grazing, particularly on the south side of the planning area. These lands are not designated for open space, but rather are ultimately planned for residential land uses.¹² According to FMMP 2018 data, Banning has a total of 4382.43 acres of Important Farmland, which consists of 4,381.5 acres of Farmland of Local Importance, 0.86 acre of Prime Farmland, and 0.07 acre of Unique Farmland.¹³

⁸ The study area includes the City limits and the City’s sphere of influence.

⁹ City of Banning. *Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance*, Section III – Environmental Impacts and Mitigations, III-2. June 2005.

¹⁰ California Department of Conservation. California Williamson Act Enrollment Finder. 2022. Website: <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed May 2023).

¹¹ Data USA. Banning, CA. Website: datausa.io/profile/geo/banning-ca#tmap_ind_num_emp (accessed July 2022).

¹² City of Banning. City of Banning General Plan, Chapter IV Environmental Resources, Open Space and Conservation Element. Adopted April 19, 2006.

¹³ California Department of Conservation, Farmland Mapping and Monitoring Program, 2018 Riverside County Data, Website: <https://gis.conservation.ca.gov/portal/home/group.html?id=b1494c705cb34d01acf78f4927a75b8f#overview> (accessed April 2022).



Conversion of farmland of various types to other uses within the Banning area is an ongoing process that is expected to continue as marginal agricultural lands that are no longer in active agricultural use are developed pursuant to the City's General Plan and Zoning Code.

Forestry Resources. The City of Banning does not have any areas designated in its General Plan as forest land or timberland for production or resource management.

4.2.3.3 Project Site

Agricultural and forestry resources within the project site are discussed below.

Agricultural Resources. The approximately 94.86-acre project site was partially developed and operated by the Orco Block and Hardscape Company with industrial buildings, which appear to have been built in or around 1981, and staging yards for equipment and materials, the majority of which were demolished and removed from the site between 2011 and 2012. The balance of the site was cleared and graded in 2011 for a previously approved industrial warehouse development that was not constructed. Prior to 1981, the project site was undeveloped, along with the majority of the surrounding properties, with the exception of some residential and commercial development southwest of the project site.¹⁴

The project site and surrounding areas were assessed to determine the presence of any farmland, agricultural land, or forest/timberland, and whether the proposed project would impact any present resources. According to the DOC FMMP, the majority of the project site (approximately 78.4 acres) is considered Grazing Land (G), and the remaining approximately 16.46 acres are Urban and Built-Up Land (U). Properties to the north and east are designated Grazing Land (G), and properties to the north and west are designated Urban and Built-Up Land (U).

The General Plan land use designation and zoning for the project site is Business Park (BP). The City's General Plan states that as of 2005, there were three Williamson Act contracts covering over 3,500 acres within the City's General Plan planning area. These included lands located within the city limits near the Banning Bench, in the northwest portion of the planning area between Highland Springs Avenue and Highland Home Road, and in the City's southerly sphere of influence south of Westward Avenue. According to the DOC, Banning does not have any properties currently enrolled in a Williamson Act contract, although approximately 1,490.4 acres in unincorporated Riverside County in the City's southerly sphere of influence south of Westward Avenue are currently under Williamson Act contracts.¹⁵ The project site is not located on or near any properties enrolled in Williamson Act contracts.

Forestry Resources. The project site is substantially disturbed from prior occupation and rough grading. The project site does not have any areas designated as forest land or timberland for production or resource management.

¹⁴ Weis Environmental. *Phase I Environmental Site Assessment, First Hathaway, Banning, California*. March 26, 2021.

¹⁵ California Department of Conservation. California Williamson Act Enrollment Finder. 2022. Website: <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed May 19, 2023).



4.2.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to agriculture and forestry resources.

4.2.4.1 Federal Regulations

The project site is privately owned; as such, federal regulations regarding agricultural resources do not apply to the project site.

4.2.4.2 State Regulations

State regulations applicable to the proposed project with regard to agriculture and forestry resources are discussed below.

California Department of Conservation Farmland Mapping and Monitoring Program. Pursuant to California Government Code Section 65570, the DOC FMMP compiles consistent, timely, and accurate data to decision-makers for use in planning for the present and future of California's agricultural land resources. The FMMP provides maps and statistical data to the public, academia, and local, State, and federal governments on the nature, location, and extent of farmland, grazing land, and urban built-up areas in the State to assist in making informed decisions for the best utilization of California's farmland. Government Code Section 65570 mandates the FMMP to biennially report to the Legislature on the conversion of farmland and grazing land and to provide maps and data to local government and the public. The FMMP also was directed to prepare and maintain an automated map and database system to record and report changes in the use of agricultural lands. These maps combine soil survey and current land use information from the USDA and NRCS to provide an inventory of agricultural resources in each county. The maps show urbanized lands and a qualitative sequence of agricultural designations. Pursuant to the FMMP, all lands within California are classified into one of seven map categories. The minimum mapping unit is generally 10 acres, except as otherwise noted.¹⁶ Provided below is a description of the various map categories established by the FMMP, assessing the importance of agricultural land based on factors such as soil characteristics, climate, and water supply:

- **Prime Farmland:** The best combination of physical and chemical features and able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.
- **Farmland of Statewide Importance:** Similar to Prime Farmland but with minor shortcomings, such as steeper slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.

¹⁶ California Department of Conservation. 2004. A Guide to the Farmland Mapping and Monitoring Program. Website: https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/Archive/fmmp_guide_2004.pdf (accessed May 19, 2023).



- **Unique Farmland:** Lesser-quality soils used for the production of the State’s leading agricultural crops. This land is usually irrigated but may include unirrigated orchards or vineyards. Land must have been cultivated at some time during the 4 years prior to the mapping date.
- **Farmland of Local Importance:** Land of importance to the local economy, as defined by each county’s local advisory committee and adopted by its board of supervisors. This refers to all farmable lands in Riverside County that do not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture, and grazing land.
- **Grazing Land:** This type of land is occupied with vegetation suited to grazing livestock. This category was developed in cooperation with the California Cattleman’s Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit is 40 acres.
- **Urban and Built-Up Land:** This type of land is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. Common examples of land uses include residential, industrial, commercial, institutional facilities, public administrative purposes, railroad and transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures, and other developed purposes.
- **Other Land:** This type of land is not included in any other mapping category. Common examples include low-density rural developments, brush, timber wetland, riparian area not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines; and water bodies smaller than 40 acres. Vacant and non-agricultural land surrounded on all sides by urban development that is greater than 40 acres is mapped as Other Land.

Williamson Act and Farmland Security Act. The California Land Conservation Act of 1965 (CLCA), better known as the Williamson Act (Government Code Section 51200 et seq.), enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full market value. Pursuant to Government Code Section 51230, counties and cities may establish Agricultural Preserves, which define the boundaries of those areas within which the city or county will be willing to enter into contracts pursuant to the CLCA. Contracts pursuant to the CLCA are only allowed for areas within established Agricultural Preserves. Williamson Act contracts have a minimum term of 10 years, with renewal occurring automatically each year, although local governments can establish initial contract terms for longer periods of time. The contracts run with the land and are binding on all successors in the interest of the landowner. Only land located within an Agricultural Preserve is eligible for a Williamson Act contract. An Agricultural Preserve boundary is designated by a resolution of the board of supervisors or city council having jurisdiction. The rules of each Agricultural Preserve specify the uses allowed. Land uses within an Agricultural Preserve must be agricultural in nature or other such uses that are not incompatible with agricultural uses, as identified by the local government, for the duration of the contract.



Agricultural Preserves generally must be at least 100 acres in size; however, a city or county may allow for lesser acreage if a finding is made that the characteristics of the agricultural enterprises in the area are unique and that the establishment of preserves of less than 100 acres is consistent with the general plan of the county or city.

In return for entering into a contract, the landowner is granted preferential taxes that are based on agricultural and related land uses rather than fair market value. Contracts may be canceled at the option of the landowner or local government by initiating the process of term nonrenewal. Under this process, the remaining contract term (9 years in the case of an original term of 10 years) is allowed to lapse, with the contract null and void at the end of the term. During the nonrenewal process, the annual tax assessment continually increases each year until it is equivalent to current tax rates at the end of the nonrenewal period. Under a set of specifically defined circumstances, a contract may be cancelled without completing the process of term nonrenewal. Contract cancellation, however, involves a comprehensive review and approval process and the payment of a fee by the landowner.

In August 1998, Senate Bill (SB) 1182 established the Farmland Security Zone (FSZ) provisions of the Williamson Act. An FSZ is created within an Agricultural Preserve by approval of the county board of supervisors and at the request of a landowner or group of landowners. FSZ contracts offer landowners greater property tax reductions in return for an initial contract term of 20 years, with renewal occurring automatically each year. Land restricted by an FSZ contract is valued for property assessment purposes at 65 percent of its Williamson Act valuation, or 65 percent of its Proposition 13 valuation, whichever is lower. New special taxes for urban-related services must be levied at an unspecified reduced rate unless the tax directly benefits the land or living improvements. Cities and special districts that provide non-agricultural services are generally prohibited from annexing land enrolled under an FSZ contract. Similarly, school districts are prohibited from taking FSZ lands for school facilities.

Z'Berg-Nejedly Forest Practice Act. The Z'Berg-Nejedly Forest Practice Act (Forest Practice Act) identifies operating methods and procedures that seek to protect fish, wildlife, forests, and streams within timber harvesting areas. The Forest Practice Act is intended to achieve “maximum sustained production of high-quality timber products...while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, regional economic vitality, employment and aesthetic enjoyment.”¹⁷ The regulations created by the Forest Practice Act define factors such as the size and location of harvest areas, include measures to prevent unreasonable damage to residual trees, and address the protection of riparian areas, watercourses and lakes, wildlife, and habitat areas.

Z'Berg-Warren-Keene-Collier Forest Taxation Reform Act. According to the Z'Berg-Warren-Keene-Collier Forest Taxation Reform Act¹⁸ enacted in 1976, counties must provide for the zoning of land used for growing and harvesting timber as Timberland Production Zones (TPZs). TPZs were established to preserve and protect timberland from conversion to other uses and avoid land use conflicts.

¹⁷ PRC Section 4513[b].

¹⁸ Government Code Sections 51110–51119.5: Article 2.



Timberland Productivity Act. The Timberland Productivity Act represents the Legislature’s declared intent “to fully realize the productive potential of the forest resources and timberlands of the state.” The act imposes mandatory restrictions on parcels zoned as timberland production. Such parcels “shall be zoned so as to restrict their use to growing and harvesting timber and to compatible uses.”¹⁹ In exchange, property owners are required to pay property taxes on the land based solely on its value for timber harvest and not for its development potential, as is the case with qualifying agricultural and open space lands under the Williamson Act. Government Code Section 51104(g) of the Timberland Productivity Act defines “timberland production zone” as an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. Compatible uses are defined under Section 51104(h) and include management for watersheds; management for habitat or hunting and fishing; access roads and staging areas for timber harvesting; gas, electric, water, or communication transmission facilities; grazing; or a residence or other structure necessary for timber management.

California Government Code. Section 51104(g) defines “timberland production zone” to mean an area that has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. Compatible uses are defined under Section 51104(h).

4.2.4.3 Local Regulations

Local regulations applicable to the proposed project with regard to agriculture and forestry resources are discussed below.

City of Banning General Plan Land Use and Zoning. The project site has a land use designation of Business Park (BP) under the City’s General Plan. The Business Park (BP) land use allows light industrial manufacturing and office/warehouse buildings. 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 projects, may also be permitted, subject to a conditional use permit.

The Banning General Plan does not identify policies for agricultural or forestry resources.

4.2.5 Thresholds of Significance

The City has not established local California Environmental Quality Act (CEQA) significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section II of Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact to agriculture and forestry resources if it would:

Threshold 4.2.1: Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the

¹⁹ Government Code Section 51115.



Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;

Threshold 4.2.2: Conflict with existing zoning for agricultural use or a Williamson Act contract.

Threshold 4.2.3: 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));

**Threshold 4.2.4: Result in the loss of forest land or conversion of forest land to non-forest use;
or**

Threshold 4.2.5: 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.

4.2.6 Project Impact Analysis

Potential impacts of the proposed project related to agriculture and forestry resources are discussed below pursuant to the thresholds established in Section 4.2.5, above.

4.2.6.1 Conversion of Farmland

Threshold 4.2.1: Would the 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?

Sections 21095 and 21060.1(a) of the CEQA statutes and Appendix G of the *CEQA Guidelines* define three of the FMMP's Important Farmland categories—Prime Farmland, Unique Farmland, and Farmland of Statewide Importance—as agricultural lands for purposes of CEQA analysis and acknowledge that their conversion to non-agricultural uses may be considered a significant impact. The DOC FMMP was reviewed to determine whether the project site is designated as Important Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The FMMP indicates the project site is designated as Grazing Land (G) and Urban and Built-Up Land (U). Properties to the north and east are designated Grazing Land (G), and properties to the north and west are designated Urban and Built-Up Land (U). There is no indication to suggest that either the project site or adjacent properties are currently or have recently been used as grazing land. Implementation of the proposed project would convert the site to urbanized land. No Prime Farmland, Farmland of Statewide Importance, or Unique Farmland is classified on the project site; therefore, implementation of the proposed project would not convert Important Farmland to non-agricultural uses. **No impact** would occur.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.



Level of Significance After Mitigation: No Impact.

4.2.6.2 Conflict with an Agricultural Zoning or a Williamson Act Contract

Threshold 4.2.2: Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

As discussed previously, the General Plan land use designation and zoning for the project site is Business Park (BP), the site and surrounding area are not currently zoned for agricultural, and the site and surrounding area are not subject to a Williamson Act contract.²⁰ Therefore, implementation of the proposed project would not conflict with zoning for agricultural uses or Williamson Act contracts. **No impact** would occur.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.2.6.3 Conflict with Existing Forestry Zoning

Threshold 4.2.3: Would the 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))?

As discussed previously, the General Plan land use designation and zoning for the project site is Business Park (BP). The project site and surrounding area are not zoned for forest land, timberland, or timberland zoned Timberland Production. As such, implementation of the proposed project would not conflict with such forest zoning designations. **No impact** would occur.

Level of Significance Prior to Mitigation: No Impact

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.2.6.4 Loss/Conversion of Forest Land

Threshold 4.2.4: Would the project result in the loss of forest land or conversion of forest land to non-forest use?

The project site is substantially disturbed from prior development, demolition, and subsequent rough grading. The number of trees currently located on the project site does not equate to

²⁰ California Department of Conservation. California Williamson Act Enrollment Finder. 2022. Website: <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed May 19, 2023).



10 percent of the site; therefore, the site does not qualify as forest land pursuant to *California's Forests and Rangelands, 2017 Assessment*, and PRC Section 12220(g). As such, implementation of the proposed project would not result in the loss of forest land or conversion of forest land to nonforest use. **No impact** would occur.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.2.6.5 Other Changes Resulting in Conversion of Farmland or Forest Land

Threshold 4.2.5: Would the 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?

“Farmland” is defined in Section II (a) of Appendix G of the *CEQA Guidelines* as “Prime Farmland,” “Unique Farmland” or “Farmland of Statewide Importance.” As discussed above, the project site is substantially disturbed from prior occupation and rough grading. Prior to its development in or around 1981, the project site was vacant and undeveloped and was not used for agricultural uses. There is currently no agricultural activity on the project site. There are no forest or timberland resources on, or in the vicinity of, the project site. Therefore, implementation of the proposed project would not contribute or catalyze the conversion of forest land to nonforest use.

The proposed project would not result in conversion of Farmland to non-agricultural use or conversion of forest land to nonforest use. **No impact** would occur.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.2.7 Cumulative Impacts

Analysis of cumulative agricultural impacts considers the entire Western Riverside Council of Governments (WRCOG) region, (that is, the part of Riverside County between Orange County on the west and the crests of the San Jacinto and Santa Rosa mountains on the east). The WRCOG region is considered rather than the entire county because the county contains two large, active agricultural regions east of the WRCOG region—the eastern Coachella Valley and the Colorado River Valley—whereas much of the WRCOG region has transitioned from historical agricultural uses to urban uses. The area designated for agriculture in the WRCOG region is 84,392 acres, or about 16 percent of the total 530,038 acres designated agricultural lands in the entire county.



The project would not (1) result in the loss of Prime, Unique, or Statewide Important farmland; (2) convert land zoned for agriculture, forestry uses, or a Williamson Act contracted property to a non-agricultural use; or (3) convert agricultural or forestry land to a non-agricultural or nonforestry use. The loss of 78.4 acres of Grazing Land (G) equates to approximately 0.1 percent of the land otherwise designated agricultural in the WRCOG region. However, the project site is not currently used as grazing land, and its development would not directly or indirectly reduce the overall availability of land used for grazing and ranching purposes within Riverside County. Therefore, the cumulative impact of the project would be **less than significant** with respect to agricultural and forestry resources. As no significant impact to agricultural or forestry uses or agricultural or forest land would result from the project, the project would not contribute to a cumulatively considerable impact.



This page intentionally left blank



4.3 AIR QUALITY

This section has been prepared for the proposed First Hathaway Logistics Warehouse Project (proposed project) using methodologies and assumptions recommended in the air quality impact assessment guidelines of the South Coast Air Quality Management District (SCAQMD) in its *California Environmental Quality Act (CEQA) Air Quality Handbook*¹ and associated updates. In keeping with these guidelines, this section describes existing air quality and evaluates short-term impacts during construction, long-term emissions associated with operation, and how potential impacts correlate to human health. The analysis in this section is based on the findings of the *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*² and the *Health Risk Assessment*³ prepared for the proposed project (**Appendices B-1** and **B-2**, respectively).

4.3.1 Scoping

The City of Banning (City) received one public comment pertaining to air quality from participants at the public scoping meeting held on May 19, 2022, for the proposed project. This comment included:

- **Inge Schuler:** The issue of concern was that the parking of idle 18-wheelers would impact surrounding residential areas from vehicle emissions.

In addition, the City received one comment letter regarding air quality in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022. The NOP comment related to air quality included:

- California Allied for a Responsible Economy (CARE CA) (May 19, 2022) requested that the Environmental Impact Report (EIR) evaluate impacts from the construction and operation of cold-storage warehouse space and the potential use of transportation refrigeration units, and that a Health Risk Assessment (HRA) be prepared to evaluate the health effects of the project to nearby sensitive residential uses. Additionally, mitigation measures should be prescribed to require off-road equipment and trucks using the site during construction and operations to be zero-emission, near-zero-emission, or alternative-fueled vehicles in order to both reduce and/or eliminate air pollution impacts and carbon dioxide (CO₂) emissions.

Copies of the NOP and public scoping comments are provided in **Appendix A** of this EIR.

4.3.2 Methodology

Implementation of the proposed project would result in criteria pollutant emissions associated with construction and operational sources. Construction activities would generate emissions from off-road construction equipment and on roadways as a result of construction-related truck hauling, vendor deliveries, and worker commuting. Operational activities would also generate emissions associated

¹ South Coast Air Quality Management District (SCAQMD). *CEQA Air Quality Handbook*. 1993. Website: [http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)) (accessed June 2023).

² LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. April 2024.

³ LSA. *Health Risk Assessment for the First Hathaway Logistics Warehouse Project*. April 2024.



with miscellaneous on-site sources, such as natural gas combustion for cooking, heating, and landscaping equipment, and from operations-related traffic. This analysis utilized the California Emissions Estimator Model (CalEEMod) version 2022.1 to quantify the criteria pollutant emissions for both construction and operation of the proposed project. The maximum daily emissions are calculated for the criteria pollutants. The CalEEMod output for the proposed project is contained in **Appendix B-1**.

CalEEMod provides a platform to calculate both construction emissions and operational emissions from a project. It calculates both the daily maximum and annual average for criteria pollutants as well as total or annual greenhouse gas (GHG) emissions. The model also provides default values for water and energy use. Specifically, the model performs the following calculations:

- Short-term construction emissions associated with demolition, site preparation, grading, building, architectural coating (painting), and paving from off-road construction equipment; on-road mobile equipment associated with workers, vendors, delivery, and hauling; fugitive dust associated with grading, demolition, truck loading, and roads; and volatile emissions of volatile organic compounds (VOCs) from architectural coating and paving.
- Operational emissions, such as on-road mobile vehicle traffic generated by the land uses, fugitive dust associated with roads, volatile emissions of VOCs from architectural coatings, off-road emissions from landscaping equipment, volatile emissions of VOCs from consumer products and cleaning supplies, natural gas usage in the buildings, electricity usage in the buildings, water usage by the land uses, and solid waste disposal by the land uses.

In addition, CalEEMod contains default values and existing regulation methodologies to use in each specific local air quality district region. Appropriate statewide default values can be utilized if regional default values are not defined. This analysis utilized project-specific inputs and relevant model default factors, consistent with SCAQMD requirements.

4.3.3 Existing Environmental Setting

The City is part of the South Coast Air Basin (SCAB) and is under the jurisdiction of SCAQMD. Background information about air pollutants and health effects, climate, meteorological conditions, and regional air quality conditions in the SCAB and local air quality conditions in the vicinity of the project site is provided below.

4.3.3.1 Air Pollutants and Health Effects

Both State and federal governments have established health-based ambient air quality standards for six criteria air pollutants: carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead, and suspended particulate matter. In addition, the State has set standards for sulfates, hydrogen sulfide (H₂S), vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. Two criteria pollutants, O₃ and NO₂, are considered regional pollutants because they (or their precursors) affect air quality on a regional scale. Pollutants such as CO, SO₂, and lead are considered local pollutants that tend to accumulate in the air locally.



The primary pollutants of concern in the planning area are O₃, CO, and suspended particulate matter. Significance thresholds established by an air quality district are used to manage total regional and local emissions within an air basin based on the air basin's attainment status for criteria pollutants. These emission thresholds were established for individual development projects that would contribute to regional and local emissions and could adversely affect or delay the air basin's projected attainment target goals for nonattainment criteria pollutants.

Because of the conservative nature of the significance thresholds and the basinwide context of individual development project emissions, there is no direct correlation between a single project and localized air quality-related health effects. One individual project that generates emissions exceeding a threshold does not necessarily result in adverse health effects for residents in the project vicinity. This condition is especially true when the criteria pollutants exceeding thresholds are those with regional effects, such as O₃ precursors like nitrogen oxides (NO_x) and reactive organic gases (ROG).

Further, by its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, the air quality districts have considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

Occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals, and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. Residential areas are considered more sensitive to air quality conditions than commercial and industrial areas because people generally spend longer periods of time at their residences, with greater associated exposure to ambient air quality conditions. Recreational uses are also considered sensitive compared to commercial and industrial uses due to greater exposure to ambient air quality conditions associated with exercise. These populations are referred to as sensitive receptors.

Air pollutants, their health effects, and other air pollution-related considerations are summarized in Table 4.3.A and described in more detail below.



Table 4.3.A: Sources and Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O ₃)	<ul style="list-style-type: none"> • Precursor sources:¹ motor vehicles, industrial emissions, and consumer products 	<ul style="list-style-type: none"> • Respiratory symptoms • Worsening of lung disease, leading to premature death • Damage to lung tissue • Crop, forest, and ecosystem damage • Damage to a variety of materials, including rubber, plastics, fabrics, paints, and metals
Particulate Matter Less Than 2.5 Microns in Diameter (PM _{2.5})	<ul style="list-style-type: none"> • Cars and trucks (especially diesels). • Fireplaces and wood stoves • Windblown dust from roadways, agriculture, and construction 	<ul style="list-style-type: none"> • Premature death • Hospitalization for worsening of cardiovascular disease • Hospitalization for respiratory disease • Asthma-related emergency room visits • Increased symptoms and increased inhaler usage
Particulate Matter Less Than 10 Microns in Diameter (PM ₁₀)	<ul style="list-style-type: none"> • Cars and trucks (especially diesels). • Fireplaces and wood stoves • Windblown dust from roadways, agriculture, and construction 	<ul style="list-style-type: none"> • Premature death and hospitalization, primarily for worsening of respiratory disease • Reduced visibility and material soiling
Nitrogen Oxides (NO _x)	<ul style="list-style-type: none"> • Any source that burns fuels, such as cars, trucks, construction and farming equipment, and residential heaters and stoves 	<ul style="list-style-type: none"> • Lung irritation • Enhanced allergic responses
Carbon Monoxide (CO)	<ul style="list-style-type: none"> • Any source that burns fuels, such as cars, trucks, construction and farming equipment, and residential heaters and stoves 	<ul style="list-style-type: none"> • Chest pain in patients with heart disease • Headache • Light-headedness • Reduced mental alertness
Sulfur Oxides (SO _x)	<ul style="list-style-type: none"> • Combustion of sulfur-containing fossil fuels • Smelting of sulfur-bearing metal ores • Industrial processes 	<ul style="list-style-type: none"> • Worsening of asthma: increased symptoms, increased medication usage, and emergency room visits
Lead	<ul style="list-style-type: none"> • Contaminated soil 	<ul style="list-style-type: none"> • Impaired mental functioning in children • Learning disabilities in children • Brain and kidney damage
Toxic Air Contaminants (TACs)	<ul style="list-style-type: none"> • Cars and trucks (especially diesels) • Industrial sources, such as chrome platers • Neighborhood businesses, such as dry cleaners and service stations • Building materials and products 	<ul style="list-style-type: none"> • Cancer • Reproductive and developmental effects • Neurological effects

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table B. April 2024.

¹ Ozone is not generated directly by these sources. Rather, chemicals emitted by these precursor sources react with sunlight to form ozone in the atmosphere.

Ozone. O₃ is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving ROG and NO_x. The main sources of ROG and NO_x, often referred to as O₃ precursors, are combustion processes (including combustion in motor vehicle engines) and the evaporation of solvents, paints, and fuels. Automobiles are typically the largest source of O₃ precursors. O₃ is referred to as a regional air pollutant because its precursors are transported and



diffused by wind concurrently with O₃ production through the photochemical reaction process. O₃ causes eye irritation, airway constriction, and shortness of breath and can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide. CO is an odorless, colorless gas usually formed as the result of the incomplete combustion of fuels. The single largest source of CO is motor vehicles. CO transport is limited—it disperses with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations near congested roadways or intersections may reach unhealthful levels that adversely affect local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service (LOS) or with extremely high traffic volumes. Exposure to high concentrations of CO reduces the oxygen-carrying capacity of the blood and can cause headaches, nausea, dizziness, and fatigue; impair central nervous system function; and induce angina (chest pain) in persons with serious heart disease. Extremely high levels of CO, such as those generated when a vehicle is running in an unventilated garage, can be fatal.

Particulate Matter. Particulate matter is a class of air pollutants that consists of heterogeneous solid and liquid airborne particles from humanmade and natural sources. Particulate matter is categorized in two size ranges: PM₁₀, for particles less than 10 microns in diameter (i.e., coarse particulate matter), and PM_{2.5}, for particles less than 2.5 microns in diameter (i.e., fine particulate matter). Motor vehicles are the primary generators of particulates, through tailpipe emissions as well as brake pad and tire wear, and road dust. Wood burning in fireplaces and stoves, industrial facilities, and ground-disturbing activities such as construction are other sources of such fine particulates. These fine particulates are small enough to be inhaled into the deepest parts of the human lung and can cause adverse health effects. According to the California Air Resources Board (CARB), studies in the United States and elsewhere have demonstrated a strong link between elevated particulate levels and premature deaths, hospital admissions, emergency room visits, and asthma attacks, and studies of children's health in California have demonstrated that particle pollution may significantly reduce lung function and growth in children.⁴ Statewide attainment of particulate matter standards could reduce premature deaths, hospital admissions for cardiovascular and respiratory disease, asthma-related emergency room visits, and episodes of respiratory illness in California.

Nitrogen Dioxide. NO₂ is a reddish brown gas that is a byproduct of combustion processes. Automobiles and industrial operations are the main sources of NO₂. Aside from its contribution to O₃ formation, NO₂ also contributes to other pollution problems, including a high concentration of fine particulate matter, poor visibility, and acid deposition. NO₂ may be visible as a coloring component on high-pollution days, especially in conjunction with high O₃ levels. NO₂ decreases lung function and may reduce resistance to infection.

Sulfur Dioxide. SO₂ is a colorless, acidic gas with a strong odor. It is produced by the combustion of sulfur-containing fuels such as oil, coal, and diesel. SO₂ has the potential to damage materials and can

⁴ California Air Resources Board (CARB). *Inhalable Particulate Matter and Health (PM_{2.5} and PM₁₀)*. 2020. Website: ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health (accessed November 2022).



cause health effects at high concentrations. It can irritate lung tissue and increase the risk of acute and chronic respiratory disease. SO₂ also reduces visibility and the level of sunlight at the ground surface.

Lead. Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been mobile and industrial sources. As a result of the phase-out of leaded gasoline, metal processing is currently the primary source of lead emissions. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery factories. Twenty years ago, mobile sources were the main contributor to ambient lead concentrations in the air. In the early 1970s, the United States Environmental Protection Agency (EPA) established national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. The EPA banned the use of leaded gasoline in highway vehicles in December 1995. As a result of the EPA's regulatory efforts to remove lead from gasoline, emissions of lead from the transportation sector and levels of lead in the air decreased dramatically.

Toxic Air Contaminants. In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. Some examples of TACs include: benzene, butadiene, formaldehyde, and H₂S. Potential human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

TACs do not have ambient air quality standards, but are regulated by the EPA, CARB, and the SCAQMD. In 1998, CARB identified particulate matter from diesel-fueled engines as a TAC. CARB has completed a risk management process that identified potential cancer risks for a range of activities and land uses that are characterized by use of diesel-fueled engines.⁵ High-volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic (e.g., distribution centers, truck stops) were identified as posing the highest risk to adjacent receptors. Other facilities associated with increased risk include warehouse distribution centers, large retail or industrial facilities, high-volume transit centers, and schools with a high volume of bus traffic. Health risks from TACs are a function of both concentration and duration of exposure.

Unlike TACs emitted from industrial and other stationary sources noted above, most diesel particulate matter is emitted from mobile sources—primarily “off-road” sources such as construction and mining equipment, agricultural equipment, and truck-mounted refrigeration units, as well as trucks and buses traveling on freeways and local roadways.

The CARB Diesel Risk Reduction Plan is intended to substantially reduce diesel particulate matter (DPM) emissions and associated health risks through introduction of ultra-low-sulfur diesel fuel—a

⁵ California Air Resources Board (CARB). *Fact Sheet – California's Plan to Reduce Diesel Particulate Matter Emissions*. October 2000. Website: www.arb.ca.gov/diesel/factsheets/rrpfactsheet.pdf (accessed November 2022).



step already implemented—and cleaner-burning diesel engines.⁶ The technology for reducing DPM emissions from heavy-duty trucks is well established, and both State and federal agencies are moving aggressively to regulate engines and emission control systems to reduce and remediate diesel emissions.

High-Volume Roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentrations. Air quality research consistently demonstrates that pollutant levels are substantially higher near freeways and busy roadways, and human health studies have consistently demonstrated that children living within 100 to 200 meters (328 to 656 feet) of freeways or busy roadways have reduced lung function and higher rates of respiratory disease. At present, it is not possible to attribute the effects of roadway proximity on noncancer health effects to one or more specific vehicle types or vehicle pollutants. Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases with collective and individual toxicological characteristics.

4.3.3.2 National and State Ambient Air Quality Standards

Both State and federal governments have established health-based ambient air quality standards for criteria air pollutants. Criteria pollutants are defined as those pollutants for which the federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

Both the EPA and the CARB have established ambient air quality standards for the following common pollutants: CO, O₃, NO₂, SO₂, lead, and suspended particulate matter. In addition, the State has set standards for sulfates, H₂S, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. These ambient air quality standards are levels of contaminants that avoid specific adverse health effects associated with each pollutant.

Federal standards include both primary and secondary standards. Primary standards establish limits to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, and damage to animals, crops, vegetation, and buildings.⁷ State and federal standards for the criteria air pollutants are listed in Table 4.3.B.

⁶ California Air Resources Board (CARB). *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Prepared by the Stationary Source Division and Mobile Source Control Division. Website: www.arb.ca.gov/diesel/documents/rrpFinal.pdf (accessed November 2022).

⁷ United States Environmental Protection Agency (EPA). *Criteria Air Pollutants*. October 2017. Website: www.epa.gov/criteria-air-pollutants (accessed November 2022).



Table 4.3.B: Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards ¹		Federal Standards ²			
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷	
Ozone (O₃)⁸	1-Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	–	Same as Primary Standard	Ultraviolet Photometry	
	8-Hour	0.07 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)			
Respirable Particulate Matter (PM₁₀)⁹	24-Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m ³		–			
Fine Particulate Matter (PM_{2.5})⁹	24-Hour	–	Gravimetric or Beta Attenuation	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m ³		12.0 µg/m ³			
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m ³)	–	Non-Dispersive Infrared Photometry (NDIR)	
	1-Hour	20 ppm (23 mg/m ³)		35 ppm (40 mg/m ³)			
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		–			
Nitrogen Dioxide (NO₂)¹⁰	Annual Arithmetic Mean	0.03 ppm (57 µg/m ³)	Gas Phase Chemiluminescence	53 ppb (100 µg/m ³)	Same as Primary Standard	Gas Phase Chemiluminescence	
	1-Hour	0.18 ppm (339 µg/m ³)		100 ppb (188 µg/m ³)			
Lead^{12,13}	30-Day Average	1.5 µg/m ³	Atomic Absorption	–	Same as Primary Standard	High-Volume Sampler and Atomic Absorption	
	Calendar Quarter	–		1.5 µg/m ³ (for certain areas) ^l			
	Rolling 3-Month Average ⁱ	–		0.15 µg/m ³			
Sulfur Dioxide (SO₂)¹¹	24-Hour	0.04 ppm (105 µg/m ³)	Ultraviolet Fluorescence	0.14 ppm (for certain areas)	–	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)	
	3-Hour	–		–			0.5 ppm (1300 µg/m ³)
	1-Hour	0.25 ppm (655 µg/m ³)		75 ppb (196 µg/m ³) ¹¹			–
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas) ¹¹			–
Visibility-Reducing Particles¹²	8-Hour	See footnote ¹⁴	Beta Attenuation and Transmittance through Filter Tape	No Federal Standards			
Sulfates	24-Hour	25 µg/m ³	Ion Chromatography				
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence				
Vinyl Chloride¹⁰	24-Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography				

Source: LSA. Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California. Table A. April 2024.

Table notes continued on the following page



- ¹ California standards for O₃, CO (except 8-hour Lake Tahoe), SO₂ (1- and 24-hour), NO₂, and particulate matter (PM₁₀, PM_{2.5}, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- ² National standards (other than O₃, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The O₃ standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than 1. For PM_{2.5}, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact the EPA for further clarification and current national policies.
- ³ Concentration expressed first in the units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- ⁴ Any equivalent measurement method which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.
- ⁵ National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- ⁶ National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- ⁷ Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the EPA.
- ⁸ On October 1, 2015, the national 8-hour O₃ primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- ⁹ On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
- ¹⁰ To attain the 1-hour national standard, the three-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of ppb. California standards are in units of ppm. To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- ¹¹ On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of ppb. California standards are in units of ppm. To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
- ¹² The CARB has identified lead and vinyl chloride as “toxic air contaminants” with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- ¹³ The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until 1 year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
- ¹⁴ In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer” and “extinction of 0.07 per kilometer” for the statewide and Lake Tahoe Air Basin standards, respectively.

°C = degrees Celsius

µg/m³ = micrograms per cubic meter

CARB = California Air Resources Board

EPA = United States Environmental Protection Agency

mg/m³ = milligrams per cubic meter

ppb = parts per billion

ppm = parts per million



4.3.3.3 Existing Climate and Air Quality

The following provides a discussion of the local and regional air quality and climate in Banning.

Climate and Meteorology. Air quality in Banning is affected by various emission sources (e.g., mobile and industry), as well as atmospheric conditions (e.g., wind speed, wind direction, temperature, and rainfall). The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States gives the SCAB some of the highest pollutant concentrations in the country.

The annual average temperature varies throughout the SCAB, ranging from the low- to middle-60s, measured in degrees Fahrenheit (°F). With a more pronounced oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. The climatological station closest to the site is the Palm Springs Station.⁸ The monthly average maximum temperature recorded at this station ranged from 69.6°F in January to 108.2°F in July, with an annual average maximum of 88.6°F. The monthly average minimum temperature recorded at this station ranged from 42.3°F in December to 75.2°F in July, with an annual average minimum of 57.2°F. These levels are representative of the project area.

The majority of annual rainfall in the SCAB occurs between November and March. Summer rainfall is minimal and is generally limited to scattered thunderstorms in coastal regions and slightly heavier showers in the eastern portion of the SCAB and along the coastal side of the mountains. As mentioned above, the climatological station closest to the site is the Palm Springs Station. The monthly average rainfall in Palm Springs typically varies from 1.13 inches in January to 0.05 inch in May, with an annual total of 5.49 inches.⁹ Patterns in monthly and yearly rainfall totals are unpredictable due to fluctuations in the weather.

The SCAB experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific high, which is the semi-permanent high-pressure area of the north Pacific Ocean and is the dominating factor in California weather. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion (upper) layer until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid-afternoon to late afternoon on hot summer days, when the smog appears to clear up suddenly. Winter inversions frequently break by midmorning.

Winds in Banning blow predominantly from the west-northwest, with relatively low velocities.¹⁰ Wind speeds in Banning average between 7 miles per hour (mph) and 4 mph. Summer wind speeds average slightly higher than winter wind speeds. Low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the SCAB. Strong, dry,

⁸ Western Regional Climate Center. Recent Climate in the West. Website: <http://www.wrcc.dri.edu>, (accessed June 2023).

⁹ Ibid.

¹⁰ Iowa Environmental Mesonet. Windrows. 2021. Website: https://mesonet.agron.iastate.edu/sites/windrose.phtml?—network=CA_—ASOS&station=LGB. (accessed June 2023).



north, or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months and disperse air contaminants. The Santa Ana conditions tend to last for several days at a time.¹¹

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollution concentrations are the lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino counties. In the winter, the greatest pollution problems are CO and NO_x because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_x to form photochemical smog or O₃.

Attainment Status. CARB is required to designate areas of the State as attainment, nonattainment, or unclassified for all State standards. An attainment designation for an area signifies that pollutant concentrations did not violate the standard for that pollutant in that area. A nonattainment designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. An unclassified designation signifies that data do not support either an attainment or nonattainment status. The California Clean Air Act (CCAA) divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The EPA designates areas for O₃, CO, and NO₂ as one of the following: does not meet the primary standards, or cannot be classified, or better than national standards. For SO₂, areas are designated as: does not meet the primary standards, does not meet the secondary standards, cannot be classified, or better than national standards. Table 4.3.C provides a summary of the attainment status for the SCAB with respect to national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS).

Table 4.3.C: South Coast Air Basin Attainment Status

Pollutant	State	Federal
O ₃ 1 hour	Nonattainment	Extreme Nonattainment
O ₃ 8 hour	Nonattainment	Extreme Nonattainment
PM ₁₀	Nonattainment	Attainment/Maintenance
PM _{2.5}	Nonattainment	Serious Nonattainment
CO	Attainment	Attainment/Maintenance
NO ₂	Attainment	Attainment/Maintenance
SO ₂	N/A	Attainment/Unclassified
Lead	Attainment	Partial Nonattainment ¹
All others	Attainment/Unclassified	Attainment/Unclassified

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table C. April 2024.

¹ Partial nonattainment designation – Los Angeles County portion of the South Coast Air Basin only for near-source monitors. Expect redesignation to attainment based on current monitoring data.

¹¹ Ibid.



Table 4.3.C: South Coast Air Basin Attainment Status

Pollutant	State	Federal
CO = carbon monoxide		PM ₁₀ = particulate matter less than 10 microns in size
N/A = not applicable		PM _{2.5} = particulate matter less than 2.5 microns in size
NO ₂ = nitrogen dioxide		SO ₂ = sulfur dioxide
O ₃ = ozone		

Air Quality Monitoring Results. Air quality monitoring stations are located throughout the nation and are maintained by the local air pollution control district and State air quality regulating agencies. The SCAQMD, together with CARB, maintains ambient air quality monitoring stations in the SCAB. The air quality monitoring stations closest to the project area are the Banning Airport Station at 200 South Hathaway Street, the Morongo Band of Mission Indians (Morongo) Reservation at 12160 Santiago Road, the Palm Springs station at FS-590 Racquet Club Avenue, and the Rubidoux station at 5888 Mission Boulevard.

Pollutant monitoring results for years 2020 to 2022 at the Banning, Morongo, Palm Springs, and Rubidoux monitoring stations, shown in Table 4.3.D, indicate that air quality in the vicinity of the city has generally been good. As indicated in the monitoring results, the federal PM₁₀ standard had no exceedances during the 3-year period. The State PM₁₀ standard had one exceedance in the year 2020 only, with no exceedances in 2021 and 2022. Similarly, federal PM_{2.5} levels had no exceedances in 2020 and 2021, and an unknown number of exceedances in 2022. The State 1-hour O₃ standards were exceeded 29 times in 2020, 41 times in 2021, and an unknown number of times in 2022. The State 8-hour O₃ standards were exceeded 71 times in 2020, 82 times in 2021, and an unknown number of times in 2022. The federal 8-hour standards were exceeded 68 times in 2020, 80 times in 2020, and 56 times in 2022. The CO, SO₂, and NO₂ standards were also not exceeded in this area during the 3-year period.

Toxic Air Contaminant Trends. In 1984, CARB adopted regulations to reduce TAC emissions from mobile and stationary sources, as well as consumer products. A CARB study showed that ambient concentrations and emissions of the seven TACs responsible for the most cancer risk from airborne exposure declined by 76 percent between 1990 and 2012.¹² Concentrations of DPM, a key TAC, declined by 68 percent between 1990 and 2012 despite a 31 percent increase in State population and an 81 percent increase in diesel vehicle miles traveled (VMT), as shown on Figure 4.3-1, below. The study also found that the significant reductions in cancer risk to California residents from the implementation of air toxics controls are likely to continue.

The EPA and CARB regulate direct emissions from motor vehicles. The SCAQMD is the regional agency primarily responsible for regulating air pollution emissions from stationary sources (e.g., factories) and indirect sources (e.g., traffic associated with new development), as well as monitoring ambient pollutant concentrations.

¹² Propper, Ralph, et al. Ambient and Emission Trends of Toxic Air Contaminants in California. *American Chemical Society: Environmental Science & Technology*. 2015. Website: pubs.acs.org/doi/full/10.1021/acs.est.5b02766 (accessed November 2022).



Table 4.3.D: Ambient Air Quality in the Project Vicinity

Pollutant	Standard	2020	2021	2022
Carbon Monoxide (CO)¹				
Maximum 1-hour concentration (ppm)		0.8	0.8	1.1
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hour concentration (ppm)		0.5	0.4	0.5
Number of days exceeded:	State: > 9 ppm	0	0	0
	Federal: > 9 ppm	0	0	0
Ozone (O₃)²				
Maximum 1-hour concentration (ppm)		0.150	0.139	0.116
Number of days exceeded:	State: > 0.09 ppm	29	41	ND
Maximum 8-hour concentration (ppm)		0.115	0.116	0.100
Number of days exceeded:	State: > 0.07 ppm	71	82	ND
	Federal: > 0.07 ppm	68	80	56
Coarse Particulates (PM₁₀)²				
Maximum 24-hour concentration (µg/m ³)		69.3	48.6	52.0
Number of days exceeded:	State: > 50 µg/m ³	1	0	0
	Federal: > 150 µg/m ³	0	0	0
Annual arithmetic average concentration (µg/m ³)		21.2	21.2	ND
Exceeded for the year:	State: > 20 µg/m ³	Yes	Yes	ND
	Federal: > 50 µg/m ³	No	No	ND
Fine Particulates (PM_{2.5})³				
Maximum 24-hour concentration (µg/m ³)		6.7	24.2	42.3
Number of days exceeded:	Federal: > 35 µg/m ³	0	0	ND
Annual arithmetic average concentration (µg/m ³)		3.8	7.0	7.7
Exceeded for the year:	State: > 12 µg/m ³	No	No	No
	Federal: > 15 µg/m ³	No	No	No
Nitrogen Dioxide (NO₂)²				
Maximum 1-hour concentration (ppm)		0.0511	0.0568	0.0310
Number of days exceeded:	State: > 0.250 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.0235	0.0246	0.00366
Exceeded for the year:	Federal: > 0.053 ppm	No	No	No
Sulfur Dioxide (SO₂)⁴				
Maximum 1-hour concentration (ppm)		0.0022	0.0021	0.0067
Number of days exceeded:	State: > 0.25 ppm	ND	ND	ND
Maximum 24-hour concentration (ppm)		0.001	0.0011	0.0012
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.00034	0.00051	0.00054
Exceeded for the year:	Federal: > 0.030 ppm	No	No	No

Sources: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table D. April 2024.

¹ Data taken from FS-590 Racquet Club Avenue, Palm Springs monitoring station.

² Data were taken from 200 S. Hathaway Street, Banning Airport monitoring station.

³ Data taken from 12160 Santiago Road, Morongo Reservation monitoring station.

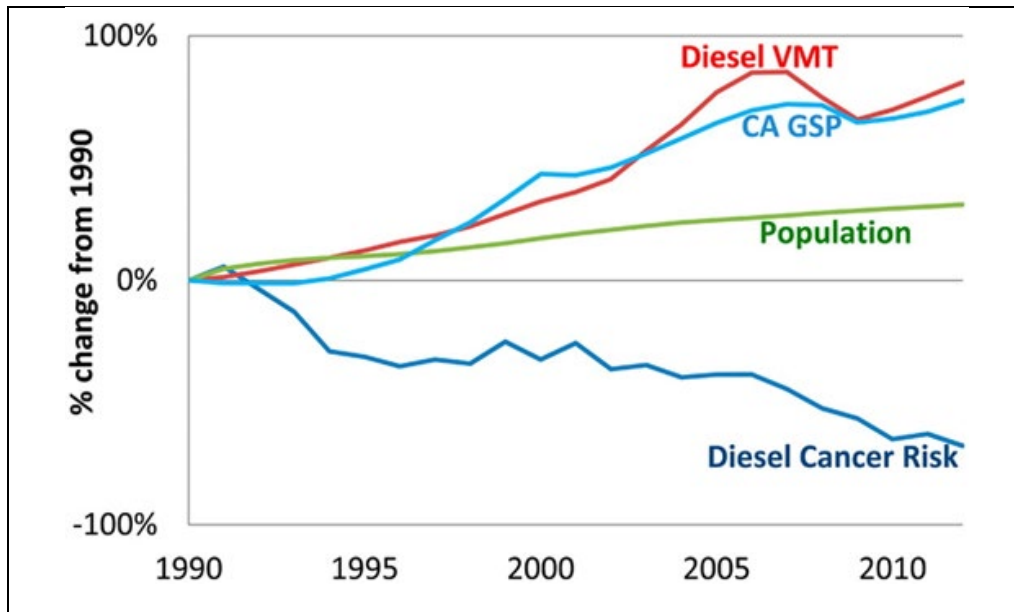
⁴ Data were taken from 5888 Mission Boulevard, Rubidoux monitoring station.

CARB = California Air Resources Board

EPA = United States Environmental Protection Agency

ND = No data. There were insufficient (or no) data to determine the value.

ppm = parts per million



Source: Propper, Ralph, et al. Ambient and Emission Trends of Toxic Air Contaminants in California. 2015. Website: pubs.acs.org/doi/full/10.1021/acs.est.5b02766 (accessed August 2023).

Figure 4.3-1: California Population, Gross State Product (GSP), Diesel Cancer Risk, and Diesel Vehicle Miles Traveled Regulatory Context

4.3.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) regulations applicable to the proposed project related to air quality.

4.3.4.1 Federal Regulations

The following federal regulations would be applicable to the proposed project:

Clean Air Act. At the federal level, the EPA has been charged with establishing and implementing national air quality programs and mandates pursuant to the Federal Clean Air Act (CAA), which was enacted in 1963 and subsequently amended in 1970, 1977, and 1990.

The CAA required the EPA to establish NAAQS for the six criteria pollutants and required each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP) for local areas that do not meet these standards. The CAA Amendments of 1990 added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies. The CAA requires demonstration of reasonable progress toward attainment and provides for sanctions for failure to attain or meet interim milestones. The EPA has responsibility to review all SIPs to determine their conformity with the mandates of the CAA and whether implementation will achieve air quality goals. Failure to submit an approvable SIP or to implement the plan within the mandated



timeframe may result in sanctions on transportation funding and stationary air pollution sources in the air basin.

The EPA is also required to develop National Emission Standards for Hazardous Air Pollutants, which are defined as those which may reasonably be anticipated to result in increased deaths or serious illness, and which are not already regulated. An independent science advisory board reviews the health and exposure analyses conducted by the EPA on suspected hazardous pollutants prior to regulatory development.

The SmartWay Program is a public-private initiative among the EPA, large and small trucking companies, rail carriers, logistics companies, commercial manufacturers, retailers, and other federal and State agencies. Its purpose is to improve fuel efficiency and the environmental performance (reduction of pollution emissions) of the goods movement supply chains. SmartWay consists of four components:

1. **SmartWay Transport Partnership:** A partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption, and improve performance annually.
2. **SmartWay Technology Program:** A testing, verification, and designation program to help freight companies identify equipment, technologies, and strategies that save fuel and lower emissions.
3. **SmartWay Vehicles:** A program that ranks light-duty cars and small trucks and identifies superior environmental performers with the SmartWay logo.
4. **SmartWay International Interests:** Guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay.

SmartWay effectively refers to requirements geared toward reducing fuel consumption. Most large trucking fleets driving newer vehicles are compliant with SmartWay design requirements. Moreover, over time, all heavy-duty trucks will have to comply with the 2010 CARB GHG Regulation¹³ that is designed with the SmartWay Program in mind to reduce emissions by making them more fuel-efficient. For instance, in 2015, 53-foot or longer dry vans or refrigerated trailers equipped with a combination of SmartWay-verified, low-rolling-resistance tires, and SmartWay-verified aerodynamic devices would obtain an approximately 10 percent or more fuel savings over traditional trailers.

Through the SmartWay Technology Program, the EPA has evaluated the fuel-saving benefits of various devices through grants, cooperative agreements, emissions and fuel economy testing, demonstration projects, and technical literature review. As a result, the EPA has determined that the following types of technologies provide fuel saving and/or emission-reducing benefits when used properly in their designed applications and has verified certain products:

¹³ California Air Resources Board (CARB). CARB Tractor-Trailer Greenhouse Gas Regulation. Website: www.arb.ca.gov/our-work/programs/ttghg (accessed January 2023).



- **Idle-Reduction Technologies:** Less idling of the engine when it is not needed would reduce fuel consumption.
- **Aerodynamic Technologies:** Aerodynamic technologies minimize drag and improve airflow over the entire tractor-trailer vehicle. Aerodynamic technologies include gap fairings that reduce turbulence between the tractor and trailer, side skirts that minimize wind under the trailer, and rear fairings that reduce turbulence and pressure drop at the rear of the trailer.
- **Low-Rolling-Resistance Tires:** Low-rolling-resistance tires can roll longer without slowing down, thereby reducing the amount of fuel used. Rolling resistance (or rolling friction or rolling drag) is the force resisting the motion when a tire rolls on a surface. The wheel will eventually slow down because of this resistance.
- **Retrofit Technologies:** Retrofit technologies include things such as diesel particulate filters, emissions upgrades (to a higher tier), etc., that would reduce emissions.
- **Federal Excise Tax Exemptions.**

4.3.4.2 State Regulations

The following State regulations would be applicable to the proposed project.

California Clean Air Act. In 1988, the CCAA required that all air quality districts in the State endeavor to achieve and maintain CAAQS for CO, O₃, SO₂, and NO₂ by the earliest practical date. The CCAA provides districts with the authority to regulate indirect sources and mandates that air quality districts focus particular attention on reducing emissions from transportation and areawide emission sources. Each nonattainment district is required to adopt a plan to achieve a 5 percent annual reduction, averaged over consecutive 3-year periods, in districtwide emissions of each nonattainment pollutant or its precursors. A Clean Air Plan shows how a district would reduce emissions to achieve air quality standards. Generally, the State standards for these pollutants are more stringent than the national standards.

California Air Resources Board. The CARB is responsible for implementing the CCAA, which seeks to achieve maximum reduction of vehicular and other mobile emissions to attain CAAQS. The CARB also established the CAAQS for the 10 air pollutants designated in the CCAA. These 10 State air pollutants are the 6 criteria pollutants designated by the FCAA as well as 4 others (i.e., visibility-reducing particulates, H₂S, sulfates, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. The following are applicable CARB regulations:

- **California Code of Regulations (CCR) Title 24 Part 6:** California's Energy Efficiency Standards for Residential and Nonresidential Buildings were first adopted in 1978 as a response to reducing California's energy consumption. Energy-efficient buildings require less electricity and natural gas; therefore, increased energy efficiency reduces fossil fuel consumption and decreases air quality emissions.



- **CCR Title 24 Part 11:** The California Green Building Standards Code (CALGreen) is a uniform regulatory code for all residential, commercial, and school buildings. Local jurisdictions may adopt more stringent requirements. The most recent approved update, consisting of the 2022 California Green Building Code Standards, became effective on January 1, 2023. The 2022 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. Requirements of the 2022 CALGreen Code that are applicable to the proposed project include the following:
 - **5.106.4 Bicycle Parking.** Provide bicycle racks within 200 feet of the visitor’s entrance for 5 percent of new visitor motorized vehicle parking spaces, with a minimum of one two-bike capacity rack.
 - **5.106.5.3 Electric Vehicle (EV) charging.** Provide EV infrastructure and facilitate EV charging in compliance with the California Building Code and the California Electrical Code. The number of EV capable spaces required are specified at approximately 20 percent of the total spaces. Provisions for medium- and heavy-duty EV spaces shall be included.
 - **5.106.12 Shade Trees.** Shade trees shall be planted to provide shade over 50 percent of the parking area within 15 years unless solar photovoltaic shade structures provide this shade.
 - **5.303.3 Water Conserving Plumbing Fixtures and Fittings.** All water fixtures shall comply with the California Code of Regulations, Title 20, (Appliance Efficiency Regulations), Section 1605.1(h)(4) and Section 1605.3(h)(4)(A).
 - **5.303.3 Water Conserving Plumbing Fixtures and Fittings.** All water fixtures shall comply with the California Code of Regulations, Title 20, (Appliance Efficiency Regulations), Section 1605.1(h)(4) and Section 1605.3(h)(4)(A).
 - **5.304.1 Outdoor Water Use.** Development shall comply with the City’s water efficient landscape ordinance or the current California Department of Water Resources’ Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent.
 - **5.408.1 Construction Waste Management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2, or 5.408.1.3, or meet the City’s construction and demolition waste management ordinance, whichever is more stringent.
 - **5.410.1 Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet the City’s local recycling ordinance, whichever is more restrictive.
- **CARB Regulations Adopted Starting in 1984 (e.g., Assembly Bill [AB] 1807 [Tanner, Statutes of 1983] and the Hot Spots Information and Assessment Act [AB 2588] in 1988):** These require CARB to identify and control toxic air pollutants to reduce the amount of TAC emissions from mobile and area sources, such as cars, trucks, stationary products, and consumer products, including mobile-



source emissions of DPM, benzene, and 1,3-butadiene; those that are derived from stationary sources, such as perchloroethylene and hexavalent chromium; and those derived from photochemical reactions of emitted VOCs, such as formaldehyde and acetaldehyde.^{14, 15}

- **CARB’s 2000 Diesel Risk Reduction Plan (DRRP):** The DRRP involves replacement and retrofit of diesel-fueled engines and the use of ultra-low-sulfur (less than 15 parts per million [ppm]) diesel fuel. As a result, DPM concentrations are expected to decline 71 percent from 2000–2020 even though the State’s population increased 31 percent and the amount of diesel VMT increased 81 percent.
- **CARB 2007 Off-Road Diesel Regulation:** This regulation pertains to off-road-duty diesel vehicles used in construction, mining, and industrial operations to reduce DPM and NO_x emissions. The regulation limits idling to no more than 5 consecutive minutes and imposes a timeline for performance requirements based on a fleet’s average NO_x emissions, which can be met by replacing older vehicles with newer, cleaner vehicles or by applying exhaust retrofits.
- **CCR Title 13, Section 1956.8:** CCR Title 13, Section 1956.8, contains CARB-adopted standards to reduce emissions from various types of new on-road heavy-duty engines and vehicles, including the Heavy-Duty Diesel Vehicle Idling Reduction Program, and the Heavy-Duty Diesel In-Use Compliance Program.
- **CCR Title 13, Section 2025:** CCR Title 13, Section 2025 was adopted by CARB in 2008 to reduce emissions of DPM, NO_x, and other criteria pollutants from In-Use Heavy-Duty Diesel-Fueled Vehicles and applies to all on-road heavy-duty diesel-fueled vehicles with a gross vehicle weight rating greater than 14,000 pounds, agricultural yard trucks with off-road certified engines, and certain diesel-fueled shuttle vehicles of any gross vehicle weight rating. Older, heavier trucks (i.e., those with pre-year 2000 engines and a gross vehicle weight rating greater than 26,000 pounds) are required to have a PM filter installed and replace their engine with a 2010 engine between 2015 and 2020, depending on the model year. Effective December 31, 2014, the regulation was amended to require diesel trucks and buses that operate in California to be upgraded to further reduce emissions by, among other things, requiring mandatory replacement of lighter and older heavier trucks so that by January 1, 2023, nearly all trucks and buses are required to have 2010 model year engines or equivalent.

AB 2588 Air Toxics “Hot Spots” Information and Assessment Act. Under AB 2588, stationary sources of air pollutants are required to report the types and quantities of certain substances that their facilities routinely released into the air. The goals of the Air Toxics “Hot Spots” Act are to collect emission data, identify facilities having localized impacts, determine health risks, and notify nearby residents of significant risks.

¹⁴ Since the DRRP was completed in 2000, the CARB has adopted Airborne Toxic Control Measures and regulations in alignment with the plan, including the landmark Truck and Bus Regulation, and has achieved a statewide reduction in ambient DPM levels of over 70 percent from 2000 levels.

¹⁵ California Air Resources Board (CARB). 2020 Mobile Source Strategy. October 2021. Website: www.arb.ca.gov/sites/default/files/2021-12/2020_Mobile_Source_Strategy.pdf (accessed January 2023).



The California Air Resources Board Handbook. CARB has developed an *Air Quality and Land Use Handbook*¹⁶ (CARB Handbook) (2005), which is intended to serve as a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. According to the CARB Handbook, air pollution studies have shown an association between respiratory and other noncancer health effects and proximity to high-traffic roadways. Other studies have shown that diesel exhaust and other cancer-causing chemicals emitted from cars and trucks are responsible for much of the overall cancer risk from airborne toxics in California. The CARB Handbook recommends that county and city planning agencies strongly consider proximity to these sources when finding new locations for “sensitive” land uses such as homes, medical facilities, daycare centers, schools, and playgrounds.

Land use designations with air pollution sources of concern include freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners, and large gasoline service stations. Key recommendations in the CARB Handbook include taking steps to avoid siting new, sensitive land uses:

- Within 500 feet of a freeway, urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day;
- Within 1,000 feet of a major service and maintenance rail yard;
- Immediately downwind of ports (in the most heavily impacted zones) and petroleum refineries;
- Within 300 feet of any dry cleaning operation (for operations with two or more machines, provide 500 feet); and
- Within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater).

The CARB Handbook specifically states that its recommendations are advisory and acknowledges land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.

The recommendations are generalized and do not consider site-specific meteorology, freeway truck percentages, or other factors that influence risk for a particular project site. The purpose of this guidance is to further examine project sites for actual health risk associated with the location of new sensitive land uses.

4.3.4.3 Regional Regulations

The following regional regulations would be applicable to the proposed project:

South Coast Air Quality Management District. The SCAQMD has jurisdiction over most air quality matters in the SCAB. This area includes all of Orange County, Los Angeles County except for the

¹⁶ California Air Resources Board (CARB). *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). April 2005.



Antelope Valley, the nondesert portion of western San Bernardino County, and the western and Coachella Valley portions of Riverside County. Los Angeles County is a subregion of the SCAQMD jurisdiction. The SCAQMD is the agency principally responsible for comprehensive air pollution control in the SCAB and is tasked with implementing certain programs and regulations required by the FCAA and the CCAA. The SCAQMD prepares plans to attain State and NAAQS. SCAQMD is directly responsible for reducing emissions from stationary (area and point) sources. The SCAQMD develops rules and regulations, establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary.

- **Regulation IV – Prohibitions:** This regulation sets forth the restrictions for visible emissions, odor nuisance, fugitive dust, various air pollutant emissions, fuel contaminants, start-up/shutdown exemptions, and breakdown events.
 - **Rule 402 – Nuisance:** This rule requires that no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. The proposed project will be required to comply with Rule 402.
 - **Rule 403 – Fugitive Dust:** This rule requires projects to incorporate fugitive dust control measures to prevent and reduce fugitive dust emissions and requires best available control measures to be applied to earthmoving and grading activities. The proposed project will be required to comply with Rule 403.
- **Regulation XI – Source Specific Standards:** Regulation XI sets emissions standards for different sources.
 - **Rule 1113 – Architectural Coatings:** This rule limits the amount of VOCs from architectural coatings and solvents, which lowers the emissions of odorous compounds. The proposed project will be required to comply with Rule 1113.
- **Regulation XXII – Facility Based Mobile Source Measures:** Regulation XXII sets identifies measures for facility-based mobile sources.
 - **Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program:** This rule requires the owners and operators of warehouses greater than 100,000 square feet to directly reduce NO_x and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. The warehouse rule is a menu-based points system requiring warehouse operators to annually earn a specified number of points. These points can be earned by completing actions from a menu that can include acquiring and using natural gas, near-zero-emission and/or zero-emission on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options. SCAQMD expects this rule to reduce emissions from warehouse uses by 10 to 15 percent.

The SCAQMD is responsible for demonstrating regional compliance with ambient air quality standards but it has limited direct involvement in reducing emissions from fugitive, mobile, and natural sources.



To that end, the SCAQMD works cooperatively with CARB, the Southern California Association of Governments (SCAG), county transportation commissions (CTCs), local governments, and other federal and State government agencies. It has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. SCAQMD and SCAG are responsible for formulating and implementing the AQMP for the SCAB. The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. Every several years, the SCAQMD prepares a new AQMP, updating the previous plan and the 20-year horizon.¹⁷ The Final 2022 Air Quality Management Plan is the currently adopted AQMP. Key elements of the Final 2022 AQMP include the following:

- Calculating and taking credit for co-benefits from other planning efforts (e.g., climate, energy, and transportation)
- A strategy with fair-share emission reductions at the federal, State, and local levels
- Investment in strategies and technologies meeting multiple air quality objectives
- Seeking new partnerships and significant funding for incentives to accelerate deployment of zero-emission and near-zero-emission technologies
- Enhanced socioeconomic assessment, including an expanded environmental justice analysis
- Attainment of the 24-hour PM_{2.5} standard in 2019 with no additional measures
- Attainment of the annual PM_{2.5} standard by 2025 with implementation of a portion of the O₃ strategy
- Attainment of the 1-hour O₃ standard by 2022 with no reliance on “black box” future technology (FCAA Section 182(e)(5) measures)¹⁸.

The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies, such as regulation, accelerated deployment of available cleaner technologies (e.g., zero-emissions technologies, when cost-effective and feasible, and low NO_x technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other Clean Air Act measures to achieve the 2015 8-hour O₃ standard.

¹⁷ South Coast Air Quality Management District (SCAQMD). *Final 2016 Air Quality Management Plan*. March 2016.

¹⁸ CAA section 182(e)(5) allows “extreme” nonattainment areas to rely on the adoption of “new technologies” in their attainment demonstration with the expectation that new or improved control technologies will materialize. These measures are commonly referred to as “black box” measures because they are not defined specifically at the time of plan development. See: https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/black-box_final.pdf?sfvrsn=4, site accessed March 22, 2024.



Southern California Association of Governments. SCAG is a council of governments for Los Angeles, Orange, Riverside, San Bernardino, Imperial, and Ventura counties. It is a regional planning agency and serves as a forum for regional issues relating to transportation, the economy and community development, and the environment. SCAG is the federally designated Metropolitan Planning Organization (MPO) for the majority of the Southern California region and is the largest MPO in the nation. With regard to air quality planning, SCAG prepares the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP), which address regional development and growth forecasts and form the basis for the land use and transportation control portions of the AQMP and are utilized in the preparation of the air quality forecasts and consistency analysis included in the AQMP. The RTP, RTIP, and AQMP are based on projections originating within local jurisdictions.

Although SCAG is not an air quality management agency, it is responsible for developing transportation, land use, and energy conservation measures that affect air quality. SCAG's Regional Comprehensive Plan (RCP) provides growth forecasts that are used in the development of air quality-related land use and transportation control strategies by the SCAQMD. The RCP is a framework for decision-making for local governments, assisting them in meeting federal and State mandates for growth management, mobility, and environmental standards while maintaining consistency with regional goals regarding growth and changes. Policies within the RCP include consideration of air quality, land use, transportation, and economic relationships by all levels of government.

On September 3, 2020, the SCAG Regional Council adopted its second Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal), required by Senate Bill (SB) 375, which was enacted to reduce GHG emissions and help meet criteria pollutant standards by integrating transportation, land use, and environmental planning. Connect SoCal is also known as the *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability, and High Quality of Life (2020–2045 RTP/SCS)*. The 2020–2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals to achieve a more sustainable growth pattern, improve efficiency of movement of goods, and help the Southern California region meet FCAA requirements. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, including taking into account their emissions inventory, CTCs, tribal governments, nonprofit organizations, businesses, and local stakeholders within Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

4.3.4.4 Local Regulations

The following local regulations would be applicable to the proposed project:

City of Banning General Plan Air Quality Element. The City addresses air quality in the Environmental Resources Chapter: Air Quality Element¹⁹ of the City's General Plan. The Air Quality Element contains goals, policies, and programs meant to balance the City's actions regarding land use, circulation, and other regulatory actions and their associated potential effects on local and regional air quality. The

¹⁹ City of Banning. City of Banning General Plan, Environmental Resources. April 19, 2006. Website: <http://banning.ca.us/DocumentCenter/View/664/GP-Ch-IV-Environmental-Resources?bidId=> (accessed September 2023).



following goals, policies, and programs related to air quality are presented in the Air Quality Element and are applicable to the proposed project.

- **Goal 1:** To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.
 - **Policy 1:** The City shall be proactive in regulating local pollutant emitters and shall cooperate with the Southern California Association of Governments and the South Coast Air Quality Management District to assure compliance with air quality standards.
 - **Policy 2:** The City shall continue to coordinate and cooperate with local, regional and federal efforts to monitor, manage and reduce the levels of major pollutants affecting the City and region, with particular emphasis on PM₁₀ and O₃ emissions, as well as other emissions associated with diesel-fueled equipment and motor vehicles.
 - **Program 2.A:** On an on-going basis, the City shall continue to participate in efforts to monitor and control PM₁₀ emissions from construction and other sources, and all other air pollutants of regional concern. The City shall coordinate with SCAQMD to provide all reporting data for the SCAQMD annual report.
 - **Policy 3:** City land use planning efforts shall assure that sensitive receptors are separated from polluting point sources.
 - **Policy 4:** Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.
 - **Policy 5:** The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating, and cooling.
 - **Policy 6:** The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.

4.3.5 Thresholds of Significance

Significance determinations utilized in this section are from Section III of Appendix G of the *State CEQA Guidelines*. The proposed project would result in a significant impact with respect to air quality if it would:

Threshold 4.3.1: Conflict with or obstruct implementation of the applicable air quality plan;

Threshold 4.3.2: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable Federal or State ambient air quality standard;

Threshold 4.3.3: Expose sensitive receptors to substantial pollutant concentrations; or



Threshold 4.3.4: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

4.3.5.1 Regional Criteria Pollutant Thresholds for Construction and Operational Emissions

SCAQMD has established daily emissions thresholds for construction and operation of a proposed project in the SCAB. The emissions thresholds were established based on the attainment status of the SCAB with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety, these emissions thresholds are regarded as conservative and would overstate an individual project’s contribution to health risks.

Table 4.3.E lists the CEQA significance thresholds for construction and operational emissions established for the SCAB.

Table 4.3.E: Regional Thresholds for Construction and Operational Emissions

Emissions Source	Pollutant Emissions Threshold (lbs/day)					
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}	SO _x
Construction	75	100	550	150	55	150
Operations	55	55	550	150	55	150

Source: SCAQMD. Air Quality Significance Thresholds. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. (Accessed November 2022).

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM₁₀ = particulate matter less than 10 microns in size

PM_{2.5} = particulate matter less than 2.5 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOC = volatile organic compounds

Projects in the SCAB with construction- or operation-related emissions that exceed any of their respective emission thresholds would be considered significant under SCAQMD guidelines. These thresholds, which SCAQMD developed and that apply throughout the SCAB, apply as both project and cumulative thresholds. If a project exceeds these standards, it is considered to have a project-specific and cumulative impact.

4.3.5.2 Local Microscale Concentration Standards

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project site are above or below State and federal CO standards. Because ambient CO levels are below the standards throughout the SCAB, a project would be considered to have a significant CO impact if project emissions result in an exceedance of one or more of the 1-hour or 8-hour standards. The following are applicable local emission concentration standards for CO:

- California State 1-hour CO standard of 20 ppm
- California State 8-hour CO standard of 9 ppm



4.3.5.3 Localized Impacts Analysis

SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003 and updated it in July 2008,²⁰ recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. Localized significance thresholds (LSTs) represent the maximum emissions from a project site that are not expected to result in an exceedance of the NAAQS or the CAAQS for CO, NO₂, PM₁₀, and PM_{2.5}, as shown in Table 4.3.A. LSTs are based on the ambient concentrations of that pollutant within the project’s Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. The project site is in the Banning Airport SRA. Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest sensitive receptors in proximity to the project site are single-family homes to the west of Hathaway Street, approximately 75 feet (23 meters) from the project site boundary and approximately 40 feet (12 meters) from the Hathaway Street roadway construction limits. SCAQMD provides LST screening tables for 25-, 50-, 100-, 200-, and 500-meter source-receptor distances. SCAQMD guidance for LST analyses is to use the 25-meter values for all situations where sensitive receptors are within a 25-meter distance. Thus, the 25-meter values were used.

The LST screening tables provide for 1-, 2-, and 5-acre construction sites. The proposed project site is 94.86 acres; however, the construction activities would only take place on portions of the project site on any one day. The SCAQMD recommends assuming that 4 acres would be disturbed in any one day; therefore, LSTs for the 4 acres/25-meter combination were derived by interpolation. Table 4.3.F shows the emissions thresholds that would apply based on the project size and distance to nearby receptors during project construction and operation, respectively.

Table 4.3.F: SCAQMD Localized Significance Thresholds

Emissions Source Category	Pollutant Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Construction (4 acres, 25-meter distance)	207	2,392	17	9
Operations (4 acres, 25-meter distance)	207	2,392	5	3

Source: South Coast Air Quality Management District. *Final Localized Significance Threshold Methodology*. July 2008. Website: www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf (August 2023).

Note: The local Source Receptor Area is Banning Airport

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

4.3.5.4 Health Risk Assessment Thresholds

Both the State and federal governments have established health-based ambient air quality standards for seven air pollutants. For other air pollutants without defined significance standards, the definition

²⁰ South Coast Air Quality Management District. *Final Localized Significance Threshold Methodology*. July 2008. Website: www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf (August 2023).



of substantial pollutant concentrations varies. For TACs, “substantial” is taken to mean that the individual health risk exceeds a threshold considered to be a prudent risk management level.

The following limits for maximum individual cancer risk (MICR) and noncancer acute and chronic Hazard Index (HI) from project emissions of TACs are considered appropriate for use in determining the health risk for projects in the SCAB:

- **MICR:** MICR is the estimated probability of a maximum exposed individual (MEI) contracting cancer as a result of exposure to TACs over a period of 30 years for adults and 9 years for children in residential locations and over a period of 25 years for workers. The MICR calculations include multipathway consideration, when applicable.

The cumulative increase in MICR that is the sum of the calculated MICR values for all TACs would be considered significant if it would result in an increased MICR greater than 10 in 1 million (1×10^5) at any receptor location.

- **Chronic HI:** Chronic HI is the ratio of the estimated long-term level of exposure to a TAC for a potential MEI to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

The project would be considered significant if the cumulative increase in total chronic HI for any target organ system would exceed 1.0 at any receptor location.

- **Acute HI:** Acute HI is the ratio of the estimated maximum 1-hour concentration of a TAC for a potential MEI to its acute reference exposure level.

The project would be considered significant if the cumulative increase in total acute HI for any target organ system would exceed 1.0 at any receptor location.

The SCAQMD *CEQA Air Quality Handbook*²¹ (currently under revision) states that emissions of TACs are considered significant if an HRA shows an increased risk of greater than 10 in 1 million. Based on guidance from SCAQMD in the document *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*,²² for the purposes of this analysis, the threshold of 10 in 1 million was used as the cancer risk threshold for the proposed project.

²¹ South Coast Air Quality Management District (SCAQMD). *CEQA Air Quality Handbook*. November. Website: [www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). 1993. Updated March 2023. The SCAQMD air quality significance thresholds were updated in March 2023 to reflect the EPA’s redesignation of the Coachella Valley from Severe-15 to Extreme nonattainment for the 2008 ozone national ambient air quality standards (accessed August 2023).

²² South Coast Air Quality Management District (SCAQMD). *Mobile Source Toxics Analysis*. 2002. Website: www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis (accessed January 2023).



4.3.6 Project Impact Analysis

Potential impacts of the proposed project related to air quality are discussed below pursuant to the thresholds established in Section 4.3.5, above.

4.3.6.1 Consistency with Applicable Air Quality Plans

Threshold 4.3-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to air quality plans. A consistency determination fulfills the CEQA goal of fully informing local agency decision makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans.

The 2022 AQMP incorporates current scientific, technological, and planning assumptions and updated air pollution emission inventory methodologies for various air pollution source categories.²³ The AQMP addresses new and changing federal requirements, implements new technology measures to reduce air pollution, and continues the SCAQMD legacy of developing economically sound and flexible regulatory compliance approaches for the SCAB.

The SCAB is currently a federal and State nonattainment area for PM₁₀, PM_{2.5}, and O₃. The AQMP proposes attainment demonstration of the federal PM_{2.5} standards through a more focused control of sulfur oxides (SO_x), directly emitted PM_{2.5}, NO_x, and VOCs.

Pursuant to the methodology provided in Chapter 12 of the *CEQA Air Quality Handbook*,²⁴ consistency with the AQMP is affirmed when a project (1) is consistent with the AQMP's growth assumptions established pursuant to projections of local planning agencies to determine control strategies for regional compliance status, and (2) would not increase the frequency or severity of an air quality standards violation or cause a new violation.

The proposed project would include a 1,420,722-square-foot warehouse distribution building. As this is more than 500,000 square feet of floor space, the proposed project would be considered a project of statewide, regional, and/or areawide significance as defined in the CCR (Title 14, Division 6, Chapter 3, Article 13, Section 15206(b)). Because the proposed project would be defined as a regionally significant project under CEQA, it requires analysis based on the SCAG Intergovernmental Review criteria. The SCAG Intergovernmental Review is responsible for providing informational resources to

²³ South Coast Air Quality Management District (SCAQMD). *Final 2022 Air Quality Management Plan*. December 2022.

²⁴ South Coast Air Quality Management District (SCAQMD). *CEQA Air Quality Handbook*. 1993. Website: [http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)) (accessed June 2023).



regionally significant plans, projects, and programs per the *CEQA Guidelines* to facilitate consistency with SCAG's adopted regional plans.²⁵

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 projects may also be permitted, subject to a conditional use permit." 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. Table 4.3.G provides a consistency analysis of the applicable goals and policies within the City of Banning General Plan and the project as it relates to air quality. Refer to Table 4.11.A in Section 4.11, Land Use and Planning, of this EIR for a comprehensive General Plan consistency analysis of the proposed project.

The proposed project is consistent with the City's General Plan and meets SCAG Intergovernmental Review criteria. The City's General Plan is consistent with the SCAG Regional Comprehensive Plan Guidelines and the SCAQMD AQMP. However, as is shown below in Section 4.3.6.2, the project's peak daily emissions of NO_x, even with implementation of **Mitigation Measure AQ-1**, would exceed the SCAQMD threshold of significance for maximum daily emissions of this criteria pollutant. Therefore, the proposed project would result in an increase in the frequency or severity of an air quality standards violation or cause a new air quality standards violation. Thus, although the project is consistent with the City of Banning General Plan, which is consistent with the SCAG Regional Comprehensive Plan Guidelines and the SCAQMD AQMP, the proposed project would not be consistent with the AQMP due to the exceedance of the SCAQMD threshold for NO_x emissions that would be emitted during project operation and cannot be mitigated. This would be a **significant and unavoidable** air quality impact.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Mitigation Measure (MM) AQ-1, prescribed below in Section 4.3.6.2, Criteria Pollutant Analysis, requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce NO_x pollutant emissions to the extent feasible.

Level of Significance After Mitigation: MM AQ-1 requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce emissions. Because many of these strategies would provide emissions reductions that are not quantifiable, even with implementation of **MM AQ-1**, emissions associated with operation of the proposed project would still remain above the SCAQMD significance thresholds. Therefore, the proposed project would not be consistent with the AQMP due to NO_x emissions that would be emitted during project operation, and impacts would remain **significant and unavoidable**.

²⁵ Southern California Association of Governments (SCAG) Intergovernmental Review (IGR). n.d. Website: <https://scag.ca.gov/igr> (accessed June 2023).



Table 4.3.G: Development Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Air Quality Element	
Goal: To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.	
Policy 1: The City shall be proactive in regulating local pollutant emitters and shall cooperate with the Southern California Association of Governments and the South Coast Air Quality Management District to assure compliance with air quality standards.	Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible.
Policy 2: The City shall continue to coordinate and cooperate with local, regional, and federal efforts to monitor, manage and reduce the levels of major pollutants affecting the City and region, with particular emphasis on PM ₁₀ and ozone emissions, as well as other emissions associated with diesel-fueled equipment and motor vehicles.	Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible.
Policy 3: City land use planning efforts shall assure that sensitive receptors are separated from polluting point sources.	Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible.
Policy 4: Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.	Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible.
Policy 5: The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating, and cooling	Consistent: The project would be consistent with all applicable air quality regulations during construction and operation, and would utilize energy-efficient equipment for heating and cooling and facilitate the use of alternative-energy equipment and vehicles to the extent feasible.
Policy 6: The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.	Consistent: The project is designed to be connected by an internal system of pedestrian walkways and paths and is consistent with the General Plan Street System. The project would not significantly affect circulation within or adjacent to the project site. For additional information, see Section 4.17, Transportation, of this EIR.

Source: City of Banning Community Development Department, City of Banning General Plan, January 31, 2006.

EIR = Environmental Impact Report

PM₁₀ = particulate matter less than 10 microns in size

4.3.6.2 Criteria Pollutant Analysis

Threshold 4.3-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable Federal or State ambient air quality standard?

The SCAB is currently designated nonattainment for the federal and State standards for O₃ and PM_{2.5}. In addition, the SCAB is in nonattainment for the PM₁₀ standard. The SCAB's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air



pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is not necessary. The following analysis assesses the potential project-level air quality impacts associated with construction and operation of the proposed project.

Construction Emissions. Construction activities produce combustion emissions from various sources (utility engines, tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change.

On-site construction activities would include demolition, site preparation, grading, building construction, architectural coating, and paving activities. The proposed project would also include roadway construction activities that would consist of grubbing and land clearing, grading and excavation, drainage, utilities, sub-grade, and road paving activities. Construction-related effects on air quality are typically greatest during the grading phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at construction sites. Unless properly controlled, vehicles leaving construction sites would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM₁₀ emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM₁₀ emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. The SCAQMD has established Rule 403 (Fugitive Dust), which would require the contractor to implement measures that would reduce the amount of particulate matter generated during the construction period.

In addition to dust-related PM₁₀ emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO₂, NO_x, VOCs, and some soot particulate (PM_{2.5} and PM₁₀) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.



Construction emissions were estimated for the proposed project using CalEEMod. This analysis assumes that construction of the proposed project would occur for 18 months from the end of 2024 until mid-2026.²⁶ The construction duration is relevant for determining peak daily emissions during construction of the project. Earthwork on site during construction would be balanced. CalEEMod defaults are assumed for the construction activities, off-road equipment, and on-road construction fleet mix and trip lengths.

The maximum daily emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5} that would result from construction of the proposed project are shown in Table 4.3.H and compared to the SCAQMD regional significance thresholds.

Table 4.3.H: Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions (lbs/day)							
	VOCs	NO _x	CO	SO _x	PM ₁₀		PM _{2.5}	
					Exhaust	Fugitive	Exhaust	Fugitive
Onsite Construction								
Demolition	3	43	27	<1	1	20	1	3
Site Preparation	4	36	34	<1	2	9	1	3
Grading	4	35	32	<1	1	6	1	1
Building Construction	4	23	66	<1	1	14	<1	3
Architectural Coating	50	2	9	<1	<1	5	<1	1
On-Site Paving	2	8	11	<1	<1	4	<1	<1
Roadway Construction								
Grubbing and Land Clearing	<1	4	4	<1	<1	4	<1	<1
Grading and Excavation	3	28	32	<1	1	4	1	1
Drainage, Utilities, and Sub-Grade	3	23	25	<1	<1	5	1	1
Road Paving	1	8	13	<1	<1	4	<1	<1
Peak Daily	57	51	98	<1	2	24	2	4
SCAQMD Threshold	75	100	550	150	150		55	
Exceeds Threshold?	No	No	No	No	No		No	

Source: LSA. Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California. Table K. April 2024.

Note: It was assumed that the architectural coatings were applied during the building construction and paving phases. The peak daily emissions also combine emissions from on-site construction with those from roadway construction, per the schedule.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOCs = volatile organic compounds

As shown in Table 4.3.H, construction emissions associated with the proposed project would not exceed the SCAQMD's thresholds. Therefore, construction of the proposed project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is in

²⁶ The 18-months of construction modeled in CalEEMod was assumed to commence June 2024 and end approximately December 2025. Since the duration of construction is not anticipated to change, construction equipment emissions that would be generated using the latest planned construction schedule would either be the same or lower (due to newer, more efficient equipment) than was analyzed in CalEEMod. Therefore, the construction emissions shown in Table 4.3.H are conservative.



nonattainment under an applicable NAAQS or CAAQS. Impacts would be **less than significant**, and mitigation is not required.

Operational Emissions. Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) related to the proposed project. The proposed project would generate emissions from daily operations that would include heavy-duty truck trips from warehouse operations. It was assumed there would be eight pieces of warehouse material handling equipment (e.g., forklifts, material handlers), all electrically powered. The *First Hathaway Logistics Center Local Transportation Analysis*²⁷ determined that the warehouse would generate a total of 1,989 vehicle trips daily, with the project trucks comprising 313 of these trips.

As the distances the warehouse haul trucks will travel is unknown, it was conservatively assumed that the average trip length would be 40 miles, with the other project vehicles matching CalEEMod default trip lengths. PM₁₀ emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM₁₀ occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other particulate matter emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

Energy-source emissions result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas) and the emission factor of the fuel source. Major sources of energy demand include building mechanical systems, such as heating and air conditioning, lighting, and plug-in electronics, such as computers. Greater building or appliance efficiency reduces the amount of energy for a given activity and thus lowers the resultant emissions. The emission factor is determined by the fuel source, with cleaner energy sources, such as renewable energy, producing fewer emissions than conventional sources.

Typically, area-source emissions consist of direct sources of air emissions located at the project site, including architectural coatings and the use of landscape maintenance equipment. Area-source emissions associated with the project would include emissions from the use of landscaping equipment and the use of consumer products.

Emission estimates for operation of the project, assuming compliance with all applicable rules (e.g., SCAQMD Rule 2305, CALGreen), were calculated using CalEEMod and are shown in Table 4.3.I. The peak daily emissions associated with project operations are identified in Table 4.3.I for VOCs, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}.

²⁷ Stantec. *The First Hathaway Logistics Center Local Transportation Analysis*. October 2022.



Table 4.3.I: Project Operation Emissions (lbs/day) Without Mitigation

Source Category	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area-Source Emissions	44	1	62	0	<1	<1
Energy-Source Emissions	<1	7	6	<1	1	1
Mobile-Source Emissions	11	56	195	<1	54	14
Warehouse Equipment Emissions	0	0	0	0	0	0
Total Project Emissions	55	63	263	<1	55	15
SCAQMD Significance Threshold	55	55	550	150	150	55
Exceed Threshold?	No	Yes	No	No	No	No

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table L. April 2024.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOCs = volatile organic compounds

The results shown in Table 4.3.I indicate that the proposed project would not exceed the significance criteria for daily VOCs, CO, SO_x, PM₁₀, and PM_{2.5} emissions; however, the daily emissions of NO_x would exceed the significance criteria for NO_x and mitigation would be required.

Implementation of **MM AQ-1** would be required to reduce NO_x pollutant emissions from the proposed project to the extent feasible. Although **MM AQ-1** would significantly reduce criteria air pollutant emissions generated during operational activities associated with the proposed project, many of these measures would provide emissions reductions that are not quantifiable. **MM AQ-1** includes measures to reduce truck and other operational emissions to the extent feasible. Mitigated emissions are shown in Table 4.3.J, below.

Table 4.3.J: Project Operation Emissions (lbs/day) with Mitigation

Source Type	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area-Source Emissions	34	<1	<1	<1	<1	<1
Energy-Source Emissions	<1	7	6	<1	<1	<1
Mobile-Source Emissions	10	54	187	<1	52	14
Warehouse Equipment Emissions	0	0	0	0	0	0
Total Project Emissions	44	61	193	<1	52	14
SCAQMD Significance Threshold	55	55	550	150	150	55
Exceed Threshold?	No	Yes	No	No	No	No

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table M. April 2024.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOCs = volatile organic compounds

NO_x impacts at the project level are considered cumulatively significant because NO_x emissions are O₃ precursors and would therefore contribute considerably to existing O₃ nonattainment conditions within the SCAB. This is a cumulatively significant impact persisting over the life of the project. O₃



concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.

NO_x consists of nitric oxide (NO), NO₂, and nitrous oxide (N₂O) and are formed when nitrogen combines with oxygen. Their lifespan in the atmosphere ranges from 1 to 7 days for NO and NO₂, to 170 years for N₂O. NO_x are typically created during combustion processes and are major contributors to smog formation and acid deposition (acid rain). Of the seven types of NO_x compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by regional monitors. NO₂ may result in numerous adverse health effects.

Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO₂ at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO₂ in healthy subjects. Larger decreases in lung function are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these subgroups.

In animals, exposure to levels of NO₂ considerably higher than ambient concentrations results in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of O₃ exposure increases when animals are exposed to a combination of O₃ and NO₂.

Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible subgroups for O₃ effects. Short-term exposure (lasting for a few hours) to O₃ at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O₃ levels are associated with increased school absences. In recent years, a correlation between elevated ambient O₃ levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple sports and live in communities with high O₃ levels.

O₃ exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O₃ may be more toxic than exposure to O₃ alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structure changes.

Exposure to NO_x may cause increases in resistance to air flow and airway contraction after short-term exposure in healthy subjects. Larger decreases in lung function are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sensitive groups. Other potential health effects may include increased susceptibility to infections, possibly due to the observed changes in cells



involved in maintaining immune functions, and the effect may increase when exposure involves multiple air pollutants.

Both the State of California and the federal government have established health-based ambient air quality standards to protect the health and welfare of the populace with a reasonable margin of safety. However, the majority of NO_x emissions are derived from vehicle usage, and the proposed project does not have regulatory authority to control tailpipe emissions. The project-level NO_x emissions on their own are not expected to result in a violation of the CAAQS and health-based NAAQS detailed in Table 4.3.B.

As noted in the Brief of Amicus Curiae (Brief) by the SCAQMD in *Sierra Club v. County of Fresno* (Friant Ranch case), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State; thus, it is uniquely situated to express an opinion on how Lead Agencies should correlate air quality impacts with specific health outcomes.²⁸ As a Responsible Agency over air quality pursuant to CEQA, the SCAQMD receives 60 or more CEQA documents each month (approximately 500 per year) and provides comments on as many as 25 or 30 CEQA documents each month.²⁹ Therefore, the *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*³⁰ and the *Health Risk Assessment*³¹ prepared for the proposed project and this EIR rely on SCAQMD expertise, thresholds, and guidance to disclose the proposed project's air quality impacts.

According to the SCAQMD, "SCAQMD staff does not currently know of a way to accurately quantify O₃-related health impacts caused by NO_x or VOC emissions from relatively small projects...On the other hand, this type of analysis may be feasible for projects on a regional scale with very high emission of NO_x and VOCs, where impacts are regional."³² The SCAQMD further stated, "... it takes a large amount of additional precursor emissions to cause a modeled increase in ambient O₃ levels over an entire region. For example, the SCAQMD's 2012 AQMP showed that reducing NO_x by 432 tons per day (157,680 tons/year) and reducing VOC by 187 tons per day (68,255 tons/year) would reduce O₃ levels at the SCAQMD's monitor site with the highest levels by only 9 parts per billion."³³ The SCAQMD performed a health impact analysis in 2011 in which it was "able to correlate [a] very large emissions increase (e.g., 6,620 pounds per day of NO_x (1,208 tons per year), 89,180 pounds per day VOC (16,275

²⁸ Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.

²⁹ Ibid. Page 7.

³⁰ LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California.* April 2024.

³¹ LSA. *Health Risk Assessment for the First Hathaway Logistics Warehouse Project.* April 2024.

³² Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). Page 12. April 6, 2015.

³³ Ibid. Page 11.



tons per year)) to expected health outcomes from O₃ and particulate matter (e.g., 20 premature deaths per year and 89,947 school absences in the year 2030 due to O₃).³⁴

Although project-level NO_x emissions would contribute to existing O₃ nonattainment conditions within the SCAB, O₃ is a highly reactive and unstable gas that is formed when VOCs and NO_x, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight, which cannot be anticipated beyond a measure of a few weeks. As indicated in Table 4.3.J, the proposed project would generate up to 61 pounds of NO_x per day with the implementation of mitigation. The proposed project's daily NO_x emissions output would be approximately 0.9 percent³⁵ of the regional NO_x emissions disclosed in the SCAQMD's 2011 health impact analysis of a large regional project. Therefore, the proposed project is considered a relatively small project with emissions not sufficiently high enough to use regional a modeling program to correlate health effects on a basinwide level, "in part because ozone formation is not linearly related to emissions."³⁶ Individual health effects from exposure to NO_x emission generated by the proposed project would be small and therefore speculative.

Implementation of SCAQMD Rule 2305 and the CARB regulations detailed above in Section 4.3.4.2, State Regulations, would further reduce air pollutant emissions. However, as shown in Table 4.3.J, with implementation of **MM AQ-1**, NO_x emissions associated with the proposed project would remain above the SCAQMD significance thresholds. Therefore, operation of the proposed project would result in a significant impact related to a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable NAAQS or CAAQS. Impacts would be **significant and unavoidable**.

Long-Term Microscale (CO Hot Spot) Analysis. Vehicular trips associated with the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable LOS or with extremely high traffic volumes. In areas with high ambient

³⁴ Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). Page 12. April 6, 2015.

³⁵ Project emissions of 61 pounds of NO_x per day ÷ SCAQMD regional example of 6,620 pounds of NO_x per day = 0.9 percent.

³⁶ Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.



background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Ambient CO levels monitored at the Palm Springs monitoring station, the closest station to the project site, showed a highest recorded 1-hour concentration of 1.1 ppm (the State standard is 20 ppm) and a highest 8-hour concentration of 0.5 ppm (the State standard is 9 ppm) during the past 3 years (Table 4.3.D). The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis.

As described in the *First Hathaway Logistics Center Local Transportation Analysis*,³⁷ the proposed project would generate 114 a.m. peak-hour trips and 142 p.m. peak-hour trips. Given the extremely low level of CO concentrations in the project area and the lack of traffic impacts at any intersections, project-related vehicles are not expected to contribute significantly to or result in CO concentrations exceeding the State or federal CO standards. Impacts related to CO hot spots would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: MM AQ-1, prescribed below, requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce NO_x pollutant emissions to the extent feasible.

- MM AQ-1** The project applicant shall ensure that the following multi-part mitigation measure is implemented during project operation.
- a. All appliances within the project shall be Energy Star-rated appliances.
 - b. All water fixtures shall be water efficient (toilets/urinals: 1.5 gallons per minute [GPM] or less, showerheads: 2.0 GPM or less, and faucets: 1.28 GPM or less).
 - c. All equipment used to maintain the landscaping within the project shall be electric.
 - d. 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 the 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 (City), the South Coast Air Quality Management District (SCAQMD), and the State upon request.

³⁷ Stantec. *The First Hathaway Logistics Center Local Transportation Analysis*. October 2022.



- e. Tenant lease agreements for the project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 5 minutes while on site.
- f. All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- g. Interior- and exterior-facing signs, including signs directed at all project entrances, loading docks and delivery areas, and truck parking areas shall be provided identifying idling restrictions and contact information to report violations to the California Air Resources Board (CARB), SCAQMD, and the building manager.
- h. 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.
- i. Prior to issuance of occupancy permits for the project, the operator shall be required to establish and promote a rideshare program, and to 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, such as carpooling/vanpools, public transit, and biking.
- j. Signs at every truck exit driveway shall be provided showing directional information to the truck route. Signs shall be provided on adjacent local residential streets to indicate trucks are prohibited.
- k. The 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 to make records available for inspection by the City, SCAQMD, and the State upon request.
- l. The tenant shall be required to enroll in the United States Environmental Protection Agency's SmartWay program and shall be required to use carriers that are SmartWay carriers.
- m. The tenant shall be provided with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

Level of Significance After Mitigation: MM AQ-1 requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce emissions. Because many of these strategies would provide emissions reductions that are not quantifiable, even with implementation of



MM AQ-1, emissions associated with operation of the proposed project would still remain above the SCAQMD significance thresholds. Therefore, impacts would remain **significant and unavoidable**.

4.3.6.3 Health Risk on Nearby Sensitive Receptors

Threshold 4.3-3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as people who have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. The project site is bounded by Hathaway Street to the west; undeveloped land to the north, east, and south; and a California Department of Transportation (Caltrans) facility along a portion of the site boundary to the south.

The following sections describe the potential impacts on sensitive receptors from construction and operation of the proposed project.

Localized Impact Analysis. By design, the localized impacts analysis only includes on-site sources; however, the CalEEMod outputs do not separate on-site and off-site emissions for operations. For a worst-case scenario assessment, the emissions detailed in Table 4.3.L assume all area- and energy-source emissions would occur on site, and 5 percent of the project-related new mobile sources (which is an estimate of the amount of project-related on-site vehicle and truck travel) would occur on site. Considering the total trip length included in CalEEMod, the 5 percent assumption is conservative. The results of the LST analysis, summarized in Tables 4.3.K and 4.3.L indicate that the proposed project would not result in an exceedance of SCAQMD LSTs during project construction or operation. Therefore, the proposed project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be **less than significant**. Mitigation is not required.

Table 4.3.K: Construction Localized Impacts Analysis

Emissions Sources	Pollutant Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
On-Site Emissions	36	3	17	5
LST	207	2,392	17	9
Exceeds Threshold?	No	No	No	No

Source: LSA. Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California. Table N. April 2024.

Note: The SRA is Banning Airport, 4 acres, receptors at 75 feet.

CO = carbon monoxide

PM_{2.5} = particulate matter less than 2.5 microns in size

lbs/day = pounds per day

PM₁₀ = particulate matter less than 10 microns in size

LST = localized significance threshold

SRA = Source Receptor Area

NO_x = nitrogen oxides



Table 4.3.L: Long-Term Operational Localized Impacts Analysis

Emissions Sources	Pollutant Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
On-Site Emissions	11	78	4	2
LST	207	2,392	5	3
Exceeds Threshold?	No	No	No	No

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table O. April 2024.

Note: The SRA is Banning Airport, 4 acres, receptors at 75 feet. It was assumed that 5% of VMT would occur on site.

CO = carbon monoxide

lbs/day = pounds per day

LST = localized significance threshold

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SRA = Source Receptor Area

VMT = vehicle miles traveled

Project Operation – Toxic Air Contaminants. To determine the potential health risk to people living and working near the proposed project associated with the exhaust of diesel-powered trucks and equipment, LSA conducted an HRA for the proposed project that is included in **Appendix B-2**. For the purposes of an HRA, short-term emissions are of concern for analyzing acute health impacts, and long-term emissions are of concern for analyzing chronic and carcinogenic health impacts. A screening-level multi-pathway assessment has been conducted. This technique was chosen as recommended in the Office of Environmental Health Hazard Assessment (OEHHA) *Air Toxic Hot Spots Program Risk Assessment Guidelines*.³⁸

The HRA was conducted using three models: (1) CARB’s California Emissions Factor Model, Version 2021 (EMFAC2021)³⁹ for vehicle emissions factors and percentages of fuel type within the overall vehicle fleet; (2) the EPA’s AERMOD air dispersion model⁴⁰ to determine how the TACs would move through the atmosphere after release from sources both on site and along truck routes; and (3) CARB’s HARP model to translate the pollutant concentrations from AERMOD into individual health risks at the nearby sensitive receptor locations.

The HRA includes analyzing the inhalation, dermal soil, mother’s milk, and homegrown produce pathways. This technique was chosen as prescribed in SCAQMD’s *AB 2588 and Rule 1402 Supplemental Guidelines*.⁴¹

³⁸ California Environmental Protection Agency (CalEPA) Office of Environmental Health Hazard Assessment (OEHHA). *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments*. March 2015. Website: <https://oehha.ca.gov/air/air-toxics-hot-spots> (accessed June 2023).

³⁹ California Air Resources Board (CARB). MSEI - Modeling Tools, Emissions Factor Model, Version 2021 (EMFAC2021). Website: www.arb.ca.gov/our-work/programs/mobile-source-emissions-inventory/msei-modeling-tools (accessed June 2023).

⁴⁰ United States Environmental Protection Agency (EPA). AERMOD Modeling System. Website: www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models (accessed June 2023)

⁴¹ South Coast Air Quality Management District (SCAQMD). *AB2588 and Rule 1402 Supplemental Guidelines*. July 2018. Website: www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588supplemental-guidelines.pdf (accessed June 2023).



The OEHHA has determined that long-term exposure to diesel exhaust particulates poses the highest cancer risk of any TAC it has evaluated. Exposure to diesel exhaust can also have immediate health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. In studies with human volunteers, diesel exhaust particles (also known as DPM) made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. For risk assessment procedures, the OEHHA specifies that the surrogate for whole diesel exhaust is DPM.

The conservative nature of this analysis is due primarily to the following three factors:

- The CARB-adopted diesel exhaust unit risk factor (URF) of 300 in 1 million per microgram per cubic meter is based on the upper 95th percentile of estimated risk for each of the epidemiological studies used to develop the URF. Therefore, the risk factor is already representative of the conservative risk posed by DPM.
- The risk estimates assume sensitive residential receptors will be subject to DPM for 24 hours per day, 350 days per year, and that worker receptors will be subject for 8 hours per day, 350 days per year. As a conservative measure, SCAQMD does not recognize indoor adjustments for residents or workers. However, typically people spend the majority of their time indoors at home versus remaining outdoors for 24 hours per day, 350 days per year.⁴²
- The exposure to DPM is assumed to be constant for the given period analyzed (i.e., 30 years for residential and 25 years for workers). However, emissions from DPM would vary from day to day and are expected to substantially decrease in the future with the implementation of standard regulatory requirements, technological advancement to reduce DPM, and the transition to electric trucks. Therefore, the health risk levels from these future trucks would be less than presented in this analysis.

Improvements over the last 40 years to diesel fuel and diesel engines have resulted in lower emissions of some of these TACs.⁴³ These improvements resulted in a 75 percent reduction in particle emissions from diesel-powered trucks and other equipment in 2010 and an 85 percent reduction by 2020 as compared to 2000 levels.⁴⁴ These improvements are anticipated to continue into the foreseeable future. Electric trucks are also on the horizon and, once in use, would eliminate the emissions of DPM.

⁴² In May 1991, the CARB Research Division, in association with the University of California, Berkeley, published research findings titled, *Activity Patterns of California Residents*. The findings of that study indicate that, on average, adults and adolescents in California spent almost 15 hours per day inside their homes and 6 hours in other indoor locations, for a total of 21 hours (87 percent of the day). About 2 hours per day were spent in transit, and just over 1 hour per day was spent in outdoor locations.

⁴³ California Air Resources Board (CARB). Truck and Bus Regulation Compliance Requirement Overview. June 18, 2019. Website: www.arb.ca.gov/msprog/onrdiesel/documents/fsregsum.pdf (accessed June 2023).

⁴⁴ Office of Environmental Health Hazard Assessment (OEHHA). *Health Effects of Diesel Exhaust*. May 21, 2001. Website: oehha.ca.gov/air/health-effects-diesel-exhaust (accessed June 2023).



Emissions Sources. The first step of an HRA is to characterize the project-related emissions of TACs. According to the *First Hathaway Logistics Center Local Transportation Analysis*,⁴⁵ the project would generate 1,989 total daily trips, of which 313 would be trucks. The study did not break down the trucks into subcategories; for this HRA, it was assumed that 70 percent of the trucks would be the large 4+-axle haul trucks and the rest of the trucks would be evenly split between 2-axle and 3-axle trucks.

While the TAC emissions from gasoline-powered vehicles have a small health effect compared to DPM, this HRA includes all the traffic information described and both gasoline- and diesel-powered vehicle emissions. For the diesel exhaust emissions, it is sufficient to only consider the DPM (PM₁₀ and PM_{2.5}) portion of the exhaust; all the TACs for the gasoline exhaust emissions are contained in the ROG emissions. Using speciation data from CARB,⁴⁶ the emission rates of the TAC components in gasoline exhaust are derived from the total ROG emissions. The TAC components of the gasoline vehicle ROG exhaust are 1,3-butadiene, benzene, ethylbenzene, methyl ethyl ketone (MEK), naphthalene, propylene, styrene, toluene, and xylenes.

Because the actual hours of operation and schedules are unknown at this time, the vehicles associated with the project were assumed to operate 24 hours per day, 7 days per week, and 52 weeks per year. Making this assumption is conservative, resulting in higher health risk levels than would occur using fewer hours per day. The trucks would operate in two modes: stationary idling and moving on and off the site. The emissions from trucks while idling result in a much higher concentration of TACs at any nearby sensitive receptors compared to the emissions from moving trucks. This is due to the dispersion of emissions that occurs with distance and with travel of the vehicle. LSA assumed vehicles traveling on site would maneuver slowly, averaging approximately 5 miles per hour (mph), and that vehicles traveling on roadways would average 35 mph. Although the trucks will spend time at higher speeds, their emissions are greater at lower speeds, so using 5 and 35 mph results in a conservative analysis.

For the moving emissions, the truck exhaust emissions were modeled as a series of volume sources along the on-site driveways, along either Wilson Street or Nicolet Street (both built as part of this project) traveling to Hathaway Street. All trucks would then travel south on Hathaway Street and either turn east on Ramsey Street to get on Interstate (I) 10 east or turn west on Ramsey Street to get on I-10 west.

The idling emissions of trucks operating on the project site were modeled as individual point sources at idling locations along the planned loading docks.⁴⁷ Although the idling times of the trucks are regulated to be no more than 5 minutes, it is possible the trucks would stop at the loading dock and one or two other areas on site during a single delivery. For the purposes of this HRA, the idling times per delivery were conservatively assumed to be 15 minutes per delivery.

⁴⁵ Stantec Consulting Services Inc. *First Hathaway Logistics Center Local Transportation Analysis*. October 14, 2022.

⁴⁶ California Air Resources Board (CARB). Speciation Profiles Used in ARB Modeling. Website: www.arb.ca.gov/ei/speciate/speciate.htm (accessed June 2023).

⁴⁷ LSA. *Health Risk Assessment for the First Hathaway Logistics Warehouse Project*. Figure 5. April 2024.



EMFAC2021 was used to determine the emissions factors of idling and operating diesel trucks to determine the total emissions of PM₁₀. Although the TAC of concern from diesel trucks is DPM, EMFAC2021 does not include emissions factors for this TAC. DPM is a component of the overall exhaust from the project-related trucks. This HRA conservatively assumes the DPM emissions to be equal to the PM₁₀ emissions when the DPM is actually only a portion of the overall PM₁₀ in the truck exhaust. While it is expected that the truck emissions rate will continue to reduce over time, an HRA only allows for a single emission rate to represent the entire 30-year exposure period. The use of emissions factors for the earliest year the proposed project could start operations (2025) was selected for this HRA to be conservative. For instance, based on operations starting in 2025, emissions factors for a 2029 vehicle fleet (the midpoint of the 9-year exposure period) or emissions for a 2040 vehicle fleet (the midpoint of the 30-year exposure period) could be used; however, either of these would be less conservative due to vehicle emissions trending lower over time in the future.

Impact Analysis. Exposure to TACs from vehicle exhaust can result in immediate health effects. According to the EPA's Learn About Impacts of Diesel Exhaust and the Diesel Emissions Reduction Act (DERA) website,⁴⁸ exposure to diesel exhaust can lead to serious health conditions like asthma and respiratory illnesses and can worsen existing heart and lung disease, especially in children and the elderly. According to the CARB's Overview: Diesel Exhaust & Health website,⁴⁹ in 2012, additional studies on the cancer-causing potential of diesel exhaust published since CARB's determination led the International Agency for Research on Cancer (IARC, a division of the World Health Organization) to list diesel engine exhaust as "carcinogenic to humans." Emissions from gasoline-powered vehicles contain TACs with short-term acute health effects.

The Acute HI is the ratio of the average short-term (generally 1-hour) ambient concentration of an acutely toxic substance(s) divided by the acute reference exposure level set by the OEHHA. This ratio is repeated for every acutely toxic substance, and all are summed to derive the overall Acute HI. If this Acute HI is above 1, then adverse health effects may occur. Using the modeling methods described above for the proposed project, Table 4.3.M shows the acute health risks from the operation of the proposed project.

Table 4.3.M also shows the carcinogenic and chronic health risks from operation of the proposed project. The residential risk incorporates both the risk for a child living in a residence for 9 years (the standard period of time for child risk) and an adult living in a residence for 30 years (considered a conservative period of time for an individual to live in any one residence). The maximum cancer risk for the residential MEI would be 2.2 in 1 million, less than the threshold of 10 in 1 million. The residential chronic health risks from operation of the proposed project are also shown in Table 4.3.M. Results indicate the chronic health risk impact to residential receptors would be 0.001, which is well below the SCAQMD threshold of 1.0.

⁴⁸ United States Environmental Protection Agency (EPA). Learn About Impacts of Diesel Exhaust and the Diesel Emissions Reduction Act (DERA). Website: www.epa.gov/dera/learn-about-impacts-diesel-exhaust-and-diesel-emissions-reduction-act-dera (accessed June 2023).

⁴⁹ California Air Resources Board (CARB). Overview: Diesel Exhaust & Health. Website: www.arb.ca.gov/resources/overview-diesel-exhaust-and-health (accessed June 2023).



Table 4.3.M: Health Risk Levels for Nearby Residents and Workers

Location	Maximum Cancer Risk	Maximum Noncancer Chronic Risk (Hazard Index)	Maximum Noncancer Acute Risk (Hazard Index)
Residential MEI Risk Levels	2.2 in 1 million	0.001	0.003
Worker MEI Risk Levels	0.55 in 1 million	0.004	0.007
SCAQMD Significance Threshold	10 in 1 million	1.0	1.0
Is Either Significant?	No	No	No

Source: LSA. *Health Risk Assessment for the First Hathaway Logistics Warehouse Project*. Table B. April 2024.

MEI = Maximum Exposed Individual

SCAQMD = South Coast Air Quality Management District

The worker risk incorporates the risk to an adult working for 25 years (considered a conservative period of time for an individual to work in any one place). The maximum cancer risk for the worker MEI would be 0.55 in 1 million, less than the threshold of 10 in 1 million. The maximum chronic health risk impact to worker receptors would be 0.004, which is also well below the SCAQMD risk threshold of 1.0.

As these results show, all health risk levels to nearby residents and workers from project-related emissions of TACs from operation of the proposed project would be below the SCAQMD’s HRA thresholds. As such, health risk impacts related to the exposure of sensitive receptors to substantial pollutant concentrations during project operation would be **less than significant**. Mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain less than significant, and mitigation is not required.

4.3.6.4 Odors

Threshold 4.3-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Heavy-duty equipment on the project site during construction would emit odors, primarily from equipment exhaust. However, the construction activity would cease after individual construction is completed.

SCAQMD Rule 402 regarding nuisances states: “A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”



Examples of odor-generating projects are wastewater treatment plants, compost facilities, landfills, solid-waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The proposed project would include a 1,420,722-square-foot warehouse distribution building; therefore, the proposed project would not include land uses that would be expected to generate odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts from potential odors associated with the proposed project are considered **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain less than significant, and mitigation is not required.

4.3.7 Cumulative Impacts

As defined in the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for air quality. The cumulative impact area for air quality related to the proposed project is the SCAB. Each project in the SCAB is required to comply with SCAQMD rules and regulations and is subject to independent review.

The SCAB is currently designated nonattainment for the federal and State standards for O₃ and PM_{2.5}. In addition, the SCAB is in nonattainment for the PM₁₀ standard. The SCAB's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

Therefore, if the proposed project's annual emissions of construction- or operations-related criteria air pollutants exceed any applicable threshold established by the SCAMQD, the proposed project would result in a considerable contribution to a cumulatively significant impact. As discussed under Threshold 4.3-2, above, construction emissions associated with the proposed project would not exceed the SCAQMD thresholds for VOCs, CO, SO_x, PM_{2.5}, or PM₁₀ emissions. The results shown in Table



4.3.I indicate that operation of the proposed project would not exceed the significance criteria for daily VOCs, CO, SO_x, PM₁₀, and PM_{2.5} emissions; however, the daily emissions of NO_x would exceed the significance criteria for NO_x and mitigation would be required. Even with the implementation of **MM AQ-1**, operational impacts from criteria pollutant emissions would exceed SCAQMD thresholds, which could hinder the attainment of air quality standards. Therefore, air quality emissions associated with the proposed project could result in cumulatively considerable impacts, even with implementation of mitigation. Impacts would be **significant and unavoidable**.



4.4 BIOLOGICAL RESOURCES

This section describes the potential impacts to biological resources that could occur due to construction and operation of the First Hathaway Logistics Project (proposed project). The analysis in this section is based in part on the *Biological Assessment Letter Report for the First Hathaway Redevelopment Project*¹ (Biological Assessment [Appendix C]). In addition, pursuant to *California Environmental Quality Act (CEQA) Guidelines* Section 15125(d), this Environmental Impact Report (EIR) evaluates the proposed project's consistency with the *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*² and other applicable planning documents related to biological resources. This section also incorporates data and information from the City of Banning (City) General Plan, a review of existing resources, technical data, and applicable laws, regulations, and guidelines.

4.4.1 Scoping

The City received one comment pertaining to biological resources from participants of the public scoping meeting held on May 19, 2022, for the proposed project. This comment included:

- **Kathleen Dale:** The issue of concern was that the project site lies within a criteria cell intended to preserve a wildlife corridor as described in the MSHCP, specifically the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage.³ Ms. Dale noted the project required coordination with the Regional Conservation Authority (RCA) for "...impacts affecting this criteria cell," and that the EIR must address potential impacts in this regard and acknowledge this as an element of the project entitlements. In addition, Ms. Dale advised the project's location within an MSHCP Special Linkage Area (San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage) triggers Tribal coordination regarding American Indian lands in this area pursuant to the MSHCP.

The City also received one comment in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to biological resources. The NOP comment was sent to City staff via email dated May 23, 2022, from Kathleen Dale,

¹ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. June 2022. Revised April 2024.

² Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

³ Per the MSHCP (Volume 1, Section 3, page 3-259), "This Special Linkage Area will contribute to assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage. Tribal coordination regarding American Indian Lands will be necessary in this area. The San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage includes locations within and outside the MSHCP Plan Area.) Local permittees will apply the rebuttable presumption of significance in their CEQA review of proposed public and private projects within this Special Linkage Area and apply mitigation measures as appropriate to address the *CEQA Guidelines* question: 'Would the 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?' Draft and Final CEQA documentation prepared by Local Permittees for projects within this Special Linkage Area will be forwarded to the RCA for informational purposes to provide for MSHCP coordination regarding this area."



who reiterated her comments made at the public scoping meeting, as detailed above. For copies of the NOP comment letters, refer to Appendix A of this Draft EIR.

4.4.2 Methodology

The impact analysis presented in this section evaluates potential direct, indirect, and cumulative impacts of the proposed project on biological resources and habitats within the project site and considers whether the proposed project would conflict with relevant plans, policies, or regulations contained in applicable planning documents adopted by the City and other agencies for the purpose of avoiding or mitigating an environmental effect that could cause a significant environmental impact or would result in an environmental impact to biological resources. This section also evaluates the proposed project's consistency with applicable habitat conservation plans, specifically the MSHCP, and relevant policies. Under this approach, a policy or program conflict is not in and of itself considered a significant environmental impact. An inconsistency between the proposed project and an applicable plan is a legal determination that may or may not indicate the likelihood of an environmental impact. In some cases, an inconsistency may result in an underlying physical impact that is significant and would require mitigation.

4.4.2.1 Habitat Assessment and Biological Survey

The evaluation of biological resources as part of a habitat assessment of the project site included literature review, including reports from all recent and historical on-site surveys, and pedestrian field surveys of the project site. The field surveys, including transect surveys, for plant and wildlife species, were conducted on site and augmented with information from databases and other resources.⁴

As discussed in detail below, the project site is within the boundaries of the MSHCP but is not within a MSHCP Criteria Cell, Cell Group, or Core. Furthermore, the site is not located within any of the following MSHCP survey areas:

- Amphibian survey area;
- Mammal survey area;
- Criteria area species survey area (plants); or
- Delhi sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) survey area.

Because the site is not located within MSHCP-designated survey areas for these resources, focused surveys for these resources were not required for MSHCP compliance and, therefore, were not conducted for this analysis.

Section 6.1.2 of the MSHCP defines riparian/riverine areas as, "...lands which contain Habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water

⁴ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. June 2022. Revised April 2024.



flow during all or a portion of the year.”⁵ Riparian/riverine areas as defined by the MSHCP are not present within the survey area; therefore, no delineation of the study area was prepared.

As previously referenced (see footnote 3), the project site is located within an MSHCP Special Linkage Area, specifically the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage. Furthermore, the project site is located within the following MSHCP survey areas:

- Burrowing owl (*Athene cunicularia*) survey area
- Narrow Endemic Plant Species Survey Area (NEPSSA)

Literature Search. Prior to beginning the field surveys, a literature review⁶ was completed to determine the locations and types of biological resources having the potential to exist on site and in the project area. Included in this effort was a review of the MSHCP database and Conservation Summary Report Generator. A review of online topographic databases was used to determine the location of any potential on-site aquatic resource areas (e.g., wetlands or other regulatory water). The Natural Resources Conservation Service (NRCS) online Web Soil Survey tool was accessed to determine the soil type(s) within the study area.

Survey Process. The Biological Study Area (BSA) included the project site plus a 200-foot buffer (500-foot buffer during surveys conducted for the burrowing owl). The project biologist conducted a pedestrian survey of the BSA, walking 100-foot-wide transects. Plants were identified in the field to the lowest taxonomic level sufficient to determine positive identity and status. Plants of uncertain identity were subsequently identified using taxonomic keys, and scientific and common species names were recorded. The presence of a wildlife species was based on direct observation or wildlife sign (e.g., tracks, burrows, nests, scat, or vocalization). Field data compiled for wildlife species included scientific name, common name, and evidence of sign when no direct observations were made. Based on habitat suitability comparisons with reported occupied habitats, the BSA was assessed for its potential to support special-status species. The initial survey of the site occurred on March 1, 2021, with a follow-up survey conducted on November 12, 2021.⁷

Burrowing Owl Surveys. The California Department of Fish and Wildlife’s (CDFW) Special Animals List⁸ shows that burrowing owl is currently designated a “California Species of Concern” by the CDFW, a “Bird of Conservation Concern” by the United States Fish and Wildlife Service (USFWS), and “Sensitive” by the United States Bureau of Land Management (BLM). Burrowing owl is protected by

⁵ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. Section 6.1.2. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

⁶ Literature sources consulted included: USFWS Critical Habitat Mapper and File data, California Natural Diversity Database (CNDDB), and California Native Plant Society Inventory of Rare and Endangered Plants.

⁷ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 7. June 2022. Revised April 2024.

⁸ California Department of Fish and Wildlife (CDFW). Special Animals List. Periodic publication. Sacramento, CA. Page 72. October 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline> (accessed October 2023).



the federal Migratory Bird Treaty Act⁹; California Fish and Game Code Sections 3503, 3503.5, 3513, and 3800¹⁰; and the MSHCP. Suitable foraging, dispersing, and breeding habitat for the burrowing owl was identified on the project site. Focused burrow surveys were conducted on May 30 and 31, 2022 and June 6 and 7, 2022.¹¹ The site was surveyed on foot, mapping the locations of California ground squirrel (*Otospermophilus beecheyi*) burrows and/or manmade “burrow surrogates” that were suitable for burrowing owl use. Focused surveys were completed via early-morning pedestrian transects over 100 percent of those areas of the site identified in the burrow search as having burrows or structures capable of supporting burrowing owls.

Vernal Pool and Fairy Shrimp. The project site was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.¹² Construction for that project consisted of mass grading, rough road installation, and the installation of stormwater infrastructure, including detention basins and a stormwater collection/conveyance system. Some of the detention basins became inundated with stormwater after they were constructed. The inundated basins were evaluated for vernal pool fairy shrimp (*Branchinecta lynchi*) and Riverside fairy shrimp (*Streptocephalus woottoni*).¹³ Although the detention basins do hold water after rain events, as designed, they quickly drain. The underlying substrate is gravel and rock, not the requisite soft-bottom substrate required for vernal pool fairy shrimp and their cysts. As a result of the incompatible substrates and hydrological conditions, vernal pool fairy shrimp and Riverside fairy shrimp are not expected to persist on the project site.¹⁴

⁹ United States Fish and Wildlife Service (USFWS). *A Guide to the Laws and Treaties of the United States for Protecting Migratory Birds*. 2021. Website: <https://www.fws.gov/program/migratory-birds/what-we-do> (accessed October 2023).

¹⁰ California Legislative Information. Fish and Game Code of California. 2021. Website: <http://leginfo.ca.gov/faces/codesTOCSelected.xhtml?tocCode=FGC&tocTitle=+Fish+and+Game+Code+-+FGC> (accessed October 2023).

¹¹ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 7. June 2022. Revised April 2024.

¹² The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.

¹³ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 12. June 2022. Revised April 2024.

¹⁴ Ibid.



4.4.3 Existing Environmental Setting

The project site is in the MSHCP plan area but not within any Criteria Cells, Core Groups, or Cores. The project site is located within a Special Linkage Area that contributes to the assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage.¹⁵

The 94.86-acre project site is currently vacant and substantially disturbed from prior occupation and rough grading. Approximately 30.54 acres of the project site (Assessor's Parcel Numbers [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, with the exception of one building still located in the west-central portion of the project site. A retaining wall ranging from 1 to 6 feet in height and approximately 200 feet in length exists near the southern and eastern areas of the existing building. The balance of the project site (APNs 532-110-003, -008, -009, and -010), consisting of approximately 64.32 acres, was cleared and graded in 2011 for the former Banning Business Park Project.

Overall site topography generally slopes downward to the southeast at a gradient of approximately 4 percent. The existing site grades range from a maximum elevation of approximately 2,334 feet above mean sea level (amsl) in the northwestern corner of the site to a minimum elevation of approximately 2,211 feet amsl in the southeastern corner of the site. Additionally, prior grading of the site established six detention basins ranging from 7 to 14 feet in depth, as well as several slopes located generally along the boundaries of the six parcels composing the project site. Slope inclines range from 2h:1v (horizontal to vertical) to 5h:1v and from 5 to 24 feet in height. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in length, and approximately 4 to 11 feet in height. 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 Banning Business Park Project that was not constructed. Overhead and underground utility lines also traverse the site and along its perimeter.¹⁶

¹⁵ A Criteria Cell is a roughly 160-acre rectangle overlaid onto parcels within the MSHCP Plan Area and that has areas described for conservation (i.e., reserve assembly). Although Ms. Dale commented during the public scoping meeting that the project site is located within an MSHCP criteria cell, a review of the MSHCP indicates the site is not located within a criteria cell. Per the Western Riverside County RCS MSHCP Mapping Tool, the project site "resides outside a MSHCP Criteria Cell." Website: <https://wrcrca.maps.arcgis.com/apps/webappviewer/index.html?id=2b9d4520bd5f4d35add35fb58808c1b7> (accessed October 24, 2023).

¹⁶ A 10-foot fiber optic utility easement within the First Hathaway site extends to the east and west for a total of 16,000 linear feet. On the project site, conduit and handholes and vaults have been installed. The trenching for this unrelated work were backfilled in early 2024. Also, in 2022/2023, SoCalGas Company conducted operations and maintenance on existing facilities in the northwest corner of the project site. The SoCalGas Company graded portions of the northern site boundary and built an above-ground water basin used to test pressure of the existing 30-inch gas main that parallels the Wilson Street corridor along the northern site boundary. The unrelated work has been completed and the area of disturbance has been returned to its pre-disturbance condition.



4.4.3.1 Land Cover

According to the Biological Assessment¹⁷ the land cover within the project consists of graded/disturbed and developed land.

Graded/Disturbed. Approximately 79 acres of the project site is classified as graded/disturbed land. The majority of this area was subject to mass grading for the former Banning Business Park Project. The plant community within the graded areas consists of common stork's-bill (*Erodium* spp.), deer weed (*Lotus scoparius*), Russian thistle (*Salsola tragus*), and prickly lettuce (*Lactuca serriola*), all nonnative species. No native and/or naturally occurring herbaceous layer was present.

Developed. The remaining approximately 16 acres of the project site consists of developed land. Developed lands consist of paved western frontage roadway, the remnant building and paved areas of the Orco Block and Hardscape Company located on the western property line, as well as the graded roads into the site and the infrastructure below/surrounding them. No native vegetation is present within this land cover type.

4.4.3.2 Plant Species

The Western Riverside County MSHCP indicates the project site is not within a Criteria Area Species Survey Area (CASSA) for plants. Plant species observed within the project site were typical of developed and disturbed habitats and included red-stem erodium (*Erodium cicutarium*), prickly lettuce, deer weed, tree tobacco (*Nicotiana glauca*), and Russian thistle.

The project site is located within an MSHCP-designated NEPSSA for the many-stemmed dudleya (*Dudleya multicaulis*) and Marvin's onion (*Allium marvinii*).¹⁸ Neither species was detected during the 2021 biological resource surveys. Both of these plant species are typically found in areas of clay soils. Due to extensive prior site modification, grading, and destruction of on-site soil structure and composition, and the absence of clay soils within the site, there is no potential for either species to occur on site.¹⁹

4.4.3.3 Animal Species

The following animal species were observed on or adjacent to the project site: rock dove (*Columba livia*); common raven (*Corvus corax*); Say's phoebe (*Sayornis saya*); and black-tailed jackrabbit (*Lepus californicus*). As previously noted, the project site is within the MSHCP habitat assessment area for the burrowing owl. No burrowing owls were identified on site.²⁰

¹⁷ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. June 2022. Revised April 2024.

¹⁸ Ibid. Page 10.

¹⁹ Ibid.

²⁰ Ibid.



The San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) is a covered species under the MSHCP²¹ and is designated a “special animal” by the CDFW.^{22,23} The other subspecies of the black-tailed jackrabbit noted in Southern California (*Lepus californicus deserticola*) is not an MSHCP covered species, nor is it identified as a sensitive, special, or species of concern by the CDFW. The project site is located at the extreme eastern edge of the MSHCP area. Previous biological resources reports prepared for the project site as part of the previously approved Banning Business Park Project suggest that the black-tailed jackrabbit occurring on the project site would not be the San Diego black-tailed jackrabbit, as this subspecies is generally more greatly concentrated in other areas of the county.^{24,25}

4.4.3.4 Aquatic Resources

No riparian/riverine and/or jurisdictional features were observed within the survey area, nor were vernal pools, vernal swales, alkali scalds or flats, or other seasonal wet habitats identified during the surveys of the BSA.²⁶

²¹ Riverside County Transportation and Land Management Agency. 2004. *Western Riverside County Multiple Species Habitat Conservation Plan*. Volume 3, Exhibit D-List of Covered Species Adequately Conserved. Website: <https://rctlma.org/multiple-species-habitat-conservation-plan-mshcp-volume-3-exhibit-d-list-covered-species-adequately> (accessed September 28, 2023).

²² California Department of Fish and Wildlife (CDFW). Special Animals List. Periodic publication. Sacramento, CA. Page 86. October 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline> (accessed October 2023). This species has a State Rank of “S3S4” (Vulnerable to Apparently Secure). S3 = Vulnerable (At moderate risk of extirpation in the state due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors) and S4 = Apparently Secure (At a fairly low risk of extirpation in the state due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors). Uncertainty about the status of this species is expressed as a range of values.

²³ The San Diego black-tailed jackrabbit was at one time designated as California Species of Special Concern (SSC), but it is now designated a “Special Animal (SA).” “Special Animals” is a broad term used to refer to all the animal taxa tracked by the CDFW’s California Natural Diversity Database (CNDDB) regardless of their legal or protection status.

²⁴ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 10. June 2022. Revised April 2024.

²⁵ Clusters of occurrences in areas that appear to be important for the conservation of this species are the Lake Skinner-Diamond Valley Lake area, Sycamore Canyon Regional Park, Wildomar-Sedco Hills-Kabian Park, Sage-Wilson Valley, Tule Valley, Gavilan Hill-Lake Mathews, Sycamore Canyon Regional Park, and Jurupa Hills. Other areas that probably are key for this species but do not have frequent occurrences in the database are the Santa Rosa Plateau, the Badlands, Vail Lake-Aguanga, and Anza Valley. Smaller, more isolated populations occur north of the Santa Ana River in the Jurupa Hills and Mira Loma-Glen Avon area, and the old vineyards and disturbed habitats in this region support a surprising number of jackrabbits. As the existing agricultural areas become more urban, jackrabbits probably will be more confined to the undeveloped hills. Clusters of occurrences in the Sun City and Banning-Beaumont areas have been recorded, but increasing urbanization in these areas also likely will result in a decline of jackrabbits. See https://rctlma.org/western-riverside-county-mshcp-species-accounts-mammals#TOC1_12 (accessed September 28, 2023).

²⁶ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 12. June 2022. Revised April 2024.



4.4.4 Regulatory Setting

Policies and regulations that apply to biological resources associated with the proposed project are listed below. Any impacts that conflict with these policies and regulations could be considered significant under CEQA.

4.4.4.1 Federal Regulations

This section summarizes federal regulations related to biological resources that would be applicable to the proposed project.

United States Endangered Species Act. The USFWS, pursuant to the Federal Endangered Species Act (FESA), protects endangered and threatened species. FESA defines an endangered species as a species in danger of extinction throughout all or a significant part of its range and a threatened species as one that is likely to become endangered in the foreseeable future. The USFWS also identifies species proposed for listing as endangered or threatened. Other than for federal actions, there is no formal protection for candidate species under FESA. However, consultation with the USFWS regarding species proposed for listing can prevent project delays that could occur if a species is listed prior to project completion.

Migratory Bird Treaty Act. The federal Migratory Bird Treaty Act (MBTA) governs the take, possession, import, export, transport, selling, purchasing, or bartering of migratory birds and their eggs, parts, and nests. Section 704 of the MBTA states that the United States Secretary of the Interior is authorized and directed to determine if, and by what means, the take of migratory birds should be allowed and to adopt suitable regulations permitting and governing take while ensuring that take is compatible with protection of the species. Most bird species are protected under the MBTA.

4.4.4.2 State Regulations

This section summarizes State regulations related to biological resources that would be applicable to the proposed project.

California Fish and Game Code – Nesting Birds and Raptors. Under the California Fish and Game Code, it is unlawful to take, possess, or needlessly destroy any bird or the nests or eggs of any bird species except as otherwise provided in the California Fish and Game Code and its regulations. This code also specifically protects raptors, including owls. The CDFW considers a disturbance that results in nest abandonment or loss of reproductive effort as take. Disturbances of active nesting territories should be avoided during the nesting season.

California Endangered Species Act. The CDFW, through provisions of the California Administrative Code and policies formulated by the California Fish and Game Commission, regulates plant and animal species in danger of, or threatened with, extinction based on the list of endangered, threatened, and candidate species developed by the Fish and Game Commission. Endangered species are native species or subspecies of plants and animals that are in serious danger of becoming extinct throughout all or a significant part of their range. Threatened species are those species that, although not presently threatened with extinction, are likely to become endangered in the foreseeable future without special protection and management. Candidate species are species that the Fish and Game



Commission has formally noticed as being under review for addition to the list of endangered or threatened species or as a species proposed for listing.

4.4.4.3 Regional Regulations

Western Riverside County Multiple-Species Habitat Conservation Plan. The MSHCP covers 146 species and 14 natural communities within a plan area of about 1.26 million acres, or 1,970 square miles, extending from the western Riverside County boundary to the San Jacinto Mountains. Roughly 506,000 acres are planned for conservation. The MSHCP was implemented in 2003 and is administered by the Western Riverside County RCA.

The purpose of the MSHCP is to conserve large, contiguous blocks of habitat to maintain species richness and density, to ensure population viability, to protect habitats from encroachment, and to reduce nonnative species invasion. The criteria area consists of quarter-section (161-acre) criteria cells within the MSHCP planning boundary that are used to assemble 153,000 acres of new conservation land (the Conservation Area). The MSHCP provides for the assembly of a Reserve consisting of Core Areas and Linkages for the conservation of Covered Species.²⁷ The MSHCP provides an incentive-based program, the Habitat Evaluation and Acquisition Negotiation Strategy, for adding land to the MSHCP. A Core Area is the largest planning unit, and its extent is large enough to support the populations of several species. A Linkage is a habitat connection between Core Areas that is wide and long enough to provide live-in habitat and movement corridors for plants, herbivores, and carnivores. Projects in proximity to the MSHCP Conservation Area may result in edge effects that would adversely affect biological resources within the MSHCP Conservation Area. MSHCP Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) are intended to reduce such indirect effects.

The MSHCP requires focused surveys for certain plant and animal species for development sites within designated survey areas when potential suitable habitat is present. In addition to species that have designated survey areas, surveys for listed riparian birds are required when suitable riparian habitat is present, and surveys for listed fairy shrimp species are required when vernal pools or other suitable habitat is present.

The MSHCP sets forth conservation goals for each covered species. A development project must either demonstrate that the conservation goals for each covered species identified within the development site have been met or prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) Report enumerating mitigation measures to achieve equivalent or superior preservation for each not conserved covered species through deed restriction, conservation easement, or other appropriate method. Mitigation measures may include restoration and/or enhancement of on-site and/or off-site habitat.

The City of Banning was a party to the Implementing Agreement for the MSHCP and is a member of the RCA. Thirteen other cities were parties to the original Implementing Agreement, and four

²⁷ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).



additional cities have become member agencies of the RCA since the Implementing Agreement was adopted in 2004.

“Covered species adequately conserved” under the MSHCP means covered species where the species objectives set forth in the MSHCP are met and which are provided take authorization through the Natural Community Conservation Plan (NCCP) Permit and, for animals, through the FESA Section 10(a) Permit issued for the MSHCP.

MSHCP Mitigation Fees. Developments within the MSHCP Plan Area are charged mitigation fees, which are one of the primary sources of funding for implementing the MSHCP. The current (effective July 1, 2023) mitigation fee for industrial development is \$19,066 per acre,²⁸ payable to the City.

MSHCP Construction Guidelines. Project construction activities would be required to comply with Construction Guidelines set forth in Section 7.5.3 of the MSHCP Plan.

MSHCP Best Management Practices. The design and construction of the proposed project would be required to comply with MSHCP best management practices (BMPs) set forth in Appendix C of the MSHCP Plan.

4.4.4.4 Local Regulations

City of Banning General Plan. The City of Banning’s General Plan is the guiding document for development within Banning. The General Plan designates open space land uses within the city. The following goals and policies are identified in the City’s General Plan Biological Resources Element²⁹ and are relevant to resource conservation for the proposed project:

- **Goal:** A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.
 - **Policy 1:** The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.
 - **Policy 2:** As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land’s value as viable open space.
 - **Policy 5:** The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.

City of Banning Municipal Code. The City’s Municipal Code (Chapter 15.72, Western Riverside County Multiple Species Conservation Plan) regulates implementation of the MSHCP within Banning. Section 15.72.050 details the purpose and procedures for adherence to applicable provisions of the MSHCP, including habitat evaluation, implementation requirements for protection of riparian/riverine areas

²⁸ Western Riverside County Regional Conservation Authority (RCA). *MSHCP Fees*. July 1, 2023. Website: <https://www.wrc-rca.org/development-applications/permits-and-fees/> (accessed October 2023).

²⁹ City of Banning General Plan. *Chapter IV, Environmental Resources, Biological Resources Element*. Adopted January 2006.



and narrow endemic species, conduct of required focused biological species, and compliance with MSHCP guidelines for urban/wildland interface, and requires the imposition of conditions or mitigation to ensure each project complies with the applicable biological resource protection policies detailed in the MSHCP. Additionally, Sections 15.72.060 through 15.72.110 identify requirements for payment of MSHCP fees. The fees collected are to be used to finance the acquisition and perpetual conservation of the natural ecosystems and certain improvements necessary to implement the goals and objectives of the MSHCP.

The following provisions from the City's Municipal Code help minimize light and glare impacts associated with new development projects and are relevant to the proposed project.

Section 17.12.170 (Lighting). This section regulates lighting for commercial and industrial projects. Lighting should only be the minimum required for safety and security and should be limited to 18 to 25 feet in height. Smaller pedestrian-oriented lighting is encouraged in downtown commercial districts. Lighting should also be integrated into the structure's architecture to the greatest extent possible. All lighting fixtures shall have no visible lighting source and must be shielded and directed downward to confine light spread within the site boundaries.

Section 17.24.100 (Lighting). General development standards related to lighting requires that lights do not blink or flash, and are not of unusually high intensity or brightness. Exterior lighting shall be shielded or recessed and directed downward and away from adjoining properties and public rights-of-way.

4.4.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Section IV of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact to biological resources if it would:

- Threshold 4.4.1:** 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 the U.S. Fish and Wildlife Service;
- Threshold 4.4.2:** Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service;
- Threshold 4.4.3:** Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;



Threshold 4.4.4: 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;

Threshold 4.4.5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Threshold 4.4.6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.4.6 Project Impact Analysis

Potential impacts of the project on biological resources are discussed below pursuant to the thresholds established in Section 4.4.5, above.

4.4.6.1 Impact on Candidate, Sensitive, or Special-Status Species

Threshold 4.4-1: Would the 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 the U.S. Fish and Wildlife Service?

Species with the potential to occur on the project site are discussed above in **Section 4.4.3**. Below is an analysis of the potential effects on each of those species.

Burrowing Owl. The burrowing owl is included in the CDFW’s Special Animals List and is designated as a “California Species of Concern,” as well as a “Bird of Conservation Concern” by the USFWS and “Sensitive” by the BLM.³⁰ The species is protected under the federal MBTA; California Fish and Game Code Sections 3503, 3503.5, 3513, and 3800³¹; and locally by the MSHCP.

Focused burrowing owl surveys were conducted in accordance with the MSHCP on multiple dates between May and June 2022 following burrowing owl survey protocols.³² The project site was surveyed on foot, mapping the locations of potential burrows or “burrow surrogates” suitable for burrowing owl use. No suitable burrowing owl burrows are present within the survey area, and no direct observations or burrowing owl sign (feathers, pellets, fecal material, prey remains, etc.) were made during the site assessment and protocol surveys. No potentially suitable burrows were present on site due to extensive disturbances associated with mass grading activities, which can reduce the site’s suitability to support small mammal colonies (e.g., ground squirrel) that could otherwise provide

³⁰ California Department of Fish and Wildlife (CDFW). Special Animals List. Periodic publication. Sacramento, CA. Page 72. October 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline> (accessed October 2023).

³¹ California Legislative Information. Fish and Game Code of California. 2021. Website: <http://leginfo.ca.gov/faces/codesTOCSelected.xhtml?tocCode=FGC&tocTitle=+Fish+and+Game+Code++FGC>.

³² BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Pages 6 and 7. June 2022. Revised April 2024.



potentially suitable burrows for burrowing owl. No ground squirrels (an important indicator species) were observed on site.

Burrowing owls have historically been observed in the general vicinity of the project site, and they could inhabit the survey areas that were previously determined to be unoccupied. Although no evidence of occupation of the site by burrowing owls was identified during 2022 focused surveys, preconstruction burrowing owl surveys are required because it is a mobile species. Potential future occupation of the site by burrowing owls is a potentially significant impact. **Mitigation Measure BIO-1** has been identified to address potential impacts to burrowing owls that may result from development of the project.

Fairy Shrimp. Two species of fairy shrimp, the threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the endangered Riverside fairy shrimp (*Streptocephalus woottoni*), have the potential to be found at the project site or in the vicinity of the project site. During the on-site biological resource surveys, the existing basins excavated for the previously approved Banning Business Park Project were evaluated for these fairy shrimp species. Although the detention basins do hold water after rain events, as designed, they quickly drain. The underlying substrate of these basins consist of gravel and rock, which is not the soft-bottom substrate required for propagation of fairy shrimp. Other vernal pools, vernal swales, alkali scalds or flats, or other seasonal wet habitats more conducive to these species were not identified within the BSA during the biological resource surveys. As such, the BSA lacks suitable habitat for fairy shrimp species or other vernal pool species, including plants.³³

Owing to the lack of suitable habitat, presence of incompatible substrates and hydrological conditions, and the absence of the species during the biological resources surveys, fairy shrimp are not expected to occupy the project site, and **no impact** to this species would occur. Mitigation is not required.

Other Animal Species. Two additional special-status wildlife species, the loggerhead shrike (*Lanius ludovicianus*) and California homed lark (*Eremophila alpestris*), have a low potential to occupy the site. Neither of these species was observed on site during the biological resource surveys, and ideal nesting habitat is not present on the project site for either of these species.³⁴

Although the San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) is a covered subspecies under the MSHCP and is designated a “special animal” by the CDFW, the other subspecies of the black-tailed jackrabbit noted in southern California (*Lepus californicus deserticola*) is neither an MSHCP covered species nor identified as a sensitive, special, or species of concern by the CDFW.³⁵ Previous biological resources³⁶ reports prepared for the project site in 2009 as part of the previously approved Banning Business Park Project suggest that the black-tailed jackrabbit occurring on the project site would not be the San Diego black-tailed jackrabbit, as this subspecies is generally more greatly

³³ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 12. June 2022. Revised April 2024.

³⁴ Ibid. Page 11. June 2022.

³⁵ California Department of Fish and Wildlife (CDFW). Special Animals List. Periodic publication. Sacramento, CA. Page 86. October 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline> (accessed October 2023).

³⁶ Michael Brandman Associates, 2009.



concentrated in other areas of the county, and the project site is located at the extreme limit of its range.^{37,38}

Due to the previously disturbed nature of the site, and due to the absence of special-status wildlife species and special animal species from the site, impacts to these species from development of the proposed project would be **less than significant**. Mitigation is not required.

Plant Species. Narrow-endemic plants with the potential to occur on the site include the many-stemmed dudleya and Marvin's onion. Neither of these plant species were identified during surveys conducted in 2021, and clay soils are required to support them. However, due to extensive prior site modification, grading, destruction of on-site soil structure and composition, and the absence of clay soils within the site, there is no potential for either species to occur on site.³⁹ **No impact** to sensitive plant species would result from development of the project. Mitigation is not required.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: The following mitigation measure (MM) would be applied to the project:

MM BIO-1 Within 30 days prior to commencement of ground-disturbing activities, a pre-construction burrowing owl survey shall be conducted by a qualified biologist. The results of the single 1-day survey shall be submitted to the City of Banning (City) for review prior to issuance of a grading permit. If burrowing owls are not detected during the pre-construction survey, no further mitigation is required.

If burrowing owl are detected during the pre-construction survey, a burrowing owl protection and relocation program shall be prepared by a qualified biologist and submitted to the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) for review and approval. If any burrowing owls are identified on site, the owls shall be relocated/excluded from the site outside of the breeding season (February through August) following accepted protocols, as specified in Multiple Species Habitat Conservation Plan (MSHCP) Section 6.3.2. The project

³⁷ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 10. June 2022. Revised April 2024.

³⁸ Clusters of occurrences in areas that appear to be important for the conservation of this species are the Lake Skinner-Diamond Valley Lake area, Sycamore Canyon Regional Park, Wildomar-Sedco Hills-Kabian Park, Sage-Wilson Valley, Tule Valley, Gavilan Hill-Lake Mathews, Sycamore Canyon Regional Park, and the Jurupa Hills. Other areas that probably are key for this species but do not have frequent occurrences in the database are the Santa Rosa Plateau, the Badlands, Vail Lake-Aguanga, and Anza Valley. Smaller, more isolated populations occur north of the Santa Ana River in the Jurupa Hills and Mira Loma-Glen Avon areas, and the old vineyards and disturbed habitats in this region support a surprising number of jackrabbits. As the existing agricultural areas becomes more urban, jackrabbits probably will be more confined to the undeveloped hills. Clusters of occurrences in the Sun City and Banning-Beaumont areas have been recorded, but increasing urbanization in these areas also likely will result in a decline of jackrabbits. See https://rctlma.org/western-riverside-county-mshcp-species-accounts-mammals#TOC1_12 (accessed September 28, 2023).

³⁹ Ibid.



applicant shall submit evidence to the City that required and applicable provisions of the burrowing owl protection and relocation program (pursuant to applicable California Department of Fish and Wildlife and/or United States Fish and Wildlife Service guidelines) and any subsequent relocation efforts have been satisfied prior to the start of any on-site ground-disturbing activity.

Level of Significance After Mitigation: Implementation of the proposed project would not have a substantial direct or indirect adverse effect, 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 CDFW or USFWS. Due to the mobile nature of the burrowing owl, there is a potential this species may occupy the site prior to ground disturbance. Implementation of **Mitigation Measure BIO-1** would ensure that if this species is present on the site prior to project construction, no direct adverse effects to this species would occur. Therefore, this mitigation measure would reduce impacts to special-status species that may exist on the site to **less than significant with mitigation incorporated**.

4.4.6.2 Damage Riparian or Other Sensitive Natural Community Resources

Threshold 4.4.2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

According to Section 6.12 of the MSHCP, riparian/riverine areas are lands that harbor habitat dominated by trees, shrubs, persistent emergent vegetation, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby freshwater source; or areas with freshwater flow during all or a portion of the year.⁴⁰ As discussed in **Section 4.4.3**, the project site consists of graded/disturbed and developed land as a result of previous mass grading activities and does not contain any riparian areas or other sensitive natural communities. Furthermore, there is no indication of sand transport occurring through and/or near the project site.⁴¹ The nearest Sediment Transport Areas in proximity to the project site are approximately 1.76 miles to the southeast and 2.86 miles to the northeast, respectively, the latter of which also is a Sand Source Area.⁴² No Sand Source/Sand Transport area(s) are mapped on or adjacent to the project site, and the project site does not support active sand dunes or ephemeral sand fields, jurisdictional wetlands, waters, or channels.⁴³ Therefore, development of the project would not substantially or adversely affect any such natural community. **No impact** would occur, and mitigation is not required.

Level of Significance Prior to Mitigation: No Impact.

⁴⁰ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. Section 6.12. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

⁴¹ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 15. June 2022. Revised April 2024.

⁴² Ibid.

⁴³ Ibid.



Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.4.6.3 Effects on Wetlands

Threshold 4.4-3: Would the 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?

No wetland habitat occurs within the project site or the immediate vicinity. As discussed in **Section 4.4.3**, detention basins constructed as part of previously approved mass grading activities occasionally fill with water but drain rapidly by design. No riparian/riverine and/or jurisdictional features were observed within the survey area. In the absence of any such feature on site, the project would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, and coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means. **No impact** would result from project development. Mitigation is not required.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.4.6.4 Wildlife Movement or Nursery Site Impacts

Threshold 4.4-4: Would the 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?

Linkages are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance.⁴⁴ Natural features, such as canyon drainages, ridgelines, or areas with vegetation cover, provide corridors for wildlife travel. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high-population-density areas; and facilitate the exchange of genetic traits between populations.

An important feature of MSHCP is the arrangement of wildlife movement corridors and linkages to facilitate efficient movement between blocks of suitable habitat. Wildlife movement corridors are often linear and facilitate efficient movement by providing adequate cover and lack of physical obstacles for movement, but they do not generally provide the resources to provide live-in habitat.

⁴⁴ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. Volume 1, Part 3.1.4. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).



Wildlife linkages contain the resources that meet the requirements for the species the linkage is intended to preserve and, therefore, provide live-in habitat, enabling seed dispersal and animal movement over a period of generations. Within the context of the MSHCP, each habitat connection may be defined as a corridor or linkage for each species. Therefore, although areas in the MSHCP designated as linkages may in fact serve only as movement corridors for some species, for simplicity, connections between blocks of habitat are always referred to generally as linkages in the MSHCP.⁴⁵

As previously described, the project site is not located within an MSHCP Criteria Cell or identified “Core” Habitat, but it is identified as the San Gorgonio River/San Bernardino-San Jacinto Mountains (Special Linkage). Per the MSHCP (Volume 1, Section 3, page 3-259), “This Special Linkage Area will contribute to assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage” (see Figure 4.4-1). The project site is not located within any natural landscape blocks, essential connectivity areas, or potential riparian connections, as documented in the California Essential Habitat Connectivity Project report.⁴⁶ However, the northeast corner of the project site is located within a Natural Areas Small designation, which are defined as Natural Areas Smaller than 2,000 acres that meet the natural landscape block criteria.⁴⁷ These Natural Areas Small are omitted from the California Essential Habitat Connectivity Project mapping. The primary barriers to wildlife movement include transportation features, urban development, changes in physical landscape, and the alternation of riparian areas through diversion, channelization, or damming.

The project site is located on the western edge of development within the City and is currently enclosed with chain-linked fencing, which currently restricts medium and large terrestrial wildlife species from traversing the site. Small terrestrial wildlife are able to pass through the existing chain-link fence. Additionally, I-10 and the Union Pacific Railroad (UPRR) form an approximately 400-foot-wide barrier to wildlife movement through the city and directly south of the project site. As detailed in Figure 4.4-1, Banning Municipal Airport and a large warehouse building are located south of I-10 and the UPRR. A small drainage feature flows through culverts beneath both I-10 and the UPRR and continues underground north of the freeway and Ramsey Street, effectively eliminating its use for wildlife movement. Additionally, fencing is provided along I-10 and around Banning Municipal Airport. These physical barriers currently inhibit wildlife movements directly northward to/through the project site from the south. Hathaway Street extends from Ramsey Street north along the western project boundary. Suburban development west of Hathaway Street currently prevents wildlife movement eastward to/through the project site from the west.

⁴⁵ Ibid.

⁴⁶ Spencer, W.D., P. Beier, K. Penrod, K. Winters, C. Paulman, H. Rustigian-Romsos, J. Strittholt, M. Parisi, and A. Pettler. 2010. *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California*. Prepared for California Department of Transportation, California Department of Fish and Game, and Federal Highways Administration.

⁴⁷ Ibid.



This page intentionally left blank



LSA

- | | |
|-----------------------|--|
| Project Site | MSHCP Boundary |
| Morongo Tribal Lands | Riverside MSHCP Wildlife Corridor Cores and Linkages |
| Banning City Boundary | Existing Core I |
| Photo Viewpoint | Existing Core K |
| | Proposed Core 3 |
| | Special Linkage Area |



0 2000 4000
FEET

SOURCE: Nearmap (2023), Riverside County (2023), Bureau of Indian Affairs (2023)

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (10/6/2023)

FIGURE 4.4-1



This page intentionally left blank



The San Gorgonio River⁴⁸ is located approximately one mile north of the project site. The river flows from the San Bernardino Mountains through Banning Canyon, passing north of the Robertson's Rock and Sand Quarry operation, before flowing in a southeastern direction to its crossing at I-10, approximately 1.1 miles east of the project site. At this location, bridges over the river allow connectivity between areas north and south of I-10 and the UPRR (see Figure 4.4-2).

Areas immediately upstream and downstream of the San Gorgonio River crossings of I-10 and the UPRR are under the jurisdiction of the Morongo Band of Mission Indians (Morongo).⁴⁹ Natural and manmade features that facilitate wildlife movement include waterways, flood control channels, riparian corridors, and contiguous and semi-contiguous habitat. South of the UPRR bridge, the San Gorgonio River skirts the Robertson's Ready Mix plant in Cabazon. Smith Creek joins the river south of the Cabazon plant and continues to flow in a southeast/east direction along the foothills of the San Jacinto Mountains, eventually joining the Whitewater River. As identified by the MSHCP, the San Gorgonio River provides important connectivity between the San Bernardino and San Jacinto

Mountains to the north and south, respectively.⁵⁰ No Sand Source/Sand Transport area(s) are mapped on or adjacent to the project site, and the project site does not support active sand dunes or ephemeral sand fields, jurisdictional wetlands, waters, or channels.⁵¹ The nearest Sediment Transport Areas in proximity to the project site are approximately 1.76 miles to the southeast and 2.86 miles to the northeast, respectively, the latter of which also is a Sand Source Area.⁵² Although located within a MSHCP Special Linkage Area and close proximity of San Gorgonio River, the project site does not function as a wildlife corridor.

Due to its existing disturbed condition with perimeter chain-linked fencing, location along the edge of developed areas, absence of natural habitat, and the existing manmade features limiting wildlife access to or through the project site, development of the project would not significantly impact wildlife movement. Furthermore, due to its distance from the San Gorgonio River, development of the site would not alter the current ability of the San Gorgonio River to provide habitat connectivity. Furthermore, the proposed project would replace the perimeter chain-linked fencing with decorative wrought iron fencing with pilasters along the perimeter of the site, which would allow small and some medium-sized terrestrial wildlife species to traverse the site. Some medium-sized and larger terrestrial wildlife would continue to be restricted from the project site due to proposed perimeter fencing.

⁴⁸ The San Gorgonio River rises in the San Bernardino Mountains, southwest of San Gorgonio Mountain at the southern base of Galena Peak, within Sand to Snow National Monument. The river flows southwest through Banning Canyon, then cuts through the northeastern portion of the City before flowing east to its confluence with the Whitewater River in the western Coachella Valley.

⁴⁹ Riverside County Mapping Portal. Riverside County Spatial Data. Website: <https://gisopendata-countyofriverside.opendata.arcgis.com/datasets/b9cec1f09eb044daac78bff1a26f906b/explore?location=33.958900%2C-116.803899%2C12.99> (accessed October 2, 2023).

⁵⁰ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. Volume 1, Part 3.1.4. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

⁵¹ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 15. June 2022. Revised April 2024.

⁵² Ibid.



This page intentionally left blank



Photo 1: San Gorgonio River at I-10, view northwest with open space and the San Bernardino Mountains to the north.



Photo 2: San Gorgonio River at Johnson Lane, view southeast with open space and the San Jacinto Mountains beyond the railroad bridge.



This page intentionally left blank



Section 6.1.4 of the MSHCP identifies guidelines to address indirect effects associated with development in proximity to the MSHCP Conservation Area. While not identified within an MSHCP Conservation Area, the site is located at the western edge of an MSHCP Special Linkage. As part of its development approval process, Banning Municipal Code Section 15.72.050(D) generally requires the imposition of conditions (as necessary) to promote compliance with Section 6.1.4 of the MSHCP. The Section 6.1.4 Guidelines include:

- **Drainage:** Incorporation of measures to ensure the quantity and quality of runoff does not adversely alter or degrade biological resources or ecosystems. The project includes **RCMs HYD-1** through **HYD-4** to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) requirements; control erosion and sedimentation, ensure water quality, and satisfy drainage and MS4 Permit requirements (see Section 4.10, Hydrology and Water Quality).
- **Toxics:** Incorporation of measures to ensure the use of chemicals or chemical byproducts does not result in discharges to MSHCP Conservation Areas. The project includes **RCM HAZ-1**, requiring the preparation of a Hazardous Materials Business Plan (HMBP) that governs the treatment of hazardous materials during on-site construction and operation (refer to Section 4.9, Hazards and Hazardous Materials).
- **Lighting:** Incorporation of shielding for project lighting and directing such lighting away from MSHCP Conservation Areas. The City's Municipal Code provides lighting guidelines governing general lighting throughout Banning (Municipal Code Section 17.24.100) and commercial/industrial uses specifically (Municipal Code Section 17.12.170). The City's general lighting requirement disallows blinking, flashing, or light of high intensity or brightness. Exterior lighting must be shielded or recessed so that light is contained within the boundaries of the property on which the lighting is located. Additionally, all lighting is required to be directed downward and away from adjoining properties and public right-of-way (see Section 4.1, Aesthetics).
- **Noise:** For planning purposes, ensuring noise in MSHCP Areas does not exceed the exterior residential noise standard. Operation of the proposed project would not result in long-term exceedances of the City's exterior residential noise standard (see Section 4.13, Noise).
- **Invasive Species:** Prohibition of invasive or nonnative plant species in areas adjacent to MSHCP Conservation Areas. The project's conceptual landscape plan includes a variety of native and drought-tolerant species (see Section, 4.1 Aesthetics, and Figures 4.1-5a-and 4.1-5b). The final landscape material proposed and landscape plan that would be approved by the City would conform to applicable water-efficient and drought-tolerant requirements.

As identified in Figure 4.4-1, areas located directly north of the site, as well as along the majority of the course of the San Gorgonio River through the Special Linkage, are within the jurisdiction of Morongo. Through the implementation of Regulatory Compliance Measures, the project would limit project-related edge effects to remaining undeveloped areas within the Special Linkage.

The site has been previously graded and disturbed and harbors only ruderal and nonnative vegetation. In its current condition, the site provides potential for nesting bird species, although none are



candidate species or species of concern. Regardless, all native, resident, and migratory bird species are federally protected under the MBTA and impacts to these species would **be potentially significant**. To avoid potential effects to nesting birds, a nesting bird preconstruction survey must be conducted by a qualified biologist 3 days prior to ground-disturbing activities. Should nesting birds be found, an exclusionary buffer would be established by the qualified biologist. The buffer may be up to 500 feet in diameter, depending on the species of nesting bird found. This buffer would be clearly marked in the field by construction personnel under the guidance of the qualified biologist, and construction or clearing would not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. Nesting bird habitat within the biological study area would be resurveyed if there is a lapse in construction activities longer than 7 days. The nesting bird preconstruction survey would be implemented through **Mitigation Measure BIO-2**, as described below.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: The following mitigation measure would be applied to the project:

- MM BIO-2** Prior to on-site vegetation clearance, the project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:
- a. The preconstruction nesting survey may be conducted concurrent with the burrowing owl preconstruction survey prescribed in **MM BIO-1**.
 - b. The survey shall be conducted no more than 3 days prior to the initiation of clearance/construction work.
 - c. If preconstruction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required.
 - d. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until the qualified biologist determines that all young have fledged (i.e., are no longer reliant upon the nest).
 - e. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that a preconstruction survey has been conducted and that either: (1) the site is free of any nesting activity; (2) the appropriate buffers will be maintained around on-site nesting activity; and/or (3) construction/grading operations will commence after the completion of on-site nesting activities.

Level of Significance After Mitigation: With the implementation of **MM BIO-2**, the preconstruction survey for nesting bird species would ensure appropriate buffers are established in the event native, resident, and/or migratory birds occupy nests on the project site during construction. Implementation



of **MM BIO-2** would reduce impacts to wildlife movement or nursery sites to **less than significant with mitigation incorporated.**

4.4.6.5 Local Policies and Ordinances Protecting Biological Resources

Threshold 4.4-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project site is located within the MSHCP boundaries. As a Permittee under the MSHCP, the City is required to adopt and maintain its ordinances or resolutions and to amend its General Plan, as appropriate, to implement the requirements and fulfill the purposes of the MSHCP, its Implementing Agreement, and associated Incidental Take Permits issued by the USFWS and CDFW. The City's Municipal Code (Chapter 15.72, Western Riverside County Multiple Species Conservation Plan) regulates implementation of the MSHCP within Banning. Section 15.72.050 details the purpose and procedures for adherence to applicable provisions of the MSHCP, including habitat evaluation, implementation requirements for protection of riparian/riverine areas and narrow endemic species, performance of required focused biological surveys, and compliance with MSHCP guidelines for urban/wildland interface. Compliance with the MSHCP requires the imposition of conditions or mitigation to ensure each project complies with the applicable biological resource protection policies detailed in the MSHCP. Additionally, Sections 15.72.060 through 15.72.110 of the Banning Municipal Code identify requirements for payment of MSHCP fees. The fees collected are to be used to finance the acquisition and perpetual conservation of natural ecosystems and certain improvements necessary to implement the goals and objectives of the MSHCP.

The biological condition of the project site and surrounding area surveyed during the biological resources assessments⁵³ has been evaluated per the requirement of Banning Municipal Code Chapter 15.72. As previously stated the project would not result in significant impacts to on-site biological resources. Furthermore, approximately 16 trees are located on the project site (one in the central portion of the site and approximately 15 in the southeastern portion of the site), which would be removed during grading and therefore be subject to management pursuant to Section 17.32.060 (Removal or destruction of trees) of the Banning Municipal Code. As the project is required to comply with applicable provisions of the Banning Municipal Code and pay appropriate MSHCP fees as established under Banning Municipal Code Chapter 15.72, the project would not conflict with any with any local policies or ordinances protecting biological resources. **No impact** would occur, and no mitigation is required.

Significance Determination prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

⁵³ The Biological Study Area (BSA) included the Project parcels, plus a 200-foot buffer (500-foot buffer for owl surveys).



4.4.6.6 Habitat Conservation Plans

Threshold 4.4-6: Would the 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?

The term “Take” is a formal term defined by FESA and the California Endangered Species Act (CESA) that triggers protection under either or both of these acts. The MSHCP provides “take” allowance for 146 covered species that are listed under FESA or CESA. For projects that trigger a discretionary action under CEQA, impacts to MSHCP-covered resources are mitigated by the MSHCP. As an MSHCP Permittee, the City may confer Take Authorization and approve projects proposed within their respective jurisdictions, as set forth in Sections 7.1 and 7.3.1 of the MSHCP.⁵⁴

The MSHCP Implementing Agreement establishes the City’s obligations under the MSHCP, including: the collection of Local Development Mitigation Fees and other relevant fees; compliance with the processes for the local acquisition obligation; compliance with the policies for the protection of sensitive communities (e.g., riparian/riverine, vernal pool, and narrow endemic); conduct of required focused surveys; and compliance with the BMPs and the siting and design criteria. The City is required to take all necessary and appropriate actions (following its permit enforcement practices and procedures) to enforce the terms of project approvals, including compliance with MSHCP, and to carry out applicable requirements identified in the MSHCP.^{55,56}

As cited previously, the City has enacted Chapter 15.72 of its Municipal Code to codify compliance with the MSHCP. Implementation of **MM BIO-1** and **MM BIO-2** would require preconstruction surveys for burrowing owl and nesting bird species in accordance with MSHCP protections for burrowing owl and other native, resident, and/or migratory birds. On-site development would be required to adhere to applicable provisions of Banning Municipal Code Chapter 15.72, which is required of all development in Banning requiring discretionary approval. Implementation of **MM BIO-1** and **MM BIO-2** would ensure no conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional, or State habitat conservation plan would result from development of the project. **Impacts would be less than significant with mitigation incorporated.**

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: **MM BIO-1** and **MM BIO-2** would be applied to the project.

⁵⁴ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. Sections 7.1 and 7.3.1. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

⁵⁵ The City of Banning is not located within the boundaries of the Stephen’s Kangaroo Rat Habitat Conservation Plan; therefore, it is not subject to provisions of that plan. See: <https://www.rchca.us/DocumentCenter/View/200/SKR-Plan-Area> (accessed October 2, 2023).

⁵⁶ The City of Banning is not located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan; therefore, it is not subject to the provisions of that plan. See: https://cvmshcp.org/Plan-Documents/_system_files/d1-2.pdf (accessed October 2, 2023).



Level of Significance After Mitigation: With implementation of **MM BIO-1** and **MM BIO-2**, preconstruction surveys for burrowing owl and nesting bird species would ensure appropriate buffers are established and management protocols are implemented in the event the special-status burrowing owl or other native, resident, and/or migratory birds occupy nests on the project site during construction. Implementation of **MM BIO-1** and **MM BIO-2** would ensure the proposed project is constructed in accordance with the MSHCP. Impacts would be reduced to **less than significant with mitigation incorporated**.

4.4.7 Cumulative Impacts

Cumulative effects on biological resources consider whether impacts of the project and cumulative projects, when taken as a whole, would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species or on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by the CDFW or the USFWS; have a substantial adverse effect on the environment through removal or filling of wetlands; interfere with migration or wildlife nursery sites; or conflict with local habitat plans. A cumulatively considerable effect would occur if the project, in conjunction with cumulative projects, would result in a significant impact on sensitive species or protected wetlands/riparian resources, or conflict with adopted conservation plans/programs designed to protect biological resources.

As discussed above, the proposed project would not significantly impact protected wetlands, riparian habitat, or other sensitive natural communities; wildlife movement; or wildlife nursery sites. Furthermore, as detailed in Figure 4-1 in Chapter 4, Setting, Impacts, and Mitigation Measures, and Figure 4.4-1, above, the proposed project and the existing Banning Distribution Center (Project #13 on Figure 4-1), along with the Banning Municipal Airport, are located south of I-10 and the UPRR. A small drainage feature flows through culverts beneath both I-10 and the UPRR and continues underground north of the freeway and Ramsey Street, effectively eliminating its use for wildlife movement. Additionally, fencing is provided along I-10 and around Banning Municipal Airport, while the project site is currently enclosed with chain-linked fencing. These physical barriers currently inhibit wildlife movements directly to/through the project site. Therefore, implementation of the proposed project would not result in impacts that are cumulatively significant related to these issues.

As previously identified, impacts on candidate, sensitive, or special-status species from the proposed project would be addressed by adherence to **MM BIO-1** and **MM BIO-2**, which would ensure compliance with MSHCP policies, thus reducing project impacts to **less than significant with mitigation incorporated**.

The cumulative area for jurisdictional features and sediment transport is the Whitewater River watershed. The cumulative projects may result in the modification of existing landforms, vegetation, habitats, jurisdiction features, and sediment transport. The nearest Sediment Transport Areas in proximity to the project site are approximately 1.76 miles to the southeast and 2.86 miles to the northeast, respectively, the latter of which also is a Sand Source Area.⁵⁷ No Sand Source/Sand

⁵⁷ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 15. June 2022. Revised April 2024.



Transport area(s) are mapped on or adjacent to the project site, and the project site does not support active sand dunes or ephemeral sand fields, jurisdictional wetlands, waters, or channels.⁵⁸ Depending on the location and design of each cumulative project and the avoidance measures implemented to avoid these impacts, impacts to sensitive biological resources, habitats, and jurisdictional waters could occur. However, no such riparian/riverine habitats, sensitive natural communities, or wetland habitats occur on the project site. Therefore, development of the project site would not contribute toward the cumulative loss of these resources.

The City of Banning Municipal Code Section 15.72.050 details the purpose and procedures for adherence to applicable provisions of the MSHCP, including habitat evaluation, implementation requirements for protection of riparian/riverine areas and narrow endemic species, conduct of required focused biological species surveys, and compliance with MSHCP guidelines for urban/wildland interface. Chapter 15.72 requires the imposition of conditions or mitigation to ensure each project complies with the applicable biological resource protection policies detailed in the MSHCP. Additionally, as required under the MSHCP, each permittee has established a fee program to collect required MSHCP mitigation fees. Banning Municipal Code Section 15.72.060 identifies the requirements for payment of MSHCP fees. The fees collected are to be used to finance the acquisition and perpetual conservation of the natural ecosystems and certain improvements necessary to implement the goals and objectives of the MSHCP. The mitigation fee must be paid no later than at the issuance of a building permit. MSHCP fees (as of July 1, 2023) for industrial development are \$19,066 per acre.

Significant cumulative effects of the project on MSHCP-covered plants and wildlife, wildlife movement, riparian/riverine areas, and habitat connectivity and covered species are fully mitigated due to the City's status as an MSHCP permittee and the applicable provisions of the City's Municipal Code, which impose MSHCP compliance on discretionary projects that have or may be developed in Banning. The criteria, sensitive, or special-status species known to occur on the project site have been addressed in Section 4.4.6.1 of this EIR. A wide variety of bird species, including other criteria, sensitive, or special-status species, have the potential to occur on the project site, particularly while passing through during migration. These species are all protected under the MBTA, as discussed in Section 4.4.4.1 of this EIR. With compliance with the MBTA, as required of all development, and through implementation of **MM BIO-1** and **MM BIO-2**, impacts to other criteria, sensitive, or special-status species would be **less than significant with mitigation incorporated**, and the proposed project's impacts to biological resources would not be cumulatively considerable.

⁵⁸ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 15. June 2022. Revised April 2024.



4.5 CULTURAL RESOURCES

This section evaluates the potential impacts implementation of the First Hathaway Logistics Project (project) may have on cultural resources. This section establishes the existing context of cultural resources on site and within Banning, identifies the relevant regulatory requirements associated with the evaluation of cultural resources, and defines the thresholds against which potential cultural resource impacts are measured. This section is based, in part, on information from the *Cultural Resources Study for the First Hathaway Project* (Cultural Resources Study)¹ and the City of Banning (City) General Plan.² The project's potential impacts to tribal cultural resources are addressed in Section 4.18: Tribal Cultural Resources of this Environmental Impact Report (EIR).

4.5.1 Scoping

Potential impacts to cultural resources were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received three comment letters in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to cultural resources. For copies of the NOP comment letters, refer to Appendix A of this Draft EIR. NOP comments related to cultural resources included comments from the following:

- The California Native American Heritage Commission (NAHC), April 26, 2022, detailing State procedures for compliance with Assembly Bill (AB) 52, Senate Bill (SB) 18, and other State regulations related to tribal resources and the California Environmental Quality Act (CEQA).
- The Morongo Band of Mission Indians (Morongo), May 13, 2022, discussing the location of the project site within ancestral and traditional use areas of the Morongo, the adjacency of the project site to the Morongo reservation, the sensitivity of cultural resources, and requests for data related to project development. The Morongo formally requested consultation with the City pursuant to AB 52.
- The Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians), May 9, 2022, recognizing that the project site is outside Serrano ancestral territory and that the Yuhaaviatam would not be requesting consultation with the City or review of any documents created for the project.

No questions or issues of concern related to cultural resources were conveyed to the City during the public scoping meeting. As stated previously, a discussion of the project's potential impact relative to tribal cultural resources, including a summary of required consultation efforts, is included in Section 4.18 of this EIR.

¹ Brian F. Smith and Associates, Inc. *Cultural Resources Study for the First Hathaway Project, City of Banning, Riverside County, APNs 532-110-001 to -003 and -008 to -010*. July 26, 2021; revised April 2024.

² City of Banning General Plan, Chapter IV, Environmental Resources Archaeological and Cultural Resources Element. April 18, 2006.



4.5.2 Methodology

The Cultural Resources Study for the project (**Appendix D**) consisted of institutional records searches and an intensive cultural resource survey of the approximately 95-acre project site to locate, record, and evaluate any cultural resources within the project site pursuant to the City's environmental review process and in compliance with CEQA. The study included a review of an archeological records search from the Eastern Information Center (EIC), located at University of California, Riverside (UCR) to assess previous archaeological studies and identify any previously recorded archaeological sites within the project boundaries or in the immediate vicinity. The EIC search also included a standard review of the National Register of Historic Places (NRHP) Index, the Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD), and the OHP Archeological Determinations of Eligibility (ADOE). Land patent records, held by the Bureau of Land Management (BLM) and accessible through the BLM General Land Office (GLO) website, were also reviewed. Records relating to the ownership and developmental history of this project were sought to identify any associated historic persons, historic events, or architectural significance. Records research was conducted at the Brian F. Smith and Associates, Inc. research library, the EIC, the Riverside Historical Society, the Riverside Public Library, and the offices of the Riverside Assessor/County Recorder/County Clerk. In addition, a Sacred Lands File (SLF) search was requested from the NAHC.

Subsequent to the record search, a cultural resources field survey was conducted on March 2, 2021. The field survey included walking evenly spaced survey transects set approximately 10 meters apart across the property while visually inspecting the ground surface. All potentially sensitive areas where cultural resources might be located were closely inspected. Photographs documenting the overall survey conditions were taken frequently. The majority of the ground surface was covered with hardscape³ or vegetation; therefore, ground visibility was generally poor. The entire property appeared to have been previously graded and, at the time of the survey, was characterized as flat and partially paved with one modern structure, the former Orco Block Company building, in the west half of the property and modern trash throughout. No cultural resources were identified during the field survey of the subject property. Off-site areas for potential off-site improvements along public rights-of-way within 200 feet of the project site were surveyed on June 1, 2022.

As discussed in the Cultural Resources Study, the primary objective of the study was to identify the presence of and potential impacts to cultural resources; the goal is not necessarily to answer wide-reaching theories regarding the development of early southern California, but to investigate the role and importance of the identified resources.

Sensitivity for cultural resources in a given area is usually indicated by known settlement patterns, which, in this particular case, include proximity to the San Geronio River and the surrounding terrestrial ecosystems, which are part of an environmental setting that supported a significant precontact population for over 10,000 years. During the precontact period, vegetation near the project provided sufficient food resources to support precontact human occupants. Animals that inhabited the project during precontact times included mammals such as rabbits, squirrels, gophers, mice, rats, deer, and coyotes, in addition to a variety of reptiles and amphibians. The natural setting

3. Hardscape refers to the remnant building and paved areas of the Orco Block and Hardscape Company located on the western property line, as well as the graded roads into the site and the infrastructure below/surrounding them.



of the project during precontact occupation offered a rich nutritional resource base. Fresh water was likely obtainable from the San Gorgonio River (a tributary of the Whitewater River). Historically, the property likely contained the same plant and animal species that are present today.

4.5.3 Existing Environmental Setting

The following describes the existing physical setting of the region, city, and project site as it relates to cultural resources.

4.5.3.1 Regional and Site Context

The City of Banning, including the project site, is located within the Banning Pass, which is a portion of San Gorgonio Pass, south of the San Bernardino Mountains and north of the San Jacinto Mountains. The San Gorgonio Pass is a major geologic divide between the igneous batholithic Peninsular Ranges and the Transverse Ranges, a massive fault block composed of diverse forms of rock. Geologically, the region is characterized by a variety of older and younger alluvial fan sediments that have been shed off the topographic highs of the San Bernardino Mountains and redeposited onto the valley floor below.

The first recorded owner of the project site was the Southern Pacific Railroad Company (SPRR) in 1891. The SPRR was granted the land under the Atlantic and Pacific Railroad Grant of July 27, 1866. With the exception of dirt roads crossing through the property, the project site remained undeveloped and vacant through the 1970s. Between 1976 and 1980, the northwest corner of the project was developed for a truck parking lot. Additionally, one structure was constructed in the center of the developed area and one structure was constructed at the south edge of the developed area by this time. By 1990, portions of the northwest corner of the project appear to have been paved. By 2012, the northwest corner of the project is vacant, with the exception of the structure that was constructed at the south edge of the developed area. From this point on, the developed area remained unchanged until the 2021 survey. Throughout the 20th century, except for earthen roads, the balance of the project site was left vacant.

The project site is characterized as sloping downward to the southeast at a gradient of approximately 4 percent, with elevations ranging between 2,211 and 2,334 feet above mean sea level (amsl). The project site is currently vacant and substantially disturbed from prior occupation and rough grading. Approximately 30.54 acres of the project site (Assessor's Parcel Numbers [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), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.⁴ Additionally, prior grading of

⁴ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.



the site established six detention basins ranging from 7 to 14 feet in depth, as well as several slopes located generally along the boundaries of the six parcels composing the project site. Slope inclines range from 2h:1v (horizontal to vertical) to 5h:1v and range from 5 to 24 feet in height. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in length, and approximately 4 to 11 feet in height.

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 not constructed. Overhead and underground utility lines also traverse the site and run along its perimeter.

The grading of the project site in 2011 subsequent to approval of the Banning Business Park Project has affected the potential to relocate previously identified sites or identified unrecorded cultural resources.

4.5.3.2 City of Banning

The following discussion establishes the historical context of the City of Banning. A detailed discussion of the precontact and ethnographic setting in the Banning area is provided in Section 4.18 of this EIR.

The project site is within the City of Banning, which historically was influenced by the “Smith Ranch” and “Rancho de San Gorgonio.” Rancho de San Gorgonio was never actually formally recorded as a Mexican land grant due to paperwork being lost in transit on the way to Washington, D.C.⁵ Paulino Weaver, a trapper from Tennessee, was one of the first occupants to reside within the area of the San Gorgonio Pass, petitioning Governor Pío Pico for the land grant. Weaver lived in an adobe north of present-day Beaumont into the 1850s.⁶ Weaver and Colonel Isaac Julian Williams owned much of the land within the San Gorgonio Pass.⁷ Although they did not have an official land grant, Weaver and Williams maintained ownership by selling off portions of the land in the mid-1800s.⁸ Dr. Isaac Smith purchased a portion of Weaver’s holdings in 1853, establishing Smith Ranch.⁹ Smith was elected to the California State Assembly in 1857. Smith, along with Stephen St. John and Alfred Bybee, was appointed to lay out Bradshaw Trail. The goal of this task was to create a more reliable access route through the pass to connect with the Los Angeles Basin and the Colorado Desert.¹⁰ The road transected Smith’s property, and the Smith Ranch became known as Smith’s Station and functioned as a prominent stagecoach stop. Smith’s Station operated as a stage stop through the 1860s. From 1864 to 1866, the Bradshaw Trail through Smith’s Station was the single connecting line for passenger, mail, and express travel from southern California to the east. In 1871, James Marshall Gilman, a businessman from New Hampshire, married Smith’s daughter, Martha Benoist Smith. Gilman

⁵ Brian F. Smith and Associates, Inc. *Cultural Resources Study for the First Hathaway Project, City of Banning, Riverside County, APNs 532-110-001 to -003 and -008 to -010*. July 26, 2021; revised April 2024.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.



operated another large ranch also along the Bradshaw Trail just southeast of Smith's Station. The SPRR was built through the area in 1876, providing a more desirable mode of transportation. Although the railroad did diminish the number of people using the stage lines for travel, the railroad ultimately increased the overall traffic through the region.

The community of Banning was originally called "Moore City" after Ransom B. Moore. Moore operated a large cattle ranch in the area and the nearby San Gorgonio Mountains in the early 1860s. The community was eventually renamed "Banning" in the late 1870s in honor of General Phineas Banning, an influential southern California businessman and friend of Moore's. It is generally thought that Moore dedicated the community to his friend in hopes that Banning "would do something nice for the town in return." It is believed that in return for the town being named for him, Banning contributed to the building fund for the construction of the town's Baptist church.

The Banning post office was established on October 11, 1877. In 1883, Moore sold all 500 acres of his holdings, including his water rights, to C.W. Filkes, Riverside's postmaster, and George W. Bryant of Carson, Nevada. Included in the sale was Water Canyon, known then as Johnny Moore Canyon, as well as water flumes built previously by the San Gorgonio Fluming Company. Filkes and Bryant worked to bring water from Johnny Moore Canyon through 8 miles of pipes and flumes to the reservoirs in the valley for the residents of the area. In 1884, the town was subdivided, and the population continued to grow steadily throughout the late 19th century due to its prominent location to transportation routes such as the Bradshaw Trail and the SPRR, which passed through the town, as well as its new access to convenient water sources. By 1890, the town had grown to include a school, a church, a hotel, two grocery stores, a meat market, several stables, a blacksmith, a post office, and a train depot; despite this, however, the economy of the town relied heavily on agriculture and cattle grazing.

The town of Banning was incorporated on February 6, 1913, but it still relied heavily on rural industries. During World War II, the Desert Training Center located to the east of the City in the Sonoran Desert brought an influx of new supportive infrastructure, including the Banning General Military Hospital constructed in 1943, which was used by the United States Army until 1944, when it was transferred to the United States Navy and renamed Naval Convalescent Hospital, Banning. Many of the service personnel who had been brought to the region stayed in the area, contributing to postwar population growth. Banning continued to grow throughout the 20th century, transforming the rural community with the development of subdivisions for single-family homes. The growth in population continued through the early 2000s, turning the town into a burgeoning bedroom community.

4.5.3.3 Research Results

The cultural resources investigation of the project site and vicinity included a records search of previous field surveys and cultural resources that have been identified and recorded on the project site and within a 1-mile radius of the site, as well as an intensive pedestrian survey of the site in anticipation of the proposed project.



Archaeological and Historical Record Search. The records search results indicated 104 cultural resource sites, all historic in age,¹¹ are located within a 1-mile radius of the project site. None of the 104 resource sites are located within the project limits. No recorded precontact resources are located within 1 mile of the project site. The EIC records search indicated that 34 cultural resource studies have previously been conducted within 1 mile of the project site. Seven of these previous studies included all or portions of the project site. The following previously conducted surveys did not indicate the presence of cultural resources within the project site.

- **Underwood (1986):** A linear survey that includes the southern and western boundaries of the site and crosses through the east portion of the site;
- **Beedle (2008):** A linear survey that includes the west boundary of the site;
- **Sander (2010):** Includes a small portion of the southeast corner of the project area conducted for a Southern California Edison Company (SCE) utility pole replacement project;
- **McLean (2013):** An assessment of the northwest portion of the site and the southern boundary; and
- **DeCarlo and Winslow (2015) and DeCarlo (2015):** Assessments for the SCE Upgrade Project on the northwest portion of the site and along the northern project boundary.

A 2004 cultural resources investigation conducted by Tang et al.¹² included the entire project area and consisted of a cultural resources overview completed for the City's General Plan. Based on the literature search for this study, the Banning area is recognized as the location of the ethnohistoric Cahuilla village known as *Pihatapa*. The exact location of the village is unknown; however, historic BLM GLO maps included in the Tang study show two locations situated just to the west and northwest of the subject property. The Tang study did not include a formal field survey and only consisted of a literature and records search of the area and the spot-checking of already-documented sites. The Tang study did not identify cultural resources within the project site.

No properties in the NRHP, the ADOE, or the BERD are located within the limits of the project site. The SLF search results (March 12, 2021) did not indicate the presence of any sacred sites within the search radius.

Archival research indicates a majority of the project site was previously surveyed in 2009 as part of the proposed Banning Business Park Project (formerly the Banning Gateway Project.) The Phase I

¹¹ The records search indicated that none of these resources are located within the project site. Most of the resources identified within the record search are buildings and features associated with the early to mid-20th century development of Banning. No prehistoric artifacts were recorded within 1 mile of the project. The historic resources include 5 trash scatters; 1 isolate; 1 transmission line; a segment of John Street; 2 industrial buildings; 1 airport; 1 church; 3 commercial buildings; 1 railroad segment; 79 single-family residences; 1 single-/multifamily residence; and 8 multifamily residences.

¹² Tang, Bai "Tom," Michael Hogan, Josh Smallwood, and Terri Jacquemain. *Cultural Resources Technical Report City of Banning General Plan*. Unpublished report on file at the Eastern Information Center at the University of California at Riverside, Riverside, California. 2004.



Cultural Resources Assessment¹³ prepared to support the 2009 Initial Study/Mitigated Negative Declaration for the Banning Business Park Project identified two historic sites within the project limits, as follows:

- LSA-OSI0801-H1, a historic artifact scatter; and
- LSA-OSI0801-H2, three historic building foundations.

Both of these features were identified in 2009 south of the Orco Block Company building that currently exists on the project site. Phase II archaeological testing at the sites determined that the resources did not meet the eligibility criteria for listing on the California Register of Historical Resources (CRHR) and were not significant under CEQA criteria.¹⁴

Field Survey. During the field survey (March 2, 2021, and June 1, 2022), paved areas and one modern structure, the Orco Block Company building, were identified within the northwest corner of the project site. Historic research indicates that development of this portion of the project site did not occur until between 1976 and 1980, when the area was graded and two structures were constructed. One of these structures was removed from the property by 2012, leaving only the structure to the south. This structure, however, does not meet the minimum threshold to be considered historic, and it was therefore not evaluated as part of the survey.

No new cultural resources were identified during the course of the archeological field surveys. Furthermore, no cultural resources were identified in the off-site improvement corridors along Hathaway Street to the west, proposed Wilson Street to the north, proposed First Industrial Way to the east, or proposed Nicolet Street to the south. Due to past grading of the project site, the structure pads and historic artifact scatter identified during the 2009 survey for the former Banning Business Park Project were not relocated. Regardless, archival research indicates that any structures or remnants of structures located within the project boundary would not be historic-period structures.

4.5.4 Regulatory Setting

4.5.4.1 Federal Regulations

Section 106 of the National Historic Preservation Act. The eligibility for inclusion on the NRHP is determined by applying the Secretary of the Interior’s criteria, developed by the National Park Service as per provisions of the National Historic Preservation Act, which are essentially identical to the CRHR criteria. The Code of Federal Regulations (CFR) provides the NRHP criteria (36 CFR 60.4) as follows:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting materials, workmanship, feeling, and association and:

¹³ Lange, Fredrick W. 2009. *Cultural Resources Assessment, Banning Business Park, City of Banning, Riverside County, California*. LSA Project OSI0801 (Riverside Office).

¹⁴ Lange, Fredrick W. 2009. *Phase II Archaeological Testing, Banning Business Park, City of Banning, Riverside County, California*. LSA Project OSI0801 (Riverside Office).



- a. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. That are associated with lives of persons significant in our past; or
- c. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. That have yielded, or may be likely to yield, information important in prehistory or history.

4.5.4.2 State Regulations

California Environmental Quality Act Requirements (CEQA). CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the CRHR; (2) included in a local register of historical resources as defined in California Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project’s Lead Agency (PRC Section 21084.1 and *CEQA Guidelines* Section 15064.5(a)). A historical resource consists of:

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.... Generally, a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources (State CEQA Guidelines Section 15064.5(a)(3)).

In accordance with *CEQA Guidelines* Section 15064.5(b), a substantial adverse change in the significance of a historical resource may be a significant effect on the environment.

CEQA requires a Lead Agency to determine whether an archaeological cultural resource meets the definition of a historical resource, a unique archaeological resource, or neither (*CEQA Guidelines* Section 15064.5(c)). Prior to considering potential impacts, the Lead Agency must determine whether an archaeological cultural resource meets the definition of a historical resource in *CEQA Guidelines* Section 15064.5(c)(1). If the archaeological cultural resource meets the definition of a historical resource, it is treated like any other type of historical resource in accordance with *CEQA Guidelines* Section 15126.4. Historical resources have the full advantage of mitigation measures, and treatment of historical resources can include documentation of the resource, avoidance measures, measures for preservation in place, and, as a last resort, data recovery for consequential information about the resource. If the archaeological cultural resource does not meet the definition of a historical resource, then the Lead Agency determines whether it meets the definition of a unique archaeological resource as defined in *CEQA Guidelines* Section 21083.2(g). In practice, however, most archaeological sites that meet the definition of a unique archaeological resource would also meet the definition of a historical resource. Should the archaeological cultural resource meet the definition of a unique archaeological



resource, it must be treated in accordance with *CEQA Guidelines* Section 21083.2. If it can be demonstrated that a project would cause damage to a unique archaeological resource, the Lead Agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Treatments for archaeological resources can include, but are not limited to, avoidance measures, capping or covering sites adequately, or planning parks or open space to incorporate archaeological sites. If the archaeological cultural resource does not meet the definition of a historical resource or an archaeological resource, the effects to the resource are not considered significant effects on the environment (*CEQA Guidelines* Section 15064.5(c)(4)).

California Health and Safety Code Section 7050.5. California Health and Safety Code Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains, until the Coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC would identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Public Resources Code Section 5097.5. PRC Section 5097.5 provides for the protection of cultural resources and prohibits the removal, destruction, injury, or defacement of archaeological features on any lands under the jurisdiction of State or local authorities.

California Register of Historical Resources (PRC Section 5020 et seq.). State law also protects cultural resources by requiring evaluations of the significance of precontact and historic resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in *CEQA Guidelines* Section 15064.5(a). These criteria are nearly identical to those for the NRHP, which are listed above.

The State Historic Preservation Officer (SHPO) maintains the CRHR. Properties listed, or formally designated eligible for listing, on the NRHP are nominated to the CRHR and then selected to be listed on the CRHR, as are State Landmarks and Points of Interest.

The CRHR criteria are based on NRHP criteria. For a property to be eligible for inclusion in the CRHR, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or



4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resource." Fifty years is used as a general estimate of time needed to develop the perspective to understand the resource's significance (California Code of Regulations [CCR] Section 4852[d][2]).

The CRHR also requires that a resource possess integrity, which is defined as "the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (CCR Section 4852[c]). To retain integrity, a resource should have its original location, design, setting, materials, workmanship, feeling, and association. Which of these factors is most important depends on the particular criterion under which the resource is considered eligible for listing.

4.5.4.3 Local Regulations

City of Banning General Plan. The Archaeological and Cultural Resources Element of the City of Banning General Plan describes the documented prehistory and history of the City, including its 20th century development. The following policies pertaining to cultural resources would be applicable to the proposed project:

- Policy 1:** The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposal development projects and other activities.
- Policy 2:** The City shall expand and enhance its prehistoric preservation efforts.
- Policy 3:** Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural resources studies.
- Policy 4:** Sensitive archaeological and historic resources shall be protected from vandalism and illegal collection, to the greatest extent possible.
- Policy 5:** Encourage public participation in and appreciation of the City's cultural heritage.
- Policy 6:** Support the listing of eligible structures or sites as potential historic landmarks and their inclusion in the National Register of Historic Places.
- Policy 7:** The City shall consider offering economic or other incentives, such as direct subsidies or application/permitting fee reductions or waivers, to property owners to encourage the maintenance and enhancement of significant cultural buildings and sites.



City of Banning Municipal Code. The City of Banning Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provision addresses cultural resources:

- **Section 17.24.070 (Environmental Resources/Constraints):** Requires all development proposals to be reviewed for compliance with CEQA. The project proponent may be required to submit specialized studies, including biological resources, cultural resources, geotechnical hazards, hydrology, noise, and traffic, to determine the project's environmental effects.

4.5.5 Thresholds of Significance

The City has not established local CEQA guidance thresholds for this impact area as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact to cultural resources if the project would:

- Threshold 4.5.1: Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5;**
- Threshold 4.5.2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or**
- Threshold 4.5.3: Disturb any human remains, including those interred outside of dedicated cemeteries.**

4.5.6 Project Impact Analysis

4.5.6.1 Historic and Archaeological Resources

Threshold 4.5.1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Threshold 4.5.2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

As stated previously, seven previous surveys maintained at the EIC included all or portions of the project site. The Cultural Resources Assessment¹⁵ for the previously approved Banning Business Park project identified a historic artifact scatter and three historic building foundations on-site. Due to subsequent grading of the project site, related to the Banning Business Park project, these resources were not identified on site during the most recent archeological surveys in 2021 and 2022. The potential for historic sites is higher, as most of the recorded resources in the region are associated with development of the region during the early to mid-20th century.

Although no cultural resources are currently identified within the project site, the site is located directly adjacent to the southern boundary of the Morongo Reservation and in close proximity to two

¹⁵ Lange, Fredrick W. 2009. *Cultural Resources Assessment, Banning Business Park, City of Banning, Riverside County, California*. LSA Project OSI0801 (Riverside Office).



mapped locations of the ethnohistoric Cahuilla village known as *Pihatapa*. Furthermore, the project is just south of the San Gorgonio River, which was utilized by the precontact inhabitants of the region. These factors heighten the potential for the discovery of archeological material during the course of ground-disturbing activities.

Implementation of the following mitigation measures would reduce the proposed project's potential impacts to archaeological and historical resources to a ***less than significant*** level.

Level of Significance Prior to Mitigation: Potentially significant impacts to unidentified historic and archaeological resources during ground-disturbing activities.

Regulatory Compliance Measures and Mitigation Measures: The following mitigation measures would be implemented to reduce potential impacts to historical or archaeological resources during project construction:

MM CUL-1: Native American Treatment Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Agreement with the Morongo Band of Mission Indians (Morongo) for the project. The Tribal Monitor shall be on site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

MM CUL-2: Retention of Archaeologist. Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a qualified archaeologist who meets the United States Secretary of the Interior Standards (SOI). The archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities, as well as the procedures to be followed in such an event.

MM CUL-3: Cultural Resource Management Plan Prior to any ground-disturbing activities, the project archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This plan shall be written in consultation with the Cultural Resource Management Plan consulting Tribe(s) and shall include the following: approved mitigation measures/Conditions of Approval (COAs), contact information



for all pertinent parties, parties' responsibilities, procedures for each mitigation measure or COA, and an overview of the project schedule.

MM CUL-4: Pre-Grade Meeting. The retained qualified archeologist and Consulting Tribe(s) representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

MM CUL-5: On-Site Monitoring. During all ground-disturbing activities, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

MM CUL-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are unearthed during construction, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbing activities in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier shall be constructed. All work shall be diverted away from the vicinity of the find so that the find can be evaluated by the qualified archaeologist and Tribal Monitor(s). The archaeologist shall notify the Lead Agency and consulting Tribe(s) of said discovery. The qualified archaeologist, in consultation with the Lead Agency, the consulting Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the qualified archaeologist in consultation with the Tribe(s) and the Native American monitor(s) and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- a. Full avoidance.
- b. If avoidance is not feasible, preservation in place.
- c. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or deed restriction.



- d. If all other options are proven to be infeasible, data recovery shall be conducted through excavation, followed by curation of the items in a curation facility that meets the Federal Curation Standards (CFR Section 79.1).

MM CUL-7: Inadvertent Discovery of Human Remains. Morongo requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. **No photographs are to be taken except by the Coroner, with written approval by the consulting Tribe(s).**

- a. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing; grubbing; tree and bush removal; grading; trenching; fence post placement and removal; construction excavation; excavation for all water supply, electrical, and irrigation lines; and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected, and project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of determination pursuant to subdivision (c) of California Health and Safety Code (HSC) §7050.5.
- c. The NAHC shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.
- d. If Morongo has been named the MLD, the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance, where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). The reburial location of human remains and/or cremations will be determined by the Tribe's MLD, the landowner, and the City of Banning Planning Department.

MM CUL-8: Final Report: The final report(s) created as a part of the project (ATMP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe(s) for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center and the Consulting Tribe(s).



Level of Significance After Mitigation: Compliance with **Mitigation Measures MM CUL-1** through **MM CUL-8** would ensure the project would be conditioned to include Native American and professional archaeological monitoring during ground-disturbing activities. Excavation and/or construction activities would cease if cultural, tribal cultural, archaeological resources, or human remains are identified and would be managed in accordance with a project-specific Cultural Resource Management Plan (CRMP). These measures also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. With implementation of **MM CUL-1** through **MM CUL-8**, impacts would be reduced to less than significant.

4.5.6.2 Human Remains

Threshold 4.5.3: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Although no human remains have been identified during previous on-site grading operations, the potential to unearth such remains during construction cannot be completely ruled out. In the event that human remains are identified during grading and construction activities, **MM CUL-7** would apply (as appropriate). Any remains identified on-site would be treated in accordance with Section 7050.5 of the California Health and Safety Code (HSC) and PRC Section 5097.98, as appropriate.

Section 7050.5 of the HSC states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains, until the Coroner of Riverside County has determined whether or not the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the County Coroner must notify the NAHC within 24 hours of this identification. The NAHC would identify a Native American MLD to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

PRC Section 5097.98 states that the NAHC, upon notification of the discovery of Native American human remains, pursuant to HSC Section 7050.5, shall immediately notify those persons (i.e., MLD).

Level of Significance Prior to Mitigation: Less than Significant.

Mitigation Measures: Refer to **MM CUL-7** in Section 4.5.6.1, above.

Level of Significance After Mitigation: With implementation of **MM CUL-7**, any human remains identified on site would be treated in accordance with HSC Section 7050.5 and PRC Section 5097.98, as appropriate, and impacts would be reduced to less than significant.

4.5.7 Cumulative Impacts

The cultural resources survey areas and the survey reports included the project site and off-site improvement areas. As stated in Section 4.5.6, above, the historic artifact scatter and building foundations previously recorded on the project site do not meet the eligibility criteria for listing on the CRHR and were not identified on site during the most recent archeological surveys in 2021 and 2022.



The project site is located adjacent to the southern boundary of the Morongo Band of Mission Indians' Reservation and in close proximity to two mapped locations of the ethnohistoric Cahuilla village known as *Pihatapa*. Furthermore, the project is just south of the San Gorgonio River, which historically has been utilized for sustenance by the inhabitants of the region. These factors heighten the potential for the discovery of archeological material during the course of ground-disturbing activities. As detailed in Section 4.5.6, above, **MM CUL-1** through **MM CUL-8** have been identified, the implementation of which would ensure project-related impacts to cultural resources and human remains remain less than significant.

Ground disturbance associated with the project and other cumulative projects could potentially affect previously unidentified archaeological sites and/or associated human remains. The City's General Plan EIR¹⁶ states, ". . . All development or land use proposals, which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase 1 studies and appropriate mitigation measures shall be incorporated into project approvals."

Accordingly, the cumulative projects have, are, or will complete project-specific cultural resource assessments required under the City's General Plan and impacts on known or previously unknown cultural resources on adjacent sites would be mitigated to less than significant levels with appropriate mitigation measures adopted as part of the respective approvals of those projects. Other development projects would be required to undergo discretionary review and would be subject to the same resource protection requirements and CEQA process as the proposed project, which would reduce those impacts to less than significant levels. Therefore, with implementation of appropriate project-specific mitigation, cumulative impacts to cultural resources would be rendered **less than significant with mitigation incorporated**, and the proposed project would not contribute to a cumulatively considerable impact.

¹⁶ Terra Nova Planning and Research. *City of Banning Comprehensive General Plan EIR*. Section III(G)(3). Page III-143. 2005.



4.6 ENERGY

This section describes energy use resulting from implementation of the First Hathaway Logistics Project (project) and evaluates whether the proposed project would result in the wasteful, inefficient, or unnecessary consumption of energy resources or conflict with any applicable plans for renewable energy and energy efficiency. The analysis in this section is based on the findings of the *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*¹ prepared for the proposed project (**Appendix B-1**).

4.6.1 Scoping

Potential impacts related to energy were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City of Banning (City) received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts related to energy. For copies of the NOP comment letters, refer to **Appendix A** of this Environmental Impact Report (EIR).

4.6.2 Methodology

This analysis focuses on the four sources of energy that are relevant to the proposed project: electricity, natural gas, the equipment fuel necessary for project construction, and the vehicle fuel necessary for project operations. For the purposes of this analysis, the amount of electricity, natural gas, construction fuel, and fuel use from operations are quantified and compared to that consumed in Riverside County. The electricity/natural gas use of the proposed project is analyzed as a whole on an annual basis.

The analysis of electricity/natural gas usage is based on the California Emissions Estimator Model (CalEEMod) modeling conducted by LSA, which quantifies energy use for project operations. CalEEMod quantifies direct emissions from construction and operations (including vehicle use), as well as indirect emissions, such as greenhouse gas (GHG) emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available, including data from the California Energy Commission (CEC). CalEEMod contains default values for estimating utility consumption (e.g., water, electricity, natural gas) that may be used in preparation of energy analyses. Additionally, it should also be noted that the energy use factors included in CalEEMod, which was used to estimate energy for the proposed project, are based on the CEC-sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies, which provide a more conservative assumption based on actual use surveys and are the best available information for purposes of this assessment. As such, CalEEMod is appropriate for use in energy analyses.

¹ LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. April 2024.



Fuel consumption (diesel fuel and gasoline) from vehicle trips during operation was estimated based on the traffic analysis in conjunction with United States Department of Transportation (USDOT) fuel efficiency data.

4.6.3 Existing Environmental Setting

This section describes existing energy providers within Banning and within the jurisdiction of the project site.

4.6.3.1 Electricity

Electricity is a manmade resource. The production of electricity requires the consumption or conversion of energy resources (including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources) into energy. Electricity is used for a variety of purposes, including lighting, heating, cooling, and refrigeration, as well as operating appliances, computers, electronics, machinery, and public transportation systems.²

According to the most recent data available, in 2021, California's electricity was generated primarily by natural gas (37.9 percent), renewable (33.6 percent), large hydroelectric (9.2 percent), nuclear (9.3 percent), coal (3.0 percent), and other unspecified sources. Total electric generation in California in 2020 was 272,576 gigawatt-hours (GWh), down 2 percent from the 2019 total generation of 277,704 GWh.³

Under existing conditions, the project site is vacant; therefore, there is currently no electricity consumed within the project site. The project site is within the service territory of the Banning Electric Utility (BEU). The BEU is a not-for-profit, publicly owned retail electrical energy distribution utility with six distribution substations and 134 miles of power lines serving nearly 13,500 citizens and businesses. The BEU is a member of the Southern California Public Power Authority (SCPPA), which allows for effective planning, construction, management, and operations of electrical energy resources.⁴ According to the CEC, total electricity consumption in the BEU service area in 2021 was 148.755 GWh (50.578 GWh for the commercial sector).⁵ In Riverside County, total electricity consumption in 2021 was 16,767.236 GWh (8,510.527 GWh for the residential sector and 8,256.709 GWh for the nonresidential sector).⁶ The BEU has historically obtained electricity from a variety of sources (e.g., San Juan Generating Station Unit 3 and the Palo Verde Nuclear Generating Station), has direct entitlements to hydroelectric output from Hoover Dam, and has an interest in power purchase agreements between the SCPPA and geothermal energy facilities in Imperial County. Additionally, the

² United States Energy Information Administration (EIA). Electricity Explained. 2020. Website: <https://www.eia.gov/energyexplained/electricity/> (accessed June 2023).

³ California Energy Commission (CEC). *2020 Total System Electric Generation*. 2022. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation> (accessed June 2023).

⁴ Banning Electric Utility (BEU). 2022. Website: www.ci.banning.ca.us/57/Banning-Electric-Utility (accessed September 2023).

⁵ California Energy Commission (CEC). Electricity Consumption by Entity. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed August 31, 2023).

⁶ California Energy Commission (CEC). Electricity Consumption by County. 2023. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed August 31, 2023).



BEU makes purchases in the wholesale market to cover its summer peaking and capacity requirements. The nearest City substation to the project site is the South Alola substation near Interstate 10 (I-10). The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5-kilovolt (kV)/12.47 kV step-down power transformation substation in the future under a separate action. Development of the future substation would be subject to environmental review at the time it is proposed.

4.6.3.2 Natural Gas

Natural gas is a nonrenewable fossil fuel. Fossil fuels are formed when layers of decomposing plant and animal matter are exposed to intense heat and pressure under the surface of the Earth over millions of years. Natural gas is a combustible mixture of hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas is found in naturally occurring reservoirs in deep underground rock formations. Natural gas is used for a variety of uses (e.g., heating buildings, generating electricity, and powering appliances such as stoves, washing machines and dryers, gas fireplaces, and gas grills).⁷

Natural gas consumed in California is used for electricity generation (45 percent), residential uses (21 percent), industrial uses (25 percent), and commercial uses (9 percent). California continues to depend on out-of-state imports for nearly 90 percent of its natural gas supply.⁸

As mentioned above, the project site is vacant; therefore, there is currently no natural gas consumed within the project site. The Southern California Gas Company (SoCalGas), which is regulated by the California Public Utilities Commission (CPUC), is the natural gas service provider for the project site. SoCalGas provides natural gas to approximately 21.8 million people within a 24,000-square-mile service area throughout Central and Southern California, from Visalia to the Mexican border.⁹ According to the CEC, total natural gas consumption in Riverside County in 2021 was 430.8 million therms (287 million therms for the residential sector and 144 therms for the nonresidential sector).¹⁰ SoCalGas supplies natural gas to the city.

4.6.3.3 Petroleum/Transportation Energy

Petroleum is also a nonrenewable fossil fuel. Petroleum is a thick, flammable, yellow-to-black mixture of gaseous, liquid, and solid hydrocarbons that occurs naturally beneath the Earth's surface. Petroleum is primarily recovered by oil drilling. It is refined into a large number of consumer products, primarily fuel oil, gasoline, and diesel.

⁷ United States Energy Information Administration (EIA). Natural Gas Explained- Use of Natural Gas. 2020. Website: https://www.eia.gov/energyexplained/index.php?page=natural_gas_use (accessed June 2023).

⁸ California Energy Commission (CEC). Supply and Demand of Natural Gas in California. 2020. Website: https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california_ (accessed June 2023).

⁹ Southern California Gas Company (SoCalGas). About SoCalGas. 2020. Website: <https://www3.socalgas.com/about-us/company-profile> (accessed June 2023).

¹⁰ California Energy Commission (CEC). Gas Consumption by County. 2022. Website: <http://www.ecdms.energy.ca.gov/gasbycounty.aspx> (accessed September 2023).



The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles [SUVs]) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.9 mpg in 2020.¹¹ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. This act, which originally mandated a national fuel economy standard of 35 mpg by 2020,¹² applies to cars and light trucks of model years 2011 through 2020. In March 2020, the United States Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) finalized the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks, further detailed below.

Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and SUVs. According to the most recent data available, total gasoline consumption in California was 289,918 thousand barrels or 1,464.7 trillion British Thermal Units (BTU) in 2021.^{13,14} Of the total gasoline consumption, 273,289 thousand barrels or 1,380.7 trillion BTU were consumed for transportation.¹⁵ Based on fuel consumption obtained from the California Air Resources Board's (CARB) California Emissions Factor Model, Version 2021 (EMFAC2021), approximately 915.5 million gallons of gasoline and approximately 321.6 million gallons of diesel will be consumed from vehicle trips in Riverside County in 2023.

4.6.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) regulations applicable to the proposed project with regard to energy.

4.6.4.1 Federal Regulations

The following federal regulations would be applicable to the proposed project:

Corporate Average Fuel Economy. Congress first passed the Corporate Average Fuel Economy (CAFE) law in 1975 to increase the fuel economy of cars and light-duty trucks. CAFE standards are federal regulations that are set to reduce energy consumed by on-road motor vehicles. The USDOT's NHTSA regulates the standards, and the EPA measures vehicle fuel efficiency. The standards specify minimum fuel consumption efficiency standards for new automobiles sold in the United States. The law has become more stringent over time.

¹¹ United States Department of Transportation (USDOT). "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: <https://www.bts.dot.gov/bts/bts/content/average-fuel-efficiency-us-light-duty-vehicles> (accessed June 2023).

¹² United States Department of Energy. 2007. "Energy Independence & Security Act of 2007." Website: <https://www.afdc.energy.gov/laws/eisa> (accessed June 2023).

¹³ United States Energy Information Administration (EIA). California State Profile and Energy Estimates, Data. 2022. Website: www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=CA (accessed September 2023).

¹⁴ A British thermal unit is defined as the amount of heat required to raise the temperature of 1 pound of water by 1 degree Fahrenheit.

¹⁵ United States Energy Information Administration (EIA). California State Profile and Energy Estimates. Table F3: Motor gasoline consumption, price, and expenditure estimates, 2018. 2020. Website: [eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=CA](http://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=CA) (accessed June 2023).



On May 19, 2009, President Barack Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the United States. On April 1, 2010, the EPA and NHTSA announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the United States. The first phase of the national program applied to passenger cars, light-duty trucks, and medium-duty passenger vehicles for model years 2012 through 2016.

On September 15, 2011, the EPA and the USDOT issued a final rule for the first national standards to improve fuel efficiency of medium- and heavy-duty trucks and buses for model years 2014 to 2018. For combination tractors, the agencies proposed engine and vehicle standards that would achieve up to a 20 percent reduction in fuel consumption from model year 2014 to model year 2018. For heavy-duty pickup trucks and vans, the agencies proposed separate gasoline and diesel truck standards, which would achieve up to a 10 percent reduction from the model year 2014 for gasoline vehicles and a 15 percent reduction for diesel vehicles (12 and 17 percent, respectively, if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10 percent reduction from model year 2014 in fuel consumption. On October 25, 2016, the EPA and USDOT issued Phase 2 of the national standards to improve fuel efficiency standards for medium- and heavy-duty trucks and buses for model years 2021 to 2027 to achieve vehicle fuel savings as high as 25 percent, depending on the vehicle category.

On August 2, 2018, the previous administration released a notice of proposed rulemaking, The SAFE Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule) to amend the CAFE and GHG emission standards established in 2012 for model years 2021 through 2026. The SAFE Vehicles Rule would decrease fuel economy and would withdraw the California Waiver for the Advanced Clean Car program, the Zero-Emissions Vehicle mandate, and GHG emission standards for model years 2021 through 2026.

The current administration withdrew portions of the SAFE Vehicles Rule, concluding that the rule overstepped the agency's legal authority, and finalized updated CAFE Standards for model years 2024 through 2026. The final rule establishes standards that would require an industry-wide fleet average of approximately 49 mpg for passenger cars and light trucks in model year 2026 by increasing fuel efficiency by 8 percent annually for model years 2024 and 2025, and 10 percent annually for model year 2026. The agency projects the final standards will save consumers nearly \$1,400 in total fuel expenses over the lifetimes of vehicles produced in these model years and avoid the consumption of about 234 billion gallons of gasoline between model years 2030 and 2050. The NHTSA also projects that the standards will cut GHGs from the atmosphere, reduce air pollution, and reduce the country's dependence on oil.

Energy Independence and Security Act of 2007. The Energy Independence and Security Act of 2007 (Public Law 110–140) seeks to provide the nation with greater energy independence and security by increasing the production of clean renewable fuels; improving vehicle fuel economy; and increasing the efficiency of products, buildings, and vehicles. It also seeks to improve the energy performance of the federal government. The act sets increased CAFE Standards; the Renewable Fuel Standard; appliance energy efficiency standards; building energy efficiency standards; and accelerated research and development tasks on renewable energy sources (e.g., solar energy, geothermal energy, and marine and hydrokinetic renewable energy technologies), carbon capture, and sequestration.



Energy Policy Act of 2005. The Energy Policy Act of 2005 was passed by the United States Congress on July 29, 2005, and signed into law by President George W. Bush on August 8, 2005. It was the first major energy law enacted by the federal government in over a decade. The Energy Policy Act of 2005 seeks to reduce reliance on nonrenewable energy resources and provide incentives to reduce current demand on these resources. For example, under this act, consumers and businesses can obtain federal tax credits for purchasing fuel-efficient appliances and products (including hybrid vehicles), building energy-efficient buildings, and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary microturbine power plants, and solar power equipment.

4.6.4.2 State Regulations

The following State regulations would be applicable to the proposed project.

Assembly Bill 1575, Warren-Alquist Act. In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted Assembly Bill (AB) 1575 (also known as the Warren-Alquist Act), which created the CEC. The statutory mission of the CEC is to forecast future energy needs; license power plants of 50 megawatts (MW) or larger; develop energy technologies and renewable energy resources; plan for and direct State responses to energy emergencies; and, perhaps most importantly, promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code (PRC) Section 21100(b)(3) and *State California Environmental Quality Act (CEQA) Guidelines* Section 15126.4 to require EIRs to include, where relevant, mitigation measures proposed to minimize the wasteful, inefficient, and unnecessary consumption of energy caused by a project. Thereafter, the State Resources Agency created Appendix F to the *State CEQA Guidelines*. Appendix F assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. Appendix F of the *State CEQA Guidelines* also states that the goal of conserving energy implies the wise and efficient use of energy and the means of achieving this goal, including: (1) decreasing overall per capita energy consumption; (2) decreasing reliance on fossil fuels such as coal, natural gas, and oil; and (3) increasing reliance on renewable energy sources.

Senate Bill 1389, Energy: Planning and Forecasting. In 2002, the State Legislature passed Senate Bill (SB) 1389, which required the CEC to develop an integrated energy plan every 2 years that assesses major energy trends and issues facing the State's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. The 2021 Update included a review of the implementation of California's energy policies and updated the 2022 California energy demand forecasts that were adopted as part of the 2020 Integrated Energy Policy Report proceedings.

Renewable Portfolio Standards. SB 1078 established the California Renewable Portfolio Standards (RPS) program in 2002. SB 1078 initially required that 20 percent of electricity retail sales be served by renewable resources by 2017. In 2006, SB 107 accelerated the standard by requiring that the 20 percent mandate be met by 2010. In April 2011, SB 2 required that 33 percent of electricity retail



sales be served by renewable resources by 2020. In 2015, SB 350 adopted further increases to the RPS to 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. In addition, the bill requires that 65 percent of RPS procurement must be derived from long-term contracts (10 years or more) starting in 2021. In 2018, SB 100 increased the requirement to 60 percent by 2030, with new interim targets of 44 percent by 2024 and 52 percent by 2027, and required that all of the State's electricity come from carbon-free resources (not only RPS-eligible ones) by 2045. SB 100 took effect on January 1, 2019.

According to the CPUC, all electricity retail sellers either met or exceeded the interim target and are on track to achieve their compliance requirements. California's three large investor-owned utilities (IOUs) collectively served 36 percent of their 2017 retail electricity sales with renewable power. The Small and Multi-Jurisdictional Utilities (SMJUs) and electric service providers served roughly 27 percent of retail sales with renewables, and Community Choice Aggregation collectively served 50 percent of retail sales with renewable power.

Title 24, California Building Code. California Code of Regulations (CCR) Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create a building code for Building Energy Efficiency Standards for Residential and Nonresidential Buildings to reduce energy consumption. The standards are updated every 3 years to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2019 version of Title 24, Part 6, was adopted by the CEC and became effective on January 1, 2020, and was applicable to building permit applications submitted on or after January 1, 2020. The 2019 Title 24, Part 6, standards require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand-responsive technologies for residential buildings, and update indoor and outdoor lighting standards for nonresidential buildings. The CEC anticipated that nonresidential buildings would use approximately 30 percent less energy due to lighting upgrades compared to the prior code. The most recent update to the California Energy Code was in 2022. Buildings whose permit applications are submitted after January 1, 2023, must comply with the 2022 Energy Code. Revisions to this code will result in greater energy efficiency. The building efficiency standards are enforced through the local building permit process. Local government agencies may adopt and enforce energy standards for new buildings, provided these standards meet or exceed those provided in CCR Title 24.

California Green Building Standards Code. In 2010, the California Building Standards Commission (CBSC) adopted Part 11 of the Title 24 Building Energy Efficiency Standards, referred to as the California Green Building Standards Code (CALGreen). CALGreen took effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2022 CALGreen standards that became effective January 1, 2023. CALGreen established mandatory measures for residential and nonresidential building construction and encouraged sustainable construction practices in the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) indoor environmental quality. Although CALGreen was adopted as part of the State's efforts to reduce GHG emissions, its standards have co-benefits of reducing energy consumption from residential and nonresidential buildings.



California Energy Efficiency Strategic Plan. On September 18, 2008, the CPUC adopted California's first Long-Term Energy Efficiency Strategic Plan for 2009–2020, presenting a roadmap to achieve energy efficiency across all major sectors in California. The plan articulates a long-term vision and goals for each economic sector and identifies specific near-term, mid-term, and long-term strategies to assist in achieving those goals. The plan also reiterates specific goals, including zero net energy for new construction, 50 percent of commercial buildings being retrofitted to zero net energy (ZNE) by 2030, and 50 percent of new major renovations of State buildings being ZNE by 2025.

Assembly Bill 1493, Pavley, Vehicular Emissions: Greenhouse Gases. AB 1493 was enacted on July 22, 2002, requiring CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from noncommercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and, consequently, a reduction in fuel consumption. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the United States District Court for the District of Columbia in 2011.

Assembly Bill 1007, State Alternative Fuels Plan. Signed into law by Governor Arnold Schwarzenegger on September 29, 2005, AB 1007 required the CEC to prepare a plan to increase the use of alternative fuels in California. The State Alternative Fuels Plan was prepared by the CEC with CARB and in consultation with other federal, State, and local agencies to reduce petroleum consumption; increase use of alternative fuels (e.g., ethanol, natural gas, liquefied petroleum gas, electricity, and hydrogen); reduce GHG emissions; and increase in-State production of biofuels. The State Alternative Fuels Plan recommends a strategy that combines private capital investment, financial incentives, and advanced technology that would increase the use of alternative fuels; result in significant improvements in the energy efficiency of vehicles; and reduce trips and vehicle miles traveled (VMT) through changes in travel habits and land management policies. The Alternative Fuels and Vehicle Technologies Funding Program legislation (AB 118, Statutes of 2007) proactively implements this plan.

Executive Order S-01-07, Low Carbon Fuel Standard. Executive Order (EO) S-01-07 formally established the goal of a low carbon fuel standard (LCFS) to reduce the carbon intensity of transportation fuels by 10 percent by 2020, facilitate the reduction of pollutants and GHG emissions, and diversify energy used for transportation, which would have the effect of improving energy efficiency. The EO directed CARB to determine if an LCFS can be adopted as an early action measure pursuant to AB 32. In 2009, CARB introduced the LCFS (17 CCR § 95480 et seq.), and it took effect in 2011.

Title 20 Appliance Efficiency Standards. The 2006 Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608) were adopted by the CEC on October 11, 2006, and approved by the State's Office of Administrative Law on December 14, 2006. The Appliance Efficiency Regulations regulate the sale of appliances in California and include energy performance, energy design, water performance, and water design standards for both federally regulated appliances and nonfederally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for



sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

4.6.4.3 Regional Regulations

The following regional regulations would be applicable to the proposed project.

Southern California Association of Governments 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal). The Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Connect SoCal) is Southern California’s regional transportation plan to achieve the vehicle emissions reductions identified under SB 375. The 2020–2045 RTP/SCS retains the same purpose as the previous RTP/SCS plans in focusing and providing an integrated approach for accommodating population growth, household and employment growth, and transportation needs in the SCAG region, including goals to improve the jobs-housing balance and reduce commuting distances. The projected regional development pattern identified in the 2020–2045 RTP/SCS would reduce per-capita VMT and thus fuel use, which has the effect of reducing vehicular-travel-related GHG emissions and achieving the GHG reduction per capita targets for the SCAG region, as well as reducing energy consumption. VMT associated with heavy-duty trucks involved in goods movement is outside the purview of the 2020–2045 RTP/SCS, which primarily focuses on VMT associated with passenger vehicles. However, in the 2020–2045 RTP/SCS, the focus remains on improving freight mobility in the region and transitioning to near-zero and zero-emissions technology.

4.6.4.4 Local Regulations

The following local regulations would be applicable to the proposed project:

City of Banning General Plan Energy and Mineral Resources Element. The City addresses energy in the Environmental Resources Chapter: Energy and Mineral Resources Element¹⁶ of its General Plan. The Energy and Mineral Resources Element contains goals, policies, and implementing actions that works toward guiding the City in the long-term management and thoughtful use of energy and mineral resources. The following policies related to energy are presented in the Energy and Mineral Resources Element and are applicable to the proposed project.

- **Policy 1:** Promote energy conservation throughout all areas of the community and sectors of the local economy, including the planning and construction of urban uses and in City and regional transportation systems.
- **Policy 2:** Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.

¹⁶ City of Banning. City of Banning General Plan, *Environmental Resources*. April 19, 2006. Website: <http://banning.ca.us/DocumentCenter/View/664/GP-Ch-IV-Environmental-Resources?bidId=> (accessed June 2023).



- **Policy 3:** Proactively support long-term strategies, as well as state and federal legislation and regulations, that assure affordable and reliable production and delivery of electrical power to the community.
- **Policy 4:** Support public and private efforts to develop and operate alternative systems of wind, solar and other electrical production, which take advantage of local renewable resources.

4.6.5 Thresholds of Significance

Significance determinations utilized in this section are from Section VI of Appendix G of the *State CEQA Guidelines*. The proposed would result in a significant impact with respect to energy if it would:

Threshold 4.6.1: Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or

Threshold 4.6.2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.6.6 Project Impact Analysis

Potential impacts of the proposed project on energy are discussed below pursuant to the thresholds established in Section 4.6.5, above.

4.6.6.1 Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Threshold 4.6-1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction and operation impacts of the proposed project related to wasteful, inefficient, or unnecessary consumption of energy resources are discussed below.

Construction. The anticipated construction schedule assumes that the proposed project would be built over approximately 18 months. On-site construction activities would include grading, site preparation, building construction, architectural coating, and paving activities. The proposed project would also include road construction activities, which would consist of grubbing and land clearing, grading and excavation, drainage, utilities, sub-grade, and road paving activities. Construction activities require energy associated with the manufacture and transportation of building materials, grading activities, and building construction. Construction activities also typically require gasoline, diesel, and electricity to power construction-related equipment and do not involve the consumption of natural gas. Energy usage on the project site during construction would be temporary.

Transportation energy represents the largest energy use during construction and would occur from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction worker vehicles that would use petroleum fuels (e.g., diesel fuel and/or gasoline). Therefore, the analysis of energy use during construction focuses on fuel consumption. It is anticipated that construction and vendor trucks hauling materials to and from the project site would use diesel fuel,



and construction workers traveling to and from the site would use a mix of gasoline-powered and diesel-powered vehicles. Fuel consumption from transportation uses depends on the type and number of trips, VMT, the fuel efficiency of the vehicles, and the travel mode.

Estimates of fuel consumption (diesel fuel and gasoline) from construction equipment, construction trucks, and construction worker vehicles were based on default construction equipment assumptions, trip estimates from CalEEMod, and fuel efficiencies from EMFAC2021 and OFFROAD2021. This analysis assumes that construction of the proposed project would occur for 18 months from the end of 2024 until mid-2026.¹⁷ The construction duration is relevant for determining peak daily emissions during construction of the project. It was assumed that earthwork on site during construction would be balanced and that no haul trips for soil import or export would be required. CalEEMod defaults are assumed for the construction activities, off-road equipment, and on-road construction fleet mix and trip lengths. Fuel consumption estimates are presented in Table 4.6.A. CalEEMod output sheets and detailed energy calculations are included in **Appendix B-3** of this EIR.

Table 4.6.A: Proposed Project Energy Consumption Estimates During Construction

Energy Type	Total Energy Consumption	Annual Percentage Increase Countywide
Gasoline Fuel (total gallons)	1,016	<0.01
Diesel Fuel (total gallons)	74,652	0.02

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California.* Table S. April 2024. Appendix B-1.

As indicated in Table 4.6.A, over the 18-month construction process, the proposed project is estimated to consume a total of 74,652 gallons of diesel fuel during construction. Based on fuel consumption obtained from EMFAC2021, approximately 915.5 million gallons of gasoline and approximately 299.1 million gallons of diesel will be consumed from vehicle trips in Riverside County in 2023. Therefore, construction of the proposed project would increase the annual fuel use in Riverside County by approximately 0.02 percent for diesel fuel usage and by less than 0.01 percent for gasoline fuel usage.

In addition, the CalEEMod output for energy consumption incorporates project compliance with Title 13, Section 2449, of the CCR, and the California Department of Resources Recycling and Recovery (CalRecycle) Sustainable (Green) Building Program regulations, which include implementation of standard control measures and Best Available Control Measures for equipment emissions and materials recycling.

Best Available Control Measures include, but are not limited to, requirements that the project applicant utilize only low-sulfur fuel having a sulfur content of 15 parts per million by weight or less; ensure off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were

¹⁷ The 18-months of construction modeled in CalEEMod was assumed to commence June 2024 and end approximately December 2025. Since the duration of construction is not anticipated to change, construction equipment fuel that would be consumed using the latest planned construction schedule would either be the same or lower (due to newer, more efficient equipment) than was analyzed in CalEEMod. Therefore, the energy consumption shown in Table 4.6.A is conservative.



not designed to be driven on the road) limit vehicle idling to 5 minutes or less; register and label vehicles in accordance with the 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 will recycle/reuse at least 65 percent of the nonhazardous construction and demolition waste and will comply with mandatory provisions of Part 6 of the Title 24 Building Energy Efficiency Standards and Part 11, referred to as CALGreen.

As such, project construction would have a negligible effect on local and regional energy supplies. Furthermore, impacts related to energy use during construction would be temporary and relatively small in comparison to Riverside County's overall use of the State's available energy resources. In addition, construction activities are not anticipated to result in an inefficient use of energy, as gasoline and diesel fuel would be supplied by construction contractors that would conserve the use of their supplies to minimize their costs. The proposed project would not cause or result in the need for additional energy facilities or an additional or expanded delivery system. For these reasons, fuel consumption during construction would not be inefficient, wasteful, or unnecessary. Therefore, construction energy impacts would be **less than significant**, and mitigation is not required.

Operation. Energy use includes both direct and indirect sources of emissions. Direct sources of emissions include on-site natural gas usage for heating, while indirect sources include electricity generated by off-site power plants. Natural gas use in CalEEMod is measured in units of a thousand British thermal units (kBTU) per year; however, this analysis converts the results to natural gas in units of therms. Electricity use in CalEEMod is measured in kilowatt hours (kWh) per year.

CalEEMod divides building electricity and natural gas use into uses that are subject to Title 24 standards and those that are not. For electricity, Title 24 uses include the major building envelope systems covered by Part 6 (California Energy Code) of Title 24 (e.g., space heating, space cooling, water heating, and ventilation). Non-Title 24 uses include all other end-uses (e.g., appliances, electronics, and other miscellaneous plug-in uses). Because some lighting is not considered as part of the building envelope energy budget, CalEEMod considers lighting as a separate electricity use category.

For natural gas, uses are likewise categorized as Title 24 or non-Title 24. Title 24 uses include building heating and hot water end-uses. Non-Title 24 natural gas uses include appliances.

The proposed warehouse building would be designed and constructed to Leadership in Energy and Environmental Design (LEED) Silver standards under the United States Green Building Council. Table 4.6.B shows the estimated potential increased electricity, natural gas, gasoline, and diesel demand associated with the proposed project. The electricity and natural gas rates are from the CalEEMod analysis, while the gasoline and diesel rates are based on the traffic analysis in conjunction with USDOT fuel efficiency data (see **Appendix B-3**).



Table 4.6.B: Estimated Annual Energy Use of the Proposed Project

Land Use	Electricity Use (kWh/yr)	Natural Gas Use (kBtu/yr)	Gasoline (gal/yr)	Diesel (gal/yr)
Industrial	7,683,419	27,124,683	842,678	746,194

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table T. April 2024. Appendix B-1.

gal/yr = gallons per year

kWh/yr = kilowatt-hours per year

kBtu/yr = thousand British thermal units per year

As shown in Table 4.6.B, the estimated potential increased electricity demand associated with the proposed project is 7,683,419 kWh per year. According to the CEC, 2022 was 151.548 GWh (8.48 GWh for the industrial sector).¹⁸ Therefore, electric demand associated with the proposed project would be less than 5.1 percent of the BEU’s service area total electricity demand. Furthermore, according to the CEC, in 2021 Riverside County consumed 16,767 GWh, or 16,767,235,877 kWh. Therefore, electricity demand associated with the proposed project would be less than 0.05 percent of Riverside County’s total electricity demand.

Also shown in Table 4.6.B, the estimated potential increased natural gas demand associated with the proposed project is 27,124,683 kBtu per year, or 271,247 therms. In 2021, Riverside County consumed 430.8 million therms (430,843,598 therms). Therefore, operation of the proposed project would negligibly increase the annual natural gas consumption in Riverside County by approximately 0.06 percent.

Electrical and natural gas demand associated with project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Furthermore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. All future development would be required to adhere to all federal, State, and local requirements for energy efficiency, including the latest Title 24 standards. Title 24 building energy efficiency standards establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting, which would reduce energy usage. Impacts are considered **less than significant**, and mitigation is not required.

Furthermore, the proposed project would result in energy usage associated with gasoline and diesel to fuel project-related trips. The average fuel economy for light-duty vehicles (automobiles, pickups, vans, and SUVs) in the United States has steadily increased, from about 14.9 mpg in 1980 to 22.9 mpg in 2020.¹⁹ The average fuel economy for heavy-duty trucks in the United States has also steadily increased, from 5.7 mpg in 2013 to a projected 8.0 mpg in 2021.²⁰

¹⁸ California Energy Commission (CEC). *Electricity Consumption by Entity*. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed October 2023).

¹⁹ United States Department of Transportation (DOT). *Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles*. 2021. Website: www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles (accessed June 2023).

²⁰ California Energy Commission (CEC). *Medium and Heavy-Duty Truck Prices and Fuel Economy 2013–2026*. 2015. Website: efiling.energy.ca.gov/getdocument.aspx?tn=206180 (accessed June 2023).



Using the EPA gasoline fuel economy estimates for 2020, the California diesel fuel economy estimates for 2021, and the traffic data from the project traffic analyses, the proposed project would result in annual consumption of 842,678 gallons of gasoline and 746,194 gallons of diesel fuel. Based on fuel consumption obtained from EMFAC2021, approximately 755.0 million gallons of gasoline and approximately 299.1 million gallons of diesel will be consumed from vehicle trips in Riverside County in 2023. Therefore, vehicle trips associated with the proposed project would increase the annual fuel use in Riverside County by approximately 0.1 percent for gasoline fuel usage and approximately 0.2 percent for diesel fuel usage. Fuel consumption associated with vehicle trips generated by project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region.

In addition, vehicles associated with trips to and from the project site would be subject to fuel economy and efficiency standards, which are applicable throughout the State. As such, the fuel efficiency of vehicles associated with project operations would increase throughout the life of the proposed project. Therefore, implementation of the proposed project would not result in a substantial increase in transportation-related energy uses.

As described above, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment uses, and transportation. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain less than significant, and mitigation is not required.

4.6.6.2 Consistency with State and Local Plans for Renewable Energy and Energy Efficiency

Threshold 4.6-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The CEC's 2023 *Integrated Energy Policy Report* provide the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The *Integrated Energy Policy Report* covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California's electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, the transportation energy demand forecast, and the California Energy Demand Forecast.

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be



negligible at the regional level. Because California’s energy conservation planning actions are conducted at a regional level, and because the project’s total impacts to regional energy supplies would be minor, the proposed project would not conflict with California’s energy conservation plans as described in the CEC’s Integrated Energy Policy Report.²¹ In addition, the proposed project would comply with Title 24 and CALGreen standards.

The City’s General Plan identifies goals, policies, and programs related to energy use within Banning. Table 4.6.C: General Plan Consistency Analysis, Energy addresses the proposed project’s consistency with General Plan goals, policies, and programs applicable to energy.

Table 4.6.C: General Plan Consistency Analysis, Energy

General Plan Goals, Policies, and Programs	General Plan Consistency Analysis
City of Banning General Plan – Energy and Mineral Resources Element	
Goal: Efficient, sustainable, and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.	
<p>Policy 1: Promote energy conservation throughout all areas of the community and sectors of the local economy, including the planning and construction of urban uses and in City and regional transportation systems.</p>	<p>Consistent: The proposed project would facilitate efficient and sustainable energy use through the use of construction techniques and materials that will result in energy-efficient buildings; promoting use of electric vehicles and efficient and alternative modes of transportation; use of water-efficient appliances, irrigation, low-water plants, and recycled water when available; and maximizing recycling of construction materials and establishing project operations programs for industrial recycling, with a goal of 80% diversion.</p>
<p>Program 1.A: The City shall strictly and consistently enforce all state mandated energy-conserving development and building codes/regulations and shall investigate and report on the appropriateness of developing more stringent local energy performance standards.</p>	<p>Consistent: The proposed project would include “Green” building practices that meet the California Building Energy Standards of the California Building Code and CALGreen Building Standards in accordance with City Municipal Code Chapter 15.04 (Codes Adoption). The proposed project buildings would be inspected for compliance and would include an operation manual to help end-users maintain and effectively use the sustainable building features provided. The proposed project would be developed to conserve energy where feasible pursuant to CALGreen Building Standards and Sustainability Guidelines.</p>
<p>Program 1.D: The City shall encourage the use of, and programs for, electric vehicles, hybrids, bicycles and pedestrian facilities.</p>	<p>Consistent: The proposed project would include provisions for electric vehicle charging and bicycle and pedestrian facilities, consistent with all City requirements.</p>
<p>Policy 2: Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.</p>	<p>Consistent: The proposed project would promote integration of alternative energy systems into building design and construction by, among other things, constructing the building with insulation that will reduce energy use for project operations; constructing the buildings’ electrical room(s) of sufficient size 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; and providing 30% of the on-site parking with electrical conduit stubs for future charging equipment and 10% with electric vehicle chargers.</p>

²¹ California Energy Commission (CEC). 2023 *Integrated Energy Policy Report*. Docket Number: 23-IEPR-01. 2023.



Table 4.6.C: General Plan Consistency Analysis, Energy

General Plan Goals, Policies, and Programs	General Plan Consistency Analysis
<p>Program 2.A: The City shall make available to residents, businesses, and the building industry information on commercially available conservation technologies, solar thermal and photovoltaic energy systems, fuel cell and other alternative energy technology. Building regulations and guidelines that provide for the safe and efficient installation of these systems shall also be provided.</p>	<p>Consistent: The proposed project would include “Green” building practices that meet the California Building Energy Standards of the California Building Code and CALGreen Building Standards in accordance with City Municipal Code Chapter 15.04 (Codes Adoption). The proposed project building would be inspected for compliance and would include an operation manual to help end-users maintain and effectively use the sustainable building features provided. The proposed project would be developed in accordance with CALGreen Building Standards and Sustainability Guidelines, including regulations related to water heating.</p>
<p>Policy 4: Support public and private efforts to develop and operate alternative systems of wind, solar and other electrical production, which take advantage of local renewable resources.</p>	<p>Consistent: The proposed project includes solar ready rooftops, energy efficient electric heating and cooling systems, and facilitates electric transportation by providing electric vehicle charging stations.</p>

Source: City of Banning General Plan, Energy and Mineral Resources Element. Adopted 1991.
CALGreen = California Green Building Standards Code

Thus, as shown above, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, energy impacts from the proposed project would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain less than significant, and mitigation is not required.

4.6.7 Cumulative Impacts

The geographic area for cumulative analysis of electricity is that of the BEU service area, while the geographic area for cumulative analysis of natural gas service is that of the SoCalGas service area. The proposed project would result in an increased services demand for electricity and natural gas. Although the proposed project would result in a net increase in demand for electricity, this increase would not require BEU or SoCalGas to expand or construct infrastructure that could cause substantial environmental impacts. As discussed previously, the BEU is a publicly owned retail electrical energy distribution utility with six distribution substations and 134 miles of power lines serving nearly 13,500 citizens and business patrons and is a member of the SCPA. According to the CEC, total electricity consumed in Riverside County in 2021 was 16,767 GWh (16,767,235,877 kWh). Although the proposed project would result in a net increase in demand for electricity, implementation of the proposed project would not result in the construction of new electric or natural gas infrastructure beyond what has already been assumed and will be included in BEU’s regional forecasts. As shown in Table 4.6.B, the estimated potential increased electricity demand associated with the proposed project is 7,683,419 kWh per year, which would be less than 0.05 percent of Riverside County’s total



electricity demand. As such, the proposed project's share of cumulative electricity consumption would be negligible. The proposed project, in combination with cumulative development, is well within BEU's systemwide net annual increase in electricity supplies over the 2018 to 2030 period, and there are sufficient planned electricity supplies in the region for estimated net increases in energy demands.

Similarly, additional natural gas infrastructure is not anticipated due to cumulative development. Total natural gas consumption in the SoCalGas service area in 2020 was 5,231 million therms. Between 2018 and 2030, total natural gas consumption in the SoCalGas service area is forecast to remain steady for the low- and mid-demand scenarios and to increase by approximately 650 million therms in the high-demand scenario due to intense energy-efficiency efforts.²² The proposed project's share of cumulative consumption of natural gas in the SoCalGas service area would be negligible. It is anticipated that SoCalGas would be able to meet the natural gas demand of the related projects without additional facilities. In addition, both BEU's and SoCalGas' demand forecasts include the growth contemplated by the proposed project and the related projects. Increased energy efficiency to comply with building energy-efficiency standards will reduce energy consumption on a per-square-foot basis. Furthermore, utility companies are required to increase their renewable energy sources to meet the RPS mandate of 60 percent renewable supplies by 2030. BEU and SoCalGas plan to continue to provide reliable service to their customers and upgrade their distribution systems as necessary to meet future demand.

Transportation energy use would also increase; however, this transportation energy use would not represent a major amount of energy use when compared to the amount of existing development and the total number of vehicle trips and VMT throughout Riverside County and the region. The proposed project and related projects are required to comply with various federal and State government legislation to improve energy efficiency in buildings, equipment, and appliances, and reduce VMT.

As such, the proposed project would not result in an inefficient, wasteful, and unnecessary consumption of energy. Therefore, the proposed project's contribution to impacts related to the inefficient, wasteful, and unnecessary consumption of energy would not be cumulatively considerable. Cumulative impacts would be **less than significant**, and mitigation is not required.

²² California Energy Commission (CEC). *2023 Integrated Energy Policy Report*. Docket Number: 23-IEPR-01. 2023.



This page intentionally left blank



4.7 GEOLOGY AND SOILS

This section provides a discussion of the existing geology and soils setting and an analysis of the project site, and the potential impacts of implementation of the First Hathaway Logistics Project (project) related to geology and soils. In addition, this section addresses potential impacts due to the local geology underlying the project site, as well as slope stability, ground settlement, soil conditions, grading, and regional and local seismic conditions. This section summarizes information provided in the *Geotechnical Investigation for the Proposed Banning Industrial Park* (Geotechnical Investigation).¹ This report is included as **Appendix E-1** to this Environmental Impact Report (EIR).

This section also evaluates potential impacts to paleontological resources and summarizes information provided in the *Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside* (Paleontological Assessment),² which is included as **Appendix E-2**. Data from the City of Banning (City) and County of Riverside (County) general plans, numerous State and federal studies of geologic and seismic hazards in the vicinity of Banning, and field observations are incorporated into this section.

4.7.1 Scoping

Potential impacts to geology and soils were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to geology and soils. For copies of the NOP comment letters, refer to **Appendix A** of this Draft EIR.

4.7.2 Methodology

To assess the impacts of the proposed project with respect to geological and soil conditions, Southern California Geotechnical (SoCalGeo) conducted a Geotechnical Investigation, including visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis. The discussion below describes the scope of the exploration, including methods used during site reconnaissance and the results of pertinent prior explorations, laboratory tests, and engineering analyses.

4.7.2.1 Background Research and Data Review

SoCalGeo prepared three geotechnical reports for a previously proposed development at the project site. The first report was a geotechnical investigation prepared in October 2006 that evaluated the entire project site with the exception of the two northwesternmost parcels that were previously occupied by the Orco Block and Hardscape Company.³ The second report prepared by SoCalGeo was

¹ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. February 4, 2022.

² Brian F. Smith and Associates, Inc. *Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside*. December 16, 2021.

³ Southern California Geotechnical. *Geotechnical Investigation, Proposed Commercial/Industrial Development, Hathaway Street, North of Ramsey Street, APNs 532-11-003, -008, -009, -010, Banning, California*. October 25, 2006.



an Interim Rough Grade Compaction Report to document observation and testing performed at the project site after limited remedial grading activities had occurred.⁴ An updated geotechnical report was prepared for the project site in March 2018.⁵ As part of this updated report, subsurface exploration was performed within the area of the former Orco Block and Hardscape Company facility. The paleontological resources record search for the project site was performed by the Western Science Center in the City of Hemet in Riverside County.

4.7.2.2 Field Investigation and Laboratory Testing

The field exploration for the Geotechnical Investigation consisted of the excavation of six borings to depths of 6 to 15 feet below the existing site grades and 10 trenches excavated to depths of 6.5 to 10.5 feet. Three of the borings and seven of the trenches were terminated at depths shallower than proposed after encountering refusal on cobbles and boulders. Logs of the exploratory borings from current and previous explorations are included as Appendix B of the Geotechnical Investigation.

Laboratory testing was performed on representative samples to evaluate the density and moisture content, consolidation potential, maximum dry density and optimum moisture content, soluble sulfate content, and corrosiveness. The laboratory test data conducted during this and previous investigations are included as Appendix C of the Geotechnical Investigation.

4.7.3 Existing Environmental Setting

The following describes the existing physical setting of the region and project site as it relates to geology; seismicity, faulting, liquefaction, lateral spreading, and landslides; groundwater and surface water; and paleontological resources.

4.7.3.1 Regional Geology

The project site is located in the San Gorgonio Pass, an elongated east-west-trending valley between the San Bernardino and San Jacinto mountains. This valley is part of the major drainage divide between the Pacific Ocean and Salton Trough and is filled with alluvial deposits that are mainly derived from the San Bernardino Mountains. San Gorgonio Pass slopes downward to the east until it merges with the alluvium-filled Coachella Valley. To the west, the valley merges with older alluvial soils of the Beaumont Plain.

The San Gorgonio Pass marks the boundary between two geomorphic provinces: the Peninsular Ranges Geomorphic Province to the south and the Transverse Ranges Geomorphic Province to the north. The Peninsular Ranges Geomorphic Province is a series of northwest-trending mountain ranges and valleys that includes the San Jacinto Mountains. The Transverse Ranges Geomorphic Province is an east-west-trending series of steep mountain ranges and valleys that includes the San Bernardino Mountains.

⁴ Southern California Geotechnical. 2011. *Interim Rough Grade Compaction Report, Proposed Banning Business Park, Hathaway Street, North of Ramsey Street, Banning, California*. October 13.

⁵ Southern California Geotechnical. 2018. *Update of Geotechnical Investigation Report, Proposed Stagecoach Business Park, Hathaway Street, North of Ramsey Street, Banning, California*. March 15.



The San Andreas Fault Zone (SAFZ) is located approximately 4 miles to the north of the project site. The active Banning Fault Zone, a branch of the SAFZ, is located approximately 3.5 miles west of the project site. The San Jacinto Fault Zone is 12 miles southwest of the project site. This area of southern California has and continues to experience earthquake activity as the SAFZ marks the boundary between the Pacific and North American tectonic plates. The Peninsular Ranges Geomorphic Province, located on the Pacific Plate, is moving northwesterly relative to the Transverse Ranges Geomorphic Province, located within the North American plate. The bulk of the generally right-lateral transform movement between the plates occurs along the SAFZ and its associated faults. The San Gorgonio Pass is an area that is being stressed along the Banning/San Andreas faults, which separate the San Bernardino Mountains to the north and the San Jacinto Fault Zone and San Jacinto Mountains to the south.

4.7.3.2 Project Site

The 94.86-acre project site is currently vacant and 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 these buildings and staging areas were demolished and removed from the site between 2011 and 2012, with the exception of one building in the west-central area. A retaining wall ranging from 1 to 6 feet in height and approximately 200 feet in length exists near the southern and eastern areas of the existing building. The balance of the project site (APNs 532-110-003, -008, -009, and -010), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.⁶

Overall, site topography generally slopes downward to the southeast at a gradient of approximately 4 percent. The existing site grades range from a maximum elevation of approximately 2,334 feet above mean sea level (amsl) in the northwestern corner of the site to a minimum elevation of approximately 2,211 feet amsl in the southeastern corner. Additionally, prior grading of the site established six detention basins ranging from 7 to 14 feet in depth, as well as several slopes located generally along the boundaries of the six parcels composing the project site. Slope inclines range from 2h:1v (horizontal to vertical) to 5h:1v and range from 5 to 24 feet in height. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in length, and approximately 4 to 11 feet in height. 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

⁶ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.



was not constructed. Overhead and underground utility lines also traverse the site and run along its perimeter.

The Geotechnical Investigation found that the project site is underlain by engineered and undocumented fill where previous grading and excavation activities have taken place and alluvium in undisturbed areas. A brief description of each unit is as follows:

- **Engineered Fill.** Engineered fill was encountered at areas of the site that had previously been overexcavated as a result of grading and excavation activities. The engineered fill soils consist of dense to very dense cobbles and boulders. The engineered fill soils consist of dense to very dense gravelly sands and silty sands, with trace amounts of silt and occasional to extensive amounts of cobbles.
- **Artificial Fill (Undocumented Fill).** Artificial soils were encountered near the center and western portions of the project site. The fill soils generally consist of medium dense to very dense silty sands, gravelly sands, and well-graded sands, with varying gravel and cobble content. The fill soil possess a disturbed and mottled appearance, as well as asphaltic concrete and other former building materials, resulting in their classification as artificial fill.
- **Alluvium.** Native alluvium was encountered at the ground surface and beneath the engineered fill soils and undocumented fill soils, extending to at least the maximum depth explored of 15 feet below ground surface. The alluvial soils generally consist of medium dense to very dense silty sands, gravelly sands, and well- and poorly graded sands, with varying silt, cobble, and boulder content.

4.7.3.3 Seismicity and Faulting

The geologic structure of the entire southern California area is dominated mainly by northwest-trending faults associated with the San Andreas system. The SAFZ is approximately 4 miles to the north and the active Banning Fault Zone, a branch of the SAFZ, is approximately 3.5 miles west of the project site. The San Jacinto Fault Zone is located approximately 12 miles southwest of the project site. The nearest known active fault is the San Gorgonio Fault Zone, which is 2 miles north of the project site. This area of southern California is subject to earthquake activity, as the SAFZ marks the boundary between the Pacific and North American plates. While the project site is in a seismically active region, no active or potentially active fault is known to exist at the project site, nor is the project site situated within an “Alquist-Priolo” Earthquake Fault Zone.⁷ The project site is located within a zone of moderate liquefaction susceptibility. However, given the moderate- to high-strength engineered fill and native alluvial soils, as well as the lack of a historic high-water table within the upper 50 feet of the ground surface within the project site, the project site possesses a very low potential for liquefaction.⁸ The site is not located within a State of California Seismic Hazard Zone for earthquake-induced landsliding according to the City of Banning General Plan.

⁷ California Department of Conservation (DOC). 2015. Fault Activity Map of California. Website: <https://maps.conservacion.ca.gov/cgs/fam/> (accessed January 2023).

⁸ Southern California Geotechnical. 2022. Op. cit.



A detailed review of aerial photographs and subsequent field observations does not indicate any previous faulting on the project site. Detailed review of sequential historical aerial photographs for this area did not identify any photo-lineaments that are typically associated with faulting in this region. The recent (<11,000 years) geologic history of this area reflects that the project site is undergoing a regressive, erosional sequence of events. As such, as observed in the aerial photographs, there are numerous deeply cut abandoned drainage channels and heavily eroded terraces that do not show any horizontal displacement that may be associated with active faulting.

4.7.3.4 Groundwater and Surface Water Conditions

The project is located within the San Gorgonio River Watershed, within the large Whitewater River Subbasin and the Salton Sea Basin (refer to Section 4.10, Hydrology and Water Quality). The San Gorgonio River Watershed spans approximately 150 square miles in Riverside County, including portions of the Coachella Valley and the San Bernadino and San Jacinto mountain ranges. No surface waters cross the project site; however, the San Gorgonio River, Montgomery Creek, and Smith Creek, which originate north of Banning, flow around and confluence south and east of the project site, discharging into the Whitewater River, which ultimately flows to the Salton Sea.

No groundwater was encountered during the on-site borings or trenches to the total depth explored of 15 feet below existing site grades. The nearest monitoring well to the project site, which is located approximately 1,600 feet northwest of the project site, indicated a high groundwater level of 541 feet below the ground surface in June 2013.

4.7.3.5 Liquefaction, Lateral Spreading, and Landslides

Liquefaction and dynamic settlement of soils can be caused by strong vibratory motion due to earthquakes. Both research and historical data indicate that loose, saturated, granular soils or soils of low plasticity are susceptible to liquefaction and dynamic settlement. Liquefaction is typified by a loss of shear strength in the affected soil layer, thereby causing the soil to act as a viscous liquid. This effect may be manifested by excessive settlements and sand boils at the ground surface.

As stated above, the project site is located within a zone of moderate liquefaction susceptibility. However, given the moderately to high-strength engineered fill and native alluvial soils, as well as the lack of a historic high water table within the upper 50 feet of the ground surface within the project site, the project site possesses a very low potential for liquefaction. Seismic densification is possible on granular (greater than 50 percent sand) fills or native, unconsolidated earth materials.

Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. No evidence of landslides or deep-seated slope instability was found in the Geotechnical Investigation. However, loose granular soils on sloping ground surfaces could be prone to surficial failures.

As stated previously, overall site topography generally slopes downward to the southeast at a gradient of approximately 4 percent. The existing site grades range from a maximum elevation of approximately 2,334 feet amsl in the northwestern corner of the site to a minimum elevation of approximately 2,211 feet amsl in the southeastern corner. Additionally, prior grading of the site



established six detention basins ranging from 7 to 14 feet in depth, as well as several slopes located generally along the boundaries of the six parcels composing the project site. Slope inclines range from 2h:1v (horizontal to vertical) to 5h:1v and range from 5 to 24 feet in height. Several large stockpiles of boulders and large cobbles are present generally in the northeastern portion of the site. The stockpiles range from 40 to 90 feet in width, 95 to 180 feet in length, and approximately 4 to 11 feet in height.

4.7.3.6 Soils

Expansive soils are soils that experience volumetric changes in response to increases or decreases in moisture content. The on-site soils generally consist of silty sands, gravelly sands, and well-graded sands, with varying amounts of gravel, cobbles, and boulders. These materials have been visually classified as non-expansive as part of the Geotechnical Investigation.

Ground subsidence is a gradual settling or sinking of the ground surface that is typically associated with oil, gas, or groundwater extraction. The City of Banning General Plan indicates that subsidence has not been observed within the City. There are also no oil or gas fields within or near the project site. Consequently, regional land subsidence due to the extraction of oil or gas is not a hazard in the project area.

4.7.3.7 Paleontological Resources

Regionally, the project site lies within Cherry Valley in the greater San Gorgonio Pass fault zone valley that separates the granitic mountain blocks of the San Bernardino Mountains to the north and the San Jacinto Mountains to the southeast. The region of Cherry Valley, however, is characterized by a variety of older and younger alluvial fan sediments that have been shed off the topographic highs of the San Bernardino Mountains and redeposited onto the valley floor below. The project site is generally underlain by engineered and artificial fill soils ranging from approximately 6 to 12 feet thick. These fills overlay alluvium consisting of gravelly fine to coarse-grained sands, fine to coarse-grained sandy gravels, and fine to coarse-grained sands with occasional cobbles.

The results of the record search indicated that no fossil localities are known from within the boundary of within 1 mile of the project site. However, the records search indicated that the Pleistocene alluvial fan deposits that underlie the project site are similar to other deposits of the same age in Riverside County that have yielded a number fossil localities. In addition, Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources, including those associated with Columbian mammoth (*Mammuthus columbi*), Pacific mastodon (*Mammut pacificus*), sabertooth cat (*Smilodon fatalis*), ancient horse (*Equus* sp.), and many other Pleistocene megafauna.

A pedestrian survey of the project site was conducted by a qualified paleontologist on March 3, 2021. All exposed ground surfaces, rodent burrows, and disturbed areas were inspected on the project site. The majority of the ground surface was covered with hardscape⁹ or vegetation; therefore, ground

9 Hardscape refers to the remnant building and paved areas of the Orco Block and Hardscape Company located near the western property line of the project site, as well as the graded road corridors into the site and the previously-installed infrastructure below/surrounding them.



visibility was generally poor.. Noted disturbances to the site during the survey included impacts associated with prior occupation of approximately 30.54 acres by the Orco Block and Hardscape Company, which constructed industrial buildings and staged equipment and materials on the premises, as well as prior grading of the balance of the site (approximately 64.32 acres) in 2011 for the former Banning Business Park Project that was not constructed due to changes in market demand.¹⁰ No paleontological resources were identified during the field survey.

4.7.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to geology and soils.

4.7.4.1 Federal Regulations

There are no federal policies or regulations related to geology and soils that are applicable to the proposed project.

4.7.4.2 State Regulations

Alquist-Priolo Earthquake Fault Zoning Act (1972). The Alquist-Priolo Earthquake Fault Zoning Act of 1972 and subsequent updates (California Public Resources Code [PRC], Section 2621 et seq.) are the principal California State guidance to prevent the construction of habitable structures on the surface trace of active earthquake faults. If an active fault is found, a structure for human occupancy must be set back from the fault (generally 50 feet). The Alquist-Priolo Earthquake Fault Zoning Act only addresses the hazard of surface fault rupture; it does not consider other earthquake hazards.

California Building Code. Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC) within 180 days of its publication. The publication date of the CBC is established by the California Building Standards Commission, and the code is also known as Title 24, Part 2, of the California Code of Regulations (CCR). Local jurisdictions often adopt local, more restrictive amendments that are based on local geographic, topographic, or climatic conditions. These codes provide minimum standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on site, and the strength of ground shaking with a specified probability at a site. The 2022 CBC took effect on January 1, 2023.

California Public Resources Code Section 5097.5. PRC Section 5097.5 protects nonrenewable cultural and paleontological resources, including fossils, and prohibits the removal, destruction, injury, or defacement of archaeological and paleontological features on any lands under the jurisdiction of State or local authorities. It provides as follows:

¹⁰ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as TPM No. 36056 on July 13, 2010 by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.



- A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands.
- As used in this section, “public lands” means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof.
- A violation of this section is a misdemeanor.

Requirements for Geotechnical Investigations. Requirements for geotechnical investigations for subdivisions requiring tentative and final maps and for other types of structures are provided in the California Health and Safety Code (HSC), Sections 17953 through 17955, and in Section 1802 of the CBC. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be conducted as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

Seismic Hazard Mapping Act (1990). The Seismic Hazard Mapping Act (SHMA) was adopted by the State in 1990 to address the potential hazards posed by secondary effects of seismic activity, including strong ground shaking, soil liquefaction, and associated ground failure, and seismically induced landslides. The California Geological Survey (CGS) prepares and provides local governments with seismic hazard zone maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures. The seismic hazard zones are referred to as “zones of required investigation” because site-specific geological investigations are required for construction projects located within these areas. Before a project can be permitted, a geologic investigation, evaluation, and written report must be prepared by a licensed geologist to demonstrate that the potential hazards can be successfully mitigated.

4.7.4.3 Local Regulations

City of Banning Municipal Code. Building and construction in Banning are subject to the regulations of the City Municipal Code. CCR Title 24, Part 2, of the 2022 CBC provides minimum standards for building design in the State. Local codes are permitted to be more restrictive than Title 24, but not less restrictive. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system height, and seismic design category. The seismic ratings used in the CBC are derived from the International Building Code specifications. Most of southern California, including the project site, is located in Seismic Design Category D. Construction activities are subject to occupational safety standards for excavation, shoring, and trenching as specified in the California Occupational Safety and Health Administration (Cal/OSHA) regulations (CCR Title 8). In addition, uses constructed as part of the proposed project would be required to adhere to the seismic and building standards in the City’s Building Code that have adopted the CBC with amendments and modifications.

The following provision of the City’s Municipal Code addresses geologic hazards:



- **Chapter 18.06 (Grading Application Requirements).** Project applicants are required to submit a grading application to obtain a grading permit. The application shall be supplemented by a geotechnical report/seismicity report to determine the surface and subsurface geologic conditions of the project.
- **Chapter 18.06.060 – Geotechnical (Soils) Reports:**
 - a. **Subsurface Conditions.** The City Engineer shall require a geotechnical report to correlate surface and subsurface conditions with the proposed grading plan. The results of the investigation shall be presented in a report in conformance with the requirements of this ordinance and Subarticle 3 of the grading manual.
 - b. **Supplemental Reports/Data.** The City Engineer shall require such supplemental reports and data, as he deems necessary upon his review of the site and the reports and other data submitted. Such required data may include tests for soil fertility and agricultural suitability to be performed at the conclusion of rough grading by a recognized agronomic soil-testing laboratory, with written analysis and recommendation, to be utilized during any required revegetation.
 - c. **Waiver of Geotechnical Report Requirements.** For a specific project, the City Engineer may determine that the geological and geotechnical conditions at the site are such that public safety is adequately protected and no mitigation is required. This finding shall be based on a report presenting evaluations of sites in the immediate vicinity having similar geologic and geotechnical characteristics. The report shall be prepared by a certified engineering geologist or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. The City Engineer shall provide a written commentary that addresses the report conclusions as justification for waiving the requirement of a geotechnical report for the project. All such waivers shall be recorded with the Riverside County Recorder and a separate copy, together with the report and commentary, filed with the state geologist within thirty days of the waiver, in accordance with Public Resources Code Section 2697(a).
- **Chapter 17.24.070.** All development proposals shall be reviewed for compliance with the California Environmental Quality Act (CEQA). If the proposal is determined to qualify as a project under CEQA, the project proponent may be required to submit specialized studies to determine the effect on specific resources and hazards, including, but not limited to, biological resources, cultural resources, geotechnical hazards, hydrology, air quality, noise, and traffic. No project shall be approved without first satisfying the requirements of CEQA.

4.7.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section VII of Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact with regard to geology and soils if it would:



- Threshold 4.7-1:** 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 or based on other substantial evidence of known fault; (Refer to Division of Mines and Geology Special Publication 42) (ii) Strong seismic ground shaking; (iii) Seismic-related ground failure, including liquefaction; or (iv) Landslides;
- Threshold 4.7-2:** Result in substantial soil erosion or the loss of topsoil;
- Threshold 4.7-3:** Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse;
- Threshold 4.7-4:** Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property;
- Threshold 4.7-5:** 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; or
- Threshold 4.7-6:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4.7.6 Project Impact Analysis

The following analysis of project impacts is based on thresholds prescribed in the *CEQA Guidelines*, Appendix G, Section VII.

4.7.6.1 Rupture of a Known Earthquake Fault

Threshold 4.7-1(i): Would the proposed project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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 or based on other substantial evidence of known fault?

No Alquist-Priolo earthquake fault zones are mapped on or adjacent to the project site. The San Gorgonio Pass Fault Zone (the nearest Alquist-Priolo earthquake fault zone) is 2 miles to the north of the project site. Research of available maps as part of the Geotechnical Investigation also did not indicate any evidence of faulting on the project site. Although active faults are not known to exist on the site, the Banning Fault, located approximately miles 3.5 miles to the west, along with the nearby San Andreas and San Jacinto fault zones, can produce strong seismic ground shaking in the case of a fault rupture in the area. However, this is common for virtually all of southern California, and structures are designed in accordance with applicable building codes to withstand the ground shaking during the assumed design seismic event. Additionally, secondary seismic hazards (i.e., lurching, ground rupture, liquefaction, dynamic settlement, flooding, tsunamis, and seiches) are expected to be very low at this site. Therefore, although the project site is located in a seismically active region, it is not located in an Alquist-Priolo earthquake fault zone and does not show evidence of active faulting. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death, involving the rupture of a known Alquist-Priolo earthquake



fault or based on other substantial evidence of known faults. **No impact** would occur with implementation of the proposed project.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures (RCMs) or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.7.6.2 Directly or Indirectly Cause Adverse Effects Involving Seismic Ground Shaking

Threshold 4.7-1(ii): Would the proposed project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?

While active faults are not known to exist on the site, the San Gorgonio Fault Zone, located 2 miles north of the project site; Banning Fault, located approximately 3.5 miles to the west; and the nearby San Andreas and San Jacinto fault zones can produce strong ground shaking in the case of a fault rupture in this area. However, this is common for virtually all of southern California, and structures are designed in accordance with applicable building codes to withstand the ground shaking during the assumed design seismic event. Additionally, secondary seismic hazards (i.e., lurching, ground rupture, liquefaction, dynamic settlement, flooding, tsunamis, and seiches) are expected to be very low at the project site. The project site is not at greater risk of seismic activity or impacts than other areas of southern California. The severity of the shaking would be influenced by the magnitude of the earthquake, the distance of the project site to the seismic source, the soil conditions, the depth to groundwater, and the duration of the seismic event.

State and local jurisdictions regulate development in California through a variety of tools that reduce hazards from earthquakes and other geologic hazards. For example, the State regulations protecting human-occupied structures from seismic hazards are provided in the most recent (2022) CBC (CCR Title 24, Part 2). The CBC (adopted by reference in Chapter 15.08 [Construction Codes] of the City's Municipal Code) contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The CBC contains provisions for earthquake safety based on factors such as occupancy type, the types of soil and rock on site, and the strength of ground motion with specified probability of occurring at the project site. The design and construction of the proposed project would be required to adhere to the provisions of the CBC. Compliance with these State regulations would reduce hazards from strong seismic ground shaking.

Furthermore, a site-specific Geotechnical Investigation has been prepared by the project Applicant's geotechnical consultant in accordance with Appendix J, Section J104 (Engineered Grading Requirements) of the CBC (see **RCM GEO-1**, below). The Geotechnical Investigation includes seismic design parameters for the proposed project pursuant to CBC requirements. Compliance with the design parameters and recommendations of the Geotechnical Investigation would be required as a condition of a grading permit and/or building permit. Therefore, impacts resulting from strong seismic ground shaking are anticipated to be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant.



Regulatory Compliance Measures and Mitigation Measures: No mitigation measures are required; however, **RCM GEO-1**, identified below, would be applicable and implemented by the project Applicant.

RCM GEO-1: Compliance with California Building Code and Site-Specific Geotechnical Investigation.

- a. Prior to the issuance of grading and/or building permits, the applicant shall provide evidence to the City of Banning (City) for review and approval that proposed structures, features, and facilities to be constructed on the project site have been designed and will be constructed in conformance with applicable provisions of the most current edition of the California Building Code (CBC) in effect at the time of development application submittal and that the Final Geotechnical Investigation recommendations conform to the most current CBC.
- b. Additionally, the Applicant shall provide evidence to the City that the recommendations cited in the project-specific Final Geotechnical Investigation are incorporated into project plans and/or implemented as deemed appropriate by the City. The Final Geotechnical Investigation 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 structure constructed on the project site.
- c. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the Final Geotechnical Investigation 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 and engineered slope parameters shall be in accordance with the Final Geotechnical Investigation 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 Investigation shall be implemented to the satisfaction of the City's Building and Safety Director or designee.

Level of Significance After Mitigation: **RCM GEO-1** is prescribed to ensure that the project is constructed in conformance with the current CBC, applicable City standards, and recommendations identified in the project-specific Final Geotechnical Investigation to safeguard the project facilities and occupants against the effects of seismic-related activity that may occur on site. Impacts remain **less than significant**.



4.7.6.3 Directly or Indirectly Cause Adverse Effects Involving Ground Failure, Including Liquefaction

Threshold 4.7-1(iii): Would the proposed project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?

Liquefaction refers to loose, saturated sand or silt deposits that behave as a liquid and lose their load-supporting capability when strongly shaken. Loose granular soils and silts that are saturated by relatively shallow groundwater are susceptible to liquefaction. The project site is located within an area of moderate liquefaction potential. However, given the moderate- to high-strength engineered fill and native alluvial soils, as well as the lack of a historic high-water table within the upper 50 feet of the ground surface within the project site, the project site possesses a very low potential for liquefaction. It is not located within a State of California Seismic Hazard Zone for earthquake-induced landsliding according to the City of Banning General Plan. Based on analyses included in the Geotechnical Investigation, the post-construction static settlements of the proposed building are expected to be less than 1.0 and 0.5 inches for total and differential of shallow foundations, respectively, as a result of the remedial grading recommended in the Geotechnical Investigation and codified in **RCM GEO-1**.

No groundwater was encountered during the Geotechnical Investigation within the borings that were drilled to a depth of 15 feet. The proposed project would be required to comply with the CBC and the City Building Code, as well as the recommendations in the Geotechnical Investigation prepared for the proposed project, as codified in **RCM GEO-1**, to ensure that project development would be safeguarded against the effects of seismic-related ground failure, including liquefaction. Therefore, implementation of the proposed project would not place people or structures at risk due to liquefaction, and impacts would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures would be required. **RCM GEO-1** would be implemented for the proposed project.

Level of Significance After Mitigation: **RCM GEO-1** is prescribed to ensure that the project is constructed in conformance with the current CBC, applicable City standards, and recommendations identified in the project-specific Final Geotechnical Investigation to safeguard the project facilities and occupants against the effects of seismic-related ground-failure, including liquefaction. Impacts remain **less than significant**.

4.7.6.4 Directly or Indirectly Cause Adverse Effects Involving Ground Failure, Including Landslides

Threshold 4.7-1(iv): Would the proposed project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?

The project site is not located within a zone of earthquake-induced landslide hazards as mapped by the City. Grading would be required within an existing slope in the center of the project site that has a change in elevation of approximately 24 feet. A significant portion of the existing slope would be removed to facilitate construction of the proposed building. Therefore, slope failure is not expected



to occur during grading. In addition, the project site is not within a State of California Seismic Hazard Zone for earthquake-induced landsliding according to the City of Banning General Plan.

The proposed 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. As prescribed in **RCM GEO-1**, construction contractors would adhere to the recommendations of the Geotechnical Investigation and the CBC, which include provisions for stability fills as determined by a qualified geotechnical engineer during review of the final grading plan, and/or during grading of the site, to ensure adequate gross stability of temporary and permanent slopes. Through implementation of **RCM GEO-1**, impacts related to landslide hazards would remain **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures would be required. **RCM GEO-1** would be implemented for the proposed project.

Level of Significance After Mitigation: **RCM GEO-1** is prescribed to ensure that the project is constructed in conformance with the current CBC, applicable City standards, and recommendations identified in the project-specific Final Geotechnical Investigation to safeguard the project facilities and occupants against the effects of landslides. Impacts remain **less than significant**.

4.7.6.5 Substantial Soil Erosion or the Loss of Topsoil

Threshold 4.7-2: Would the proposed project result in substantial soil erosion or the loss of topsoil?

Construction of the proposed project would involve excavation, grading, and construction activities that disturb the ground surface and expose soil to potential effects from wind, water, and gravity. Grading temporarily increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. Construction-period soil erosion commonly occurs due to wind, drainage or flooding events, slope instability, and vehicle tracking off site. These conditions could result in soil erosion if effective erosion-control measures are not implemented. Additionally, due to the granular nature of the on-site soils, unprotected slopes may be subject to increased wind or water erosion.

Fill and cut slopes created during construction would be provided with appropriate drainage features and landscaped with drought-tolerant, slope-stabilizing vegetation as soon as possible after grading to reduce the potential for erosion. Berms would be provided at the top of fill slopes, and brow ditches would be constructed at the top of all cut slopes. V-ditches cut on the project site would be founded in dense fill or cut, but not in topsoil colluvium, and lot drainage would be directed such that runoff on slope faces is minimized. Inadvertent oversteepening of cut and fill slopes would be avoided during final grading and building construction. If seepage is encountered in slopes, special drainage features would be recommended by the geotechnical consultant to minimize soil erosion effects. Due to the granular nature of some of the site soils, construction of the fill slopes may warrant blending of cohesive soils into very sandy soils in order to increase surficial slope stability. Medium to highly expansive clayey soils, if placed within 15 feet of a slope face, may be subject to artificial instability or



slope creep, resulting in soil erosion or the loss of topsoil; as such, clayey soils would be thoroughly mixed with poorly graded sands on the project site to produce a better-quality fill material that would be more effective in reducing erosion and increasing surficial stability.

Grading of the proposed cut slope along the western frontage of the site and fill slope along the eastern frontage of the site would require approximately 950,000 cubic yards of cut and 950,000 cubic yards of fill, with all soils balanced on site. During grading, on-site soils would be excavated and recompacted in accordance with the CBC to accommodate the proposed warehouse and paved areas, including drive aisles and parking and loading areas.

All grading would be subject to local and State codes and requirements for erosion control and grading during construction. For example, the proposed project would be required to comply with standard regulations, including South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, which would reduce construction erosion impacts. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emissions source. Rule 402 requires that dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site. For example, control measures to reduce erosion during grading and construction activities include stabilizing backfilling materials when not actively handling soils, stabilizing soils during clearing and grubbing activities, and stabilizing soils during and after cut and fill activities. As required by **RCM GEO-1**, all recommendations presented in the Geotechnical Investigation for the proposed project shall be implemented to the satisfaction of the City's Building and Safety Director, or designee, to ensure reduced effects to geology and soils on the project site during construction and operation.

Additionally, the Construction General Permit (CGP) issued by the State Water Resources Control Board (SWRCB) regulates construction activities to minimize water pollution, including sediment. The proposed project would be subject to the National Pollutant Discharge Elimination System (NPDES) permitting regulations, including the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The construction contractor would be required to prepare and implement the SWPPP and associated best management practices (BMPs) in compliance with the CGP during grading and construction, as outlined in **RCMs HYD-1** and **HYD-2**, provided in Section 4.10, Hydrology and Water Quality, of this EIR. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from grading and construction activities. Additionally, **RCM HYD-3**, provided in Section 4.10, Hydrology and Water Quality, of this EIR, would reduce effects of soil erosion during project operation through implementation of a project-specific Water Quality Management Plan (WQMP) and compliance with City Municipal Code requirements, which incorporate measures to capture excess stormwater runoff and prevent soil erosion to downstream water courses from development of the site. Furthermore, the proposed project would be required to adhere to the provisions of the City's grading ordinances and the requirements of the Geotechnical Investigation and the CBC, as codified in **RCM GEO-1**, to safeguard against the effects of unstable soils or slopes. Therefore, impacts from soil erosion or loss of topsoil would be **less than significant**.

Level of Significance Prior to Mitigation: Less Than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures would be required. **RCM GEO-1** would be implemented for the proposed project to safeguard against the



effects of unstable soils or slopes. Additionally, **RCMs HYD-1, HYD-2, and HYD-3**, prescribed in Section 4.10, Hydrology and Water Quality, of this EIR, would be implemented to protect soils from potential effects related to erosion from wind and water.

Level of Significance After Mitigation: RCM GEO-1 would be implemented for the proposed project to safeguard soils against the effects of unstable sediments or slopes. Additionally, **RCMs HYD-1, HYD-2, and HYD-3**, prescribed in Section 4.10, Hydrology and Water Quality, of this EIR, require development of a project-specific SWPPP and WQMP to capture excess stormwater runoff and prevent soil erosion to downstream water courses from development of the site. The SWPPP and WQMP would identify BMP measures to treat and/or limit the entry of contaminants into the storm drain system during project construction and operation. Adherence to the BMPs contained in the SWPPP and WQMP would ensure appropriate measures are taken to prevent the substantial loss of topsoil and erosion from occurring during project construction and operation. Impacts from soil erosion would remain less than significant.

4.7.6.6 Unstable Soils

Threshold 4.7-3: Would the proposed project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse?

Landslides. Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. However, the project site is not within a State-designated hazard zone for earthquake-induced landsliding. Furthermore, grading of the project site, which features a 4 percent slope to the southeast, would remove the existing detention basins, slope inclinations, and stockpiles of boulders and cobbles from the site. However, development of the project would result in 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 to the west and up to 32 feet higher in elevation than First Industrial Way at the eastern end of the site.

The grading contractor would be required to prepare the site in accordance with applicable provisions of the CBC and recommendations of the project-specific Geotechnical Investigation, as codified in **RCM GEO-1**, and to implement a project-specific grading plan and erosion control plan pursuant to City Ordinance No. 1388 Grading, Erosion, and Sediment Control, as codified in **RCM HYD-2** in Section 4.10, Hydrology and Water Quality, of this EIR. Recommendations of the project-specific Geotechnical Investigation, which include measures designed to minimize soil erosion and loss of topsoil through proper fill compaction; construction of stabilization fill keyways to ensure slope stability and prevention of landslides; immediate landscaping, irrigation, and maintenance of engineered slopes; and settlement monitoring of compacted fills would ensure impacts related to landslides remain **less than significant**.

Lateral Spreading and Liquefaction. Lateral spreading may occur on very gentle slopes or flat terrain. The dominant mode of movement is lateral extension accompanied by shear or tensile fracture. This failure is caused by liquefaction and is usually triggered by rapid ground motion, such as that



experienced during an earthquake, but can also be artificially induced. When coherent material, either bedrock or soil, rests on materials that liquefy, the upper units may undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow. As discussed previously, the project site possesses a low potential for liquefaction. As indicated with respect to Threshold 4.7.1(iii), above, liquefaction potential at the site is considered low. Thus, impacts from lateral spreading and liquefaction would be **less than significant**.

Subsidence and Collapsible Soils. Ground subsidence is a gradual settling or sinking of the ground surface that is typically associated with oil, gas, or groundwater extraction. The City of Banning General Plan indicates that subsidence has not been observed within the City. There are also no oil or gas fields within or near the project site. Consequently, regional land subsidence due to the extraction of oil or gas is not a hazard in the project area.

Subsidence can also occur as an effect of soil shrinkage, which is the decrease in volume of soil upon removal and recompaction expressed as a percentage of the original in-place volume. Subsidence occurs as natural ground is densified to receive fill. Shrinkage of surficial soils removed and recompacted during grading would be anticipated to be approximately 3 to 13 percent, including from compression of surface material due to heavy equipment. The degree to which fill soils are compacted and variations in the density of existing soils will influence earth volume changes. Consequently, some adjustments in grades near the completion of grading could be required to balance the earthwork.

As codified in **RCM GEO-1**, recommendations for soil removal would be planned in more detail by a certified geotechnical engineer or engineering geologist when grading plans are developed. Actual depths and limits of removals should be further verified by the geotechnical consultant during grading based on conditions encountered in the field or future studies. A Final Geotechnical Investigation would be prepared for the project, and site-specific recommendations must be implemented in accordance with Appendix J, Section J104 (Engineered Grading Requirements), of the CBC. The Final Geotechnical Investigation would assess hazardous soil conditions on site and would provide recommendations as needed to minimize these potential collapsible soil hazards, which may include overexcavation of certain soils and replacement with compacted fill. The proposed project would implement recommendations from the Final Geotechnical Investigation, as required by **RCM GEO-1**, to ensure compliance with the most current CBC requirements. Therefore, implementation of **RCM GEO-1** and compliance with existing regulations would ensure that impacts from collapsible soils would remain **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures would be required. Regulatory Compliance Measures RCM GEO-1 and HYD-2 are existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to landslides, subsidence, and collapsible soils. The City considers these requirements to be mandatory for all land development projects in Banning; therefore, they are not mitigation measures.

Level of Significance After Mitigation: **RCM GEO-1** would be implemented for the proposed project to safeguard against landslides, lateral spreading, subsidence, liquefaction, and collapse. Additionally, **RCM HYD-2**, prescribed in Section 4.10, Hydrology and Water Quality, of this EIR, requires



development of a project-specific grading plan and erosion control plan to protect against landslides. Impacts related to landslides, lateral spreading, subsidence, liquefaction, and collapse would remain **less than significant**.

4.7.6.7 Expansive Soils

Threshold 4.7-4: Would the proposed project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?

Expansive soils are soils that experience volumetric changes in response to increases or decreases in moisture content. The on-site soils generally consist of silty sands, gravelly sands, and well-graded sands with varying amounts of gravel, cobbles, and boulders. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for the project site. In addition, in the event that, following the completion of grading, it is determined that near-surface soils exhibit an elevated expansion potential, the potential impact of those expansive soils would be addressed through overexcavation and compaction of underlying soils and design of structural foundations and floor slabs in compliance with applicable requirements in the CBC, as adopted by the City in its Municipal Code (**RCM GEO-1**). Since the potential for expansive soils is low and any potential expansion would be addressed through compliance with applicable State and local code requirements, the proposed project would not create substantial potential risks to life or property, and this impact would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures would be required. **RCM GEO-1** would be implemented for the proposed project.

Level of Significance After Mitigation: **RCM GEO-1** would be implemented for the proposed project to ensure an adequate layer of densified soil underlying the proposed structure, as well as design of structural foundations and floor slabs in compliance with applicable requirements in the CBC. Impacts related to expansive soils would remain **less than significant**.

4.7.6.8 Septic Tanks or Alternative Wastewater Disposal

Threshold 4.7-5: Would the proposed 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?

The proposed project would not include the use of septic tanks or alternative wastewater disposal systems because sanitary sewer and wastewater facilities are available in the vicinity of the project site. The proposed project would be required to connect to City sanitary sewer and wastewater facilities. Therefore, the proposed project would have **no impact** with respect to septic tanks or alternative wastewater disposal systems.

Significance Determination Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.



Significance Determination After Mitigation: No Impact.

4.7.6.9 Paleontological Resources

Threshold 4.7-6: Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat, for example. Fossils are considered a nonrenewable resource under State and City guidelines.

A paleontological locality record search for the proposed project was performed by the Western Science Center in Hemet, Riverside County. The results of the record search indicated that no fossil localities are known within the project site or within 1 mile of the project site. However, the records search indicated that the Pleistocene alluvial fan deposits that underlie the project site are similar to other deposits of the same age that have yielded numerous fossil localities. In addition, Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources, including those associated with the Columbian mammoth, Pacific mastodon, sabertooth cat, ancient horse, and many other Pleistocene megafauna.

The degree of paleontological sensitivity of any particular area is based on a number of factors, including the documented presence of fossiliferous resources on a site or in nearby areas, the presence of documented fossils within a particular geologic formation or lithostratigraphic unit, and whether or not the original depositional environment of the sediments is one that might have been conducive to the accumulation of organic remains that might have become fossilized over time. Holocene alluvium is generally considered to be geologically too young to contain significant, nonrenewable paleontological resources and, therefore, is typically assigned a low paleontological sensitivity. Pleistocene (more than 11,700 years old) alluvial and alluvial fan deposits in the Inland Empire, however, often yield important Ice Age terrestrial vertebrate fossils. Accordingly, these Pleistocene deposits are assigned a high paleontological resources sensitivity.

Young alluvial fan deposits, such as those underlying the project site, are typically assigned a low paleontological sensitivity. However, excavation depths for rough grading, compaction for building foundations, and utility trenching would reach approximately 50 feet below the existing grade in the northwestern portion of the project site, potentially deep enough to encounter late Pleistocene-aged alluvium. **Mitigation Measure GEO-1 (MM GEO-1)** requires paleontological monitoring during mass grading and excavation activities to mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources. For excavation of young alluvial fan and alluvial valley deposits at the project site, periodic “spot check” monitoring would be required, consisting of approximately one to three scheduled visits per week by a paleontological monitor during construction ground disturbance. If fossils are discovered, work in the immediate area of the discovery would be halted and the qualified paleontologist would assess the discovery. These procedures would mitigate potential impacts to scientifically significant, nonrenewable paleontological resources to a **less than significant** level.



Level of Significance Prior to Mitigation: Potentially Significant.

Regulatory Compliance Measures and Mitigation Measures: The following mitigation measure shall be implemented to reduce impacts to paleontological resources that could be discovered on the project site during grading/excavation activities.

MM GEO-1 Paleontological Resources Monitoring.

- a. 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 project Applicant, and a representative of the City of Banning (City). The nature of potential paleontological resources shall be discussed, as well as the protocol that is to be implemented following the discovery of any fossiliferous materials.
- b. For earthmoving within young alluvial fan deposits (Qyf) and young alluvial valley deposits (Qya) mapped at the project 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.
- c. In the field, the primary monitor or monitors under the direction and supervision of the project paleontologist shall be the responsible person(s) on site with the assigned authority and responsibility to control all grading operations that might adversely affect any salvage efforts.
- d. Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or 5-gallon buckets. Notes shall be taken on the map location and stratigraphy of the site, which shall be photographed before it is vacated and fossils are removed to a safe place.
- e. All paleontological monitors shall immediately notify all concerned parties (project Applicant and lead agency [i.e., the City of Banning]) at the time of any discovery. The City shall ensure that the recommendations from the qualified professional paleontologist shall be followed by the project Applicant and construction contractor(s).
- f. Within 90 days of final paleontological monitoring, a final monitoring and mitigation report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to and accepted by the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.



Level of Significance After Mitigation: Implementation of **MM GEO-1** would ensure that paleontological resources, if encountered during project construction, would be retrieved for future scientific study and protection. Therefore, impacts to paleontological resources would be reduced to **less than significant**.

4.7.7 Cumulative Impacts

Typically, geology and soils impacts are specific to a particular site and there is little, if any, cumulative relationship between the development of a proposed project and development within a larger cumulative area.

While seismic events may affect a broad region, development of the cumulative projects would not increase the intensity, frequency, or duration of seismic events or the properties of off-site geology or soils. The CBC (adopted by reference in Chapter 15.08, Construction Codes, of the City's Municipal Code) contains provisions to safeguard against major structural failures or loss of life caused by earthquakes, liquefaction, ground shaking, landslides, and other seismically induced hazards, and will be implemented as required by **RCM GEO-1**. Cumulative development projects would be required to undergo environmental review pursuant to CEQA, including, as necessary, site-specific investigation of potential geologic, seismic, or soil-related impacts. It is reasonable to expect that such site-specific investigation would appropriately identify the siting, design, and construction criteria established in the CBC and/or by the City to address site-specific geologic/soil conditions affecting future development, and that the City would condition future development to fully satisfy said criteria. Therefore, cumulative geologic, seismic, or soil-related impacts would be rendered to a less than significant level, and the project's contribution to such impacts would not be cumulatively considerable.

Like the project, construction activities associated with development of the cumulative projects would include some level of earthmoving, trenching, and/or temporary stockpiling, which could contribute to cumulative soil erosion effects. A standard development requirement is compliance with relevant federal, State, and local laws, which require preparation of SWPPPs and WQMPs to identify, evaluate, and minimize erosion and sedimentation from construction sites, as required in **RCM HYD-1**, **RCM HYD-2**, and **RCM HYD-3** in Section 4.10, Hydrology and Water Quality, of this EIR. The SWPPPs and WQMPs generally identify the project-specific BMPs and erosion control features. These plans would be prepared and submitted to the City's Public Works Department prior to issuance of any grading permit in compliance with the City's Municipal Code.

Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources, including those associated with Columbian mammoth, Pacific mastodon, sabertooth cat, ancient horse, and other Pleistocene megafauna. A paleontological records search indicated that the alluvial fan deposits that underlie the project site are similar to other deposits of the same age in Riverside County that have yielded a number of fossil localities. Combined with other past, present, and reasonably foreseeable projects in Banning, implementation of the proposed project could contribute to a cumulatively significant impact due to the overall loss of paleontological remains unique to the region. As each development proposal is received by the City, it would be required to undergo environmental review pursuant to CEQA, including the potential to affect paleontological resources or unique geologic features. It is reasonable to anticipate that any site-



specific assessment would identify project-level mitigation to ensure that the development of future projects would not significantly impact unique paleontological resources. When resources are assessed and/or protected as they are discovered, impacts to these resources would be **less than significant**. As such, implementation of **MM GEO-1** for the project and similar measures for cumulative development, would ensure that cumulatively significant impacts to unique paleontological resources or unique geologic features would be reduced to **less than significant with mitigation incorporated**.



4.8 GREENHOUSE GAS EMISSIONS

This section summarizes existing greenhouse gas (GHG) emissions and discusses global climate change, its causes, and the contribution of human activities. This section also estimates the likely GHG emissions that would result from construction and operational activities associated with development of the First Hathaway Logistics Project (proposed project), including vehicular traffic, energy consumption, and other emission sources. The analysis in this section is based on the findings of the *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*¹ prepared for the proposed project (**Appendix B-1**).

4.8.1 Scoping

The City of Banning (City) did not receive any public comments pertaining to GHG emissions from participants of the public scoping meeting held on May 19, 2022, for the proposed project. However, the City received one comment letter regarding GHG emissions in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022. The NOP comment related to GHG emissions included:

- California Allied for a Responsible Economy (CARE CA) (May 19, 2022) requested that the Environmental Impact Report (EIR) evaluate impacts from construction and operation of cold-storage warehouse space and require future tenants to utilize natural refrigerant alternatives to reduce impacts from GHG emissions.

Copies of the NOP and public scoping comments are provided in **Appendix A** of this EIR.

4.8.2 Methodology

The proposed project would result in GHG emissions from construction and operational sources. Construction activities would generate emissions from off-road construction equipment and on roadways as a result of construction-related truck hauling, vendor deliveries, and worker commuting. Operational GHG emissions are typically associated with mobile sources (e.g., vehicle trips), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (landfilling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). This analysis uses the California Emissions Estimator Model version 2022.1 (CalEEMod) to quantify GHG emissions for both construction and operation associated with the proposed project. CalEEMod output is contained in **Appendix B-3**. This section has been prepared using methodologies and assumptions recommended in the air quality impact assessment guidelines of the South Coast Air Quality Management District (SCAQMD).

4.8.3 Existing Environmental Setting

This section describes existing GHG emissions in Banning, beginning with typical GHG types and sources, impacts of global climate change, the regulatory framework surrounding these issues, and current emission levels.

¹ LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. April 2024.



4.8.3.1 Greenhouse Gases

Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degree Celsius ($^{\circ}\text{C}$) or 1.1 ± 0.4 degrees Fahrenheit ($^{\circ}\text{F}$) in the 20th century. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities, and lead to an increase in the greenhouse effect.²

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are the following:

- CO_2
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur hexafluoride (SF_6)

Over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, which can cause global warming. Although GHGs produced by human activities include naturally occurring GHGs (e.g., CO_2 , CH_4 , and N_2O), some gases (e.g., HFCs, PFCs, and SF_6) are completely new to the atmosphere. Water vapor is a GHG, but it is generally excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes (e.g., oceanic evaporation). For the purposes of this air quality study, the term "GHGs" will refer collectively to the six gases identified in the bulleted list provided above.

These GHGs vary considerably in terms of global warming potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas in absorbing infrared radiation and the length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO_2 , the most abundant GHG. The definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO_2 over a specified time period. For example, N_2O is from 265 to 310 times more potent at contributing to global warming than CO_2 . GHG emissions are typically measured in terms of

² The temperature on Earth is regulated by a system commonly known as the "greenhouse effect." Just as the glass in a greenhouse allows heat from sunlight in and reduces the heat escaping, GHGs like CO_2 , CH_4 , and N_2O in the atmosphere keep the Earth at a relatively even temperature. Without the greenhouse effect, the Earth would be a frozen globe; thus, although an excess of GHGs results in global warming, the *naturally occurring* greenhouse effect is necessary to keep our planet at a comfortable temperature.



metric tons of CO₂ equivalents (MT CO₂e). Table 4.8.A identifies the GWP for the three GHGs analyzed in this EIR.

Table 4.8.A: Global Warming Potential for Selected Greenhouse Gases

Pollutant	AR4 Values	AR6 Values
Carbon dioxide (CO ₂)	1 (by definition)	1 (by definition)
Methane (CH ₄)	25	29.8 ± 11
Nitrous oxide (N ₂ O)	298	273 ± 130

Source 1: California Air Resources Board (CARB). *2022 Scoping Plan for Achieving Carbon Neutrality*. 2022.

Source 2: Intergovernmental Panel on Climate Change (IPCC). *Sixth Assessment Report*. 2021.

Note: The EPA and CARB use global warming potential values from the IPCC Fourth Assessment Report (2007).

AR4 = 2007 IPCC Fourth Assessment Report

AR6 = 2021 IPCC Sixth Assessment Report

EPA = United States Environmental Protection Agency

The following discussion summarizes the characteristics of the six GHGs and black carbon.

Carbon Dioxide. In the atmosphere, carbon generally exists in its oxidized form, as CO₂. Natural sources of CO₂ include the respiration (breathing) of humans, animals, and plants; volcanic outgassing; decomposition of organic matter; and evaporation from the oceans. Human-caused sources of CO₂ include the combustion of fossil fuels and wood, waste incineration, mineral production, and deforestation. Natural sources release approximately 150 billion tons of CO₂ each year, far outweighing the 7 billion tons of manmade emissions of CO₂ each year. Nevertheless, natural removal processes, such as photosynthesis by land- and ocean-dwelling plant species, cannot keep pace with this extra input of manmade CO₂, and consequently, the gas is building up in the atmosphere.

In 2020, total annual CO₂ accounted for approximately 80.2 percent of California's overall GHG emissions.³ Transportation is the single largest source of CO₂ in California, which primarily consists of on-road travel. Electricity production, industrial, and residential sources also make important contributions to CO₂ emissions in California.

Methane. CH₄ is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Decomposition occurring in landfills accounts for the majority of human-generated CH₄ emissions in California and in the United States as a whole. Agricultural processes such as intestinal fermentation, manure management, and rice cultivation are also significant sources of CH₄ in California. Total annual emissions of CH₄ accounted for approximately 10.5 percent of GHG emissions in California in 2020.⁴

Nitrous Oxide. N₂O is produced naturally by a wide variety of biological sources, particularly microbial action in soils and water. Tropical soils and oceans account for the majority of natural-source emissions. N₂O is a product of the reaction that occurs between nitrogen and oxygen during fuel combustion. Both mobile and stationary combustion emit N₂O, and the quantity emitted varies

³ California Air Resources Board (CARB). *GHGs Descriptions & Sources in California*. 2022. Website: ww2.arb.ca.gov/ghg-descriptions-sources (accessed June 2023).

⁴ Ibid.



according to the type of fuel, technology, and pollution control device used, as well as maintenance and operating practices. Agricultural soil management and fossil fuel combustion are the primary sources of human-generated N₂O emissions in California. N₂O emissions accounted for approximately 3.5 percent of GHG emissions in California in 2020.⁵

Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. HFCs are primarily used as substitutes for ozone (O₃) depleting substances regulated under the Montreal Protocol.⁶ PFCs and SF₆ are emitted from various industrial processes, including aluminum smelting, semiconductor manufacturing, electric power transmission and distribution, and magnesium casting. There is no aluminum or magnesium production in California; however, the rapid growth in the semiconductor industry leads to greater use of PFCs. HFCs, PFCs, and SF₆ accounted for about 5.5 percent of GHG emissions in California in 2020.⁷

Black Carbon. Black carbon is the most strongly light-absorbing component of particulate matter formed by burning fossil fuels such as coal, diesel, and biomass. Black carbon is emitted directly into the atmosphere in the form of particulate matter less than 2.5 microns in size (PM_{2.5}) and is the most effective form of particulate matter, by mass, at absorbing solar energy. Per unit of mass in the atmosphere, black carbon can absorb one million times more energy than CO₂.⁸ Black carbon contributes to climate change both directly, such as absorbing sunlight, and indirectly, such as affecting cloud formation. However, because black carbon is short-lived in the atmosphere, it can be difficult to quantify its effect on global-warming.

Most United States emissions of black carbon come from mobile sources (52 percent), particularly from diesel fueled vehicles.⁹ The other major source of black carbon is open biomass burning, including wildfires, although residential heating and industry also contribute. The California Air Resources Board (CARB) estimates that the annual black carbon emissions in California will be reduced approximately 50 percent below 2013 levels by 2030.¹⁰

4.8.3.2 Greenhouse Gas Emissions Sources and Inventories

An emissions inventory that identifies and quantifies the primary human-generated sources and sinks of GHGs is a well-recognized and useful tool for addressing climate change. This section summarizes the latest information on global, United States, and California GHG emission inventories.

⁵ California Air Resources Board (CARB). GHGs Descriptions & Sources in California. 2021. Website: ww2.arb.ca.gov/ghg-descriptions-sources (accessed June 2023).

⁶ The Montreal Protocol is an international treaty that was approved on January 1, 1989, and was designated to protect the O₃ layer by phasing out the production of several groups of halogenated hydrocarbons believed to be responsible for O₃ depletion.

⁷ CARB. 2021. op. cit.

⁸ United States Environmental Protection Agency (USEPA). Black Carbon, Basic Information. February 14, 2017. Website: 19january2017snapshot.epa.gov/www3/airquality/blackcarbon/basic.html (accessed June 2023).

⁹ Ibid.

¹⁰ CARB. *Short-Lived Climate Pollutant Reduction Strategy*. March 2017. Website: https://ww2.arb.ca.gov/sites/default/files/2020-07/final_SLCP_strategy.pdf (accessed June 2023).



Global Emissions. Worldwide emissions of GHGs in 2020 totaled 22.9 billion MT CO₂e. Global estimates are based on country inventories developed as part of the programs of the United Nations Framework Convention on Climate Change.¹¹

United States Emissions. In 2020, the year for which the most recent data are available, the United States emitted about 5,222 million metric tons of CO₂e (MMT CO₂e). Overall, emissions in 2020 decreased by 11 percent since 2019 and were 21 percent lower than 2005 levels. The primary driver for the decrease was an 11 percent decrease in CO₂ emissions from fossil fuel combustion. This decrease was primarily due to a 13 percent decrease in transportation emissions driven by decreased demand due to the ongoing COVID-19 pandemic. Electric power-sector emissions also decreased 10 percent, reflecting both a slight decrease in demand from the COVID-19 pandemic and a continued shift from coal to less carbon-intensive natural gas and renewables. Of the five major sectors—residential and commercial, agricultural, industry, transportation, and electricity generation—transportation accounted for the highest amount of GHG emissions in 2020 (approximately 27 percent), with electricity generation second at 27 percent and emissions from industry third at 24 percent.¹²

State of California Emissions. The State emitted approximately 369.2 MMT CO₂e emissions in 2020, which is 35.3 MMT CO₂e lower than 2019 levels and 61.8 MMT CO₂e below the 2020 GHG limit of 431 MMT CO₂e.¹³ CARB estimates that transportation was the source of approximately 37 percent of the State’s GHG emissions in 2020, which is a smaller share than recent years, as the transportation sector saw a significant decrease of 26.6 MMT CO₂e in 2020, likely due in large part to the impact of the COVID-19 pandemic. The next largest sources included industrial sources at approximately 20 percent and electricity generation at 16 percent. The remaining sources of GHG emissions were commercial and residential activities at 10 percent, agriculture at 9 percent, high-GWP sources at 6 percent, and waste at 2 percent.¹⁴

4.8.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) GHG emission regulations applicable to the proposed project.

4.8.4.1 Federal Regulations

The following federal regulations would be applicable to the proposed project.

Clean Air Act. The federal Clean Air Act (CAA) of 1970 is the primary federal air quality law intended to reduce and control air pollution nationwide by regulating all sources of air emissions that affect

¹¹ United Nations Framework Convention on Climate Change (UNFCCC). GHG Data from UNFCCC. 2022. Website: https://di.unfccc.int/time_series (accessed June 2023).

¹² United States Environmental Protection Agency (USEPA). Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2019. 2021. Website: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2019> (accessed June 2023).

¹³ California Air Resources Board (CARB). *California Greenhouse Gas Emissions for 2000 to 2020, Trends of Emissions and Other Indicators Report*. 2022. Website: https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf (accessed June 2023).

¹⁴ Ibid.



public health and the environment. In 2007, the United States Supreme Court ruled that the United States Environmental Protection Agency (EPA) has the authority to regulate CO₂ emissions under the CAA. While there currently are no adopted federal regulations for the control or reduction of GHG emissions, the EPA commenced several actions in 2009 to implement a regulatory approach to global climate change.

This includes the 2009 EPA final rule for mandatory reporting of GHGs from large GHG emission sources in the United States. Additionally, the EPA Administrator signed an endangerment finding action in 2009 under the CAA, finding that six GHGs (CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆) constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to global climate change. However, in June 2022, the Supreme Court in *West Virginia v. EPA* limits the approach the EPA may use to regulate GHG emissions from stationary power sources such as coal plants to those expressly authorized by Congress in the CAA.

SmartWay Program. The SmartWay Program is a public-private initiative among the EPA, large and small trucking companies, rail carriers, logistics companies, commercial manufacturers, retailers, and other federal and State agencies. Its purpose is to improve fuel efficiency and the environmental performance (reduction of both GHG emissions and air pollution) of the goods movement supply chains. SmartWay consists of four components¹⁵:

1. **SmartWay Transport Partnership:** A partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption, and improve performance annually.
2. **SmartWay Technology Program:** A testing, verification, and designation program to help freight companies identify equipment, technologies, and strategies that save fuel and lower emissions.
3. **SmartWay Vehicles:** A program that ranks light-duty cars and small trucks and identifies superior environmental performers with the SmartWay logo.
4. **SmartWay International Interests:** Guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay.

SmartWay effectively refers to requirements geared toward reducing fuel consumption. Most large trucking fleets driving newer vehicles are compliant with SmartWay design requirements. Moreover, over time, all heavy-duty trucks (HDTs) will have to comply with CARB GHG regulations that are designed with the SmartWay Program in mind to reduce GHG emissions by making them more fuel efficient. For instance, in 2015, 53-foot or longer dry vans or refrigerated trailers equipped with a combination of SmartWay-verified low-rolling resistance tires and SmartWay-verified aerodynamic devices would obtain a total of 10 percent or more fuel savings over traditional trailers.

Through the SmartWay Technology Program, the EPA has evaluated the fuel-saving benefits of various devices through grants, cooperative agreements, emissions and fuel economy testing, demonstration

¹⁵ United States Environmental Protection Agency (USEPA). Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2019. 2021. Website: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2019> (accessed September 2023).



projects, and technical literature review. As a result, the EPA has determined the following types of technologies provide fuel-saving and/or emission-reducing benefits when used properly in their designed applications and has verified certain products:

- Idle-reduction technologies, as less idling of the engine when it is not needed would reduce fuel consumption.
- Aerodynamic technologies minimize drag and improve airflow over the entire tractor-trailer vehicle. Aerodynamic technologies include gap fairings that reduce turbulence between the tractor and trailer, side skirts that minimize wind under the trailer, and rear fairings that reduce turbulence and pressure drop at the rear of the trailer.
- Low-rolling-resistance tires can roll longer without slowing down, thereby reducing the amount of fuel used. Rolling resistance (or rolling friction or rolling drag) is the force resisting the motion when a tire rolls on a surface. The wheel will eventually slow down because of this resistance.
- Retrofit technologies include things such as diesel particulate filters, emissions upgrades (to a higher tier), etc., which would reduce emissions.
- Federal excise tax exemptions.

4.8.4.2 State Regulations

CARB is the lead agency for implementing climate change regulations in the State. Since its formation, CARB has worked with the public, the business sector, and local governments to find solutions to California's air pollution problems. The following State regulations would be applicable to the proposed project.

Assembly Bill 1493 (2002). In a response to the transportation sector's significant contribution to California CO₂ emissions, Assembly Bill (AB) 1493 was enacted on July 22, 2002. AB 1493 requires CARB to set feasible and cost-effective GHG emission reduction standards for passenger vehicles and light-duty trucks (and other vehicles whose primary use is noncommercial personal transportation in the State) for 2009 models and all subsequent model years. These standards (starting in model years 2009 to 2016) were approved by CARB in 2004, but the needed waiver of CAA Preemption was not granted by the EPA until June 30, 2009. CARB responded by amending its original regulation, now referred to as Low Emission Vehicle III, to take effect for model years 2017 to 2025. The Trump Administration revoked California's waiver in 2019, but the Biden Administration restored California's waiver in 2021.

Executive Order S-3-05 (2005). Executive Order (EO) S-3-05 was signed by the Governor on June 1, 2005, which established California GHG emissions reduction targets and set the following goals:

- GHG emissions should be reduced to 2000 levels by 2010;
- GHG emissions should be reduced to 1990 levels by 2020; and
- GHG emissions should be reduced to 80 percent below 1990 levels by 2050.



Assembly Bill 32 (2006), California Global Warming Solutions Act. California’s major initiative for reducing GHG emissions is AB 32, passed by the State legislature on August 31, 2006. This bill codified a multiyear program to reduce GHG emissions in California. The bill established the goal of reducing GHG emissions to 1990 levels by 2020. AB 32 required CARB to develop a Scoping Plan that would create an approach to meet this goal. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the State’s GHG inventory. CARB established the level of GHG emissions in 1990 at 427 MMT CO₂e, which was met in 2016.

On August 24, 2011, CARB unanimously approved both the new supplemental assessment and reapproved its Scoping Plan, which provides the overall roadmap and rule measures to carry out AB 32. The CARB approved the cap-and-trade program authorized in AB 32 in 2012. The cap-and-trade program took effect in 2013.

The CARB approved the First Update to the Climate Change Scoping Plan in 2014. The First Update described California’s progress toward meeting the “near-term” 2020 GHG emission reduction goals defined in the initial Scoping Plan and updated the 2020 GHG emissions limit goal. CARB released a second update to the Scoping Plan, the 2017 Scoping Plan, to reflect the 2030 target set by EO B-30-15 and codified by Senate Bill (SB) 32.¹⁶ The 2030 target is reducing GHG emissions to 40 percent below 1990 levels by 2030.

The 2022 Scoping Plan Update,¹⁷ adopted in December 2022, provides approaches and proposed regulations to achieve the statewide carbon neutrality target no later than 2045 through an 85 percent reduction of anthropogenic GHG emissions compared to 1990 levels of emissions, and identifies policies and strategies to reduce carbon emissions through direct emission reduction measures, building code updates, market-based compliance mechanisms such as the cap-and-trade program, potential monetary and nonmonetary incentives, and CO₂ removal from the atmosphere, which includes carbon capture, utilization and storage technologies, and carbon sequestration through natural and working lands. Appendix D of the 2022 Scoping Plan includes a table of Priority GHG Emission Reduction Strategies for local governments.

Senate Bill 97 (2007). SB 97, codified in 2008 at Public Resources Code Sections 21083.05 and 21097, required the Governor’s Office of Planning and Research (OPR) to develop guidelines for the feasible mitigation of GHG emissions under the California Environmental Quality Act (CEQA). These criteria were developed in 2009 and went into effect in 2010. The amendments do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. The amendments encourage lead agencies to consider many factors in performing a CEQA analysis but preserve the discretion granted by CEQA to lead agencies in making their own determinations based on substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs when they perform individual project analyses.

¹⁶ California Air Resources Board (CARB). *California’s 2017 Climate Change Scoping Plan*. November 2017. Website: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf (accessed September 2023).

¹⁷ CARB. *2022 Scoping Plan Update*. May 10, 2021. Website: <https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf> (accessed June 2023).



Senate Bill 375 (2008) Sustainable Communities Strategy. In addition to vehicle emissions regulations and the Low Carbon Fuel Standard (LCFS), the third effort to reduce GHG emissions from transportation is the reduction in the demand for personal vehicle travel (i.e., vehicle miles traveled [VMT]). This approach was addressed in September 2008 through the Sustainable Communities and climate Protection Act of 2008, or SB 375. The enactment of SB 375 initiated a new regional land use planning process to mitigate GHG emissions by integrating and aligning planning for housing, land use, and transportation for California’s 18 Metropolitan Planning Organizations (MPOs). The bill directed CARB to set regional GHG emission reduction targets for most areas of the State. SB 375 also contained important elements related to federally mandated regional transportation plans and the alignment of State transportation and housing planning processes.

Executive Order B-30-15 (2015). EO B-30-15 required that GHG emissions be reduced to 40 percent below 1990 levels by 2030. It applied only to State agencies with jurisdiction over sources of GHG emissions.

Senate Bill 350 (2015) Clean Energy and Pollution Reduction Act. SB 350 updated AB 32 by increasing California’s Renewable Portfolio Standard (RPS) from 33 percent to 50 percent by 2030 and requires increasing energy efficiency in buildings by 50 percent by the year 2030.

Senate Bill 32, California Global Warming Solutions Act of 2016, and Assembly Bill 197. In 2016 the Legislature passed, and the Governor signed, SB 32 and AB 197. SB 32 codified the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in the April 2015 EO B-30-15. The companion bill to SB 32, AB 197, provides additional direction to CARB related to the adoption of strategies to reduce GHG emissions and requires easier public access to air emissions data collected by CARB.

Senate Bill 100 (SB 100). Signed by the Governor in 2018, SB 100 raised California’s RPS requirements to 60 percent by 2030, with interim targets, and 100 percent by 2045. The bill also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Executive Order B-55-18. EO B-55-18, signed in 2018, sets a goal to achieve carbon neutrality no later than 2045, and to achieve and maintain net negative emissions thereafter. EO B-55-18 directs CARB to work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The goal of carbon neutrality by 2045 is in addition to other statewide goals, meaning that not only should emissions be reduced to 80 percent below 1990 levels by 2050, but that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO₂e from the atmosphere, including through sequestration in forests, soils, and other natural landscapes.

Title 24, Building Standards Code and CALGreen Code. In November 2008, the California Building Standards Commission established the California Green Building Standards Code (CALGreen), which sets performance standards for residential and nonresidential development to reduce environmental



impacts and encourage sustainable construction practices. CALGreen addresses energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that became effective on January 1, 2023. Requirements of the 2022 CALGreen Code that are applicable to the proposed project include the following:

- 5.106.4 Bicycle Parking.** Provide bicycle racks within 200 feet of the visitor's entrance for 5 percent of new visitor motorized vehicle parking spaces, with a minimum of one two-bike capacity rack.
- 5.106.5.3 Electric Vehicle (EV) charging.** Provide EV infrastructure and facilitate EV charging in compliance with the California Building Code and the California Electrical Code. The number of EV capable spaces required are specified at approximately 20 percent of the total spaces. Provisions for medium- and heavy-duty EV spaces shall be included.
- 5.106.12 Shade Trees.** Shade trees shall be planted to provide shade over 50 percent of the parking area within 15 years unless solar photovoltaic shade structures provide this shade.
- 5.303.3 Water Conserving Plumbing Fixtures and Fittings.** All water fixtures shall comply with the California Code of Regulations, Title 20, (Appliance Efficiency Regulations), Section 1605.1(h)(4) and Section 1605.3(h)(4)(A).
- 5.304.1 Outdoor Water Use.** Development shall comply with the City's water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELo), whichever is more stringent.
- 5.408.1 Construction Waster Management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2, or 5.408.1.3, or meet the City's construction and demolition waste management ordinance, whichever is more stringent.
- 5.410.1 Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet the City's local recycling ordinance, whichever is more restrictive.

Cap and Trade. The development of a cap-and-trade program was included as a key reduction measure of the CARB AB 32 Climate Change Scoping Plan for certain sectors to help California meet its goal of reducing GHG emissions to 1990 levels by 2020 and ultimately achieving an 80 percent reduction from 1990 levels by 2050. The sectors targeted by the cap-and-trade program are electricity generation, petroleum refining, natural gas production and distribution, cement production, and any large industrial facility that emits 25,000 MT CO₂e or more annually. The program went into effect in 2013 and helped California meet its 2020 GHG emissions reduction mandate. However, the percentage reductions called for under the program would decline over time to help reach the State's



2030 emissions target. Land use projects such as the proposed project are not directly subject to the cap-and-trade program; however, sectors associated with land use development, such as energy and fuel usage, are deemed covered entities that would indirectly be subject to cap-and-trade. CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities may buy allowances at auction, purchase allowances from others, or purchase offset credits. The cap-and-trade program does not guarantee GHG emissions reductions in any discrete location or by any particular source, but GHG emissions reductions are only guaranteed on an accumulative basis. The cap-and-trade program covers the GHG emissions associated with electricity consumed in California, whether generated in-State or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the cap-and-trade program.

The cap-and-trade program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels, emissions from combustion of other fossil fuels, and the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-State or imported. The point of regulation for transportation fuels is when they are "supplied" (i.e., delivered into commerce). Accordingly, as with stationary source GHG emissions and GHG emissions attributable to electricity use, virtually all, if not all, of GHG emissions from CEQA projects associated with vehicle miles traveled (VMT) are covered in some respect by the cap-and-trade program.

Executive Order N-79-20. EO N-79-20, signed in 2020, sets the following goals for the State: 100 percent of in-State sales of new passenger cars and trucks shall be zero-emission by 2035; 100 percent of medium- and heavy-duty vehicles in the State shall be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and 100 percent of off-road vehicles and equipment in the State shall be zero-emission by 2035, where feasible.

Assembly Bill 1279 California Climate Crisis Act of 2022. In 2022, the State Legislature passed AB 1279, which codifies the statewide goal of net carbon neutrality on or before 2045 and the policy of achieving an 85 percent reduction in GHG emissions compared to 1990 levels of emissions. Remaining GHG emissions would be removed either by natural sequestration or mechanical removal and deposition in order to achieve net zero GHG emissions.

CARB Phase 1 and 2 Heavy-Duty Vehicle GHG Standards. In 2013, CARB adopted a regulation for GHG emissions from HDTs and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the EPA rule for new trucks and engines nationally. Existing heavy-duty vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy-Duty Tractor-Trailer GHG Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation. In 2011, the EPA adopted its rule for HDTs and engines, which has compliance requirements for new compression and spark ignition engines, as well as Class 2b through Class 8 trucks. Compliance requirements begin with model year 2014, with stringency levels increasing through model year 2018. The rule organizes truck compliance into three groupings, which include: (a) heavy-duty pickups and vans; (b) vocational vehicles; and (c) combination tractors. The EPA rule does not regulate trailers.



CARB staff has worked jointly with the EPA and the National Highway Traffic Safety Administration (NHTSA) on the next phase of federal GHG emission standards for medium-duty trucks (MDT) and HDT vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later-model-year HDT vehicles, including trailers.

In February 2019, the Office of Administrative Law approved the Phase 2 Heavy-Duty Vehicle GHG Standards, which became effective April 1, 2019. The Phase 2 GHG standards are needed to offset projected VMT growth and keep HDT CO₂ emissions declining. The federal Phase 2 standards establish for the first time federal emissions requirements for trailers hauled by heavy-duty tractors. The federal Phase 2 standards are more technology-forcing than the federal Phase 1 standards, requiring manufacturers to improve existing technologies or develop new technologies to meet the standards. The federal Phase 2 standards for new tractors, vocational vehicles, and heavy-duty pickup trucks and vans will be phased in from 2021 to 2027; additionally, for trailers, the standards are phased in from 2018 (2020 in California) through 2027.

The initiatives, EOs, programs, standards, and statutes outlined above comprise the major milestones in California's efforts to address climate change through coordinated action on climate research, GHG mitigation, and climate change adaptation. Numerous other related efforts have been undertaken by State agencies and departments to address specific questions and programmatic needs. The Climate Action Team coordinates these efforts and others, which comprise the California Climate Adaptation Strategy.

California Integrated Waste Management Act. To minimize the amount of solid waste that must be disposed of in landfills, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties were required to divert 25 percent of all solid waste from landfill facilities by January 1, 1995, and 50 percent by January 1, 2000. Through other statutes and regulations, this 50 percent diversion rate also applies to State agencies. In order of priority, waste reduction efforts must promote source reduction, recycling and composting, and environmentally safe transformation and land disposal. In 2011, AB 341 modified the California Integrated Waste Management Act and directed the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling. The resulting 2012 Mandatory Commercial Recycling Regulation requires that on and after July 1, 2012, certain businesses that generate 4 cubic yards or more of commercial solid waste per week shall arrange recycling services. To comply with this requirement, businesses may either separate recyclables and self-haul them or subscribe to a recycling service that includes mixed-waste processing. AB 341 also established a statewide recycling goal of 75 percent; the 50 percent disposal reduction mandate still applies for cities and counties under AB 939, the Integrated Waste Management Act. In April 2016, AB 1826 further modified the California Integrated Waste Management Act, requiring businesses that generate a specified amount of organic waste per week to arrange for recycling services for that organic waste in a specified manner. In September 2020, CalRecycle mandated that businesses generating more than 2 cubic yards of organic waste per week are be subject to these waste collection requirements. Diverting organic waste from landfills reduces



emissions of CH₄. This is equivalent to reducing anaerobic decomposition of organic waste that would have otherwise occurred in landfills where organic waste is often buried with other inorganic waste.

Low Carbon Fuel Standard. In January 2007, EO S-01-07 established an LCFS. This EO calls for a statewide goal to be established to reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020, and that an LCFS for transportation fuels be established for California. The LCFS applies to all refiners, blenders, producers, or importers (“Providers”) of transportation fuels in California, including fuels used by off-road construction equipment. In June 2007, CARB adopted the LCFS under AB 32, pursuant to Health and Safety Code Section 38560.5, and in April 2009, CARB approved the new rules and carbon intensity reference values with new regulatory requirements taking effect in January 2011. The standards require providers of transportation fuels to report on the mix of fuels they provide and demonstrate that they meet the LCFS intensity standards annually. This is accomplished by ensuring that the number of “credits” earned by providing fuels with a lower carbon intensity than the established baseline (or obtained from another party) is equal to or greater than the “deficits” earned from selling higher-intensity fuels. In response to certain court rulings, CARB readopted the LCFS regulation in September 2015, and the LCFS went into effect on January 1, 2016. In 2018, CARB approved amendments to the regulation to readjust carbon intensity benchmarks to meet California’s 2030 GHG reductions targets under SB 32. These amendments include opportunities to promote zero-emission vehicle (ZEV) adoption, carbon capture and sequestration, and advanced technologies for decarbonization of the transportation sector.

Advanced Clean Cars Program. In January 2012, CARB approved the Advanced Clean Cars program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of ZEVs, into a single package of regulatory standards for vehicle model years 2017 through 2025. The new regulations strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program’s ZEVs regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California’s new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the State. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 40 percent fewer GHGs and 75 percent fewer smog-forming emissions than 2012 model year vehicles.

Executive Order B-48-18. In January 2018, Governor Brown signed EO B-48-18, requiring all State entities to work with the private sector to have at least 5 million ZEVs on the road by 2030, as well as to install 200 hydrogen fueling stations and 250,000 electric vehicle charging stations by 2025. It specifies that 10,000 of the electric vehicle charging stations should be direct-current fast chargers. This order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. The Governor’s Office of Business and Economic Development is required to publish a Plug-in Charging Station Design Guidebook and update the 2015 Hydrogen Station Permitting Guidebook to aid in these efforts. All State entities are required to participate in updating the 2016 Zero-Emissions Vehicle Action Plan to help expand private investment in ZEV infrastructure, with a focus on serving low-income and disadvantaged communities.



Additionally, all State entities are to support and recommend policies and actions to expand ZEV infrastructure at residential land uses, through the LCFS Program, and recommend how to ensure affordability and accessibility for all drivers.

4.8.4.3 Regional Regulations

The following regional regulations would be applicable to the proposed project.

Southern California Association of Governments. The Southern California Association of Governments (SCAG) is a regional council consisting of the following six counties: Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. In total, the SCAG region encompasses 191 cities and over 38,000 square miles within Southern California. SCAG serves as the Joint Powers Authority, the Regional Transportation Planning Agency, and the Council of Governments under State law. As the Regional Transportation Planning Agency, SCAG prepares long-range transportation plans for the Southern California region, including the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and the 2008 Regional Comprehensive Plan (RCP).

On September 3, 2020, SCAG adopted Connect SoCal—The 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (2020–2045 RTP/SCS).¹⁸ In general, the SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce VMT from automobiles and light-duty trucks and thereby reduce GHG emissions from these sources. For the SCAG region, CARB has set GHG reduction targets at 8 percent below 2005 per capita emissions levels by 2020, and 19 percent below 2005 per capita emissions levels by 2035.¹⁹ The RTP/SCS lays out a strategy for the region to meet these targets. Overall, the SCS is meant to provide growth strategies that will achieve the regional GHG emissions reduction targets. Land use strategies to achieve the region’s targets include the goal of planning for new growth around high-quality transit areas and livable corridors, and promoting improvement of the job-housing balance in the Inland Empire area.²⁰ However, the SCS does not require that local General Plans, Specific Plans, or zoning be consistent with the SCS; instead, it provides incentives to governments and developers for consistency.

South Coast Air Quality Management District. The SCAQMD and SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB). The main purpose of an AQMP is to bring the area into compliance with federal and State air

¹⁸ Southern California Association of Governments (SCAG). *Connect SoCal: The 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*. 2020. Website: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176 (accessed September 2023).

¹⁹ California Air Resources Board (CARB). *SCAG 2020 SCS CARB Acceptance of GHG Quantification Determination*. 2020. Website: <https://ww2.arb.ca.gov/sites/default/files/2021-02/SCAG%202020%20SCS%20CARB%20Acceptance%20of%20GHG%20Quantification%20Determination%20Executive%20Order.pdf> (accessed September 2023).

²⁰ Southern California Association of Governments (SCAG). *Connect SoCal: The 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*. 2020. Website: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176 (accessed September 2023).



quality standards. SCAQMD prepares a new AQMP every 3 years, updating the previous plan and a 20-year horizon.

The latest plan is the 2022 AQMP, which was adopted on December 2, 2022²¹ and incorporates the latest scientific and technological information and planning assumptions, including the 2020 RTP/SCS and updated emission inventory methodologies for various source categories which also result in the reduction of GHG emissions.²² Key elements of the 2022 AQMP pertaining to GHG emissions include:

- Specifically addresses decarbonization and climate policy development and its role in achieving the 2015 O₃ standard.
- Calculation and credit for co-benefits from other planning efforts (e.g., climate, energy, and transportation).
- A strategy with fair-share emission reductions at the federal, State, and local levels.
- Investment in strategies and technologies meeting multiple air quality and climate objectives.
- Identification of new partnerships and significant funding for incentives to accelerate deployment of zero and near-zero technologies.
- Attainment of the 1-hour O₃ standard by 2022 with no reliance on “black box” future technology (CAA Section 182(e)(5) measures)²³. While not directly correlated to GHG emissions, the measures rely heavily on zero-emission technologies that will also significantly reduce GHG emissions.

SCAQMD adopts rules and regulations to implement portions of the AQMP. Several of these rules may apply to project construction or operations impacting the reduction of GHG emissions.

Although SCAQMD is responsible for regional air quality planning efforts, it does not have the authority to directly regulate new development projects within the SCAB, such as the proposed project. Instead, SCAQMD published the *CEQA Air Quality Handbook* to assist lead agencies, as well as consultants, project proponents, and other interested parties, in evaluating potential GHG and air quality impacts of projects proposed in the SCAB.²⁴ The *CEQA Air Quality Handbook* provides

²¹ South Coast Air Quality Management District (SCAQMD). *2022 Air Quality Management Plan*. December 2022. Website: www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan (accessed June 2023)

²² SCAQMD. *2022 Air Quality Management Plan*. 2022. Website: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=10> (accessed September 2023).

²³ CAA section 182(e)(5) allows “extreme” nonattainment areas to rely on the adoption of “new technologies” in their attainment demonstration with the expectation that new or improved control technologies will materialize. These measures are commonly referred to as “black box” measures because they are not defined specifically at the time of plan development. See: https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/black-box_final.pdf?sfvrsn=4,

²⁴ SCAQMD. *Air Quality Analysis Handbook*. Website: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook> (accessed September 2023).



standards, methodologies, and procedures that can be used in conducting GHG analyses in EIRs and were used extensively in the preparation of this analysis. SCAQMD is currently in the process of replacing the *CEQA Air Quality Handbook* with the *Air Quality Analysis Guidance Handbook*.²⁵

While the replacement *Air Quality Analysis Guidance Handbook* is being updated, supplemental guidance/information on the SCAQMD website includes: (1) Emission FACTors (EMFAC) on-road vehicle air pollutant and GHG emission factors; (2) GHG analysis guidance; (3) mitigation measures and control efficiencies; (4) off-road mobile source air pollutant and GHG emission factors; and (5) updated SCAQMD Air Quality Significance Thresholds. SCAQMD also recommends using approved models to calculate emissions from land use projects, such as CalEEMod. These recommendations were followed in the preparation of this analysis.

The following SCAQMD rules and regulations would apply to the proposed project:

- SCAQMD Rule 403 requires projects to incorporate fugitive dust control measures.
- SCAQMD Rule 1113 limits the VOC content of architectural coatings.
- SCAQMD Rule 2305, the Warehouse Indirect Source Rule, requires the owners and operators of warehouses greater than 100,000 square feet to directly reduce NO_x and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. The warehouse rule is a menu-based points system requiring warehouse operators to annually earn a specified number of points. These points can be earned by completing actions from a menu that can include acquiring and using natural gas, near-zero emissions and/or zero-emissions on-road trucks, zero-emissions cargo handling equipment, solar panels or zero-emissions charging and fueling infrastructure, or other options. SCAQMD expects this rule to reduce emissions from warehouse uses by 10 to 15 percent.

In 2008, the SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD 2008 draft guidance document titled *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*²⁶ and that could be applied by lead agencies. On September 28, 2010, SCAQMD Working Group Meeting #15 provided further guidance, including a tiered approach for evaluating GHG emissions for development projects where the SCAQMD is not the lead agency. The SCAQMD has not presented a finalized version of these thresholds to the governing board.

The SCAQMD identifies the emissions level for which a project would not be expected to substantially conflict with any State legislation adopted to reduce statewide GHG emissions. As such, the utilization of a service population represents the rates of emissions needed to achieve a fair share of the State's mandated emissions reductions. Overall, the SCAQMD identifies a GHG efficiency level that, when applied statewide or to a defined geographic area, would meet the post-2020 emissions targets as

²⁵ SCAQMD. *Air Quality Analysis Handbook*. Website: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook> (accessed September 2023).

²⁶ SCAQMD. *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*. 2008.



required by AB 32 and SB 32. If projects are able to achieve targeted rates of emissions per the service population, the State will be able to accommodate expected population growth and achieve economic development objectives while also abiding by AB 32's emissions target and future post-2020 targets.

4.8.4.4 Local Regulations

The following local regulations would be applicable to the proposed project.

City of Banning General Plan Air Quality Element. The City addresses GHG emissions in the Environment Resources Chapter: Air Quality Element of its General Plan. The Air Quality Element identifies goals, policies, and programs meant to balance the City's actions regarding land use, circulation, and other regulatory actions and their associated potential effects on local and regional air quality.²⁷ This element includes air quality policies intended to limit sources of air pollution and sensitive receptor exposure. Many of the policies are to assist the City directly and indirectly through good-practice measures to ensure continued improved air quality into the future. The following policies are applicable to reducing GHG emissions associated with the proposed project. While these policies do not specifically discuss GHG emissions, reduction in sources of air pollution in order to ensure compliance with air quality standards would also reduce GHG emissions.

- **Goal:** To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.
 - **Policy 1:** The City shall be proactive in regulating local pollutant emitters and shall cooperate with the Southern California Association of Governments and the South Coast Air Quality Management District to assure compliance with air quality standards.
 - **Policy 2:** The City shall continue to coordinate and cooperate with local, regional and federal efforts to monitor, manage and reduce the levels of major pollutants affecting the City and region, with particular emphasis on PM₁₀ and ozone emissions, as well as other emissions associated with diesel-fueled equipment and motor vehicles.
 - **Policy 4:** Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.
 - **Policy 5:** The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating, and cooling.
 - **Policy 6:** The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.

²⁷ City of Banning. City of Banning General Plan. 2006. Website <http://banning.ca.us/468/General-Plan-Amendments> (accessed September 2023).



4.8.5 Thresholds of Significance

Significance determinations utilized in this section are from Section VIII of Appendix G of the *State CEQA Guidelines*. The proposed project would result in a significant impact with respect to GHG emissions if it would:

Threshold 4.8.1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

Threshold 4.8.2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases.

CEQA Guidelines Section 15064.4(a) provides that the “determination of the significance of greenhouse gas emissions calls for careful judgment on the part of the lead agency consistent with the provisions in section 15064.” Section 15064(b) provides that such determinations be “based to the extent possible on scientific and factual data,” and, further, states that an “ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting.” The effects of GHG emissions are cumulative and are analyzed in the context of CEQA’s requirements for cumulative impact analysis.

Currently, there is no statewide GHG emissions threshold that has been used to determine the potential GHG emissions impacts of a project. Threshold methodology and thresholds are still being developed and revised by air districts in California. Therefore, as described below, the City elected to utilize a numeric threshold of significance it selected for the proposed project based on substantial evidence.

To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, SCAQMD convened a GHG CEQA Significance Threshold Working Group (Working Group) in 2008. This Working Group proposed a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency. The applicable tier for this project is Tier 3, which states that if GHG emissions are less than 3,000 MT CO₂e per year, project-level and cumulative GHG emissions would be less than significant.

4.8.6 Project Impact Analysis

Potential impacts of the proposed project related to GHG emissions are discussed below pursuant to the thresholds established in Section 4.8.5, above.

4.8.6.1 Generation of Greenhouse Gas Emissions

Threshold 4.8-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

This section discusses the proposed project’s impacts related to the release of GHG emissions for the construction and operational phases of the proposed project.

Estimation of GHG emissions in the future does not account for all changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a



scenario that is worse than that which is likely to be encountered (after energy-efficient technologies have been implemented). While information is presented below to assist the public and decision makers in understanding the project's potential contribution to climate change impacts, the information available is not sufficiently detailed to allow a direct comparison between particular project characteristics and particular climate change impacts or between any particular proposed mitigation measure and any reduction in climate change impacts.

Construction and operation of the proposed project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the project's operation.

Overall, the following activities associated with the proposed project could directly or indirectly contribute to the generation of GHG emissions.

Construction. Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. Neither the City nor SCAQMD provides a separate GHG significance threshold for construction emissions; rather, SCAQMD provides guidance specifying that construction emissions should be amortized over 30 years (considered a typical project lifetime) and added to the project operational emissions, with that total compared to the GHG significance threshold.

Construction emissions were estimated for the proposed project using CalEEMod. This analysis assumes that construction of the proposed project would occur for 18 months from the end of 2024 until mid-2026.²⁸ Earthwork on site during construction would be balanced. CalEEMod defaults are assumed for the construction activities, off-road equipment, and on-road construction fleet mix and trip lengths.

As shown in Table 4.8.B, below, using CalEEMod, it is estimated that the proposed project would generate 3,134.0 MT CO₂e during construction. When annualized over the 30-year life of the project, annual emissions would be 104 MT CO₂e. Neither the City nor the SCAQMD has established a threshold for construction emissions. Therefore, the annualized emissions were added to the operational emissions as described below.

²⁸ The 18-months of construction modeled in CalEEMod was assumed to commence June 2024 and end approximately December 2025. Since the duration of construction is not anticipated to change, construction equipment GHG emissions that would be generated using the latest planned construction schedule would either be the same or lower (due to newer, more efficient equipment) than was analyzed in CalEEMod. Therefore, the construction GHG emissions shown in Table 4.8.B are conservative.



Table 4.8.B: Construction Greenhouse Gas Emissions

Construction Phase	Total Emissions per Phase (MT)			Total Emissions per Phase (MT CO ₂ e)
	CO ₂	CH ₄	N ₂ O	
On-Site Construction				
Demolition	173	<1	<1	180
Site Preparation	21	<1	<1	21
Grading	99	<1	<1	100
Building Construction	2,335	<1	<1	2,396
Architectural Coating	118	<1	<1	120
Paving	40	<1	<1	40
Roadway Construction				
Grubbing and Land Clearing	7	<1	<1	7
Grading and Excavation	64	<1	<1	65
Drainage, Utilities, and Sub-Grade	171	<1	<1	172
Road Paving	33	<1	<1	34
Total Emissions for the Entire Construction Process				3,134.0
Total Construction Emissions Amortized over 30 Years				104

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table P. April 2024.

CH₄ = methane

MT CO₂e = metric tons of carbon dioxide equivalent

CO₂ = carbon dioxide

N₂O = nitrous oxide

MT = metric tons

Operation. Long-term GHG emissions are typically generated from mobile sources (e.g., cars, trucks, and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (landfilling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution).

Mobile-source GHG emissions include project-generated vehicle and truck trips. As identified in Section 4.17, Transportation, of this EIR, the proposed project would generate a total of 1,989 average daily trips, with the project trucks comprising 313 of these trips.

Energy-source emissions would be generated at off-site utility providers as a result of increased electricity demand generated by the project. The proposed project would be designed to comply with the water efficiency and energy conservation requirements included in the California Building Standards Code (California Code of Regulations [CCR], Title 24).

Area-source emissions would be associated with architectural coatings, consumer products, and landscaping equipment. Waste-source emissions generated by the proposed project include energy generated by landfilling and other methods of disposal related to transporting and managing project-generated waste. In addition, water-source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

Following guidance from SCAQMD, GHG emissions were estimated using CalEEMod. Table 4.8.C shows the calculated GHG emissions for the proposed project.



Table 4.8.C: Long-Term Operational Greenhouse Gas Emissions

Source	Pollutant Emissions (MT per year)					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction Emissions Amortized over 30 Years						104
Operational Emissions						
Area	0	29	29	<1	<1	29
Energy	0	3,114	3,114	<1	<1	3,125
Mobile	0	12,988	12,988	<1	1	13,374
Offroad	0	0	0	0	0	0
Waste	119	0	119	12	<1	417
Water	104	475	580	11	<1	925
Total Project Emissions	223	16,606	16,829	23	1	17,974
SCAQMD Tier 3 Threshold						3,000
Emissions Exceed Threshold?						Yes

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table Q. April 2024.

Bio-CO₂ = biologically generated carbon dioxide

CH₄ = methane

CO₂ = carbon dioxide

CO₂e = carbon dioxide equivalents

MT = metric tons

N₂O = nitrous oxide

NBio-CO₂ = nonbiologically generated carbon dioxide

SCAQMD = South Coast Air Quality Management District

As shown in Table 4.8.C, the project would generate 17,974 MT CO₂e per year. Project-related GHG emissions would exceed the SCAQMD's 3,000 MT CO₂e per year threshold. Thus, operation of the proposed project would result in a significant impact for GHG emissions and mitigation would be required. Implementation of **Mitigation Measure (MM) GHG-1, MM GHG-2, and MM GHG-3** would be required to reduce GHG emissions from the proposed project to the extent feasible. While **MM GHG-1, MM GHG-2, and MM GHG-3** would significantly reduce GHG emissions generated during operational activities associated with the proposed project, many of these measures would provide emissions reductions that are not quantifiable. **MM AQ-1, MM GHG-1, MM GHG-2, and MM GHG-3** include measures to reduce truck and other operational emissions to the extent feasible. Mitigated emissions are shown in Table 4.8.D, below.

As shown in Table 4.8.D, with implementation of **MM AQ-1, MM GHG-1, MM GHG-2, and MM GHG-3**, emissions associated with the proposed project would remain above the SCAQMD significance thresholds. The majority of the GHG emissions (approximately 74 percent of both unmitigated and mitigated emissions) are associated with nonconstruction-related mobile sources. Emissions of motor vehicles are controlled by State and federal standards, and the proposed project has no control over these standards. Therefore, operation of the proposed project would result in a significant impact related to GHG emissions. Impacts would be **significant and unavoidable**.



Table 4.8.D: Mitigated Long Term Operational Greenhouse Gas Emissions

Source	Pollutant Emissions (MT per year)					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Construction Emissions Amortized over 30 Years						104
Operational Emissions						
Area	0	<1	<1	<1	0	<1
Energy	0	3,004	3,004	<1	<1	3,015
Mobile	0	12,468	12,468	<1	1	12,839
Offroad	0	0	0	0	0	0
Waste	119	0	119	12	<1	417
Water	104	475	580	11	<1	925
Total Project Emissions	223	15,948	16,171	23	1	17,300
SCAQMD Tier 3 Threshold						3,000
Emissions Exceed Threshold?						Yes

Source: LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. Table R. April 2024.

Bio-CO₂ = biologically generated carbon dioxide

CH₄ = methane

CO₂ = carbon dioxide

CO₂e = carbon dioxide equivalent

MT = metric tons

N₂O = nitrous oxide

NBio-CO₂ = nonbiologically generated carbon dioxide

SCAQMD = South Coast Air Quality Management District

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.3, Air Quality, of this EIR, **MM AQ-1** requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce emissions. Additionally, **MM GHG-1**, **MM GHG-2**, and **MM GHG-3**, prescribed below, require implementation of an industrial recycling program, installation of drought-tolerant low-water landscaping and trees and weather-based smart irrigation controllers, and exceedance of Title 24 standards for an energy-efficient building.

MM GHG-1 The project applicant shall 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 pick-up. The applicant shall provide a commercial recycling/composting program that provides 70 percent diversion of waste for the commercial land uses prior to occupancy by tenants. The applicant shall also provide an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses during project operation.

MM GHG-2 The project applicant shall 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 during project construction.

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:



- a. Building envelope insulation of conditioned space within the building shall be R15 or greater for walls and R30 or greater for attics/roofs.
- b. Windows shall have an insulation factor of 0.28 or less U-factor and 0.22 or less solar heat gain coefficient (SHGC).
- c. All roofing material shall be Cool Roof Rating Council (CRRC) rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance.
- d. All heating/cooling ducting within the buildings shall be insulated with R6 or greater insulation.
- e. All heating and cooling equipment shall be energy-efficient ration (EER) 14/78 percent annual fuel utilization efficiency (AFUE), or 7.7 heating seasonal performance factor (HSPF) levels of efficiency or greater.
- f. All water heaters shall be high-efficiency electric water heaters with a minimum 0.72 Energy Factor or greater.
- g. Lighting within the building shall be high-efficiency light-emitting diode (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.

Level of Significance After Mitigation: As prescribed in Section 4.3, Air Quality, of this EIR, **MM AQ-1** requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce emissions. **MM GHG 1**, **MM GHG-2**, and **MM GHG-3** require implementation of an industrial recycling program, installation of drought-tolerant low-water landscaping and trees and weather-based smart irrigation controllers, and exceedance of Title 24 standards for an energy efficient building. Because many of these measures would provide emissions reductions that are not quantifiable, even with implementation of **MM AQ-1**, **MM GHG-1**, **MM GHG-2**, and **MM GHG-3**, emissions associated with operation of the proposed project would still remain above the SCAQMD significance thresholds. Therefore, impacts would remain **significant and unavoidable**.

4.8.6.2 Consistency with Greenhouse Gas Reduction Plans

Threshold 4.8-2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

An evaluation of the proposed project's consistency with the 2022 Scoping Plan and the 2020–2045 RTP/SCS is provided below.

2022 Scoping Plan. The following discussion evaluates the proposed project according to the goals of the 2022 Scoping Plan, EO B-30-15, SB 32, and AB 197.



EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. CARB released a second update to the Scoping Plan, the 2017 Scoping Plan,²⁹ to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. SB 32 builds on AB 32 and keeps California on the path toward achieving its 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, AB 197, provides additional direction to CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

In addition, the 2022 Scoping Plan assesses progress toward the statutory 2030 target while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

The 2022 Scoping Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen, and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that in almost all sectors, electrification will play an important role. The 2022 Scoping Plan evaluates clean energy and technology options and the transition away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires that all new passenger vehicles sold in California will be zero-emission by 2035, and all other fleets will have transitioned to zero-emission as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles.

Energy-efficient measures are intended to maximize energy efficiency building and appliance standards; pursue additional efficiency efforts, including new technologies and new policy and implementation mechanisms; and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. As discussed above, the proposed project would comply with CALGreen regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the proposed project would comply with CALGreen, which includes a variety of different measures, including reduction of wastewater and water use. In addition, the proposed project would be required to comply with the California Model

²⁹ California Air Resources Board (CARB). *California's 2017 Climate Change Scoping Plan*. November 2017.



Water Efficient Landscape Ordinance. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. Specific regional emission targets for transportation emissions would not directly apply to the proposed project. The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program.³⁰ Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures.

2020–2045 Regional Transportation Plan/Sustainable Communities Strategy. SCAG’s 2020–2045 RTP/SCS was adopted September 3, 2020. SCAG’s RTP/SCS identifies that land use strategies that focus on new housing and job growth in areas served by high-quality transit and other opportunity areas would be consistent with a land use development pattern that supports and complements the proposed transportation network. The core vision in the 2020–2045 RTP/SCS is to better manage the existing transportation system through design management strategies, integrate land use decisions and technological advancements, create complete streets that are safe for all roadway users, preserve the transportation system, and expand transit and foster development in transit-oriented communities. The 2020–2045 RTP/SCS contains transportation projects to help more efficiently distribute population, housing, and employment growth, as well as forecast development that is generally consistent with regional-level general plan data. The forecasted development pattern, when integrated with the financially constrained transportation investments identified in the 2020–2045 RTP/SCS, would reach the regional target of reducing GHG emissions from autos and light-duty trucks by 19 percent by 2035 (compared to 2005 levels). The 2020–2045 RTP/SCS does not require that local general plans, specific plans, or zoning be consistent with the 2020–2045 RTP/SCS but provides incentives for consistency for governments and developers.

The project proposes the construction of an approximately 1,420,722-square-foot warehouse distribution building, 40,000 square feet of which would be two-story office space and mezzanine. The proposed project would generate approximately 1,989 daily trips, including 1,676 passenger vehicle trips, and 313 truck trips; however, the project would be consistent with SCAG’s goals for promoting goods movement and new job growth in the region.

According to SCAG’s 2020–2045 RTP/SCS, the City’s employment is forecast to increase by approximately 4,100 jobs between 2016 and 2045.³¹ As further discussed in Section 4.14, as of 2023, Banning had a labor force of 11,200, with approximately 700 people unemployed.³² Accordingly, employment in the City is approximately 10,500, and the unemployment rate is approximately

³⁰ California Air Resources Board. *Low-Emission Vehicle Greenhouse Gas Program*. 2012. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/lev-program/low-emission-vehicle-greenhouse-gas>. (Accessed October 25, 2023).

³¹ Southern California Association of Governments (SCAG). *Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. 2020. Website: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176 (accessed October 2023).

³² Ibid.



6.6 percent.³³ Pursuant to Government Code Section 65890.1, State land use patterns should be encouraged that balance the location of employment-generating uses with residential uses, so that employment-related commuting is minimized. According to SCAG's Connect SoCal, the SCAG region has a 1.4:1 jobs to housing ratio. Therefore, a jobs-to-housing ratio of 1.4:1 is considered "balanced," meaning a balance between employment and housing opportunities without requiring a commute outside of the indicated jurisdiction. Below 1.4, the jurisdiction has more housing available than jobs. Using interim data for 2023, Banning has a 0.85:1 jobs to housing ratio,³⁴ indicating a jobs deficit and that the City is "housing rich, but jobs poor." As detailed in Section 4.14, the proposed 1,420,722-square-foot warehouse building could generate between 948 and 1,380 employees.³⁵ This project would therefore improve the current jobs-to-housing imbalance in the City and would be within the employment growth patterns included in Connect SoCal. The project would also support the plan's goals of promoting employment opportunities in the region.

Implementing SCAG's RTP/SCS would greatly reduce the regional GHG emissions from transportation, helping to achieve statewide emission reduction targets. The proposed project would not conflict with the stated goals of the RTP/SCS; therefore, the proposed project would not interfere with SCAG's ability to achieve the region's GHG reduction targets of 8 percent below 2005 per capita emissions levels by 2020 and 19 percent below 2005 per capita emissions levels by 2035, and it can be assumed that regional mobile emissions would decrease in line with the goals of the RTP/SCS.

Based on the nature of the proposed project, it is anticipated that implementation of the proposed project would not interfere with SCAG's ability to implement the regional strategies outlined in the RTP/SCS.

As described above, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHGs. Despite this consistency, the project's long-term operational activities would generate GHG emissions that exceed the City's threshold of 3,000 MT CO₂e per year even with implementing project design features and all feasible mitigation listed above in Section 4.8.6.1. Thus, the project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050), and a **significant and unavoidable** impact would occur.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: **MM AQ-1** requires implementation of multi-part mitigation strategies during operation of the proposed project to reduce emissions. **MM GHG 1, MM GHG-2, and MM GHG-3** require implementation of an industrial recycling program,

³³ Southern California Association of Governments (SCAG). *Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. 2020. Website: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176 (accessed October 2023)..

³⁴ 10,500 employees ÷ 12,411 households = 0.846 job per household.

³⁵ 1,420,722 square feet of proposed building space ÷ 1,500 square feet per employee for Heavy Industrial land uses = 947.148 employees. 1,420,722 square feet of proposed building space ÷ 1,030 square feet per employee for Light Industrial land uses = 1,379.342 employees.



installation of drought-tolerant low-water landscaping and trees and weather-based smart irrigation controllers, and exceedance of Title 24 standards for an energy-efficient building.

Level of Significance After Mitigation: Because many of these measures would provide emissions reductions that are not quantifiable, even with implementation of **MM AQ-1**, **MM GHG-1**, **MM GHG-2**, and **MM GHG-3**, emissions associated with operation of the proposed project would still remain above the SCAQMD significance thresholds, so the project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050). The impact would remain **significant and unavoidable**.

4.8.7 Cumulative Impacts

As defined in Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for GHG emissions. However, unlike the cumulative analysis for many topics that address the combined impacts of a proposed project in addition to related projects in a project study area, the analysis of impacts related to GHG emissions is inherently cumulative.

AB 32 required CARB to reduce statewide GHG emissions to 1990 levels by 2020. As part of this legislation, CARB was required to prepare a "Scoping Plan" that demonstrates how the State will achieve this goal. The Scoping Plan was first adopted in 2011, and in it, local governments were described as "essential partners" in meeting the statewide goal, recommending a GHG reduction level of 15 percent below 2005 to 2008 levels by 2020. In addition, CARB released a second update to the Scoping Plan, the 2017 Scoping Plan, to reflect the 2030 GHG emissions reductions target of at least 40 percent below 1990 levels by 2030. The 2022 Scoping Plan was approved in December 2022. It assesses progress toward achieving the SB 32 2030 target and lays out a path to achieve carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

In order to achieve these goals, CARB is in the process of establishing and implementing regulations to reduce statewide GHG emissions. However, there are currently no applicable significance thresholds, specific reduction targets, and/or approved policy or guidance to assist in determining significance at the cumulative level. Additionally, there is currently no generally accepted methodology to determine whether GHG emissions associated with a specific project represent new emissions or existing, displaced emissions.

The analysis of impacts related to GHG emissions is inherently cumulative. As previously stated, GHG emissions associated with the proposed project would exceed the SCAQMD thresholds of 3,000 MT CO₂e/year. Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own; however, because project-related CO₂e emissions would exceed the SCAQMD thresholds even with implementation of **MM AQ-1**, **MM GHG-1**, **MM GHG-2**, and **MM GHG-3**, the proposed project would have a significant contribution to cumulatively considerable GHG emission impacts. Impacts would be **significant and unavoidable**.



This page intentionally left blank



4.9 HAZARDS AND HAZARDOUS MATERIALS

This section describes known and potential hazards and hazardous materials conditions at the First Hathaway Logistics Project (project) site and in the surrounding area, evaluates potentially significant adverse public health impacts anticipated as a result of development of the proposed project, and addresses potential impacts through consideration of local, State, and federal regulations and policies and prescribed mitigation measures pursuant to the California Environmental Quality Act (CEQA). For the purposes of the analysis in this section of the Environmental Impact Report (EIR), hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and petroleum products that, if released, are harmful to human health and the environment.

4.9.1 Scoping

Potential impacts from hazards and hazardous materials were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received two comment letters in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts from hazards and hazardous materials. For copies of the NOP comment letters, refer to **Appendix A** of this Draft EIR. NOP comments related to hazards and hazardous materials included the following:

- The County of Riverside (County) Department of Environmental Health (DEH), April 22, 2022, requesting payment of review fees for the DEH to review the project for compliance with State and local laws/regulations specific to the department's areas of expertise. The DEH also requested information about water sources and sanitary sewer service. Finally, the DEH advised City staff that the DEH maintains an Environmental Cleanup Program that conducts environmental reviews on planning projects to ensure existing site conditions would not negatively affect human health or the environment and that such reviews may result in a site-specific Phase I Environmental Site Assessment (ESA) to be required for select projects.
- The Riverside County Airport Land Use Commission (ALUC), May 13, 2022, indicating the project site is located within Zone D of the Banning Municipal Airport Influence Area and review by the ALUC is required because the City of Banning is not yet consistent with the [Banning Municipal Airport] Riverside County Airport Land Use Compatibility Plan (ALUCP). The ALUC also indicated it does not review pre-applications, and a formal application would be required for ALUC review.

4.9.2 Methodology

The hazards and hazardous materials analysis in this section is based on the project-specific technical analysis contained in the *Phase I Environmental Site Assessment, First Hathaway* (Phase I ESA), prepared by Weis Environmental (Weis) in March 2021,¹ and the *Phase II Environmental Site Assessment* (Phase II ESA), which also was prepared by Weis in May 2021.² Additionally, both the Phase I ESA and Phase II ESA were peer reviewed by Group Delta Consultants, Inc. (Group Delta),

¹ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California* 92220. March 26, 2021. Revised April 13, 2024.

² Weis Environmental, LLC. *Phase II Environmental Site Assessment, First Hathaway, Banning, California* 92220. May 26, 2021. Revised April 13, 2024.



which determined these reports conform with the provisions of ASTM International (ASTM) Practice E 1527-13 and the Environmental Protection Agency (EPA) Standards and Practices for All Appropriate Inquiries (40 Code of Federal Regulations [CFR] Part 312)³ to identify, to the extent feasible, the presence of Recognized Environmental Conditions (RECs)⁴ or historical RECs⁵ on the project site. The Phase II ESA included soil borings and subsequent laboratory testing of soil samples collected at the project site.⁶ Finally, the project was reviewed by the Riverside County ALUC for compatibility with ongoing operations of the Banning Municipal Airport,⁷ as well as the Federal Aviation Administration (FAA) for hazards to air navigation.⁸ The findings of these reports are summarized in this section, and the complete reports are contained in **Appendices F-1** through **F-5**.

4.9.2.1 Background Research and Data Review

A Phase I ESA was conducted for the project site. During this assessment, a records review was performed for the project site and surrounding properties across multiple dates in February and March 2021 to identify potential RECs in connection with the project site and assess potential concerns associated with the migration of hazardous substances to the project site from off-site sources. The records review included reasonably ascertainable historical data, which can be helpful in identifying the past uses of the project site and surrounding areas as they may relate to the environmental condition of the project site.

4.9.2.2 Site Reconnaissance

As part of the Phase I ESA, the project site was visually assessed on March 1, 2021, for potential RECs, including, but not limited to, potential underground storage tanks (USTs), above ground storage tanks, polychlorinated biphenyl-containing equipment, hazardous materials storage or handling areas, containerized or bulk wastes, and visual indications of impacted soil.

³ Group Delta Consultants, Inc. *Environmental Due Diligence Review, First Hathaway, Banning, California*. October 7, 2021.

⁴ A REC is the presence or likely presence of hazardous materials or petroleum products under conditions indicating an existing or past release or a material threat of a release into structures, soil, or groundwater or surface water, even under conditions in compliance with laws. ASTM defines an REC in the E1527-13 standard as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”

⁵ A historical REC refers to an environmental condition which in the past would have been considered an REC, but which may or may not be considered an REC currently. If a past release of any hazardous substances or petroleum products has occurred in connection with the property, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a case closed letter or equivalent), this condition shall be considered a historical REC.

⁶ Weis Environmental, LLC. *Phase II Environmental Site Assessment, First Hathaway, Banning, California 92220*. May 26, 2021.

⁷ Riverside County Airport Land Use Commission. *Airport Land Use Commission (ALUC) Development Review – Director’s Determination. File No.: ZAP1047BA22*. July 11, 2022.

⁸ Federal Aviation Administration, Southwest Regional Office. *Aeronautical Study No. 2022-AWP-10883-OE*. July 5, 2022.



4.9.2.3 Testing and Evaluation of Potentially Hazardous Materials

As part of the Phase II ESA,⁹ 15 soil borings were advanced to depths varying from 10 to 20 feet at the site on April 29, 2021, in the area of former USTs and also within structure or operations areas of the former Orco Block and Hardscape Company facility and along the periphery of the facility in areas of possible fill material and/or materials storage. A total of 52 soil samples were obtained during the boring activities and analyzed in a laboratory to determine if the site contains contaminated soils.

In addition, the Phase II ESA included an asbestos and lead survey conducted at the project site on May 26, 2021. A total of 33 asbestos bulk samples were collected from the site structures during asbestos sampling activities and analyzed in a laboratory to determine if the site structures contain asbestos. In addition, 20 X-ray fluorescence (XRF) readings were obtained at the site structures to properly assess painted surfaces potentially containing lead.

4.9.2.4 Best Practices for Analyzing and Mitigating Wildfire Impacts

In October 2022, the State of California Office of the Attorney General released the *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act (2022 Wildfire Guidance)*,¹⁰ which provides best practices for analyzing and mitigating impacts of development projects under CEQA from risks of wildfire, including a project's impacts on wildfire ignition risk, emergency access, and evacuation. The proposed project's impacts from potential exposure to wildfire are evaluated below based on the State's 2022 Wildfire Guidance.

4.9.3 Existing Environmental Setting

This section describes the existing physical setting of the city and the project site.

4.9.3.1 City of Banning

The project site is located in the city of Banning, Riverside County. Surrounding land uses include residential subdivisions, public facilities, commercial uses, and open space. Single- and multifamily residential uses occur across Hathaway Street to the west, with Hoffer Elementary School and Roosevelt Williams Park farther west. Commercial uses are located along Ramsey Street to the southwest. A California Department of Transportation (Caltrans) materials yard and open space are located adjacent to the south, with Interstate 10 (I-10) and the Union Pacific Railroad farther south. A Robertson's Ready Mix and Aggregate Products mining facility is located to the northwest, and undeveloped land is adjacent to the north and east of the site.

The adjoining Caltrans materials yard to the south is listed on the standard federal ASTM Resource Conservation and Recovery Act (RCRA) Treatment, Storage, and Disposal (TSD) and RCRA Non-Generators regulatory databases, as well as in multiple State, Tribal and local standard ASTM regulatory databases and non-ASTM regulatory databases. Although no violations are reported for this property, which is located at 2033 East Ramsey Street, an unauthorized release of waste oil

⁹ Weis Environmental, LLC. *Phase II Environmental Site Assessment, First Hathaway, Banning, California 92220*. May 26, 2021.

¹⁰ State of California, Office of the Attorney General. *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act*. October 2022.



reportedly occurred at this property that impacted soils only, and the release case was closed by the Riverside County DEH in August 1995.¹¹ Five additional properties within 1 mile of the project site are listed on the standard federal ASTM regulatory databases; 12 properties within 1 mile of the project site are listed on the State, Tribal and local standard ASTM regulatory databases; and 4 properties within 1 mile of the project site are listed on the non-ASTM regulatory databases (refer to **Appendix F-1**).¹²

The majority of the northern portion of the city is located in a wildland-urban interface setting and designated as a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area.¹³ Additional areas of the city designated VHFHSZ include properties in the central, eastern, southern, and southwestern portions of Banning.¹⁴

4.9.3.2 Project Site

The project site consists of six parcels that total approximately 94.86 gross acres bounded by the existing Morongo Band of Mission Indians (Morongo) reservation to the north; Hathaway Street to the west; undeveloped land, a Caltrans equipment and material yard, and I-10 to the south; and undeveloped land to the east. Topographically, the project site elevation ranges from 2,211 feet above mean sea level (AMSL) in the southeastern corner to 2,334 feet AMSL in the northwestern corner. There is a difference of approximately 123 feet in elevation change from the southeast to northwest.

The project site is currently vacant and substantially disturbed from prior occupation and rough grading. Approximately 30.54 acres of the project site (Assessor's Parcel Numbers [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 these facilities were demolished and removed from the site between 2011 and 2012, with the exception of one building in the west-central area. A retaining wall ranging from 1 to 6 feet in height and approximately 200 feet in length exists near the southern and eastern areas of the existing building. The balance of the project site (APNs 532-110-003, -008, -009, and -010), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.¹⁵

¹¹ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. Pages 11 through 13. March 26, 2021. Revised April 13, 2024.

¹² Ibid.

¹³ California Department of Forestry and Fire Protection (CalFire). 2023. Fire Hazard Severity Zone viewer. Website: <https://egis.fire.ca.gov/FHSZ/> (accessed June 1, 2023).

¹⁴ Ibid.

¹⁵ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancellation of the approved development by the developer.



The project site is located in a wildland-urban interface setting and in an area statutorily designated as a VHFHSZ within a Local Responsibility Area.¹⁶ Figure 4.20-1 in Section 4.20, Wildfire, of this EIR shows the location of the project site in an VHFHSZ pursuant to California Department of Forestry and Fire Protection (CalFire) mapping. Vegetation communities/land cover types on the project site consist of graded/disturbed grassland and developed areas composed of engineered slopes, the 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 not constructed. Overhead and underground utility lines also traverse the site and extend along the site perimeter. Finally, records indicate two 8,000-gallon USTs, one for the storage of gasoline and the other for the storage of diesel fuel, were installed in the northwestern portion of the project site in the 1960s and subsequently removed in 1994.

The project site is approximately 0.3 mile north of the nearest airport, Banning Municipal Airport. The project site is within Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area) of the [Banning Municipal Airport] Riverside County ALUCP.¹⁷ The ALUCP is developed to promote compatible land uses adjacent to airfields.

4.9.4 Regulatory Setting

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

4.9.4.1 Federal Regulations

The following federal regulations would be applicable to the project:

- **Occupational Safety and Health Administration (OSHA), Title 29 CFR.** OSHA is the federal agency responsible for ensuring worker safety. These regulations provide standards for safe workplaces and work practices, including those relating to hazardous materials handling.
- **EPA, Title 40 CFR 700–799 (Toxic Substances Control Act).** The Toxic Substances Control Act regulates manufacturing, inventory, and disposition of industrial chemicals, including hazardous materials. It addresses the production, importation, use, and disposal of specific chemicals, including polychlorinated biphenyls, asbestos-containing materials, and lead-based paint.
- **EPA, Title 40 CFR 280–302 (Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks).** These requirements regulate design, installation, and operation of USTs containing potentially hazardous substances. They address design,

¹⁶ California Department of Forestry and Fire Protection (CalFire). 2023. Fire Hazard Severity Zone viewer. Website: <https://egis.fire.ca.gov/FHSZ/> (accessed June 1, 2023).

¹⁷ Riverside County Airport Land Use Commission. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document.* Chapter 3, FV. Banning Municipal Airport. October 14, 2004; amended January 2012.



installation, and operation requirements, as well as responsibility, liability, and training requirements.

- **United States Department of Transportation (USDOT) Regulations, Title 49 CFR.** USDOT, in conjunction with the EPA, is responsible for enforcement and implementation of federal laws and regulations pertaining to safe storage and transportation of hazardous materials. CFR Title 49, Parts 171–180, regulates the transportation of hazardous materials, the types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.
- **Federal Aviation Regulations – Title 14 CFR, Part 77.** The FAA is responsible for the review of construction activities that occur in the vicinity of airports. The FAA’s role in reviewing these activities is to ensure that new structures do not result in a hazard to aviation. The regulations in the Federal Aviation Regulations (14 CFR, Part 77) are designed to ensure that no obstructions in navigable air space are allowed to exist that would endanger the public. Federal Aviation Regulations Part 77 identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The extent of the off-airport coverage that needs to be evaluated for tall structure impacts can extend miles from an airport facility. In addition, the Federal Aviation Regulations establish standards for determining whether objects constructed near airports would be considered obstructions in navigable airspace, set forth notice requirements for certain types of proposed construction or alterations, and provide for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace.

4.9.4.2 State Regulations

The following State regulations would be applicable to the proposed project:

- **Assembly Bill (AB) 2948.** In response to the growing statewide concern regarding hazardous waste management, AB 2948 (Tanner 1986) enacted legislation authorizing local governments to develop comprehensive hazardous waste management plans. The intent of each plan is to ensure that adequate treatment and disposal capacity is available to manage the hazardous wastes generated within the local government’s jurisdiction.
- **California Department of Industrial Relations (DIR), California Occupational Safety and Health Administration (Cal/OSHA) Regulations.** Worker health and safety protections in California are regulated by the DIR. The DIR includes the Division of Occupational Safety and Health, Cal/OSHA, responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA requires many entities to prepare injury and illness prevention plans and chemical hygiene plans, and provides specific regulations to limit the exposure of construction workers to lead.
- **Cortese List Statute (California Government Code, §65962.5).** This regulation requires the DTSC to compile and maintain lists of potentially contaminated sites throughout the State and includes the Hazardous Waste and Substances Sites List. The overall list is called the “Cortese” List.



- **Safe Drinking Water and Toxic Enforcement Act (Proposition 65, California Health and Safety Code, §25249.5 et seq.).** The Safe Drinking Water and Toxic Enforcement Act is similar to the Federal Safe Drinking Water Act and Clean Water Act in that it regulates the discharge of contaminants to groundwater.
- **California Government Code 51178.** The State Fire Marshal shall identify areas in the State as Moderate Fire Hazard Severity Zones (FHSZs), High (FHSZs), and Very High (FHSZs) based on consistent statewide criteria and based on the severity of the fire hazard that is expected to prevail in those areas. Moderate FHSZs, High FHSZs, Very High FHSZs are based on fuel loading, slope, fire weather, and other relevant factors, including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.
- **California Building Code Chapter 7A.** This regulation establishes new rules for construction of industrial, commercial, and residential projects to improve fire safety and prevention. This regulation requires the use of ignition-resistant construction materials and would allow for the Fire Department to potentially shelter individuals on site while older and more vulnerable developments evacuate.
- **California Health and Safety Code Sections 25280–25299.8.** These regulations establish rules for operation and maintenance of underground storage of hazardous substances, including any USTs required for the proposed project.
- **California Code of Regulations Title 23, Division 3, Chapter 16, Underground Tank Regulations.** These regulations establish rules governing USTs in order to protect waters of the State from discharges of hazardous substances.

4.9.4.3 Regional Regulations

The following regional regulations would be applicable to the proposed project:

- **Southern California Association of Governments (SCAG).** Regional planning in Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial counties is conducted by SCAG. SCAG is also the federally designated Metropolitan Planning Organization (MPO) for these six counties. As the designated MPO, SCAG is mandated by the federal government to research and prepare plans for transportation, a growth forecast, hazardous waste, and air quality.
- **Certified Unified Program Agency (CUPA).** Senate Bill (SB) 1082 provides for the designation of a CUPA that would be responsible for the permitting process and collection of fees with regard to hazardous materials. The CUPA would be responsible for implementing at the local level the Unified Program, which serves to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for the following environmental and emergency management programs:
 - Hazardous Waste;
 - Hazardous Materials Business Plan;



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

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

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

- Above ground Storage Tanks (AST);
- Underground Storage Tanks (USTs);
- California Accidental Release Program;
- Hazardous Materials Business Plan (HMBP);
- Emergency Response Team;
- Waste Generator; and
- Waste Treatment (tiered).

4.9.4.4 Local Regulations

The following local regulations would be applicable to the project.

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

City of Banning Municipal Code Chapter 8.16, Fire Protection Code. Chapter 8.16 of the City of Banning Municipal Code adopts the California Fire Code (CFC), which is updated every 3 years. The CFC includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations, distribution, and spacing. Several fire safety requirements include installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.



City of Banning General Plan. Policy 1 of the Water, Wastewater, and Utilities Element of the City's General Plan indicates the City shall coordinate with the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Geronio Pass Water Agency, California RWQCB, and Riverside County DEH to protect and preserve local and regional water resources against overexploitation and contamination.¹⁸

The Hazardous and Toxic Materials Element of the City's General Plan describes existing hazardous and toxic materials within Banning. Policies and programs serve as tools that the City can use to help maintain the safe management of hazardous and toxic materials in the community. The following policies in the City's General Plan Hazardous and Toxic Materials Element apply to the proposed project:¹⁹

- **Policy 1:** The City shall continue to encourage research on potential and known hazards to public health and safety and make this information available to the general public, commercial interests, and governmental organizations.
- **Policy 2:** The City shall continue to conduct and participate in studies with other agencies to identify existing and potential hazards to public health and safety.
- **Policy 3:** The City shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials, traversed by natural gas transmission lines or fuel lines, or sites that use potentially hazardous or toxic materials.
- **Policy 4:** Require and facilitate the adequate and timely cleanup of contaminated sites identified within the City of Banning and its sphere-of-influence.
- **Policy 5:** The City shall designate appropriate access routes to facilitate the transport of hazardous and toxic materials.
- **Policy 6:** Continue to promote programs that encourage or educate the public in the proper handling and disposal of household hazardous waste or dangerous materials.
- **Policy 7:** The City shall actively oppose plans to establish hazardous or toxic waste dumps, landfills, or industrial processes that may potentially adversely affect the City and its Sphere-of-Influence.
- **Policy 8:** Maintain an inventory and information database, including mapping, of all major natural gas transmission lines and liquid fuel lines within the City limits and Sphere of Influence.

¹⁸ City of Banning. *City of Banning General Plan, Chapter VI Environmental Hazards, Water, Wastewater, and Utilities Element*. Pages V-84 through VI-5. April 19, 2006.

¹⁹ City of Banning. *City of Banning General Plan, Chapter V Environmental Hazards, Hazardous & Toxic Materials Element*. Pages V-84 through V-86. April 19, 2006.



The Wildland Fire Hazards Element of the City's General Plan addresses potential wildland fire hazards within the community through discussion, analysis, and setting forth goals, policies, and programs.²⁰ The foremost goal of this element is to protect the general health, safety, and welfare of Banning from potential fires and associated hazards. The following goals, policies, and programs related to wildfires would be applicable to the buildout of the project site:

- **Goal:** Protect human life, land, and property from the effects of wildland fire hazards.
 - **Policy 1:** The City shall establish and maintain an information database containing maps and other information which describe fire hazard severity zones, fire threat zone, and other wildfire hazards occurring within the City boundaries, sphere-of-influence and planning area.
 - **Program 1.A:** Consult and coordinate with surrounding communities, the State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, Riverside County Fire Department, other applicable State and federal agencies to establish, improve, and routinely update the database.
 - **Program 1.B:** The City shall make available copies of the Fire Severity Map and discourage development within areas so designated or require detailed mitigation measures that reduce potential hazards to insignificant levels.
 - **Program 1.C:** Prepare an information handout to be distributed to developers, property owners, and other appropriate parties, which describes the need for and design of fire safe developments.
 - **Program 1.D:** Establish and maintain a program by which all potentially hazardous structures, which pose a threat due to inadequate fire hazard construction are identified, inventoried, and retrofitted with fire retardant materials. Programs shall include informational handouts describing appropriate methods of retrofitting and possible sources of funding to facilitate the rehabilitation of such structures.
 - **Policy 2:** Ongoing coordination between the Banning Fire Department, Beaumont Fire Department, the Riverside County Fire Department, the California Department of Forestry, the Morongo Band of Mission Indians and the U.S. Forest Service in fire prevention programs.
 - **Program 2.A:** Cooperate with all neighboring agencies in order to identify opportunities for fuel breaks in very high hazard severity zones and to ensure that fire breaks are provided where necessary and appropriate.
 - **Program 2.B:** Development proposals shall be transmitted to the Police Department and the City Fire Marshal, and input shall be incorporated into project design or conditions of approval, as appropriate.

²⁰ City of Banning. *City of Banning General Plan, Chapter V Environmental Hazards, Wildland Fire Hazards Element*. Pages V-74 through V-77. April 19, 2006.



- **Program 2.C:** The Police and Fire Departments shall closely coordinate and cooperate with the City and County emergency preparedness teams and shall assure the most effective disaster response practical.
- **Program 2.D:** Contact and establish working relationships and strategies with Banning Heights Mutual Water Company, High Valley Water District, public utilities, and other appropriate agencies to strengthen or relocate utility facilities and take other appropriate measures to safeguard major utility distribution systems to the greatest extent practical.
- **Program 2.E:** Encourage and cooperate with Caltrans and the railroad to reduce hazardous fuel loads (vegetation) near bridges, roadways, rail lines and State highways, which may be subject to closure during major wildland fire events.
- **Program 2.F:** The public will be educated regarding disaster prevention and emergency responses including evacuation procedures.
- **Policy 3:** Continue to identify wildfire hazard areas, and to enforce special standards for construction in wildland fire hazard areas.
 - **Program 3.A:** New and substantially remodeled structures or developments shall incorporate wildfire prevention design techniques, such as the use of “defensible space,” fire retardant sidings, optimal site planning and building orientation, landscaping orientation, and other design approaches to reduce wildfire hazards.
 - **Program 3.B:** Require that adequate emergency vehicle access and evacuation routes be available with approval of any new development.
 - **Program 3.C:** The City shall adopt standard requirements for all development proposals in High Fire Hazard Areas, including requirements for the preparation of Fire Protection Plans prior to the approval of Tentative Tract Maps, Tentative Parcel Maps, or other land use permits.
- **Policy 4:** The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.
 - **Program 4.A:** Coordinate with Banning Heights Mutual Water Company, High Valley Water District, and other agencies responsible for supplying water to the region to assure sufficient water supplies and pressures are available to provide adequate fire flows for all existing and proposed development.
 - **Program 4.B:** Special on-site fire protection measures may be required on well vegetated, hilly areas with slopes of 10 percent or greater, with possible access problems, and/or a lack of sufficient water and/or water pressure. Such measures shall be specified during project review.

Banning Municipal Airport Master Plan. The project site lies approximately 0.3 mile north of the Banning Municipal Airport. The 2007 Banning Municipal Airport Master Plan is designed to discourage



incompatible land uses in proximity to Banning Municipal Airport and indicates that land uses consistent with airport operation, especially with potential noise impacts, include industrial uses to support the airport itself, as well as other industrial uses.²¹

4.9.5 Thresholds of Significance

Significance determinations utilized in this section are from Section IX of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact associated with hazards and hazardous materials if it would:

- Threshold 4.9.1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;**
- Threshold 4.9.2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;**
- Threshold 4.9.3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;**
- Threshold 4.9.4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;**
- Threshold 4.9.5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area;**
- Threshold 4.9.6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or**
- Threshold 4.9.7: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.**

4.9.6 Project Impact Analysis

Potential impacts of the project from hazards and hazardous materials are discussed below pursuant to the thresholds established in Section 4.9.5, above.

²¹ C&S Engineers. *Banning Municipal Airport, Airport Master Plan Update*. Pages 3 and 7-5. 2007.



4.9.6.1 Transport, Use, or Disposal of Hazardous Materials

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

Implementation of the proposed project would have the potential to transport, use, or dispose of hazardous materials during construction and operational activities.

Construction. Construction of the proposed project would temporarily increase the regional transport, use, and disposal of construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals). These materials are commonly used at construction sites, and construction of the proposed project would be required to occur in compliance with applicable State and federal regulations for proper transport, use, storage, and disposal of excess hazardous materials and hazardous construction waste.

The temporary transport, use, storage, or disposal of fuels, lubricants, paints, and other hazardous materials related to construction would not pose a significant hazard to the public or the environment unless the materials were accidentally spilled or released into the environment. California standards for workers dealing with hazardous materials are contained in California Code of Regulations (CCR) Title 8 and include practices for all industries (General Industrial Safety Orders), as well as specific practices for construction. Workers at hazardous waste sites (or workers who may be exposed to hazardous wastes that might be encountered during excavation of contaminated soils) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response regulations.²² Additional regulations have been developed for construction workers potentially exposed to lead²³ and asbestos.²⁴

The transport, use, storage, or disposal of hazardous materials during construction would be regulated by the RCFD and Cal/OSHA. Additionally, the USDOT Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on State highways and rail lines, as described in CFR Title 49 and implemented by CCR Title 13. In addition, **RCMs HYD-1** and **HYD-2**, provided in Section 4.10, Hydrology and Water Quality, of this EIR, would ensure compliance with waste discharge permit requirements to avoid potential impacts to water quality due to spills or runoff from hazardous materials used during construction. Therefore, through compliance with applicable regulatory policies and adherence to the regulatory standards included in **RCMs HYD-1** and **HYD-2**, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be **less than significant**.

Operation. Warehouse uses on the project site may include the use and disposal of hazardous waste along with limited use of pesticide and herbicides for landscape maintenance. Vehicles accessing the project site would contain oil and gasoline to power their engines, which could have the potential to result in minor releases of such substances through drips or leaks in parking areas. Transport truck traffic to and from the project site may also contribute to minor releases of oil and gasoline in loading

²² California Code of Regulations, Title 8 5192.

²³ California Code of Regulations, Title 8 Section 1532.1.

²⁴ California Code of Regulations, Title 8, Section 1529.



dock areas in addition to the parking areas. The proposed project is not anticipated to generate or use major hazardous materials and would not generate unusually high quantities of hazardous waste.

The warehouse operator would be required to comply with Chapter 8.36, Hazardous Materials, of the City of Banning Municipal Code (refer to **RCM HAZ-1**) and prepare Material Safety Data Sheets (MSDSs) as part of the HMBP for any hazardous substance that would be handled, manufactured, or used in the business (pursuant to the Hazardous Substances Information and Training Act [Section 6360, Chapter 2.5, Part 1 of Division 5 of the California Labor Code]). The RCFD serving the City of Banning would be provided the MSDSs to ensure the hazardous material types on site are known and the RCFD can provide adequate emergency service in the event of a hazardous substance release. As required by Chapter 8.36 of the City of Banning Municipal Code, business owners on the site would be required to submit a completed disclosure form annually that identifies the hazardous substances that would be utilized.

The DEH Hazardous Materials Branch identifies the types and amounts of waste generated in Riverside County and establishes programs for managing waste. The DEH Hazardous Materials Branch oversees six hazardous materials programs in the County,²⁵ which ensures that adequate treatment and disposal capacity is available to manage the hazardous waste generated within the County and address issues related to the disposal, handling, processing, storage, and treatment of local hazardous materials and waste products. The DEH would review the uses operating on the project site for hazardous material use, safe handling, and storage of materials. Prior to the issuance of grading permits, the DEH would apply regulatory compliance measures to the project site to reduce hazardous material impacts and ensure that any hazardous waste generated would be safely stored and transported to an appropriate disposal facility by a licensed hauler in accordance with State and federal law. Additionally, transport of hazardous materials by truck and rail on State highways and rail lines during project operation are regulated by the USDOT Office of Hazardous Materials Safety, as described above.

Worker health and safety is regulated at the federal level by the United States Department of Labor, OSHA. The Federal Occupational Safety and Health Act of 1970 authorizes states to establish their own safety and health programs with OSHA approval. Worker health and safety protections in California are regulated by the California DIR. The DIR includes the Division of Occupational Safety and Health, which acts to protect workers from safety hazards through its Cal/OSHA program and provides consultant assistance to employers.

Cal/OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. The routine transport, use, storage, and disposal of hazardous materials at the project site during construction and operation would be performed in accordance with the applicable regulatory policies described above, which would minimize potential health hazards for construction workers, landscapers, maintenance personnel, and employees. As such, impacts would be **less than significant**, and mitigation is not required.

²⁵ County of Riverside, Department of Environmental Health. *Hazardous Materials*. 2023. Website: <https://rivcoeh.org/hazardous-materials> (accessed August 10, 2023).



Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Regulatory Compliance Measure **RCM HAZ-1**, prescribed below, mandates the warehouse tenant/end-user of the proposed project to prepare an HMBP. Furthermore, Regulatory Compliance Measures **RCM HYD-1** and **RCM HYD-2** prescribed in Section 4.10, Hydrology and Water Quality, of this EIR, would ensure compliance with waste discharge permit requirements to avoid potential impacts to water quality due to spills or runoff from hazardous materials used during construction. These compliance measures are codified through existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to hazards and hazardous materials. The City considers these requirements to be mandatory; therefore, they are not mitigation measures.

RCM HAZ-1 Hazardous Materials Business Plan. Prior to issuance of a certificate of occupancy, the warehouse tenant/end-user shall submit a Hazardous Materials Business Plan (HMBP) to the Riverside County Department of Environmental Health and the Riverside County Fire Department. The HMBP shall, at a minimum, include an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees.

Level of Significance After Regulatory Compliance Measures and Mitigation: Through implementation of **RCM HAZ-1** in conjunction with **RCM HYD-1** and **RCM HYD-2**, and compliance with all applicable regulations presented in Section 4.9.4, Regulatory Setting, above, potential impacts from the transport, use, storage, and disposal of hazardous materials would remain **less than significant**. Mitigation is not required.

4.9.6.2 Accidental Release of Hazardous Materials

Threshold 4.9-2: Would the proposed 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?

The proposed project has the potential to result in accidental releases of hazardous materials during construction and operational activities. The Phase I ESA includes federal, State, and local records reviews (up to a 1-mile radius), interviews with persons occupying (and adjacent to) the project site, and an on-site inspection of the properties comprising the project site. According to the Phase I ESA, the two 8,000-gallon USTs at the site are considered to be a historical REC since they were installed in the northwestern portion of the project site in the 1960s, were subsequently removed in 1994, and were issued a No Further Action letter by the Riverside County DEH on March 17, 1994.²⁶ Additionally, no RECs or historical RECs determined to occur within 1 mile of the project site pose a substantial environmental hazard to the project site or its occupants.²⁷

²⁶ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. March 26, 2021. Revised April 13, 2024.

²⁷ Ibid. Page 21.



The Phase II ESA results indicate insignificant detections of diesel and oil range hydrocarbons in three of the soil samples at 1-foot depths.²⁸ No further petroleum impacts were detected in underlying soils at each of these three sampling locations, and any residual contamination is surficial in nature and does not require additional action. In addition, volatile organic compounds (VOCs) and metals are not considered to be contaminants of concern at the site.²⁹ VOCs were not detected at or above analytical laboratory reporting limits, and none of the detected metal concentrations exceed their respective residential and commercial human health risk-based screening levels. Furthermore, no petroleum impacts were identified in the area of the former USTs. Finally, no asbestos-containing materials or lead-based paint were identified during the survey, and no additional assessment or remediation at the project site is warranted.

Construction. Construction of the proposed project would involve use of hazardous materials and could result in accidental releases of hazardous materials. As discussed in Section 4.9.6.1, above, **RCMs HYD-1** and **HYD-2**, provided in Section 4.10, Hydrology and Water Quality, of this EIR, would require compliance with the waste discharge permit requirements to ensure construction contractors maintain equipment and supplies on site for containing and cleaning up unanticipated spills of hazardous materials and train workers in such containment and cleanup. In the event of an accidental hazardous materials release of toxicity and/or quantity that on-site workers would be unable to safely contain and clean up, the construction contractor would notify the DEH of the release immediately. Accordingly, use, storage, transport, and/or disposal of hazardous materials during construction of the proposed project would not cause significant hazards to the public or the environment through accidental releases of hazardous materials. Construction impacts would be **less than significant**.

Operation. Warehouse uses may include the storage and use of hazardous materials. The operators and tenants of any use utilizing hazardous materials would be required to prepare and submit an HMBP to the DEH, as codified in **RCM HAZ-1**. An HMBP includes an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees. Accordingly, use, storage, transport, and disposal of hazardous materials during operation of the proposed project would not cause significant hazards to the public or the environment through accidental releases of hazardous materials. Impacts during project operation would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant Impact.

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

Level of Significance After Mitigation: **RCMs HYD-1** and **HYD-2**, provided in Section 4.10, Hydrology and Water Quality, of this EIR, are prescribed for compliance with the waste discharge permit requirements to ensure construction contractors maintain equipment and supplies on site for containing and cleaning up unanticipated spills of hazardous materials and train workers in such containment and cleanup. Additionally, **RCM HAZ-1** is prescribed to ensure implementation of an HMBP such that the warehouse operator develops an inventory of hazardous materials used and

²⁸ Weis Environmental, LLC. *Phase II Environmental Site Assessment, First Hathaway, Banning, California 92220*. Page 2. May 26, 2021. Revised April 13, 2024.

²⁹ *Ibid.* Page 3.



stored on site, a site map, an emergency plan, and a training program for employees. Impacts from accidental release of hazardous materials remain **less than significant**.

4.9.6.3 Emit Hazardous Emissions near a School

Threshold 4.9-3: Would the proposed project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Hoffer Elementary School campus is located approximately 0.26 miles west of the project site, with the nearest school building located approximately 0.28 miles west of the site. As discussed above, the transport, use, and storage of hazardous materials during construction and operation of the proposed warehouse would be regulated by the RCFD and Cal/OSHA. The USDOT Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on State highways and rail lines.

Some common hazardous materials (e.g., fuels, lubricants, pesticides, warehouse products) would be used at the project site during construction and operational activities. As detailed in Section 4.9.6.2, above, the project site does not include any activities or materials that constitute an REC that could represent a significant risk to public health or safety from construction and operation of the project.

Emissions from heavy-duty vehicles delivering goods and materials to and from the project site would occur along designated routes along Hathaway Street, Ramsey Street, and Hargrave Street in order to access I-10 and are not expected to occur within 0.25 miles of an existing or proposed school.³⁰ Additional discussion of these emissions and potential impacts on sensitive receptors is included in Section 4.3, Air Quality, of this EIR.

The proposed project would be required to comply with **RCM HAZ-1** and submit an HMBP to the DEH and the RCFD. In addition, the proposed project would comply with **RCM HYD-1**, which provides preventative measures for accidental spills during construction. Therefore, construction and operation of the proposed project would not pose substantial hazards to persons on nearby school campuses, and this impact would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant Impact.

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

Level of Significance After Mitigation: **RCM HAZ-1** requires an HMBP to be submitted to the DEH and the RCFD to ensure the warehouse operator develops an inventory of hazardous materials used and stored on site, a site map, an emergency plan, and a training program for employees. **RCM HYD-1** provides preventative measures for accidental spills during construction. Impacts from potential emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school remain **less than significant**.

³⁰ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Figure 4-1. March 14, 2023.



4.9.6.4 Located on a Site Listed under Government Code Section 65962.5

Threshold 4.9-4: Would the proposed project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The government records database search, completed as part of the Phase I ESA, determined that the project site is not included on any of the queried databases of hazardous materials sites that could create a significant hazard to the public or the environment.³¹ The Phase I ESA included an analysis of surrounding properties within a 1-mile radius of the project site and concluded that no RECs or historical RECs determined to occur within 1 mile of the project site pose a substantial environmental hazard to the project site or its occupants.³² Therefore, impacts related to hazardous materials sites would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less than Significant Impact.

4.9.6.5 Safety Hazard to an Airport Land Use Plan

Threshold 4.9-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the proposed project result in a safety hazard for people residing or working in the project area?

The project site is located approximately 0.3 mile north of Banning Municipal Airport. Banning Municipal Airport includes one runway and associated taxiways, ramp space, and hangars. The project site is within Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area) of the [Banning Municipal Airport] Riverside County ALUCP.³³ The ALUCP is developed to promote compatible land uses adjacent to airfields.

The project was presented to the ALUC because the ALUCP is not consistent with the City's General Plan, and the project is within ALUCP Compatibility Zone D of Banning Municipal Airport. The Riverside County ALUC issued Application Number ZAP1047BA22. Zone D restricts nonresidential intensity to 300 people per average acre and 390 people per single acre. The project is expected to result in an average-acre intensity of 31 people and a single-acre intensity of 96 people.³⁴ As detailed in Table

³¹ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. Pages 10 through 13. March 26, 2021. Revised April 13, 2024.

³² Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. Page 21. March 26, 2021. Revised April 13, 2024.

³³ Riverside County Airport Land Use Commission. 2004. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document*. Chapter 3, FV. Banning Municipal Airport. October 14, 2004; amended January 2012.

³⁴ Riverside County Airport Land Use Commission. 2022. *Airport Land Use Commission (ALUC) Development Review – Director's Determination. File No.: ZAP1047BA22*. Page 1. July 11.



4.9.A, the project proposes a land use compatible with ALUCP Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area).

Table 4.9.A: Compatibility Criteria for Land Use Actions

Zone	Locations	Maximum Densities / Intensities				Additional Criteria		
		Residential (du/ac) ¹	Other Uses (people/acre) ²			Require d Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
			Average ⁶	Single Acre ⁷	With Bonus ⁸			
D	Primary Traffic Patterns and Runway Buffer Area	1. ≤0.2 (average parcel size ≥5.0 ac) or ⁹ 2. ≥5.0 (average parcel size ≤0.2 ac)	100	300	390	10%	<ul style="list-style-type: none"> ● Highly noise-sensitive outdoor nonresidential uses¹⁰ ● Hazards to flight¹¹ 	<ul style="list-style-type: none"> ● Airspace review required for objects >70 feet tall¹² ● Children’s schools, hospitals, nursing homes discouraged¹³ ● Deed notice required

Source: Table 2A. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document.* Chapter 2, Countywide Policies. Riverside County Airport Land Use Commission. October 14, 2004.

- ¹ Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged. See Policy 4.2.5 for limitations. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. See Policy 3.1.3(d).
 - ² Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at a single point in time, whether indoors or outside.
 - ³ Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See Policy 4.2.4 for definition of open land.
 - ⁴ The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.
 - ⁵ As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 4.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.
 - ⁶ The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
 - ⁷ Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 4.2.5 for details.
 - ⁸ An intensity bonus may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. See Policy 4.2.6 for details.
 - ⁹ Two options are provided for residential densities in Compatibility Zone D. Option (1) has a density limit of 0.2 dwelling units per acre (i.e., an average parcel size of at least 5.0 gross acres). Option (2) requires that the density be greater than 5.0 dwelling units per acre (i.e., an average parcel size less than 0.2 gross acres). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2B for explanation of rationale. All other criteria for Zone D apply to both options.
 - ¹⁰ Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheatres and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
 - ¹¹ Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. See Policy 4.3.7
 - ¹² This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not to be obstructions. See Policies 4.3.3 and 4.3.4.
 - ¹³ Discouraged uses should generally not be permitted unless no feasible alternative is available.
- d.u./ac = dwelling units per acre



Additionally, the Riverside ALUC recommended the project be reviewed by the FAA due to its proximity to the runway. CFR Part 77, Subpart B, requires notification to the FAA of any proposed construction or alteration with a height greater than an imaginary surface extending 100 feet outward and 1 foot upward (slope of 100:1), for a distance of 20,000 feet from the nearest point of any runway more than 3,200 feet in actual length, and also requires FAA notification for construction of any object taller than 200 feet.³⁵

The project site is located as close as 2,608 feet north of Runway 8-26, which is 2,119 feet AMSL at its westerly terminus. Accordingly, structures exceeding 2,146 feet AMSL measured at top of roof (equal to a slope of 100:1 in relation to the distance to the nearest runway) would be subject to FAA Obstruction Evaluation Service (OES) review.³⁶ The proposed project was submitted to the FAA for review via Form 7460-1 since the site's finished floor elevation is 2,277 feet AMSL, and the proposed building height is 55 feet, for a top-point elevation of 2,332 feet AMSL.³⁷

The FAA reviewed the project and determined that the project would not result in a hazard to air navigation provided that the project applicant files an FAA Form 7460-2, Notice of Actual Construction or Alteration within 5 days after the construction reaches its greatest height.³⁸ Furthermore, the Riverside ALUC requested the following conditions be implemented, as prescribed below through **Mitigation Measures (MM) HAZ-1** through **MM HAZ-7**, to ensure the proposed project would not exceed obstruction standards and would not be a hazard to air navigation.³⁹

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Implementation of **MM HAZ-1** through **HAZ-7** would ensure implementation of the proposed project would be consistent with the ALUCP.

MM HAZ-1 The following conditions shall be met pursuant to Federal Aviation Administration *Aeronautical Study No. 2022-AWP-10883-OE*:

- a. Any increase in building area or a change in use that differs from what was previously evaluated by the Riverside County Airport Land Use Commission (ALUC) shall require an amended review by the ALUC.
- b. The maximum height of the proposed structures to top point shall not exceed 55 feet above ground level, and the maximum elevation at the top of the structures shall not exceed 2,332 feet above mean sea level. The maximum height and top-point elevation specified above shall not be amended without further review by

³⁵ Riverside County Airport Land Use Commission. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document*. Chapter 3, FV. Banning Municipal Airport. October 14, 2004; amended January 2012.

³⁶ Riverside County Airport Land Use Commission. *Airport Land Use Commission (ALUC) Development Review – Director's Determination*. File No.: ZAP1047BA22. July 11, 2022.

³⁷ Federal Aviation Administration. *Aeronautical Study No. 2022-AWP-10883-OE*. Page 1. Southwest Regional Office. July 5, 2022. Extension of the effective period of the determination issued January 10, 2024.

³⁸ Ibid.

³⁹ Ibid.



the ALUC and the Federal Aviation Administration (FAA); provided, however, that reduction in structure height or elevation shall not require further review by the ALUC.

- c. Temporary construction equipment used during actual construction of the structures shall not exceed 55 feet in height and a maximum elevation of 2,332 feet above mean sea level, unless separate notice is provided to the FAA through the Form 7460-1 process.
- d. If marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 2 and shall be maintained in accordance therewith for the life of the project. Furthermore, any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

MM HAZ-2 The following uses shall be prohibited:

- a. Any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- b. Any use that would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.
- c. Any use that would generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features; aquaculture; outdoor production of cereal grains, sunflower, and row crops; composting operations; wastewater management facilities; artificial marshes; trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; fly ash disposal; and incinerators.)
- d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- e. Highly noise-sensitive outdoor nonresidential uses.
- f. Any use that results in a hazard to flight, including physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.

MM HAZ-3 A Riverside County ALUC-approved “Notice of Airport in Vicinity” shall be provided to all prospective purchasers and occupants of the property and be recorded as a deed



notice. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map if an ECS is otherwise required.

MM HAZ-4

a. Any proposed stormwater basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and remain totally dry between rainfalls. Vegetation in and around the basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent large expanses of contiguous canopy when mature. Landscaping in and around the basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

b. Landscaping in the stormwater basin, if not rip-rap, shall be in accordance with the guidance provided in Riverside County ALUC "LANDSCAPING NEAR AIRPORTS" brochure and "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure, which list acceptable plants from the Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

c. A notice sign shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes." The sign shall also include the name, telephone number or other contact information of the person or entity responsible for monitoring the stormwater basin.

MM HAZ-5

Within 5 days after construction of the structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the FAA. This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure.

MM HAZ-6

At least 9.5 acres of Riverside County ALUC-eligible open areas (at least 75 feet in width and 300 feet in length), as depicted on the Open Space exhibit of the *Airport Land Use Commission (ALUC) Development Review – Director’s Determination, File No.: ZAP1047BA22, dated July 11, 2022*, shall be kept obstacle- and obstruction-free per the ALUC’s definition of "open area" (no objects greater than 4 feet in height with a diameter of 4 inches or greater).

MM HAZ-7

The project does not include rooftop solar panels at this time. However, if the project were to include solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the ALUC and Riverside County Aviation Division as owner and operator of Banning Municipal Airport. In the event of any reasonable complaint about glare



related to aircraft operations, the applicant shall agree to such specific mitigation measures as determined or requested by the Riverside County Aviation Division.

With implementation of **Mitigation Measures (MM) HAZ-1** through **MM HAZ-7**, the proposed project would be consistent with the ALUCP.⁴⁰ The ALUCP takes into account safety hazards and proposed land uses in close proximity to the operations of Banning Municipal Airport and the potential for injury to residents or people working in such areas. Since the project is consistent with the ALUCP, impacts related to airport hazards for people residing or working on the project site would be **less than significant with mitigation incorporated**.

Level of Significance After Mitigation: Less than Significant Impact.

4.9.6.6 Emergency Response Plan or Emergency Evacuation Plan Interference

Threshold 4.9-6: Would the proposed project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

According to the City's General Plan Emergency Preparedness Element,⁴¹ the City does not have established evacuation routes for major emergencies. Depending on the location and extent of an emergency, major surface streets would be utilized to route traffic through Banning onto I-10 to exit the region. Hathaway Street would provide primary access to the project site and has been identified as the primary evacuation route to be utilized to route traffic from the project site and then west onto East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street.

The City adopted an *Emergency Operations Plan* in July 2007 (updated in 2012), which provides guidance for residents, emergency responders, and businesses in the event a man-made or natural emergency occurs within or threatens the City.⁴² A *Wildfire Evacuation Plan* has been prepared for the proposed project that identifies appropriate evacuation methods/procedures in the event of a wildfire on or adjacent to the project site.⁴³ The *Wildfire Evacuation Plan* is included as **Appendix J-2** of this EIR.

Construction. With regard to the capacity of roadways to accommodate project and community evacuation and simultaneous emergency access, Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four roadways could potentially provide egress from the project site during an emergency. Vehicles leaving the project site would be routed onto Hathaway Street and directed west toward more urban areas where existing thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street exist to evacuate in the westward direction from the site

⁴⁰ Riverside County Airport Land Use Commission. *Airport Land Use Commission (ALUC) Development Review – Director's Determination*. File No.: ZAP1047BA22. July 11, 2022.

⁴¹ City of Banning. *City of Banning General Plan, Chapter VI Public Services and Facilities, Emergency Preparedness Element*. Pages VI–45. April 19, 2006.

⁴² City of Banning. *Emergency Operations Plan*. July 2007; revised December 2012.

⁴³ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. March 2024.



because there are no public access roadways east of the project site. Construction of the proposed project includes improvements to the west side of Hathaway Street, which may require partial lane closures and temporarily reduce roadway capacity, increase congestion, and impact traffic flows and/or emergency access during a community evacuation. The proposed project would also establish half-width improvements to Wilson Street and First Industrial Way, as well as full-width improvements to Nicolet Street along their respective project site frontages.

To maintain traffic flows to the greatest extent practicable during construction, the construction contractors would be required to prepare and implement a Transportation Management Plan (TMP) (**RCM TRA-2**), to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook*⁴⁴ and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. With implementation of **RCM TRA-2**, construction of the proposed project, including temporary lane closures along Hathaway Street, would not substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access.

With regard to project impacts on evacuation timing, Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four roadways could potentially provide egress from the project site during an emergency. Again, traffic would be routed onto Hathaway Street and directed west toward existing public corridors, as there are no public access roadways east of the project site. It is assumed that traffic in the project area would utilize local thoroughfares such as East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street to evacuate in the westward direction. As discussed above, project construction may require partial lane closures along Hathaway Street, which would slow traffic flow along Hathaway Street and therefore increase evacuation timing. However, implementation of a TMP (**RCM TRA-2**) would maintain traffic flow along Hathaway Street during both normal and emergency traffic operations. Therefore, construction of the proposed project would not substantially increase evacuation timing.

Construction workers would utilize Hathaway Street as the primary evacuation route during an emergency. However, evacuation routes used during emergencies are dependent on the location and extent of the emergency. East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street, all of which intersect with Hathaway Street, could likely be utilized in the event the project area needed to evacuate during an emergency. The project-specific *Wildfire Evacuation Plan* includes a detailed emergency evaluation plan, outlining the details of who, what, when, and how appropriate actions must occur during emergency evacuations. Implementation of the *Draft Wildfire Evacuation Plan*, as codified in **RCM FIRE-1**, would ensure that construction activities do not impact existing evacuation plans.

As discussed in Section 4.15, Public Services, the City of Banning contracts with the RCFD for fire protection and other emergency services. Two RCFD fire stations service Banning: Fire Station 89

⁴⁴ California Inter-Utility Coordinating Committee. *California Temporary Traffic Control Handbook, 7th Edition*. May 2018.



(approximately 1 mile west of the project site), which covers East Banning and is located at 172 North Murray in Banning, and Fire Station 20 (approximately 5.2 miles west of project site), which covers West Banning and is located at 1550 East 6th Street in Beaumont. Fire Station 89 can respond to the project site in approximately 2.69 minutes, and Fire Station 20 can respond to the project site in approximately 10.17 minutes.⁴⁵ In accordance with the RCFD's Fiscal Year 2017-18 Service Alternatives Report, dated March 7, 2017, the project site would be classified as "Heavy Urban" with a 5-minute first-in fire engine response time recommendation.⁴⁶ Given the location of the project site relative to Fire Station 89 and the current response times, the RCFD would be able to respond to an emergency at the project site or in the project vicinity within its 5-minute response time goal. Additionally, during emergency evacuation conditions, as under normal circumstances, vehicles would be required to yield to emergency vehicles in accordance with California Vehicle Code 21806(A)(1). The project would include **RCM PUB-1** and **RCM PUB-2**, detailed in Section 4.15, Public Services, which require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects.

In the event that Hathaway Street is being used as a major evacuation route during an emergency while construction activities are ongoing, implementation of **RCM TRA-2** would ensure that the RCFD's response time to the project site or project vicinity would not be significantly increased. In addition, the City also maintains a "Mutual Aid" agreement with the Morongo Fire Department, which allows the services of the Morongo Fire Department to assist Banning and the RCFD during major emergencies. The nearest Morongo Fire Department station is Station #1, located 2.86 miles from the project site at 11581 Potrero Road. Accordingly, the RCFD would have adequate capacity to serve the project site if there is an emergency during construction activities. Therefore, construction of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Operation. With regard to capacity of roadways to accommodate project and community evacuation and simultaneous emergency access, Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four roadways could potentially provide egress from the project site during an emergency. Traffic would be routed onto Hathaway Street and directed west toward more urban areas, where existing thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street exist to evacuate in the westward direction from the site because there are no public access roadways east of the project site. It is most likely that evacuations would be ultimately directed to I-10, depending on the nature of the emergency, in order to evacuate the region.

As described in the *Wildfire Evacuation Plan*, the project roads and adjacent circulation system would be able to effectively handle average daily trips generated by the proposed project.⁴⁷ However, as evidenced by mass evacuations in Riverside and elsewhere, even when roadways are designed to

⁴⁵ Dudek. *Fire Protection Plan, First Hathaway Logistics Project, County of Riverside*. Table 2. March 2024.

⁴⁶ Ibid. Page 32.

⁴⁷ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 20. April 2024.



meet fire code requirements, it may not be possible to move large numbers of persons at the same time, as road infrastructure is not designed to accommodate a short-notice, mass evacuation.

As discussed in Section 4.17, Transportation, of this EIR, although adverse level of service effects were identified at one study intersection under opening year conditions and at two intersections under the cumulative condition, the proposed project would be responsible for paying its Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) and the City's Development Impact Fee (DIF). The proposed project would also construct various street improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street, as well as construct three additional roadways along the northern, eastern, and southern perimeters of the site and dedicate right-of-way to the City for public use. All roadways within the project site would be developed in accordance with City and RCFD applicable ordinances and codes related to emergency access standards, including those in the RCFD Fire Code and the 2022 CFC. Compliance with applicable ordinances and codes would ensure adequate access to, from, and within the project site for emergency vehicles during operation of the proposed project.

As discussed in the *Wildfire Evacuation Plan*, a maximum of 555 vehicles are estimated to evacuate the project site at any given time during an emergency.⁴⁸ As described above, vehicles from the project site would be routed onto Hathaway Street and directed west toward more urban areas where corridors for evacuation exist. It is assumed that traffic in the project area would utilize local thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street to evacuate in the westward direction since no public roadways exist east of the project site.

Evacuations would be prioritized based on vulnerability and therefore managed to move smaller populations in a successive phasing to minimize traffic surges, and populated areas would be evacuated in phases based on proximity to the emergency and risk levels. It is anticipated that evacuations of the project area would likely include the relocation of resident populations closest to the location of an emergency, along with employees and visitors of the project first, and then additional populations based on exposure to the emergency in successive fashion rather than mass evacuating the entire Banning area. The purpose of a phased evacuation is to reduce congestion and transportation demand on designated evacuation routes by controlling access to evacuation routes in stages and sections and to prioritize the evacuation of specific populations that are in proximity to immediate danger. Under a phased evacuation approach, the evacuation time would decrease and evacuation of the project site would result in minimal impacts to the surrounding communities. The proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations. As specified in **RCM FIRE-1**, the proposed project would be required to implement the project-specific *Wildfire Evacuation Plan*, detailing evacuation options for the project in the event of a wildfire emergency. With implementation of **RCM FIRE-1**, the proposed project would not substantially impair the capacity of Hathaway Street or roadways adjacent to the project site to accommodate project and community evacuation and simultaneous emergency access, nor would the project substantially impact existing evacuation plans in the City.

⁴⁸ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Table 2. April 2024.



With regard to project impacts on evacuation timing, the maximum potential increase in evacuation time occurring with the project would be 9 minutes for the area to the north of the project site.⁴⁹ No change in evacuation time would be experienced in the areas south and east of the project site, while up to 15 minute of potential increase evacuation time could be experienced in the area west of Hathaway Street.⁵⁰ The 5- to-13-minute potential evacuation time increases are considered minimal and would not result in excessive evacuation times for existing residents in the project vicinity. There are no established thresholds for determining whether evacuation times are safe; however, the Federal Emergency Management Agency (FEMA) has provided a general guideline for reasonable community evacuations of 90 minutes. As indicated in the *Wildfire Evacuation Plan*, all modeled evacuation scenarios for the proposed project are considered to be achievable within the 90-minute recommended evacuation timeframe and are based on conservative scenarios where all resident populations are at home and the project is at maximum occupancy. Actual evacuation times are expected to occur over shorter timeframes. Therefore, operation of the proposed project would not substantially increase evacuation timing.

The project would include **RCM PUB-1** and **RCM PUB-2**, detailed in Section 4.15, Public Services, which require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. In instances where an emergency consists of a wildfire, the proposed project would conform to ignition-resistant building codes codified in Chapter 7A of the California Building Code (CBC), would be constructed of ignition-resistant materials, would include fire-safe fuel breaks and Fuel Modification Zones (FMZs), and would be defensible and designed to require minimal firefighting resources for protection. These features would provide emergency managers with options during evacuations and would enable the warehouse building to be used as a contingency sheltering option in the unlikely event that evacuation is considered infeasible or the less safe option.

As specified in **RCM FIRE-1**, the proposed project would be required to implement the project-specific *Wildfire Evacuation Plan* detailing evacuation options for the project in the event of a wildfire emergency. Furthermore, as described above, the proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations and help reduce the need for alternative evacuation routes. Therefore, the proposed project would not contribute to the need for alternative evacuation plans.

As is the case during construction, the RCFD would be able to respond to an emergency at the project site or in the project vicinity within the RCFD's 5-minute response time goal given the location of the project site relative to Fire Station 89 and the current response times. Additionally, during emergency evacuation conditions, as under normal circumstances, vehicles would be required to yield to emergency vehicles in accordance with California Vehicle Code 21806(A)(1). Therefore, even if Hathaway Street were being used as a primary evacuation route by project occupants and the surrounding community and was more congested than during normal traffic operations, the RCFD's response time to the project site or vicinity would not be significantly increased, and the proposed

⁴⁹ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 24. April 2024..

⁵⁰ Ibid.



project would not substantially impair emergency access to the project site or vicinity given the project site's proximity to existing fire services.

The approximately 84-acre project site is currently undeveloped and sparsely vegetated with sage scrub. However, development of the proposed project would result in a project site composed mostly of impervious surface areas and an ignition-resistant structure. The majority of pervious surface area (e.g., irrigated and managed landscaping) on the project site would be located adjacent to low-flammability parking lots, roadways, and structures, thereby limiting ignition potential. The design of the proposed project would reduce the project's potential contribution to the spread of emergencies from wildfire and reduce demand on the RCFD for emergency wildfire services compared to existing conditions. Furthermore, as discussed in Section 4.15, Public Services, of this EIR, the RCFD has indicated that existing staffing levels at Stations 89 and 20, supported by "Mutual Aid" from the Morongo Fire Department, are adequate to serve the proposed project.

As detailed in **RCM TRA-2**, the proposed project must maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. As detailed in **RCM FIRE-1**, the proposed project would be required to implement and adhere to the *Wildfire Evacuation Plan*, which conforms to City and RCFD standards and, when implemented, would facilitate effective emergency response and operation. Therefore, construction and operation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractors to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. As prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** details evacuation options for project occupants in the event of an emergency.

Level of Significance After Mitigation: **RCM PUB-1** and **RCM PUB-2**, detailed in Section 4.15, Public Services, require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As prescribed in Section 4.17, Transportation of this EIR, **RCM TRA-2** requires the construction contractors to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. As prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** details evacuation options for project occupants in the event of an emergency. With implementation of **RCM PUB-1**, **RCM PUB-2**, **RCM TRA-2**, and **RCM FIRE-1**, the proposed project would not impair implementation of or physically interfere with an



adopted emergency response plan or emergency evacuation plan. Impacts would remain **less than significant**.

4.9.6.7 Impacts from Wildfires

Threshold 4.9-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The project site is located in a wildland-urban interface setting and in an area statutorily designated as a VHFHSZ within a Local Responsibility Area.⁵¹ Figure 4.20-1 in Section 4.20, Wildfire, of this EIR shows the location of the project site in an VHFHSZ pursuant to CalFire mapping. Vegetation communities/land cover types on the project site consist of graded/disturbed grassland and developed areas composed of engineered slopes, the 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 not constructed.

Wildfire behavior is largely driven by topography, fuel, climatic conditions, and weather (such as low humidity and high winds). Project placement on the landscape relative to fire history, topography, and wind patterns, combined with project design and project density, influences its potential risk of loss, injury, or death involving wildland fires. Typically, steep terrain results in faster fire spread upslope and slower fire spread downslope in the absence of wind. During summer and fall, before the rainy period, there is an increased threat of fire in Banning, especially during dry Santa Ana wind events, which can be particularly strong in the project area as warm and dry air is channeled through the mountains. The Santa Ana winds dry out and preheat vegetation and accelerate oxygen supply, thereby enabling the burning of fuels that otherwise might not burn under cooler, moister conditions.

Additionally, fire spread and structure loss are more likely to occur in low- to intermediate-density developments because there are more people present to ignite a fire (as compared to undeveloped land), and the development is not concentrated enough (as compared to high-density developments) to disrupt fire spread by removing or substantially fragmenting wildland vegetation. By contrast, if a project site includes physical features that could prevent or slow the spread of fire, such as combustion-resistant structures and facilities, the design of the development may provide fuel breaks that would reduce the potential for a fire to occur or spread.

A *Fire Protection Plan* was prepared for the proposed project (refer to **Appendix J-1**) that addresses water supply/availability, fire water flow, hydrant placement, defensible space, building ignition and fire resistance, and fire protection systems, among other pertinent fire protection criteria.⁵² The project site is surrounded by residential development to the west (west of Hathaway Street), and undeveloped land supporting a combination of sage scrub and Catclaw Alluvial Fan Scrub vegetation

⁵¹ California Department of Forestry and Fire Protection (CalFire). Fire Hazard Severity Zone viewer. 2023. Website: <https://egis.fire.ca.gov/FHSZ/> (accessed June 1, 2023).

⁵² Dudek. *Fire Protection Plan, First Hathaway Logistics Project County of Riverside*. March 2024.



occurs immediately adjacent to the north, east, and south of the project site.^{53,54} Development of the project would result in a project site that is made up of approximately 70 percent impervious surface areas⁵⁵ and an ignition-resistant warehouse structure. The pervious surface area (approximately 30 percent) on the project site (e.g., irrigated and managed landscaping) would be located adjacent to low-flammability parking lots, roadways, and structures, thereby limiting ignition potential. According to the *2022 Wildfire Guidance* and the *Fire Protection Plan*, the proposed project is the type of dense and consolidated site design that reduces wildfire risk based on its ability to provide for evacuations (refer to Section 4.9.6.5, above) and contingency on-site shelter within the proposed warehouse facility itself.⁵⁶

As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. The proposed project would conform to ignition-resistant building codes codified in Chapter 7A of the CBC and therefore would be constructed of ignition-resistant materials, would include fire-safe fuel breaks and FMZs, and would be defensible and designed to require minimal firefighting resources for protection. The proposed structure would be “fire hardened” and would be required to comply with applicable CBC, CFC, Banning Fire Department, and City Municipal Code regulations to increase the structure’s resistance to fire. Fire-hardening means taking precautions, as described above, to reduce a structure’s susceptibility to burning in a wildfire. These features would provide emergency managers with options during evacuations and would enable the warehouse building to be used as a contingency sheltering option in the unlikely event that evacuation is considered infeasible or the less safe option. Additionally, these features would create a buffer between open-space areas to the north, east, and south that feature sources of ignition and the existing residential uses west of Hathaway Street. Furthermore, the proposed project’s internal waterlines would supply sufficient fire flows and pressure to meet the demands for required on-site fire hydrants and interior fire sprinkler systems for the proposed warehouse facility.⁵⁷ The improved connectivity of water lines and installation of fire hydrants along fire access roadways and adjacent to the proposed warehouse would aid in fire suppression compared to existing conditions on the project site in the unlikely event of a wildfire.

As specified in **RCM FIRE-1** in Section 4.20, Wildfire, of this EIR, the proposed project would be required to implement the project-specific *Fire Protection Plan* and *Wildfire Evacuation Plan* detailing the ignition-resistant construction of the proposed warehouse, FMZs, defensible space, and evacuation options for the project in the event of a wildfire emergency. The *Fire Protection Plan* would be subject to review and approval by the RCFD, would be provided to all project employees, and would be posted in areas visible to occupants of the warehouse building. Furthermore, as described above, the proposed project would complete roadway improvements along Hathaway Street, Wilson Street,

⁵³ Dudek. *Fire Protection Plan, First Hathaway Logistics Project County of Riverside*. Page 12. March 2024..

⁵⁴ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 9. June 10, 2022.

⁵⁵ Stantec Consulting, Inc. *Project Specific Preliminary Water Quality Management Plan, First Hathaway Logistics Center*. Page 4-1. November 18, 2021; revised September 2022, March 2023, and July 2023.

⁵⁶ Dudek. *Fire Protection Plan, First Hathaway Logistics Project County of Riverside*. Page 49. March 2024.

⁵⁷ Stantec. *First Hathaway Logistics Potable Water System Analysis*. Pages 4.6 and 4.7. November 18, 2021.



First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations and enhance the ignition-resistant potential of the site and surroundings. Therefore, with implementation of **RCM FIRE-1**, impacts related to the proposed project exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires would be **less than significant**.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** details ignition-resistant construction of the proposed warehouse, FMZs, defensible space, and evacuation options for the project in the event of a wildfire emergency.

Level of Significance After Mitigation: As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** details ignition-resistant construction of the proposed warehouse, FMZs, defensible space, and evacuation options. With implementation of **RCM PUB-1**, **RCM PUB-2**, and **RCM FIRE-1**, impacts related to the proposed project exposing people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires would be **less than significant**.

4.9.7 Cumulative Impacts

The purpose of this section is to evaluate any additional incremental impact that the proposed project is likely to cause in combination with impacts of recently approved and proposed projects in Banning. The geographic scope of impacts associated with hazardous materials generated or released on any site generally encompasses that site and areas immediately adjacent to or within a one-mile radius.⁵⁸ Regulatory resources did not identify any property within one mile of the project to represent recognized environmental conditions to the project site.⁵⁹ Furthermore, construction and operation/occupation within the site and at the sites of cumulative projects would increase the regional transport, storage, use, and disposal of hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints, and solvents), as well as cement products containing strong basic or acidic chemicals.

For the project, impacts related to hazardous materials during construction would remain less than significant with implementation of **RCMs HYD-1** and **HYD-2**, and impacts related to hazardous materials during operation would remain less than significant through compliance with Chapter 8.36, Hazardous Materials, of the City's Municipal Code (see **RCM HAZ-1**) requiring preparation of a Hazardous Material Business Plan. Such plans would be reviewed by the DEH to ensure the

⁵⁸ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. Map: 1.0 Mile Radius. March 26, 2021. Revised April 13, 2024.

⁵⁹ Ibid. Page 15 of 30.



appropriate disclosure, reporting, use, transport and/or storage of hazardous materials. Although some of the cumulative projects listed also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are site specific. Similar to the proposed project, any cumulative project for which hazardous materials are present during construction and/or operation would be required to include a HMBP subject to DEH review. Likewise, any future cumulative project is expected to adhere to the appropriate and applicable regulations established by the EPA, USDOT, OSHA, Cal/OSHA, and DEH regarding the manufacture, transport, storage, use, or disposal of hazardous materials; therefore, no cumulatively significant hazardous materials impacts would occur.

During construction and operation of the project, adequate access for emergency vehicles would be required to be maintained. As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractors to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. The improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street would improve circulation within and around the site by providing additional and/or widened streets that could be used for emergency access and evacuation. Similarly, cumulative development would be required to accommodate emergency access along and/or through their respective sites. The City would require any such roadway improvements to conform to established emergency access requirements established by the City and RCFD, applicable provisions of the applicable CFC and CBC, and/or other necessary fire authority requirements. Therefore, no cumulatively significant impacts related to emergency access/evacuation would occur.

The project site is located within Zone D (Primary Traffic Patterns and Runway Buffer Area) established for Banning Municipal Airport. Implementation of **Mitigation Measures HAZ-1** through **HAZ-7** would ensure construction and operation of the proposed warehouse building and ancillary features do not obstruct, interfere, or conflict with airport operations, thereby reducing potential airport hazard impacts to a less than significant level. Cumulative development occurring within the influence area of Banning Municipal Airport would be required to submit an application to the ALUC for determination of consistency with the ALUCP. Similar to the project, any cumulative development would implement site-specific mitigation, as required by the ALUC, to address potential conflicts within operation of Banning Municipal Airport. As airport-related hazards would be reduced through the application of appropriate project-specific mitigation, no cumulatively significant airport hazard would occur.

Future projects within Banning could include development on lands within fire hazard severity zones or within a wildland-urban interface. Although development of such projects could subject people and structures to wildfire hazards, all projects approved and developed within fire hazard severity zones would be required to comply with CFC Chapter 49, "Requirements for Wildland-Urban Interface Fire Area," and CBC Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure" (see **RCM PUB-1** and **RCM PUB-2** in Section 4.15, Public Services, and **RCM FIRE-1** in Section 4.20, Wildfire, of this EIR). All projects in fire hazard zones would be required to incorporate fire-retardant roofs per RCFD requirements. Additionally, projects in fire hazard severity zones would be required to remove flammable vegetation within certain distances of structures pursuant to RCFD



requirements, California Public Resources Code Sections 4291 et seq., and CFC Sections 4906 and 4907. Upon compliance with existing regulations, the potential cumulative effect of development in these areas would be less than significant, and the proposed project's impact would not be cumulatively considerable.



This page intentionally left blank



4.10 HYDROLOGY AND WATER QUALITY

This section evaluates the potential impacts to hydrology and water quality conditions from implementation of the First Hathaway Logistics Project (proposed project). The analysis in this section is based in part on the *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center (WQMP)*,¹ included as **Appendix G-1** in this Environmental Impact Report (EIR); the *Preliminary Hydrology Report for First Hathaway Logistics Center (Hydrology Report)*,² included as **Appendix G-2**; the *Water Supply Assessment (WSA)*,³ included as **Appendix G-3**; and the *Geotechnical Investigation for the Proposed Banning Industrial Park (Geotechnical Investigation)*,⁴ included as **Appendix E-1** in this Draft EIR.

4.10.1 Scoping

The City of Banning (City) received one public comment pertaining to hydrology and water quality from participants at the public scoping meeting held on May 19, 2022, for the proposed project. This comment included:

- Inge Schuler: The issue of concern was projected water use of the proposed warehouse facility.

The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to hydrology and water quality. For copies of the NOP comment letters, refer to **Appendix A** of this Draft EIR:

4.10.2 Methodology

The project impacts to hydrology and water quality are evaluated based on the project's adherence to local, regional, State, and federal standards; the proposed land uses and project design; changes in pre- and post-project stormwater flows; and proposed best management practices (BMPs) for control of surface runoff and reduction of pollutants in stormwater runoff.

4.10.3 Existing Environmental Setting

The following describes the existing physical setting of the project site and proximity as it relates to surface waters and on-site drainage, surface water quality, groundwater, groundwater quality, and floodplains.

4.10.3.1 Surface Waters and On-site Drainage

The project is located within the San Gorgonio River Watershed, within the large Whitewater River Subbasin and the Salton Sea Basin. The San Gorgonio River Watershed spans approximately 150

¹ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, and July 2023.
² Stantec. *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center, Banning California*. June 22, 2023.
³ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. January 30, 2023.
⁴ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. February 4, 2022.



square miles in Riverside County, including portions of the Coachella Valley and the San Bernadino and San Jacinto Mountain ranges.

For planning purposes, the Colorado River Basin Regional Water Quality Control Board (RWQCB) uses a watershed classification that divides surface waters into hydrologic units, hydrologic areas, and hydrologic subareas. As designated by the Colorado River Basin RWQCB, the project site is located in the Whitewater hydrologic unit, the San Gorgonio hydrologic area, and the Cabazon subarea.

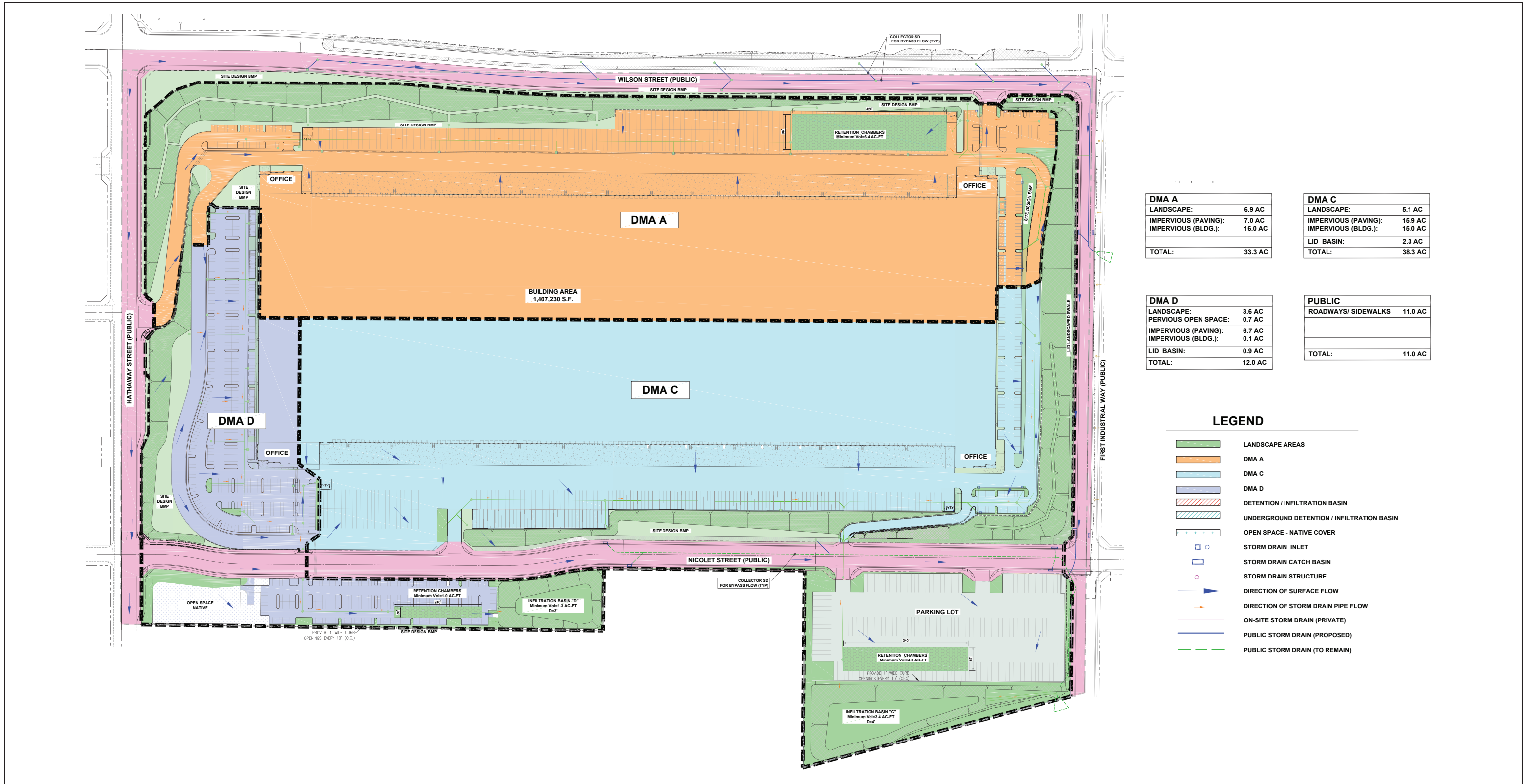
The project is located on the eastern edge of Banning. The project site is substantially disturbed from previous industrial land uses, which occupied approximately 30.54 acres of the project site, and rough grading of the remaining 64 acres of the project site for a separate industrial development that was entitled but not constructed. No surface waters cross the project site; however, the San Gorgonio River, Montgomery Creek, and Smith Creek, which originate north of Banning, flow around and confluence south and east of the project site, discharging into the Whitewater River, which ultimately flows to the Salton Sea.

According to the Hydrology Report, three existing drainage areas are associated with the project site: Drainage Area A, Drainage Area C, and Drainage Area D, as shown in Figure 4.10-1, Proposed Drainage Management Areas.⁵ Drainage Area A is a watershed, comprised mostly of off-site tributary areas north of Wilson Street, which discharges to an existing 48-inch storm drain along First Industrial Way. Initial flows are conveyed by the local street network until discharging into natural unlined channels on Morongo Band of Mission Indians (Morongo) Tribal Lands. These natural channels convey flows through natural terrain, discharge into an earthen channel, which is dewatered by a 48-inch storm drain that is located 400 feet south of the intersection of Wilson Street and First Industrial Way. When the off-site flows exceed the existing drainage capacity of the local street network, storm water sheet flows onto the project site. A small portion (approximately 11.1 acres) of Drainage Area A is located on-site in the northeast portion of the project site and contributes flows to the 48-inch storm drain.

Drainage Area C, which is a total of 37.6 acres, is located on the south side of the project site. Drainage Area C consists of portions of Nicolet and First Industrial Streets as well as the existing parking lot located south of Nicolet Street. Drainage Area C is defined by a minor ridge on the former Orco Block and Hardscape Company facility and extends easterly to First Industrial Way. In Drainage Area C, stormwater flows north to south and is collected via drainage pipes and conveyed into interim detention areas. Flows from within the detention areas are collected by a second storm drain system before discharging at the south project boundary.

Drainage Area D, which is a total of 12 acres, is located on the west side of the project site. Drainage Area D is bounded by Wilson Street on the north and Hathaway Street on the west. In Drainage Area D, stormwater flows north to south across vacant land that is poorly covered with concrete, asphalt pavement, and scattered vegetation.

⁵ Stantec. *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center, Banning, California*. Pages 5–8. June 22, 2023.



DMA A	
LANDSCAPE:	6.9 AC
IMPERVIOUS (PAVING):	7.0 AC
IMPERVIOUS (BLDG.):	16.0 AC
TOTAL:	33.3 AC

DMA C	
LANDSCAPE:	5.1 AC
IMPERVIOUS (PAVING):	15.9 AC
IMPERVIOUS (BLDG.):	15.0 AC
LID BASIN:	2.3 AC
TOTAL:	38.3 AC

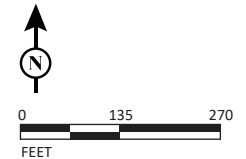
DMA D	
LANDSCAPE:	3.6 AC
PERVIOUS OPEN SPACE:	0.7 AC
IMPERVIOUS (PAVING):	6.7 AC
IMPERVIOUS (BLDG.):	0.1 AC
LID BASIN:	0.9 AC
TOTAL:	12.0 AC

PUBLIC	
ROADWAYS/ SIDEWALKS	11.0 AC
TOTAL:	11.0 AC

LEGEND

- LANDSCAPE AREAS
- DMA A
- DMA C
- DMA D
- DETENTION / INFILTRATION BASIN
- UNDERGROUND DETENTION / INFILTRATION BASIN
- OPEN SPACE - NATIVE COVER
- STORM DRAIN INLET
- STORM DRAIN CATCH BASIN
- STORM DRAIN STRUCTURE
- DIRECTION OF SURFACE FLOW
- DIRECTION OF STORM DRAIN PIPE FLOW
- ON-SITE STORM DRAIN (PRIVATE)
- PUBLIC STORM DRAIN (PROPOSED)
- PUBLIC STORM DRAIN (TO REMAIN)

LSA



SOURCE: Stantec

FIGURE 4.10-1

First Hathaway Logistics Project
 Proposed Drainage Management Areas



This page intentionally left blank



4.10.3.2 Surface Water Quality

Receiving waters include Smith Creek, San Gorgonio River, Whitewater River, the Coachella Valley Storm Water Channel, and the Salton Sea. The Coachella Valley Storm Channel is listed on the 2020–2022 303(d) list as impaired for ammonia, dichlorodiphenyltrichloroethane (DDT), dieldrin, disulfoton, indicator bacteria, dissolved oxygen, polychlorinated biphenyls (PCBs), toxaphene, and toxicity. The Salton Sea is listed on the 2020–2022 303(d) list as impaired for ammonia, arsenic, chloride, chlorpyrifos, dichlorodiphenyldichloroethylene (DDE), DDT, enterococcus, low dissolved oxygen, nutrients, salinity, and toxicity.⁶

4.10.3.3 Groundwater

The city of Banning and the project site are located within the boundary of the Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin.

The San Gorgonio Pass Subbasin is bounded on the north by the San Bernardino Mountains and by semi-permeable rocks, and on the south by the San Jacinto Mountains. A surface drainage divide between the Colorado River and South Coastal Hydrologic Study Area bounds the subbasin on the west. The eastern boundary is formed by a bedrock constriction that creates a groundwater cascade into the Indio Subbasin.⁷ From 2015 to 2020, groundwater extraction in Banning has averaged 7,513 acre-feet per year. Table 4.10.A, Historic Groundwater Production, shows the historic groundwater production between 2015 and 2020.

Table 4.10.A: Historic Groundwater Production—Acre-Feet/Year

Year	Production (AF)
2015	6,723
2016	7,035
2017	7,576
2018	7,924
2019	7,226
2020	8,596
Average	7,513
2010-2015 Avg. (2015 UWMP)	8,246

Source: West and Associates, Inc. 2020 *Urban Water Management Plan, City of Banning*. Table 3.3. May 2021.

The surface area of the subbasin is approximately 60 square miles, with average annual rainfall over the subbasin ranging from 15 to 18 inches. The main water-bearing deposits in the subbasin are

⁶ California State Water Resources Control Board (SWRCB). 2020-2022 *California Integrated Report (Clean Water Act Section 303(d) List and 305 (b) Report)*. 2020-2022 California Integrated Report | California State Water Resources Control Board. Website: https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html (accessed March 2, 2023).

⁷ State of California. *California Groundwater Bulletin 118, Hydrologic Region Colorado River, Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin*. Website: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/7_021_04_SanGorgonioPassSubbasin.pdf (accessed April 11, 2022).



Holocene- and Pleistocene-age alluvium and Pliocene- to Pleistocene-age San Timoteo Formation. The total storage capacity of the San Gorgonio Pass Subbasin is estimated at 2,200,000 acre-feet.⁸

According to the project Geotechnical Investigation,⁹ no groundwater was encountered in exploratory excavations down to 15 feet below grade at the site, and the nearest groundwater monitoring well is approximately 1,600 feet northwest of the project site. Water level readings within this monitoring well indicate a high groundwater level of approximately 540 feet below ground surface in June 2013. Even with such results, groundwater levels at the project site can be expected to fluctuate seasonally and, during the rainy season, groundwater and/or seepage may be prevalent in the creek bottoms and drainage areas.

4.10.3.4 Groundwater Quality

According to the City of Banning General Plan, groundwater quality in Banning is considered excellent.¹⁰ Groundwater in the subbasin is characterized as predominantly calcium-sodium bicarbonate type and total dissolved solid (TDS) content for groundwater samples from the San Gorgonio Pass Subbasin ranges from 106 to 205 milligrams/liter (mg/L). Surface water and groundwater with TDS exceeding 3,000 mg/L is not considered suitable for municipal or domestic water supply.¹¹

4.10.3.5 Floodplains

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06065C0836G (effective August 28, 2008), the project site is located in Flood Hazard Zone X.¹² Flood Zone X are areas outside the 1-percent-annual-chance flood event.

4.10.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., County of Riverside [County] and City) regulations applicable to the proposed project with regard to hydrology and water quality.

4.10.4.1 Federal Regulations

Clean Water Act. In 1972, the Federal Water Pollution Control Act (now referred to as the Clean Water Act [CWA]) was amended to require that the discharge of pollutants into waters of the United States from any point source be effectively prohibited unless the discharge is in compliance with a National

⁸ State of California. *California Groundwater Bulletin 118, Hydrologic Region Colorado River, Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin*. Page 2. Website: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/7_021_04_SanGorgonioPassSubbasin.pdf (accessed April 11, 2022)..

⁹ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. Page 9. February 4, 2022.

¹⁰ City of Banning. *City of Banning General Plan, Water Resources Element*. Page IV-12. January 31, 2006.

¹¹ State of California. Op. cit.

¹² Federal Emergency Management Agency (FEMA). *Flood Insurance Rate Map (FIRM), Map No. 06065C0816G*. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.04267821289032,33.8542142909214,-116.71034178710954,33.99665275843608> (accessed April 11, 2022).



Pollutant Discharge Elimination System (NPDES) Permit. In 1987, the CWA was again amended to require that the United States Environmental Protection Agency (EPA) establish regulations for the permitting of stormwater discharges (as a point source) by municipal and industrial facilities and construction activities under the NPDES permit program. The regulations require that Municipal Separate Storm Sewer System (MS4) discharges to surface waters be regulated by an NPDES permit.

The CWA requires states to adopt water quality standards for water bodies and have those standards approved by the EPA. Water quality standards consist of designated beneficial uses for a particular water body (e.g., wildlife habitat, agricultural supply, fishing), along with water quality criteria necessary to support those uses. Water quality criteria are set concentrations or levels of constituents (e.g., lead, suspended sediment, and fecal coliform bacteria) or narrative statements that represent the quality of water that support a particular use. Because California had not established a complete list of acceptable water quality criteria for toxic pollutants, the EPA Region IX established numeric water quality criteria for toxic constituents in the form of the California Toxics Rule (CTR).

When designated beneficial uses of a particular water body are being compromised by water quality, Section 303(d) of the CWA requires identifying and listing that water body as impaired. Once a water body has been deemed impaired, a Total Maximum Daily Load (TMDL) must be developed for each impairing water quality constituent. A TMDL is an estimate of the total load of pollutants from point, nonpoint, and natural sources that a water body may receive without exceeding applicable water quality standards (often with a “factor of safety” included, which limits the total load of pollutants to a level well below that which could cause the standard to be exceeded). Once established, the TMDL is allocated among current and future dischargers into the water body. Direct discharges of pollutants into waters of the United States are not allowed except in accordance with the NPDES program established in Section 402 of the CWA.

Clean Water Act, Section 303, List of Impaired Water Bodies. The California State Water Resources Control Board (SWRCB), in compliance with Section 303(d) of the CWA, prepares a list of impaired and threatened waters (e.g., stream/river segments, lakes). States are required to submit their list for EPA approval every 2 years. For each water on the list, the state identifies the pollutant causing the impairment, when known. In addition, the state assigns a priority for development of TMDLs based on the severity of the pollution and the sensitivity of the uses for which the waters are being used, among other factors.

In general, once a water body has been added to a state’s list of impaired waters, it stays there until the state develops a TMDL and the EPA approves it. The EPA reporting guidance provides a way to keep track of a state’s water bodies, from listing as impaired to meeting water quality standards. This tracking system contains a running account of all of the state’s water bodies and categorizes each based on the attainment status. The SWRCB adopted the 2020/2022 California Integrated Report (CWA Section 303(d) List/305(b) Report) on January 19, 2022, and the EPA approved the list on May 11, 2022.¹³

¹³ California State Water Resources Control Board (SWRCB). *2020-2022 California Integrated Report*. Website: https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html (accessed September 15, 2023).



National Flood Insurance Act. Congress acted to reduce the costs of disaster relief by passing the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973. The intent of these acts is to reduce the need for large, publicly funded flood control structures and disaster relief efforts by restricting development in floodplains. FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in a floodplain. FEMA issues FIRMs of communities participating in the NFIP. These maps delineate flood hazard zones in the community. The City of Banning manages local storm drain facilities, and the Riverside County Flood Control and Water Conservation District (RCFCWCD) is responsible for regional flood control planning within Riverside County.

4.10.4.2 State Regulations

Porter-Cologne Water Quality Control Act of 1970. The CWA places the primary responsibility for the control of water pollution and planning the development and use of water resources with the states, although it does establish certain guidelines for the states to follow in developing their programs.

California's primary statute governing water quality and water pollution is the Porter-Cologne Water Quality Control Act of 1970 (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and the nine RWQCBs broad powers to protect water quality and is the primary vehicle for the implementation of California's responsibility under the CWA. The Porter-Cologne Act grants the SWRCB and RWQCBs the authority and responsibility to adopt plans and policies, to regulate discharges to surface water and groundwater, to regulate waste disposal sites, and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, oil, or petroleum product.

Each RWQCB must formulate and adopt a water quality plan for its region. The regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that an RWQCB may include in its region a regional plan with water discharge prohibitions applicable to particular conditions, areas, or types of waste. The City, including the project site, is within the jurisdictional boundaries of the Colorado River RWQCB (Region 7).

California Toxics Rule. As stated previously, because California had not established a complete list of acceptable water quality criteria for toxic pollutants, EPA Region IX established numeric water quality criteria for toxic constituents in the form of the CTR. The CTR provides water quality criteria for certain potentially toxic compounds for inland surface waters, enclosed bays, estuaries, and waters designated for human health or aquatic life uses. The CTR is often used by the RWQCBs when establishing water quality objectives and TMDLs. Although the CTR criteria do not apply directly to discharges of stormwater runoff, they are utilized as benchmarks for toxics in urban runoff. The CTR is used as a benchmark to evaluate the potential ecological impacts of stormwater runoff to receiving waters. The CTR establishes acute and chronic surface water quality standards for certain water bodies. Acute criteria provide benchmarks for the highest permissible concentration below which aquatic life can be exposed for short periods of time without negative effects. Chronic criteria provide benchmarks for an extended period of time (i.e., 4 days or more) without negative effects. The acute



CTR criteria have a shorter relevant averaging period (less than 4 days) and provide a more appropriate benchmark for comparison for stormwater flows.

CTR criteria apply to the receiving water body and are calculated based on the probable hardness values of the receiving waters. At higher hardness values for receiving waters, certain constituents (including copper, lead, and zinc) are more likely to be complexed (bound with) components in the water column. This in turn reduces the bioavailability and resulting potential toxicity of these metals.

General Construction Activity Storm Water Permit. The *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*, Order No. 2022-0057-DWQ, NPDES No. CAS000002 (Construction General Permit), adopted by the SWRCB, regulates construction activity that includes clearing, grading, and excavation resulting in soil disturbance of at least 1 acre of total land area.¹⁴ The Construction General Permit (CGP) authorizes the discharge of stormwater to surface waters from construction activities.

The CGP requires that all developers of land where construction activities will occur over more than 1 acre do the following:

- Complete a Risk Assessment to determine pollution prevention requirements pursuant to the three risk levels established in the General Permit;
- Eliminate or reduce nonstormwater discharges to storm sewer systems and other waters of the United States;
- Develop and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies BMPs that will reduce pollution in stormwater discharges to the Best Available Technology/Economically Achievable/Best Conventional Pollutant Control Technology standards;
- Perform inspections and maintenance of all BMPs; and
- Conduct stormwater sampling if required based on risk level.

To obtain coverage under the CGP, a project applicant must electronically file all permit registration documents with the SWRCB prior to the start of construction. Permit registration documents must include a:

- Notice of Intent (NOI);
- Risk Assessment;
- Site map;
- Stormwater Pollution Prevention Plan (SWPPP);

¹⁴ California State Water Resources Control Board (SWRCB). *NPDES 2022 Construction Stormwater General Permit, Order No. 2022-0057-DWQ, NPDES No. CAS000002*. https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction/general_permit_reissuance.html. Effected September 1, 2023 (accessed September 15, 2023).



- Annual fee; and
- Signed certification statement.

Typical BMPs contained in SWPPPs are designed to minimize erosion during construction, stabilize construction areas, control sediment, and control pollutants from construction materials. The SWPPP must also include a discussion of the program to inspect and maintain all BMPs.

Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act (SGMA) of 2014 is a comprehensive three-bill package that Governor Jerry Brown signed into California State law in September 2014. The SGMA provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for State intervention if necessary to protect the resource. The plan is intended to ensure a reliable groundwater supply for California for years to come.

The SGMA requires governments and water agencies of high- and medium-priority basins to halt overdrafts of groundwater basins. The SGMA requires the formation of local groundwater sustainability agencies (GSAs) that are required to adopt Groundwater Sustainability Plans to manage the sustainability of the groundwater basins.

4.10.4.3 Regional Regulations

Water Quality Control Plans (Basin Plans). The Colorado River Basin RWQCB has adopted a Basin Plan for its region of responsibility that delineates water resource area boundaries based on hydrological features.¹⁵ For the purposes of achieving and maintaining water quality protection, specific beneficial uses have been identified for each of the surface waters and groundwater management zones described in the Basin Plan. Once beneficial uses are designated, appropriate water quality objectives are established, and programs that maintain or enhance water quality can be implemented to ensure the protection of beneficial uses.

For planning and reporting purposes, the Colorado River Basin Region has been divided into seven major planning areas on the basis of different economic and hydrologic characteristics. The project site is within the Coachella Valley Planning Area, which is almost entirely in Riverside County and covers 1,920 square miles in the west central portion of the Colorado River Basin Region. This Coachella Valley Planning Area contains the Whitewater Hydrologic Unit and the East Salton Sea Hydrologic Unit.

Table 4.10.B, Beneficial Uses of Surface Receiving Waters, shows the beneficial uses of surface receiving waters for the project site: Municipal and Domestic Supply (MUN); Agriculture Supply (AGR), Aquaculture (AQUA), Freshwater Replenishment (FRSH), Industrial Service Supply (IND), Groundwater Recharge (GWR), Water Contact Recreation (REC I), Non-Contact Water Recreation (REC II), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Wildlife Habitat (WILD), Hydropower Generation (POW), and Preservation of Rare, Threatened, or Endangered Species (RARE).

¹⁵ California State Water Resources Control Board, California Regional Water Quality Control Board, Colorado River Basin. *Water Quality Control Plan for the Colorado River Basin Region*. January 8, 2019.



Table 4.10.B: Beneficial Uses of Surface Receiving Waters

Water Bodies	MUN	AGR	AQUA	FRSH	IND	GWR	REC I	REC II	WARM	COLD	WILD	POW	RARE
Smith Creek	P	X				X	P	X	X		X		
San Gorgonio River	P	X				X	P	X	X		X		
Whitewater River ⁴	X	X				X	X	X	X	X	X	X	
Coachella Valley Storm Channel ²				X			X ¹	X ¹	X		X		X ³
Salton Sea			X		P		X	X	X		X		X

Source: State Water Resources Control Board, California Regional Water Quality Control Board, Colorado River Basin. *Water Quality Control Plan for the Colorado River Basin Region*. Table 2-3: Beneficial Uses of Surface Waters in the West Colorado River Basin, Page 2-8. January 8, 2019.

Notes: MUN= Municipal and Domestic Supply; AGR = Agriculture Supply; AQUA = Aquaculture; FRSH = Freshwater Replenishment; IND = Industrial Service Supply; GWR = Groundwater Recharge; REC I = Water Contact Recreation; REC II = Non-Contact Water Recreation; WARM = Warm Freshwater Habitat; COLD = Cold Freshwater Habitats; WILD = Wildlife Habitat; POW = Hydropower Generation; and, RARE = Preservation of Rare, Threatened, or Endangered Species. P = potential, X = existing use, I = intermittent.

¹ Unauthorized use.

² Section of perennial flow from approximately Indio to the Salton Sea.

³ Rare, endangered, or threatened wildlife exists in or utilizes some of these waterways. If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Wildlife on its own initiative and/or at the request of the Regional Water Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Water Board.

⁴ Includes the section of flow from the headwaters in the San Gorgonio Mountains to (and including) the Whitewater Recharge Basins near the Indian Avenue crossing in Palm Springs.

Beneficial uses of the San Gorgonio Hydrologic Subunit include MUN, AGR, and IND.¹⁶ Basin Plans also establish implementation programs to achieve water quality objectives to protect beneficial uses and require monitoring to evaluate the effectiveness of the programs. These objectives must comply with the State antidegradation policy (State Board Resolution No. 68-16), which is designed to maintain high-quality waters while allowing some flexibility if beneficial uses are not unreasonably affected.

Basin Plans have established narrative and numeric water quality objectives for inland surface streams and groundwater. If water quality objectives are exceeded, the RWQCBs can use their regulatory authority to require municipalities to reduce pollutant loads to the affected receiving waters. Relevant surface water quality objectives for all inland surface waters and groundwater under the jurisdiction of the Colorado River Basin RWQCB that are applicable to the receiving waters for the project site are shown in Table 4.10.C, Surface Water Quality Objectives for Inland Surface Waters, and Table 4.10.D, Groundwater Quality Objectives for Groundwater Basins, respectively.

¹⁶ California State Water Resources Control Board, California Regional Water Quality Control Board, Colorado River Basin. *Water Quality Control Plan for the Colorado River Basin Region*. Table 2-5: Beneficial Uses of Ground Waters in the Colorado River Basin, Page 2-17. January 8, 2019..



Table 4.10.C: Surface Water Quality Objectives for Inland Waters

Constituent	Concentration												
Aesthetic Qualities	All waters shall be free from substances attributable to wastewater of domestic or industrial origin or other discharges that adversely affect beneficial uses not limited to: settling to form objectionable deposits; floating as debris, scum, grease, oil, wax, or other matter that may cause nuisances; and producing objectionable color, odor, taste, or turbidity.												
Tainting Substances	Water shall be free of unnatural materials that individually, or in combination, produce undesirable flavors in the edible portions of aquatic organisms.												
Toxicity	All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in, human, plant, animal, or indigenous aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, 96-hour bioassay or bioassays of appropriate duration or other appropriate methods as specified by the Regional Water Board. Effluent limits based upon bioassays of effluent will be prescribed where appropriate, additional numerical receiving water objectives for specific toxicants will be established as sufficient data become available, and source control of toxic substances will be encouraged.												
Temperature	The natural receiving water temperature of surface waters shall not be altered by discharges of wastewater unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.												
pH	Since the regional waters are somewhat alkaline, pH shall range from 6.0 to 9.0. Discharges shall not cause any changes in pH detrimental to beneficial water uses.												
Dissolved Oxygen	The dissolved oxygen concentration shall not be reduced below the following minimum levels at any time: WARM = 5.0 mg/L; COLD = 8.0 mg/L; and WARM and COLD = 8.0 mg/L.												
Suspended Solids and Settleable Solids	Discharges of wastes or wastewater shall not contain suspended or settleable solids in concentrations that increase the turbidity of receiving waters unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in turbidity does not adversely affect beneficial uses.												
TDS	Discharges of wastes or wastewater shall not increase the TDS content of receiving waters unless it can be demonstrated to the satisfaction of the Regional Water Board that such an increase in TDS does not adversely affect the beneficial uses of receiving waters. Additionally, any discharge, excepting discharges from agricultural sources, shall not cause concentration of TDS in surface waters to exceed the following limits: Coachella Valley Drains – Annual Average = 2000 mg/L; Maximum = 2,500 mg/L.												
Bacteria	<p>In waters designated REC I or REC II, the following bacterial objectives apply. Although the objectives are expressed as fecal coliforms, E. coli, and enterococci bacteria, they address pathogenic microorganisms in general (e.g., bacteria, viruses, and fungi). Based on a statistically sufficient number of samples (generally no fewer than five samples equally spaced over a 30-day period), the geometric mean of the indicated bacterial densities should not exceed one or the other of the following:</p> <table border="0" data-bbox="386 1455 1256 1514"> <tr> <td>E. Coli</td> <td>REC I = 126 per 100 mL</td> <td>REC II = 630 per 100 mL</td> </tr> <tr> <td>enterococci</td> <td>REC I = 33 per 100 mL</td> <td>REC II = 165 per 100 mL</td> </tr> </table> <p>Nor shall any sample exceed the following maximum allowable:</p> <table border="0" data-bbox="386 1575 1256 1633"> <tr> <td>E. Coli</td> <td>REC I = 400 per 100 mL</td> <td>REC II = 2000 per 100 mL</td> </tr> <tr> <td>enterococci</td> <td>REC I = 100 per 100 mL</td> <td>REC II = 500 per 100 mL</td> </tr> </table> <p>In addition to the objectives above, in waters designated REC I, the fecal coliform concentration based on a minimum of no fewer than five samples for any 30-day period shall not exceed a log mean of 200 MPN per 100 mL, nor shall more than 10 percent of total samples during any 30-day period exceed 400 MPN per 100 mL.</p>	E. Coli	REC I = 126 per 100 mL	REC II = 630 per 100 mL	enterococci	REC I = 33 per 100 mL	REC II = 165 per 100 mL	E. Coli	REC I = 400 per 100 mL	REC II = 2000 per 100 mL	enterococci	REC I = 100 per 100 mL	REC II = 500 per 100 mL
E. Coli	REC I = 126 per 100 mL	REC II = 630 per 100 mL											
enterococci	REC I = 33 per 100 mL	REC II = 165 per 100 mL											
E. Coli	REC I = 400 per 100 mL	REC II = 2000 per 100 mL											
enterococci	REC I = 100 per 100 mL	REC II = 500 per 100 mL											
Biostimulatory Substances	Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses. Nitrate and phosphate limitations will be placed on industrial discharges to New and Alamo rivers and irrigation basins on a case-by-case basis, taking into consideration the beneficial uses of these streams.												



Table 4.10.C: Surface Water Quality Objectives for Inland Waters

Constituent	Concentration																																								
Sediment	The suspended sediment load and suspended sediment discharge rate to surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.																																								
Turbidity	Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.																																								
Radioactivity	<p>Radionuclides shall not be present in waters in concentrations that are deleterious to human, plant, animal, or aquatic life or that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life. Waters designated for use as MUN shall not contain concentrations of radionuclides in excess of the limits specified in Tables 64442 and 64443 of Sections 64442 and 64443, respectively, of Title 22 of the California Code of Regulations, which are incorporated by reference into this plan. This incorporation by reference is prospective, including future revisions to the incorporated provisions as the revisions take effect.</p> <table border="0"> <thead> <tr> <th>Constituent</th> <th>Maximum Contaminant level, PCi/L</th> </tr> </thead> <tbody> <tr> <td>Combined Radium-226 and Radium-228</td> <td>5</td> </tr> <tr> <td>Gross Alpha Particle activity (excluding Radon and Uranium)</td> <td>15</td> </tr> <tr> <td>Tritium</td> <td>20,000 (equivalent to 4 millirem/year does to total body)</td> </tr> <tr> <td>Strontium-90</td> <td>8 (equivalent to 4 millirem/year does to bone marrow)</td> </tr> <tr> <td>Beta / photon emitters</td> <td>4 MREM (4 millirem/year annual does equivalent to the total body or any internal organ)</td> </tr> <tr> <td>Uranium</td> <td>20</td> </tr> </tbody> </table>	Constituent	Maximum Contaminant level, PCi/L	Combined Radium-226 and Radium-228	5	Gross Alpha Particle activity (excluding Radon and Uranium)	15	Tritium	20,000 (equivalent to 4 millirem/year does to total body)	Strontium-90	8 (equivalent to 4 millirem/year does to bone marrow)	Beta / photon emitters	4 MREM (4 millirem/year annual does equivalent to the total body or any internal organ)	Uranium	20																										
Constituent	Maximum Contaminant level, PCi/L																																								
Combined Radium-226 and Radium-228	5																																								
Gross Alpha Particle activity (excluding Radon and Uranium)	15																																								
Tritium	20,000 (equivalent to 4 millirem/year does to total body)																																								
Strontium-90	8 (equivalent to 4 millirem/year does to bone marrow)																																								
Beta / photon emitters	4 MREM (4 millirem/year annual does equivalent to the total body or any internal organ)																																								
Uranium	20																																								
Chemical Constituents	<p>No individual chemical or combination of chemicals shall be present in concentrations that adversely affect beneficial uses. There shall be no increase in hazardous chemical concentrations found in bottom sediments or aquatic life. Waters designated for use as MUN shall not contain concentrations of chemical constituents in excess of the MCLs based on drinking water standards specified in the following provisions of Title 22 of the California Code of Regulations, which are incorporated by reference into this plan:</p> <table border="0"> <thead> <tr> <th colspan="2">MCLs for Organic and Inorganic Chemicals</th> </tr> <tr> <th><i>Inorganic Chemical Constituents</i></th> <th><i>MCL, mg/L</i></th> </tr> </thead> <tbody> <tr><td>Arsenic</td><td>0.01</td></tr> <tr><td>Barium</td><td>1.0</td></tr> <tr><td>Cadmium</td><td>0.005</td></tr> <tr><td>Chromium</td><td>0.05</td></tr> <tr><td>Fluoride</td><td>2.0</td></tr> <tr><td>Lead</td><td>0.015</td></tr> <tr><td>Mercury</td><td>0.002</td></tr> <tr><td>Nitrate (as NO₃)</td><td>45.0</td></tr> <tr><td>Nitrate + Nitrite (sum of nitrogen)</td><td>10.0</td></tr> <tr><td>Selenium</td><td>0.05</td></tr> <tr><td>Silver</td><td>0.10</td></tr> <tr> <th><i>Organic Chemical Constituents</i></th> <th></th> </tr> <tr><td>Endrin</td><td>0.002</td></tr> <tr><td>Lindane</td><td>0.0002</td></tr> <tr><td>Methoxychlor</td><td>0.03</td></tr> <tr><td>Toxaphene Chlorophenoxys</td><td>0.003</td></tr> <tr><td>2,4-D</td><td>0.07</td></tr> <tr><td>2,4,5-TP Silvex</td><td>0.05</td></tr> </tbody> </table>	MCLs for Organic and Inorganic Chemicals		<i>Inorganic Chemical Constituents</i>	<i>MCL, mg/L</i>	Arsenic	0.01	Barium	1.0	Cadmium	0.005	Chromium	0.05	Fluoride	2.0	Lead	0.015	Mercury	0.002	Nitrate (as NO ₃)	45.0	Nitrate + Nitrite (sum of nitrogen)	10.0	Selenium	0.05	Silver	0.10	<i>Organic Chemical Constituents</i>		Endrin	0.002	Lindane	0.0002	Methoxychlor	0.03	Toxaphene Chlorophenoxys	0.003	2,4-D	0.07	2,4,5-TP Silvex	0.05
MCLs for Organic and Inorganic Chemicals																																									
<i>Inorganic Chemical Constituents</i>	<i>MCL, mg/L</i>																																								
Arsenic	0.01																																								
Barium	1.0																																								
Cadmium	0.005																																								
Chromium	0.05																																								
Fluoride	2.0																																								
Lead	0.015																																								
Mercury	0.002																																								
Nitrate (as NO ₃)	45.0																																								
Nitrate + Nitrite (sum of nitrogen)	10.0																																								
Selenium	0.05																																								
Silver	0.10																																								
<i>Organic Chemical Constituents</i>																																									
Endrin	0.002																																								
Lindane	0.0002																																								
Methoxychlor	0.03																																								
Toxaphene Chlorophenoxys	0.003																																								
2,4-D	0.07																																								
2,4,5-TP Silvex	0.05																																								



Table 4.10.C: Surface Water Quality Objectives for Inland Waters

Constituent	Concentration
Pesticide Wastes	The discharge of pesticidal wastes from pesticide manufacturing processing or cleaning operations to any surface water is prohibited.
Specific Surface Water Quality Objectives—Salton Sea	
TDS	The TDS concentration of the Salton Sea was approximately 44,000 mg/L in 1992 and over 61,000 mg/L in 2017. The water quality objective for the Salton Sea is to reduce the present level of salinity and stabilize it at 35,000 mg/L, unless it can be demonstrated that a different level of salinity is optimal for the sustenance of the sea’s wild and aquatic life. However, the achievement of this water quality objective shall be accomplished without adversely affecting the primary purpose of the Salton Sea, which is to receive and store agricultural drainage, seepage, and stormwaters. Also, because of economic considerations, 35,000 mg/L may not be realistically achievable. In such case, any reduction in salinity that still allows for survival of the sea’s aquatic life shall be deemed an acceptable alternative or interim objective. Because of the difficulty and predicted costliness of achieving salinity stabilization of the Salton Sea, it is unreasonable for the Regional Water Board to assume responsibility for implementation of this objective. That responsibility must be shared jointly by all of the agencies that have direct influence on the sea’s fate. Additionally, there must be considerable public support for achieving this objective, without which it is unlikely that the necessary funding for Salton Sea salinity control will ever be realized.
Selenium	The following objectives apply to all surface water that are tributaries to the Salton Sea: a. A 4-day average value of selenium shall not exceed 0.005 mg/L. b. A 1-hour average value of selenium shall not exceed 0.2 mg/L.
Specific Surface Water Quality Objectives—Coachella Valley Storm Water Channel	
Bacteria	The following bacterial objectives apply to a limited section of the CVSC where perennial flow exists—specifically, that part of the channel that begins at the Valley Sanitary District Waste Water Treatment Plant in Coachella and extends to the south for approximately 17 miles, where it discharges into the Salton Sea at the northern shore. The bacterial water quality objectives for this reach of the CVSC are expected to protect human health against gastrointestinal illness caused by exposure to pathogenic organisms present in surface waters. These objectives are based on several epidemiological studies sponsored by the EPA, which determined that E. coli is the most reliable indicator bacteria for protecting human health, given that E. coli is more specifically intestinal in origin than fecal coliform. E. coli density limits for the CVSC are as follows: <ul style="list-style-type: none"> Based on a minimum of five samples equally spaced over a 30-day period, the geometric mean of E. coli densities must not exceed the following: REC I = 126 MPN per 100 mL; and REC II = 630 MPN per 100 mL; Nor shall any single sample exceed the following for E. coli densities: REC I = 400 MPN per 100 mL; and REC II = 2,000 MPN per 100 mL.

Source: California State Water Resources Control Board, California Regional Water Quality Control Board, Colorado River Basin Region. *Water Quality Control Plan for the Colorado River Basin Region*. Pages 3-1 through 3-10. January 8, 2019.

Note: There are no site-specific water quality objectives for Montgomery Creek, San Gorgonio River, or Whitewater River.

COLD = Cold Freshwater Habitat

CVSC = Coachella Valley Storm Water Channel

E. coli = *Escherichia coli*

EPA = United States Environmental Protection Agency

MCL = Maximum Contaminant Levels (mg/L = milligrams per liter)

mL = milliliters

MPN = most probable number

MREM = millirems

MUN = domestic or municipal supply

PCi/L = picocuries per liter

REC I = Water Contact Recreation

REC II = Non-Contact Water Recreation

TDS = total dissolved solids

WARM = Warm Freshwater Habitat



Table 4.10.D: Groundwater Objectives

Constituent	Concentration
Taste and Odors	Groundwater for use as domestic or municipal supply shall not contain taste- or odor-producing substances in concentrations that adversely affect beneficial uses as a result of human activity.
Bacteriological Quality	In groundwater designated for use as MUN, the concentration of coliform organisms shall not exceed the limits specified in Section 64426.1 of Title 22 of the California Code of Regulations.
Chemical and Physical Quality	Groundwater designated for use as MUN shall not contain concentrations of chemical constituents in excess of the MCLs specified in the following provisions of Title 22 of the California Code of Regulations, which are incorporated by reference into this plan: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64444-A of Section 64444 (Organic Chemicals), and Table 64678-A of Section 64678 (Determination of Exceedances of Lead and Copper Action Levels). This incorporation is prospective, including future revisions to the incorporated provisions as the revisions take effect. The Regional Water Board acknowledges that specific treatment requirements are imposed by State and federal drinking water regulations on the consumption of surface waters under specific circumstances. To protect all beneficial uses, the Regional Water Board may apply limits more stringent than MCLs.
Brines	Discharges of water softener regeneration brines, other mineralized wastes, and toxic wastes to disposal facilities that ultimately discharge in areas where such wastes can percolate to groundwater usable for MUN purposes are prohibited.
Radioactivity	Groundwater designated for use as MUN shall not contain radioactive material in excess of the MCLs specified in Tables 64442 and 64443 of Sections 64442 and 64443, respectively, of Title 22 of the California Code of Regulations.

Source: California State Water Resources Control Board, California Regional Water Quality Control Board, Colorado River Basin Region. *Water Quality Control Plan for the Colorado River Basin Region*. Pages 3-10 and 3-11. January 8, 2019.

MCL = maximum contaminant level

MUN = domestic or municipal supply

Municipal Phase I Program MS4. The City of Banning is a co-permittee on the *NPDES Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Within the Whitewater River Watershed Riverside County Flood Control and Water Conservation District, County of Riverside, Coachella Valley Water District and Incorporated Cities of Riverside County within the Whitewater River Basin (Whitewater River Watershed MS4 Permit)*, Order R7-2013-0011, NPDES No. CAS617002. The City of Banning does not share an interconnected MS4 with other permittees, although it is included as a co-permittee on the Whitewater River Watershed MS4 Permit to facilitate coordination with the regional programs implemented by other permittees and to reduce administrative duties on the RWQCB. The MS4 operated by the City discharges directly into the San Gorgonio River; however, most MS4 discharges from the City infiltrate into groundwater.¹⁷ The Whitewater River Watershed MS4 permit requires permittees to comply with the Whitewater River Region WQMP, including incorporating appropriate BMPs to the Maximum Extent Practicable to achieve water quality goals and objectives.

4.10.4.4 Local Regulations

Riverside County Flood Control and Water Conservation District Hydrology Manual. The RCFCWCD prepared and approved a Hydrology Manual in April 1978 to document design hydrology methods

¹⁷ California Regional Water Quality Control Board. 2013. *Order No. R7-2013-011, NPDES No. CAS617002*. June 20. Website: https://www.waterboards.ca.gov/coloradoriver/board_decisions/adopted_orders/orders/2013/0011cv_ms4.pdf (accessed November 9, 2022).



and criteria currently used by the RCFCWCD and implemented by various projects being developed within Riverside County.¹⁸ The materials contained in the Hydrology Manual are intended for the use of both RCFCWCD personnel and engineers submitting hydrologic computations to the RCFCWCD. Methods of the Hydrology Manual are considered applicable to the hydrologic design of underground storm drains, open channels, retention basins, dams, and debris basins, as well as subdivision review and floodplain mapping. As the project is located within the jurisdiction of the RCFCWCD, design techniques from the Hydrology Manual would be applicable.

Riverside County Whitewater River Region Storm Water Quality Best Management Practice Design Handbook for Low Impact Development. The District prepared and approved the *Whitewater River Region Storm Water Quality Best Management Practice Design Handbook for Low Impact Development* (Handbook) in June 2014.¹⁹ The purpose of the Handbook is to provide selection and design guidance for stormwater BMPs for Priority Development Project (PDPs) within the Whitewater River Region of Riverside County while meeting the goals of Low Impact Development (LID) where feasible. LID in the Whitewater River Region seeks to control runoff pollutants close to their source but has a slightly different approach than in area with more annual rainfall. The majority of PDPs within the Whitewater River Region have historically been, and continue to be, subject to local on-site retention requirements. In the past, these local requirements were implemented to address downstream impacts; more recently, these requirements have been noted for their ability to meet the goals of LID. As the project is located within the jurisdiction of the RCFCWCD Whitewater River Region, BMPs from the Handbook would be applicable.

City of Banning General Plan. The City of Banning General Plan includes a Water Resources Element²⁰ and a Flooding and Hydrology Element, both of which provide goals and policies pertaining to hydrology and water quality in the City.²¹ The Water Resources Element addresses water quality, availability, and conservation for the city's current and future needs. The following policies from the Water Resources Element would apply to the project:²²

- **Policy 3:** The City shall require the use of recycled wastewater for new development, or where it is unavailable, the infrastructure for recycled water when it becomes available, as a means of reducing demand for groundwater resources.
- **Policy 5:** The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.
- **Policy 6:** Coordinate with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company, the Beaumont-Cherry Valley Water District, the California Regional Water Quality

¹⁸ Riverside County Flood Control and Water Conservation District (RCFCWCD). *Hydrology Manual*. April 1978.

¹⁹ Riverside County Flood Control and Water Conservation District (RCFCWCD). *Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development*. June 2014.

²⁰ City of Banning, City of Banning General Plan Chapter IV. Environmental Resources. January 31, 2006.

²¹ City of Banning, City of Banning General Plan Chapter V. Environmental Hazards. January 31, 2006.

²² City of Banning, City of Banning General Plan Chapter IV. Environmental Resources. Pages IV-15 through IV-17. January 31, 2006.



Control Board and other appropriate agencies to share information on potential groundwater contaminating sources.

- **Policy 7:** The City shall ensure that no development proceeds that has potential to create groundwater hazards from point and non-point sources, and shall confer with other appropriate agencies, as necessary, to assure adequate review and mitigation.

The Flooding and Hydrology Element addresses potential drainage and flooding hazards within the City of Banning. The main goal of this element is to protect the general health, safety, and welfare of the community from potential flood and associated hazards. The following goal and policy from the Flooding and Hydrology Element would apply to the project:²³

- **Goal:** A comprehensive system of flood control facilities and services effectively protecting lives and property.
 - **Policy 6:** All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.

City of Banning Municipal Code. Section 13.24.110 of the City of Banning Municipal Code requires that any construction in the city comply with the Storm Water Management Provisions as codified in Chapter 13.24 and the Uniform Building Code, as well as City of Banning Ordinance 1388. Chapter 18.15 requires the preparation and implementation of an Erosion and Sediment Control Plan during project construction to minimize the transport of soil into streets, storm drains, and drainage ways. In addition, development of all land within the city must include provisions for the management of stormwater runoff from the property to be developed to prevent any deterioration of water quality, including volumetric or flow-based treatment control BMP design criteria, and/or exceptions to these requirements, and methodologies used to ensure proper management of stormwater runoff post-construction. Ordinance No. 1415 requires the proposed project in the post-development condition to store stormwater runoff from rainfall events up to and including the 100-year, 3-hour duration. This management shall consist of constructing storage and/or infiltration facilities, which include infiltration basins. At a minimum, all development will make provisions to retain stormwater runoff from rainfall events up to and including the 100-year, 3-hour duration event, and post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharge rates.

4.10.5 Thresholds of Significance

The thresholds of significance utilized in this section are from Section X of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact to hydrology and water quality if it would:

²³ City of Banning, City of Banning General Plan Chapter V. Environmental Hazards. Pages V-37 through V-39. January 31, 2006.



- Threshold 4.10.1:** Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- Threshold 4.10.2:** Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- Threshold 4.10.3:** Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river 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 that would result in flooding on or off site; (iii) Create or contribute runoff water that 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;
- Threshold 4.10.4:** In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- Threshold 4.10.5** Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.10.6 Project Impact Analysis

The following analysis of project impacts is based on Section X of Appendix G to the *CEQA Guidelines*.

4.10.6.1 Violate Water Quality Standards

Threshold 4.10.1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction. Pollutants of concern during construction include sediment, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on groundwater, on-site surface water, and off-site downstream receiving waters. During soil-disturbing construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste may be spilled or leaked and have the potential to be transported via stormwater runoff into receiving waters. Sediment from increased soil erosion and chemicals from spills and leaks have the potential to be discharged to downstream receiving waters during storm events, which can affect water quality and impair beneficial uses.

Because construction of the project would disturb greater than 1 acre of soil, the project is subject to the requirements of the CGP, as specified in **Regulatory Compliance Measure (RCM) HYD-1**, identified below. As also specified in **RCM HYD-1**, a SWPPP would be prepared, and construction BMPs detailed in the SWPPP would be implemented during construction, in compliance with the requirements of the



CGP. In addition, as specified in **RCM HYD-2**, an Erosion and Sediment Control Plan would be prepared and submitted to the City's Public Works Department prior to issuance of any grading in compliance with Chapter 13.24 and Chapter 18.15 of the City's Municipal Code, as well as City of Banning Ordinance 1388.

As construction of the project is expected to occur over multiple years (approximately 1.5 years), an Erosion and Sediment Control Plan would also be prepared annually during construction and submitted to the City's Public Works Department for approval prior to September 15 of each year. The SWPPP and Erosion and Sediment Control Plans would detail the BMPs to be implemented during construction and would reduce any amount of sedimentation flowing off site and into downstream receiving waters. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into downstream receiving waters. Compliance with the requirements of the CGP and City Municipal Code, including incorporation of construction BMPs to target and reduce pollutants of concern in stormwater runoff and reduce sediment release to receiving waters, would ensure that construction impacts related to water quality standards, waste discharge requirements (WDRs), and degradation of surface water quality would be **less than significant**.

According to the Geotechnical Investigation²⁴ prepared for the project, no groundwater was encountered in exploratory excavations down to 15 feet below grade at the site. The nearest monitoring well is located approximately 1,600 feet northwest of the project site. Water level readings within this monitoring well indicate a groundwater level of approximately 540 feet below ground surface as of June 2013. Based on the depth of groundwater underlying the project site, dewatering activities during project construction are not anticipated to occur. Stormwater that may infiltrate soil during construction would not be expected to affect groundwater quality because of the depth to groundwater on the project site and because there is not a direct path for pollutants to reach groundwater.

Construction of the project would comply with current NPDES regulations (as specified in **RCM HYD-1** and **RCM HYD-2**), which include preparation of a SWPPP and Erosion and Sediment Control Plans and implementation of construction BMPs to target and reduce pollutants of concern in stormwater runoff. Compliance with regulatory requirements would ensure that impacts related to violation of any water quality standards or WDRs or degradation of surface or ground water quality during construction would be **less than significant**. Mitigation is not required.

Operation. Expected pollutants of concern from long-term operation of the project include bacteria/viruses, nutrients, sediment/turbidity, trash and debris, and oils and grease.²⁵ Potential sources of these pollutants associated with the project include the following:

²⁴ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. Page 9. February 4, 2022.

²⁵ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Pages 1-8 and 1-9. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, and July 2023.



- **Bacteria/Viruses:** Sediment and landscaping areas.
- **Nutrients:** Fertilizers, sediment, and trash/debris.
- **Sediment/Turbidity:** Disturbed or unstabilized landscaping areas and disturbed earth surfaces.
- **Trash and Debris:** Landscaping activities, paper, boxes, and other debris associated with warehouse activities.
- **Oil and Grease:** Internal streets and parked vehicles.

The project would be required to comply with the requirements of the Whitewater River Watershed MS4 Permit and associated guidance documents. The Whitewater River Watershed MS4 Permit requires that a Final WQMP be prepared for new development within its jurisdiction (specifically, the City of Banning). The Final WQMP would specify the site design, source control, LID, and treatment control BMPs that would be implemented to capture, treat, and reduce pollutants of concern in stormwater runoff. Design BMPs are stormwater management strategies that emphasize conservation and use of existing site features to reduce the amount of runoff and pollutant loading generated from a site. Source control BMPs are preventative measures that are implemented to prevent the introduction of pollutants into stormwater. LID BMPs mimic a project site's natural hydrology by using design measures that capture, filter, store, evaporate, detain, and infiltrate runoff rather than allowing runoff to flow directly to piped or impervious storm drains. Treatment control BMPs are structural BMPs designed to treat and reduce pollutants in stormwater runoff prior to releasing it to receiving waters.

The WQMP prepared for the project specifies the source control, site design, and LID BMPs proposed for the project (no treatment control BMPs are proposed). The WQMP would be refined during final design based on the final site plans, as codified in **RCM HYD-3**. Prior to the issuance of building permits, the City would require documentation that the proposed development is consistent with the Final WQMP prescribed in **RCM HYD-3** in accordance with the Whitewater River Watershed MS4 Permit.

Many of the operational BMPs implemented for the project would require operation and maintenance responsibilities by either the owner of the property, the property's maintenance director, or occupants of the project site. The following describes the operational BMPs that would require operation and maintenance:²⁶

- **Efficient Irrigation:** Verify that runoff minimizing landscape design continues to function by checking that water sensors are functioning properly, that irrigation heads are adjusted properly to eliminate overspray to hardscape areas, and that irrigation timing and cycle lengths are

²⁶ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Pages 1-27 and 1-28. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, and July 2023.



adjusted in accordance with water demands, given time of year, weather and day or nighttime temperatures. Timing: weekly.

- **Trash Container Areas:** Sweep area clean, spot clean using a mop and water (no detergents), and contact the City's solid waste pickup department to remove any large debris in the area that does not fit in the dumpster itself. Timing: weekly.
- **Catch Basin Stenciling:** Inspect the stenciled message for legibility. Re-stencil as necessary. Timing: bi-annual.
- **Tenant Education:** Provide all tenants/occupants with stormwater BMP education materials. Timing: upon initial leasing or sale of property to occupants and/or tenants, and annually thereafter.
- **Common Area Landscape Management:** Manage landscaping in accordance with applicable ordinances and with management guidelines for use of fertilizers and pesticides. Timing: ongoing.
- **Street Sweeping Private Streets and Parking Lots:** Vacuum-sweep parking lots/paved areas. Timing: monthly.
- **Protect Slopes and Channels:** Inspect slopes and channels for erosion. Timing: bi-annual and after storm events.
- **Water Quality Inlets:** Remove floating petroleum product and floating debris. Timing: monthly. Remove and properly dispose of sediment and sludge and floating debris accumulated in the bottom of the gravity separators. Timing: bi-annual.
- **Detention/Infiltration Structures:** Inspect system and remove any accumulated trash, debris, and visible sediment from the recharge surface. Timing: quarterly for the first year and bi-annually thereafter.

The proposed BMPs would target and reduce pollutants of concern from runoff from the project site in compliance with the Whitewater River Watershed MS4 Permit requirements pursuant to **RCM HYD-3**. Compliance with the requirements of the Whitewater River Watershed MS4 Permit, including incorporation of operational BMPs to target pollutants of concern, would ensure that impacts related to a violation of any water quality standards or WDRs and degradation of surface or groundwater water quality during project operation would be **less than significant**. Mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures are required; however, the following regulatory compliance measures would be implemented as part of the project:

RCM HYD-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. 2022-0057-DWQ, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-related documents required by the permit, to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the project from the SMARTS and provided to the Director of the City of Banning (City) Public Works Department, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Project construction shall comply with all applicable requirements specified in the Construction General Permit, including, but not limited to: preparation of a 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 project. The SWPPP shall identify the sources of pollutants that may affect the quality of stormwater and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in stormwater runoff. Upon completion of construction activities and stabilization of the project site, a Notice of Termination shall be submitted via SMARTS.

- RCM HYD-2:** In compliance with City Ordinance No. 1388, Grading, Erosion, and Sediment Control, the 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 the proposed project. The applicant shall also submit erosion and sediment control plans annually to the Director of the City Public Works Department, or designee, for review and approval.
- RCM HYD-3:** Prior to issuance of a grading permit, the applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the Director of the City of Banning Public Works Department, or designee, for review and approval. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project site. The Final WQMP shall also incorporate the results of the Final Hydrology and Hydraulic Analysis to demonstrate that the detention facilities meet the hydromodification requirements of the Whitewater River Watershed Municipal Separate Storm Sewer System (MS4) Permit. The Director of the City Public Works Department, or designee, shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.

Level of Significance After Mitigation: Less than Significant.



4.10.6.2 Groundwater

Threshold 4.10.2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Construction. According to the Geotechnical Investigation prepared for the project,²⁷ no groundwater was encountered in exploratory excavations down to 15 feet below grade at the site. The nearest monitoring well is located approximately 1,600 feet northwest of the project site. Water level readings within this monitoring well indicate a high groundwater level of approximately 540 feet below ground surface as of June 2013. Exploratory trenches were excavated in 25 locations in a geotechnical investigation conducted October 25, 2006.²⁸ Below surficial topsoil, all of the trenches encountered native alluvial soils. The alluvium generally consisted of silty fine to coarse sand, with some fine to coarse gravel content, extensive cobbles, and occasional boulders. At depths below approximately 4 feet, the alluvium became coarser, generally consisting of medium dense to dense fine to coarse sands with some fine to coarse gravel content, extensive cobbles, and some boulders extending to at least the maximum depth of exploratory borings at approximately 15 feet. The majority of the alluvium consists of sand, gravel, and cobbles and has a moderate infiltration rate. Based on the depth to groundwater, dewatering activities are not anticipated to occur during project construction activities. Therefore, construction impacts related to a decrease in groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be **less than significant**. Mitigation is not required.

Operation. Upon development of the project site, approximately 70 percent of the site (approximately 58.88 acres)²⁹ would be covered by impervious surfaces,³⁰ which would decrease on-site infiltration of stormwater. However, landscaped slope, parking medians, open space, and infiltration basins would be implemented as part of the project design to provide areas where stormwater runoff can collect and continue to infiltrate.

The City of Banning's potable and nonpotable water is supplied through groundwater sources. Therefore, it is expected that the project would rely on existing groundwater entitlements to serve its water needs. The WSA prepared for the project determined that the project would have adequate water supplies from groundwater sources during normal, dry-year, and multiple-dry-year demands through 2045.³¹ Therefore, impacts related to depletion of groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be **less than significant**. Mitigation is not required.

²⁷ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. Page 9. February 4, 2022.

²⁸ Ibid. Page 6.

²⁹ 58.88 acres of the total 84.12-acre site, excluding 10.74 acres of roadway improvements.

³⁰ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Page 1-4. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, July 2023.

³¹ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. Page 28. January 30, 2023.



Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less than Significant.

4.10.6.3 Drainage Patterns

Threshold 4.10.3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river 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 that would result in flooding on or off site; (iii) Create or contribute runoff water that 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?

The proposed project is designed to replicate existing flow patterns and maintain existing discharge locations. Flood protection would be provided by the combination of LID practices, a storm drain network, and conveyance of flow through improved roadways. The LID features include vegetated swales, disconnected down drains, and infiltration-based retention.

The on-site drainage management areas are identified in Figure 4.10-1. In Drainage Area A, storm flows originating off site north of Wilson Street would continue to be intercepted by the earthen channel that is parallel to and north of Wilson Street. As part of the proposed project, this channel would be extended and widened. Similar to the existing condition, this channel would discharge stormflows to a storm drain system east of First Industrial Way. This storm drain system would be modified to accommodate the realignment of First Industrial Way. Storm flows originating from within the Wilson Street right-of-way would be collected by a proposed westerly extension of the storm drain line that currently exists within Wilson Street. Flows from the storm drain line within Wilson Street right-of-way would also discharge to the storm drain system east of First Industrial Way. Storm water flows originating on site in Drainage Area A would drain to an LID feature that runs the length of the northern boundary of the project site south of Wilson Street, where flows would be captured by multiple inlets/catch basins and discharge to a private on-site storm drain system that would discharge to an infiltration chamber located in the northeast corner of the project site. Stormwater flows entering the infiltration chamber would first pass through a hydroseparator unit for treatment.

Drainage Area C consists of the southern and eastern portions of the project site, portions of Nicolet and First Industrial Streets, as well as the southeastern parking lot located south of Nicolet Street. Storm flows in Drainage Area C would continue to flow north to south and be captured by a series of storm drain inlets, discharge to a private on-site storm drain system, and then discharge into an underground infiltration chamber and infiltration basin in the southeast corner of the project site. Stormwater flows entering the infiltration chamber would first pass through a hydroseparator unit for treatment.

Drainage Area D consists of the western portion of the project site, including the area of the former Orco Block and Hardscape Company. Stormwater flows in Drainage Area D would be captured by a



series of storm drain inlets, discharge to a private on-site storm drain system, and then discharge to an underground retention chamber and infiltration basin in the southwest corner of the project site. Stormwater flows entering the infiltration chamber will first pass through a hydroseparator unit for treatment.

Construction Period Erosion and Siltation. During project construction activities, soil would be exposed and disturbed, and drainage patterns would be temporarily altered during grading and other construction activities. Therefore, there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. The CGP that must be obtained by the project applicant requires preparation of a SWPPP in accordance with **RCM HYD-1**, and City of Banning Ordinance No. 1388 requires preparation of erosion and sediment control plans, as codified in **RCM HYD-2**. The SWPPP and erosion and sediment control plans would detail Erosion Control and Sediment Control BMPs to be implemented during project construction to minimize erosion and retain sediment on site. With compliance with the requirements of the CGP and City Ordinance No. 1388, and with implementation of construction BMPs, construction impacts related to on- or off-site erosion or siltation would be **less than significant**. Mitigation is not required.

Operation Period Erosion and Siltation. The project site is disturbed from activities associated with the former Orco Block and Hardscape Company and rough grading of the balance of the project site in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.³² Approximately 30.54 acres of the project site were previously developed and operated by the former Orco Block and Hardscape Company, and the majority of associated structures were demolished and removed from the site. Approximately 6.2 acres of impervious surface currently remain. The project would result in approximately 60.9 acres of impervious surface area (which is not prone to on-site erosion or siltation because it would consist of paved areas)³³ and the proposed warehouse structure; there would be no exposed soil.³⁴ The remaining areas of the project site (approximately 34 acres) would consist of pervious surfaces, including landscaped and open space areas and infiltration basins.³⁵ These pervious areas would include vegetation and landscaping that would stabilize the soil and promote infiltration, thereby minimizing on-site erosion and siltation. Therefore, on-site erosion and siltation impacts would be minimal. However, development of the proposed project would result in an increase of impervious surface area on the site by approximately 54.7 acres compared to the existing condition,

³² The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.

³³ Including 10.74 acres of perimeter roadway improvements.

³⁴ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Exhibit F. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, July 2023.

³⁵ Ibid.



which would result in a net increase in stormwater runoff that could lead to downstream erosion in receiving waters.

Consistent with the requirements of the City of Banning's Municipal Code (Ordinance No. 1415), the project would include construction of infiltration basins to retain 100 percent of the 100-year, 3-hour storm event. Collecting, retaining, and infiltrating stormwater runoff would prevent sediment from being washed off site and potentially impacting downstream receiving waters. With implementation of **RCM HYD-3**, which requires the project to be designed to reduce stormwater runoff from the project site, and **RCM HYD-4**, which requires the preparation of a Final Hydrology and Hydraulic Analysis that prescribes BMPs and LIDs that are consistent with the requirements of the RCFCWCD Hydrology Manual and the Handbook, operational impacts related to substantial on- or off-site erosion or siltation would be **less than significant**. Mitigation is not required.

(ii) and (iv) Construction Period Flooding and Flood Flows. Project construction must occur in compliance with the requirements of the CGP and would include implementation of a site-specific SWPPP as codified in **RCM HYD-1** and City of Banning Ordinance No. 1388. The SWPPP would include construction BMPs to control and direct on-site surface runoff to ensure that stormwater runoff from the construction site does not exceed the capacity of the stormwater drainage systems. With implementation of BMPs in accordance with **RCM HYD-1**, construction impacts related to a substantial increase in the rate or amount of surface runoff that would result in flooding would be **less than significant**. Mitigation is not required.

(ii) and (iv) Operation Period Flooding and Flood Flows. Implementation of the project would replicate the existing flow patterns and maintain stormwater discharge when compared to existing conditions. In the proposed condition, the project site would maintain three different Drainage Areas: A, C, and D. The conceptual drainage plan for the proposed project consists of catch basins, storm drainpipes, reinforced concrete pipes ranging from 7 to 42 inches, and 3 on-site infiltration basins.

With implementation of **RCM HYD-3**, the drainage system for the project site would route the stormwater runoff from the on-site impervious surfaces to the three proposed infiltration basins that target and reduce pollutants of concern in stormwater runoff on the project site. Each of the basins would provide peak flow attenuation for their respective downstream receiving waters. As specified in **RCM HYD-4**, the project would comply with the City of Banning Ordinance No. 1415 through retention of 100 percent of stormwater from a 100-year, 3-hour storm event through the development of the infiltration basins.³⁶ A Final Hydrology and Hydraulic Analysis would be required to reflect final design parameters and submitted to the City of Banning and RCFCWCD for approval. The Final Hydrology and Hydraulic Analysis shall confirm that the proposed drainage system of the project would retain the 100-year, 3-hour storm event. With implementation of **RCM HYD-3** and **RCM HYD-4**, impacts related to an increased rate or amount of surface runoff in

³⁶ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Pages 1-3 through 1-6 and Appendix I. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, July 2023.



a manner that would result in on- or off-site flooding would be **less than significant**. Mitigation is not required.

(iii) Construction Period Storm Water Drainage Capacity or Polluted Runoff. Construction of the project has the potential to introduce pollutants to existing stormwater that percolates into the ground or that flows into an unnamed tributary of Smith Creek south of the project site and Interstate 10 as a result of possible erosion, siltation, and accidental spills. However, as specified in **RCM HYD-1** and **RCM HYD-2**, the CGP requires preparation of an SWPPP, and the City of Banning requires preparation of erosion and sediment control plans. Implementation of construction BMPs that target pollutants of concern in runoff from the project site and erosion and sediment control measures would prevent substantial additional sources of polluted runoff from being discharged into the unnamed tributary of Smith Creek south of the project site. The SWPPP would include construction BMPs to control and direct surface runoff on the project site and would include detention, if required, to ensure that stormwater runoff that could occur during construction would not exceed the capacity of the stormwater drainage systems. Therefore, construction impacts related to the creation or contribution of runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff would be **less than significant**. Mitigation is not required.

(iii) Operation Period Storm Water Drainage Capacity or Polluted Runoff. The project would be required to implement **RCM HYD-3**, which requires implementation of operational BMPs that target and reduce pollutants of concern in stormwater runoff by routing the stormwater runoff from the on-site impervious surfaces to the three proposed infiltration basins. Each of the basins would provide peak flow attenuation for their respective downstream receiving waters. As specified in **RCM HYD-4**, the project would comply with City of Banning Ordinance No. 1415 through retention of 100 percent of stormwater from a 100-year, 3-hour storm event through the development of the infiltration basins.³⁷ A Final Hydrology and Hydraulic Analysis would be required to reflect final design parameters and submitted to the City of Banning and RCFCWCD for approval. The Final Hydrology and Hydraulic Analysis shall confirm that the proposed drainage system of the project would retain the 100-year, 3-hour storm event. With implementation of **RCM HYD-3** and **RCM HYD-4**, operational impacts related to creation or contribution of stormwater runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff would be **less than significant**. Mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures are required; however, previously prescribed **RCM HYD-1**, **RCM HYD-2**, and **RCM HYD-3**, as well as the following regulatory compliance measure, would be implemented as part of the project.

³⁷ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Pages 1-3 through 1-6 and Appendix I. Original Date Prepared: November 18, 2021. Revision Dates: September 2022, March 2023, July 2023.



RCM HYD-4: Prior to issuance of a grading permit, the applicant shall submit a Final Hydrology and Hydraulic Analysis to the City of Banning Public Works Director, or designee, and the Riverside County Flood Control and Water Conservation District (RCFCWCD) for review and approval. The Final Hydrology and Hydraulic Analysis shall be prepared consistent with the requirements of the RCFCWCD *Hydrology Manual*, the *Riverside County Whitewater River Region Storm Water Quality Best Management Practice Design Handbook for Low Impact Development*, and the Phase I MS4 Permit R7-2013-0011 to demonstrate that the proposed infiltration facilities meet the City's on-site stormwater retention requirements specified in the Whitewater River MS4 Permit and Ordinance No. 1415 of the City Municipal Code. The City of Banning Public Works Director, or designee, shall ensure that the drainage facilities specified in the Final Hydrology and Hydraulic Analysis are incorporated into the final project design.

Level of Significance After Mitigation: Less than Significant.

4.10.6.4 Flood, Tsunami, Seiche Zones

Threshold 4.10.4: Would the project result in a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant Impact. The project site is approximately 58 miles northeast of the Pacific Ocean. Based on distance from the Pacific Ocean, the project site is not located in a tsunami hazard zone and therefore would not be susceptible to impacts associated with a tsunami.

Seiches are waves that are created in an enclosed body of water, such as a bay, lake, or harbor, and go up and down or oscillate rather than progressing forward like standard ocean waves. Seiches are also referred to as standing waves and are triggered by strong winds, changes in atmospheric pressure, earthquakes, tsunamis, or tidal influence. The height and frequency of seiches are determined by the strength of the triggering factor(s) and the size of the basin. The project site is not adjacent to or near any confined bodies of water; therefore, the project site would not be susceptible to impacts associated with a seiche.

According to FEMA FIRM No. 06065C0836G (effective August 28, 2008), the project site is located in Flood Hazard Zone X.³⁸ Areas mapped within Flood Zone X are outside the 1-percent-annual-chance flood event. During construction, BMPs would be implemented to ensure that during a rain event, pollutants would be retained on site and be prevented from reaching downstream receiving waters in accordance with **RCM HYD-1** and **RCM HYD-2**. During operations, implementation of **RCM HYD-3** and **RCM HYD-4** would ensure the project would include three infiltration basins sized adequately to retain stormwater flows from a 100-year, 3-hour storm, thereby reducing the chance of flooding that could release pollutants to downstream receiving waters. Based on project design, the distance of the project site from the Pacific Ocean and confined bodies of water, and flood zone mapping of the site, implementation of the project would not result in a flood hazard, tsunami, or seiche risking release of

³⁸ Federal Emergency Management Agency (FEMA). *Flood Insurance Rate Map (FIRM), Map No. 06065C0816G*. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.04267821289032,33.8542142909214,-116.71034178710954,33.99665275843608> (accessed April 11, 2022).



pollutants due to project site inundation. Impacts would be **less than significant**. Mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures are required; however, previously prescribed **RCM HYD-1**, **RCM HYD-2**, **RCM HYD-3**, and **RCM HYD-4** would be implemented as part of the project.

Level of Significance After Mitigation: Less than Significant.

4.10.6.5 Conflict with Water Quality Control Plan or Groundwater Management Plan

Threshold 4.10.5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. The project site is within the jurisdiction of the Colorado River Basin RWQCB. The Colorado River Basin RWQCB adopted a Basin Plan that designates beneficial uses for all surface and groundwater within its jurisdiction and establishes the water quality objectives and standards necessary to protect those beneficial uses. The project would comply with the CGP and City of Banning Ordinance No. 1388 Grading, Erosion, and Sediment Control; include the City of Banning Final WQMP and the existing Whitewater River Watershed MS4 requirements; and implement construction and operational BMPs to reduce pollutants of concern in stormwater runoff (**RCM HYD-1**, **RCM HYD-2**, **RCM HYD-3**, and **RCM HYD-4**). Compliance with these regulatory requirements would ensure that the project would not degrade or alter water quality, cause the receiving waters to exceed water quality objectives, or impair the beneficial uses of receiving waters. As such, the project would not result in water quality impacts that would conflict with the Colorado River Basin RWQCB's Basin Plan. Construction and operational impacts related to a conflict with the Basin Plan would be **less than significant**. Mitigation is not required.

The SGMA, which was enacted in September 2014, requires governments and water agencies of high- and medium-priority basins to halt overdraft of groundwater basins. The SGMA requires the formation of local GSAs, which are required to adopt Groundwater Sustainability Plans, to manage the sustainability of the groundwater basins. The project site is in the Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin, which the California Department of Water Resources designates as a medium-priority basin.³⁹ The San Gorgonio Pass Subbasin has three GSAs, and all three work together to produce one Groundwater Sustainability Plan.⁴⁰ The various water agencies that overlie the subbasin include the Desert Water Agency, Mission Springs Water District, Cabazon Water District, City of Banning, Banning Heights Mutual Water Company, and San Gorgonio Pass Water Agency.

³⁹ Integrated Data and Analysis Branch Division of Statewide Integrated Water Management. *Water Management Planning Tool*. Website: <https://gis.water.ca.gov/app/boundaries/> (accessed January 24, 2023).

⁴⁰ San Gorgonio Pass Subbasin Groundwater Sustainability Agency. *Governance*. Website: <https://www.sgpgsas.org/governance/#:~:text=in%20their%20efforts,-,Groundwater%20Sustainability%20Agencies,three%20GSA's%20for%20the%20subbasin> (accessed January 24, 2023).



The San Gorgonio Pass Subbasin Groundwater Sustainability Plan was finalized in January 2022. The plan indicates that although the subbasin experienced a decline of a portion of its stored groundwater in the recent prolonged drought period, the aquifers within the subbasin contain a substantial amount of water in storage. This extensive storage volume has lessened the effects of water level declines during the hydrologic cycle's extended drought periods, providing a buffer against extreme fluctuations in recharge supplies that are dependent on rainfall and mountain runoff each year. The main goal of the subbasin is to maintain the trend of cyclical water table variations that provide long-term groundwater storage, with the understanding that water levels will fluctuate based on the season, hydrologic cycle, and changing groundwater demands within the subbasin.⁴¹

The Groundwater Sustainability Plan⁴² identifies various projects and management actions to support implementation efforts of the plan. These projects include municipal water conservation, stormwater capture, and additional imported water spreading and new pipelines at various spreading basins and storage units. Management actions include implementation of an Action Plan if groundwater levels fall below minimum thresholds, implementation of well head requirements, investigation of issues regarding water quality and unexpected water pumping, imposing fees on pumpers to encourage reduced pumping and conservation, groundwater pumping allocation, and groundwater basin adjudication.

The project would increase water use, which would be obtained from groundwater. However, as previously discussed, the WSA completed for the project indicates that there are adequate water supplies from groundwater sources during normal, dry-year, and multiple-dry-year scenarios to serve the project's needs through 2045.⁴³ Additionally, the City of Banning Public Works Department, which supplies municipal water, ensures that sufficient water supplies (from nongroundwater sources) are available so that groundwater overdraft⁴⁴ does not occur.⁴⁵ The project would not require dewatering activities during construction, as construction depth would not reach the current groundwater level underlying the project site. As previously discussed, the additional impervious surface areas that would result from project construction would not substantially decrease infiltration compared to existing conditions due to the incorporation of landscaped areas, open space, and infiltration basins. Therefore, the project would not conflict with or obstruct the implementation of a sustainable groundwater management plan. Construction and operational impacts related to conflict with, or

⁴¹ Provost & Pritchard Consulting Group, Intera Geoscience and Engineering Solutions, and San Gorgonio Pass Subbasin Groundwater Sustainability Agency. *San Gorgonio Pass Subbasin Groundwater Sustainability Plan*. January 2022. Website: https://www.sgpgsas.org/wp-content/uploads/2022/01/Final_SGPGSP_1230_2021-web.pdf (accessed January 24, 2023).

⁴² Ibid. Pages 6-1 through 6-23.

⁴³ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. Page 28. January 30, 2023.

⁴⁴ According to the Banning General Plan, in order to avoid an overdraft condition, a maximum perennial yield that ranges from 6,500 to 10,400 acre-feet per year was calculated for the existing water sources of the city. The maximum perennial yield is defined as the maximum amount of groundwater that can be extracted on an average annual basis without causing environmental damage or adverse impacts to the groundwater supply.

⁴⁵ City of Banning, City of Banning General Plan Chapter IV. Environmental Resources. Page IV-9. January 31, 2006.



obstruction of, water quality control plans or sustainable groundwater management plans would be **less than significant**. Mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: No mitigation measures are required; however, previously prescribed **RCM HYD-1**, **RCM HYD-2**, **RCM HYD-3**, and **RCM HYD-4** would be implemented as part of the project.

Level of Significance After Mitigation: Less than Significant.

4.10.7 Cumulative Impacts

Cumulative development in the San Gorgonio River Watershed is a continuation of the existing urban pattern of development that has already resulted in extensive modifications to watercourses in the area. The area's watercourses have been either channelized or left in natural conditions, and drainage systems have been put into place to respond to urbanization that has occurred in this area. The related projects associated with this cumulative analysis are discussed in Section 4.0 of this EIR. Each of these related projects could potentially increase the volume of stormwater runoff and contribute to pollutant loading in stormwater runoff reaching Banning's storm drain system, the Coachella Valley Storm Channel, and the San Gorgonio River Watershed, thereby resulting in cumulative impacts to hydrology and surface water quality.

New development and redevelopment could result in increased stormwater runoff and increased urban pollutants in stormwater runoff from project sites. Each related project must include BMPs to reduce impacts to water quality and hydrology in compliance with applicable MS4 permits and local plans and ordinances. Specifically, all projects that disturb 1 acre or more of soil must comply with the requirements of the CGP during construction and with the requirement of the Whitewater River Watershed MS4 Permit and the City of Banning Municipal Code during project operations. Preparation and approval of a SWPPP, erosion and sediment control plans (for construction), and a WQMP (for operation) would be required for each project to determine appropriate BMPs to minimize water quality impacts. In addition, preparation and approval of project-specific hydrology studies would be required to determine the hydrologic controls required to minimize increases in runoff from each site so development does not exceed existing conditions or result in hydromodification impacts. In addition, the City's Public Works Department (for projects within the city) and the County Public Works Department (for projects within the county) review all development projects on a case-by-case basis to ensure that sufficient local and regional drainage capacity is available. Each related project must consider impacts to impaired receiving waters and TMDLs for receiving waters. The TMDL program is designed to identify all constituents that adversely affect the beneficial uses of water bodies and then identify appropriate reductions in pollutant loads or concentrations from all sources so that the receiving waters can maintain/attain the beneficial uses in the Basin Plan. Thus, by complying with TMDLs, a project's cumulative impacts to overall water quality in the San Gorgonio River Watershed are taken into account.

Regional programs and BMPs, such as TMDL programs and the MS4 Permit Program, have been designed under the expectation that the San Gorgonio River Watershed would continue its pattern of



urbanization. The regional control measures contemplate the cumulative effects of proposed development. The project would be required to comply with the requirements of the CGP and the Whitewater River Watershed MS4 Permit and to implement construction and operational BMPs to reduce pollutants in stormwater runoff and maintain stormwater drainage capacity in accordance with previously prescribed **RCM HYD-1, RCM HYD-2, RCM HYD-3, and RCM HYD-4** for the proposed project. Compliance with these regional programs and permits constitutes compliance with programs intended to address cumulative water quality impacts. As stated above, each related project would be required to develop a SWPPP, erosion and sediment control plans, a WQMP, and a hydrology study, and would be evaluated on a site-specific basis to determine appropriate BMPs and treatment measures to reduce impacts to surface water quality and hydrology. Because the project and other cumulative projects would comply with applicable NPDES requirements and would include BMPs to reduce the volume of stormwater runoff and pollutants of concern in stormwater runoff, the cumulative hydrology and water quality impacts of the project and the related projects would be **less than significant**. Therefore, the project's incremental hydrology and water quality impacts would not be cumulatively considerable.



4.11 LAND USE AND PLANNING

This section describes the existing land uses on the First Hathaway Logistics Project (project) site and in its vicinity and evaluates the compatibility of the project with surrounding land uses and relevant policy and planning documents. The consistency analysis presented in this section was prepared in compliance with *California Environmental Quality Act (CEQA) Guidelines* Section 15125(d). Information presented in this section is based on information provided in the City of Banning General Plan¹ and General Plan Land Use Map, the City's Zoning Code and Zoning Map,² and the *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*.³ In addition, pursuant to *CEQA Guidelines* Section 15125(d), this Environmental Impact Report (EIR) evaluates the project's consistency with other applicable planning documents as related to specific topical sections within Chapter 4.0.

4.11.1 Scoping

Potential impacts to land use and planning were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. However, the City received two comment letters regarding land use and planning in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022. For copies of the NOP comment letters, refer to Appendix A of this EIR. The NOP comments related to land use and planning included:

- Riverside County Airport Land Use Commission (ALUC) (May 13, 2022), indicating the project site is located within Zone D of the Banning Municipal Airport Influence Area, and review by the ALUC is required because the City of Banning is not yet consistent with the [Banning Municipal Airport] Riverside County Airport Land Use Compatibility Plan (ALUCP). The ALUC also indicated it does not review pre-applications, and a formal application would be required for ALUC review.
- Kathleen Dale (May 23, 2022) stated that the NOP indicates the entitlements include a parcel map, which, according to City of Banning Municipal Code Sections 17.44.010 and 17.44.020, establishes the City Council as the decision-making body. At the scoping meeting, it was stated that the Planning Commission is the decision-making authority unless its decision is appealed.

4.11.2 Methodology

This section evaluates the potential physical impacts of the project on land use compatibility and considers whether the project would result in a conflict with relevant land use plans, policies, or regulations contained in applicable planning documents adopted by the City and other agencies for the purpose of avoiding or mitigating an environmental effect that could cause a significant environmental impact.

¹ City of Banning. *General Plan & Amendments*. Website: <http://banning.ca.us/468/General-Plan-Amendments> (accessed September 2023).

² City of Banning. *Zoning Code*. Website: <http://banning.ca.us/74/Zoning-Code> (accessed September 2023).

³ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*. 2003. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed September 2023).



This section also analyzes the project's consistency with applicable land use plans. A project's inconsistency with a plan or policy is only considered significant if such inconsistency would result in a significant physical environmental impact or conflict with a policy or program adopted for the purpose of mitigating such an effect (per *CEQA Guidelines* Section 15382). This EIR section determines whether or not the project would conflict with any adopted land use policies or programs that would result in such an impact. Under this approach, a policy or program conflict is not in and of itself considered a significant environmental impact. An inconsistency between the project and an applicable plan is a determination made by City decision-makers that may or may not indicate the likelihood of an environmental impact. In some cases, an inconsistency may result in an underlying physical impact that is significant and adverse.

4.11.3 Existing Environmental Setting

The project site is located in the city of Banning, in eastern Riverside County. The city is located within the San Geronio Pass area, an east-west-trending valley situated between the San Bernardino and San Jacinto Mountains. The City straddles Interstate 10 (I-10), which is a regionally and nationally important east-west transportation corridor that connects the city to the greater Los Angeles area to the west and to other major metropolitan areas (e.g., Phoenix, El Paso, San Antonio, Houston, Baton Rouge, Mobile, and Jacksonville) to the east. Regional connectivity is further provided by interchanges on I-10 connecting to State Routes (SR) 60, 62, 111, and 243 which provide access to Moreno Valley/Riverside, Yucca Valley/Twentynine Palms, Palm Springs, and Idyllwild, respectively. Banning Municipal Airport is located approximately 0.3 mile south of the project site, on the south side of I-10.

The project site is currently vacant and 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, with the exception of one building located in the west-central portion of the project site. A retaining wall ranging from 1 to 6 feet in height and approximately 200 feet in length exists near the southern and eastern areas of the existing building. The balance of the project site (APNs 532-110-003, -008, -009, and -010), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.⁴ The site has remained generally fallow since 2011 and is enclosed with chain-linked fencing.⁵

⁴ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.

⁵ A 10-foot fiber optic utility easement within the project site continues to the east and west for a total of 16,000 linear feet. As part of an unrelated action, T-Mobile installed conduit, handholes, and vaults within their easement through the project site. The trenching for this unrelated work was backfilled in early 2024. Also, in 2022/2023, Southern California Gas Company conducted operations and maintenance on existing facilities in the northwest corner of the project site. The Southern California Gas Company graded portions of the northern site boundary and built an above-ground water basin used to test pressure of the existing 30 inch gas main that parallels the Wilson Street corridor along the northern site boundary.



The project site has a General Plan land use and zoning designation of Business Park (BP). According to the City's General Plan Land Use Element and Banning Municipal Code Chapter 17.12, Commercial and Industrial Districts, "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 projects may also be permitted, subject to a conditional use permit."⁶

The proposed project is consistent with the underlying General Plan designation and zoning for the project site, as the proposed warehouse development is a permitted use in the existing Business Park (BP) land use and zoning designation.

The existing pattern of land use 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 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 Reservation. An aggregate products and mining facility is located farther to the northwest.
- **East:** Property adjacent to the east of the project site is vacant and undeveloped. A portion of this property was previously graded in 2011 as part of the previously approved industrial warehouse development that was approved on the project site. Additionally, an electric distribution circuit and associated utility road extends 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 the California Department of Transportation (Caltrans). Farther to the south are an automotive service and repair facility, a hardscape sales and materials yard, I-10 and the Union Pacific Railroad (UPRR), and Banning Municipal Airport on the south side of I-10. Additionally, the City completed improvements at Hathaway Street and Ramsey Street in proximity to the project site. This City-sponsored project resulted in widening of Hathaway Street to the ultimate full width per the General Plan standard for a Major Highway (four lanes) from Williams Street southbound to Ramsey Street. Additionally, the City widened Ramsey Street to the ultimate full width per the General Plan standard for a Major Highway (four 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 Ramsey Street include new curb, gutter, sidewalk, parkway landscaping, and street trees, consistent with City standards and regulations. .

⁶ City of Banning General Plan. *Chapter III, Community Development, Land Use Element*. Pages III-7 and III-8. Adopted January 2006.



- **West:** Property adjacent to the west of the project site includes Hathaway Street, single- and multifamily residential uses, and associated local roadways. Hoffer Elementary School and Roosevelt Williams Park are located farther west, approximately 0.26 mile west of the project site.

Adjacent uses to the north, east, and south that are within the city of Banning are designated Business Park (BP). Land uses to the south are also designated as Public Facilities – Railroad/Interstate.⁷ Land uses to the west are designated High Density Residential (HDR) (11–18 dwelling units per acre [du/ac])⁸ and Low Density Residential (LDR) (0–5 du/ac).⁹

The existing land use patterns on the project site and adjacent properties is shown in Figure 3-3 in Section 3.0, Project Description, of this EIR. The existing land use designations of the project site and adjacent properties is provided in Figure 3-5 in Section 3.0, Project Description, of this EIR.

4.11.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project related to land use and planning.

4.11.4.1 Federal Regulations

There are no federal regulations applicable to the project regarding land use and planning.

4.11.4.2 State Regulations

The following State regulations would be applicable to the proposed project:

California State Planning and Zoning Law. This law, which is codified in California Government Code Sections 65000–66037, delegates most of the State’s local land use and development decisions to cities and counties. The California Government Code establishes specific requirements pertaining to the regulation of land uses by local governments, including requirements for general plans, specific plans, subdivisions, and zoning. California Government Code Section 65302 requires that all California cities and counties include the following seven elements in their general plans: land use,

⁷ Pursuant to Chapter 17.16 of the Banning Municipal Code (BMC), the purpose of Public Facilities districts is to provide for the orderly development of government, school, and public health and safety facilities within the City. Such districts are subject to equivalent development standards as the residential and commercial land uses in the City.

⁸ HDR uses include condominiums and townhomes, as well as apartments with the provision of common-area amenities and open space. Duplex and multiplex development is the most prevalent type of development in this designation. The clustering of condominiums and townhomes may be appropriate with the provision of common-area amenities and open space. Mobile home parks and subdivisions may also be appropriate with the approval of a Conditional Use Permit. Home occupations are permitted. (City of Banning General Plan. *Chapter III, Community Development, Land Use Element*. Page III-7).

⁹ LDR uses include development of attached and detached single-family homes in traditional subdivisions and planned communities. The clustering of condominiums and townhomes may be appropriate with the provision of common-area amenities and open space when a Specific Plan is prepared. Home occupations are permitted. Bed-and-breakfasts and similar uses may be appropriate with the approval of a Conditional Use Permit.



circulation, housing, conservation, open space, noise, and safety. Cities and counties in the South Coast Air Quality Management District (SCAQMD) must also address air quality in their general plans. Cities and counties that have identified disadvantaged communities must also address environmental justice (EJ) in their general plans, including air quality.¹⁰

Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375). This statute requires California’s regional planning agencies to include a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy in their Regional Transportation Plans (RTP). Senate Bill (SB) 375 was enacted to reduce greenhouse gas (GHG) emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The SCS provides a plan for meeting the regional emissions reduction targets established by the California Air Resources Board (CARB). If the emissions reduction targets cannot be met through the SCS, an Alternative Planning Strategy (APS) may be developed that shows how the targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures of policies. SB 375 also offers local governments regulatory and other incentives to encourage more compact new development and transportation alternatives.

The requirements of SB 375 are reflected in the 2020 RTP/SCS adopted by the Southern California Association of Governments (SCAG), which serves as the regional planning agency in the six-county metropolitan region composed of Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial counties. The 2020–2045 RTP/SCS is discussed in further detail below.

4.11.4.3 Regional Regulations

The project site is covered by several planning documents and programs that have varying degrees of regulation over use of the project site. The following discusses regional regulations, plans, and policies applicable to the project site that are analyzed in this EIR section.

Southern California Association of Governments (SCAG). As discussed above, regional planning in Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial counties is conducted by SCAG. SCAG is also the federally designated Metropolitan Planning Organization (MPO) for these six counties. As the designated MPO, SCAG is mandated by the federal government to research and prepare plans for transportation, a growth forecast, hazardous waste, and air quality. The growth forecast serves as the foundation of these plans. Of the various plans adopted by SCAG, the Regional Comprehensive Plan (RCP) and the 2020–2045 RTP/SCS are relevant to the project.

Regional Comprehensive Plan and Guide.¹¹ In 2008, SCAG adopted the RCP for the purpose of providing a comprehensive strategic plan for defining and solving housing, traffic, water, air quality, and other regional challenges. The 2008 RCP has two primary objectives in

¹⁰ SB 1000, adopted in 2016, requires both cities and counties that have disadvantaged communities to incorporate EJ policies into their general plans, either in a separate EJ element or by integrating related goals, policies, and objectives throughout the other elements. This update, or revision if the local government already has EJ goals, policies, and objectives, must happen “upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018.”

¹¹ Southern California Association of Governments (SCAG). *Final 2008 Regional Comprehensive Plan*. Adopted October 2008.



implementing this strategic plan: (1) integrating transportation, land use, and air quality planning approaches; and (2) outlining key roles for public- and private-sector stakeholders to implement reasonable policies regarding transportation, land use, and air quality approaches. Although the 2008 RCP outlines several policies to inform local decision-makers within the SCAG region with respect to policy and planning decisions, these policies are considered recommendations and are not mandated by law. With respect to land use policy, the 2008 RCP includes a Land Use and Housing chapter that aims to link land use and transportation planning decisions to the projected population and economic growth in the SCAG region. Specifically, the Land Use and Housing chapter of the 2008 RCP promotes sustainable planning for land use and housing in the SCAG region by maximizing the efficiency of the existing circulation network, providing a greater variety of housing types, promoting a diverse and growing economy, and protecting the existing natural environment. The 2008 RCP identifies 2 percent Strategy Areas as part of the Sustainability Planning Grant (formerly known as the Compass Blueprint growth vision); however, these areas have since been updated and replaced by the High-Quality Transit Areas identified in the 2020–2045 RTP/SCS.¹²

Regional Transportation Plan/Sustainable Communities Strategy.¹³ On September 3, 2020, SCAG’s Regional Council unanimously voted to approve and fully adopt Connect SoCal (2020–2045 RTP/SCS). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for southern Californians, including consideration of the housing-jobs balance within the region. Connect SoCal was developed through a 4-year planning process involving rigorous technical analysis, extensive stakeholder engagement, and robust policy discussions with the local elected leaders who make up SCAG’s policy committees and Regional Council. SCAG’s leadership explored the challenges and barriers to the transformative change the Southern California region needs to address demographic and economic shifts, including an increasingly aging and economically inequitable society. SCAG’s analysis considered both the physical constraints and economic barriers of continuing to grow rapidly on the fringes of the region. SCAG’s policy committees reviewed and discussed emerging technologies and transportation innovations aimed at relieving congestion while reducing emissions. The following goals in the 2020–2045 RTP/SCS are applicable to the project:¹⁴

1. Encourage regional economic prosperity and global competitiveness.
2. Reduce GHG emissions and improve air quality.
3. Support healthy and equitable communities.

¹² Southern California Association of Governments. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Exhibit 3.8. Adopted September 2020.

¹³ Ibid.

¹⁴ Ibid. Page 9.



4. Adapt to a changing climate and support an integrated regional development pattern and transportation network.
5. Promote conservation of natural and agricultural lands and restoration of habitats.

Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP).¹⁵ The MSHCP, implemented in 2003 by the Western Riverside County Regional Conservation Authority (RCA), covers 1.26 million acres (1,970 square miles), 146 species, and 14 natural communities, extending from the western county boundary to the San Jacinto Mountains. Approximately 506,000 acres of land within the MSHCP are planned for conservation.

The purpose of the MSHCP is to conserve large, contiguous blocks of habitat to maintain species richness and density, ensure population viability, protect habitats from development encroachment, and reduce nonnative species invasion. The MSHCP is divided into Criteria Areas. The Criteria Area consists of quarter-section (161-acre) criteria cells within the MSHCP planning boundary that would be used to assemble 153,000 acres of new conservation land (the Conservation Area). The MSHCP provides for the assembly of a Reserve consisting of Core Areas and Linkages for the conservation of covered species. The MSHCP provides an incentive-based program, the Habitat Evaluation and Acquisition Negotiation Strategy, for adding land to the MSHCP. A Core is the largest planning unit, and its extent is large enough to support population of several species. A Linkage is a habitat connection between Cores that is wide and long enough to provide live-in habitat and movement corridors for plants, herbivores, and carnivores. Projects in proximity to the MSHCP Conservation Area may result in edge effects that would adversely affect biological resources within the MSHCP Conservation area. The MSHCP Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) are intended to reduce such indirect effects. The MSHCP requires focused special-status plant and animal species surveys for project sites within designated survey areas when potential suitable habitat is present. In addition to species that have designated survey areas, surveys for listed riparian birds are required when suitable riparian habitat is present, and surveys for listed fairy shrimp species are required when vernal pools or another suitable habitat is present.

Goals for each special-status species are identified in the MSHCP. A development project subject to the MSHCP must either demonstrate that the conservation goals for each covered species identified on-site have been met or prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) Report enumerating mitigation measures to achieve equivalent or superior preservation for each not conserved covered species through deed restriction, conservation easement, or other appropriate method. Mitigation measures may include restoration and/or enhancement of on-site and/or off-site habitat. The project site is within the MSHCP plan area; however, it is not within any criteria cells.¹⁶

¹⁵ Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*. 2003. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed September 2023).

¹⁶ BLUE Consulting Group. *Banning Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 11. June 10, 2022.



4.11.4.4 Local Regulations

The following local regulations would be applicable to the proposed project.

City of Banning General Plan. The City of Banning adopted its current General Plan in 2006, with updated Circulation and Housing elements adopted in 2013 and 2021, respectively. The Community Development chapter includes elements for circulation, housing, economic development, land use, and parks and recreation. This Chapter outlines where and how the city would develop. The project would be required to comply with land use designations outlined in the City's General Plan.

City of Banning Code of Ordinances. Title 17, Zoning, of the Banning Code of Ordinances defines various land use districts, such as Commercial and Industrial Districts, including the Business Park (BP) district, and establishes general provisions, uniform procedures, and development standards for development of properties within the various land use districts in the city. Pursuant to Chapter 17.12, Commercial and Industrial Districts, development within the Business Park (BP) district must conform to development standards and design guidelines prescribed to promote compatibility between neighboring land uses.

Banning Municipal Code Sections 17.44.010 and 17.44.020 establish the City Council as the decision-making body for discretionary actions involving approval of Tentative Parcel Maps.

Banning Municipal Airport Master Plan. The project site lies approximately 0.3 mile north of Banning Municipal Airport. The 2007 Banning Municipal Airport Master Plan is designed to discourage incompatible land uses in proximity to Banning Municipal Airport and indicates that land uses consistent with airport operation, especially with potential noise impacts, include industrial uses to support the airport itself as well as other industrial uses.¹⁷

4.11.5 Thresholds of Significance

Significance determinations utilized in this section are from Section XI of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact associated with land use and planning if it would:

Threshold 4.11-1: Physically divide an established community; or

Threshold 4.11-2: 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.

4.11.6 Project Impact Analysis

Potential impacts of the project related to land use and planning are discussed below pursuant to the thresholds established in Section 4.11.5, above.

¹⁷ C&S Engineers. *Banning Municipal Airport, Airport Master Plan Update*. Pages 3 and 7-5. 2007.



4.11.6.1 Physical Division of an Established Community

Threshold 4.11-1: Would the project physically divide an established community?

Section 4.11.3 above, describes the existing condition of the project site and the surrounding areas. Hathaway Street connects to local east/west roadways and residential land uses west of the project site. Hathaway Street connects to Ramsey Street, which provides direct access to eastbound I-10 south of the project site. Ramsey Street also connects to Hargrave Street, and provides freeway access ramps to both eastbound and westbound I-10. North of the project site, Hathaway Street intersects with Morongo Road, which extends northeast onto the Morongo Reservation.¹⁸ Continuing north along Hathaway Street is the Robertson's Ready Mix rock and sand quarry. These roads would be retained upon development of the proposed project, maintaining connectivity for the existing communities surrounding the project site.

The project site is located in the eastern portion of the city. Properties to the north and west are undeveloped, while properties to the south are sparsely occupied by the Caltrans materials and equipment staging yard and I-10. The nearest established community consists of single- and multifamily residential uses and associated local roadways located west of the project site across Hathaway Street. The proposed development would occur entirely within the 94.86-gross-acre project site, which includes select roadway improvements along the project site perimeter. Accordingly, development of the project site would occur between an established community and undeveloped open space and, therefore, would not physically divide an established community. **No Impact** would occur.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

¹⁸ Ongoing or planned roadway projects by the City, Morongo, and other entities under separate actions include the following: 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 Reservation, has been dedicated to the City by Banning 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 Morongo has plans to relocate their main entrance to the reservation lands (Morongo Road) to the north along Hathaway Street near Hoffer Street. The City completed improvements at Hathaway Street and Ramsey Street in proximity to the project site. Under this project, Hathaway Street was widened to Major Highway full width (four lanes) from 300 feet north of Nicolet Street southbound to Ramsey Street. Ramsey Street was widened to Major Highway full width (four 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 Ramsey Street included new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations. Robertson's Ready Mix has an existing obligation to improve Hathaway Street north of Wilson Street, and the Morongo plan to improve the east half of Hathaway Street from Morongo Road north to Hoffer Street. These street improvements are expected to commence in 2024.



4.11.6.2 Conflict with Land Use Plans, Policies or Regulations

Threshold 4.11-2: Would the project cause a significant environmental impact due to a conflict with land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

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.”¹⁹ The proposed project would be consistent with the underlying General Plan designation and zoning for the site, as the proposed warehouse development is a permitted use in the existing Business Park (BP) land use and zoning designation. Furthermore, the proposed project supports the City’s stated goal of encouraging industrial growth in Banning to accommodate demand in the Inland Empire.²⁰

Pursuant to *CEQA Guidelines* Section 15206(b)(2)(E), the project is considered a Project of Statewide, Regional, or Areawide Significance because it includes industrial development occupying more than 40 acres of land and encompasses more than 650,000 square feet of floor area. As detailed in Table 4.3.G in Section 4.3, Air Quality, of this EIR, the project is consistent with the Banning General Plan goals and policies related to air quality and meets SCAG’s Intergovernmental Review criteria. The City’s General Plan is consistent with the SCAG RCP Guidelines and the SCAQMD 2022 Air Quality Management Plan (AQMP). As the project is consistent with the Banning General Plan, which is consistent with the SCAG RCP Guidelines and the SCAQMD 2022 AQMP, the proposed project would be consistent with the 2022 AQMP as it relates to land use and planning. However, project operation would exceed the daily SCAQMD emissions threshold for nitrogen oxides (NO_x); therefore, the project would be inconsistent with the 2022 AQMP as it relates specifically to criteria pollutant emissions, as detailed in Section 4.3, Air Quality.

Table 4.11.A, Project Consistency Analysis with the City of Banning General Plan, provides a consistency analysis of all applicable goals and policies within the General Plan and the proposed project.

¹⁹ City of Banning General Plan. *Chapter III, Community Development, Land Use Element*. Page III-1. Adopted January 2006.

²⁰ City of Banning Community Development Department. 2006. General Plan and Amendments. Chapter III – Community Development. Website: <http://banning.ca.us/468/General-Plan-Amendments>.



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Land Use Element-Commercial and Industrial Goals and Policies	
Industrial Goal: A balanced mix of non-polluting industrial land uses which provide local jobs for the City’s residents.	
<p>Policy 8: Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor-trailers are minimized.</p>	<p>Consistent: The project site lies along a main arterial road (Hathaway Street), with direct access to Interstate 10 along Hargrave Street and East Ramsey Street. These locations would accommodate tractor-trailer traffic in accordance with the City’s designated truck routes while minimizing impacts to adjacent land uses.</p>
Land Use Element-Public Facilities Goals and Policies	
Goal: Sufficient and appropriately located public facilities to serve the needs of the City’s residents, businesses, and visitors.	
<p>Policy 1: The City shall take a leadership role with all providers of public services in the community to assure they provide adequate and quality levels of service based on future demands.</p>	<p>Consistent: The City will ensure the project includes adequate public services at the project site through consistency with the General Plan, project design, provisions of plan check with the various City departments, and conditions of approval.</p>
Land Use Element-Open Space Goals and Policies	
Goal: The conservation and management of open space areas to provide recreational opportunities and protect important resources in perpetuity.	
<p>Policy 3: The City of Banning shall protect the peaks and ridgelines within the City and encourage coordination with adjacent jurisdictions to protect the peaks and ridgelines within the City’s area of influence, to protect the historic visual quality of the hillside areas and natural features of the Pass area.</p>	<p>Consistent: The project site does not contain any peaks or ridgelines within the City or in the vicinity. The naturally occurring drainage areas that traverse the project site would be retained under current design.</p>
<p>Policy 5: All land use proposals shall be consistent with the goals, policies, and programs of this General Plan, and with the Zoning Ordinance.</p>	<p>Consistent: The proposed warehouse development is a permitted use in the existing Business Park (BP) land use and zoning designation. Furthermore, the proposed project supports the City’s stated goal of encouraging industrial growth in Banning to accommodate demand in the Inland Empire. As detailed throughout this table, the project is consistent with applicable goals and policies of the Banning General Plan.</p>
Economic Development Element	
Goal: A balanced, broadly based economy that provides a full range of economic and employment opportunities, while maintaining high standards of development and environmental protection.	
<p>Policy 1: General Plan land use designations and allocations would facilitate a broad range of residential, commercial, industrial and institutional development opportunities.</p>	<p>Consistent: The project is consistent with the General Plan’s goal to facilitate industrial development in the city to accommodate demand in the Inland Empire.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
<p>Policy 2: The City shall take a proactive role in the retention of existing businesses and the recruitment of new businesses, particularly those that generate and broaden employment opportunities, increase discretionary incomes, and contribute to City General Fund revenues.</p>	<p>Consistent: The project is consistent with the General Plan’s stated goal of encouraging economic growth and job opportunities within the city and accommodating demand for industrial space in the Inland Empire. Specifically, based on Table E-5 of Appendix E-2, <i>Socioeconomic Build-Out Assumptions and Methodology</i>, of the Riverside County General Plan, Heavy Industrial (HI) land uses would generate one employee per 1,500 square feet of building space, while Light Industrial (LI) land uses would generate one employee per 1,030 square feet of building space.¹ Accordingly, the proposed 1,420,722-square-foot warehouse building would generate between 948 employees and 1,380 employees.²</p>
<p>Policy 3: Encourage and promote infill development in orderly and logical development patterns that decrease the costs, and increase the efficiency of new utilities, infrastructure, and public services.</p>	<p>Consistent: The project is located in an area served by infrastructure, utilities, and public services and meets the criteria of infill development in this policy.</p>
<p>Policy 8: In order to maintain existing economic activities and attract new commercial and industrial development, the City shall assure the provision of adequate utilities, infrastructure, and other capital facilities.</p>	<p>Consistent: The project is in an area served by infrastructure, utilities, and public services. The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action. Development of the future substation would be subject to environmental review at the time it is proposed. Also, the Banning Public Works Department is conditioning the project to include roadway improvements in order to ensure adequate utilities, facilities, and infrastructure. The project would pay its fair share of fees toward capital improvement projects.</p>
<p>Policy 9: All development interests, including residential, commercial and industrial project proponents, shall be responsible for their fair share of on-site and off-site improvements required to support their development proposals. Such improvements may include, but are not limited to, street construction and signalization, grade separation, utility extension, drainage facilities, and parks.</p>	<p>Consistent: The project, in coordination with the City and all other applicable agencies, would pay into the County TUMF program, would pay local impact fees, and/or would construct its fair share of street improvements and off- and on-site infrastructure.</p>
Circulation Element	
Goal: A safe and efficient transportation system.	
<p>Policy 1: The City’s Recommended General Plan Street System shall be strictly implemented.</p>	<p>Consistent: The project is consistent with the General Plan Street System and would not significantly affect circulation within or adjacent to the project site. See Section 4.17, Transportation, of this EIR.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
<p>Policy 2: Local streets shall be scaled to encourage neighborhood interaction, pedestrian safety and reduced speeds.</p>	<p>Consistent: The project is consistent with the General Plan Street System and would not significantly affect circulation within or adjacent to the project site. Proposed roadway improvements would include sidewalks and other roadway designs consistent with General Plan standards for roadway construction. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 6: The City shall maintain peak hour Level of Service C or better on all local intersections, except those on Ramsey Street and at I-10 interchanges, where Level of Service D or better shall be maintained.</p>	<p>Consistent: The project would be conditioned to implement roadway improvements and pay into the County TUMF, development impact fees, and fair-share fees to achieve this performance standard. With implementation of roadway improvements detailed in the <i>First Hathaway Logistics Center Local Transportation Analysis</i>,³ the project is consistent with the General Plan Street System and would not significantly affect circulation within or adjacent to the project site. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 7: New development proposals shall pay their fair share for the improvement of street within and surrounding their projects on which they have an impact, including roadways, bridges, grade separations and traffic signals.</p>	<p>Consistent: The project, in coordination with the City and all other applicable agencies, would pay into the County TUMF program, pay local impact fees, and/or construct its fair share for street improvements for which it has an impact. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 8: Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds.</p>	<p>Consistent: The project would integrate traffic-calming devices into new city streets constructed for the project to the greatest extent possible and would work with the City to design and construct any new streets consistent with General Plan standards for roadway construction to achieve desired speeds. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 9: Street trees within the City right of way shall be preserved, unless a danger to the public health and safety or if the tree is diseased.</p>	<p>Consistent: The project is consistent with the General Plan Street System and design, and would not significantly affect trees within the City right-of-way adjacent to the project site.</p>
<p>Policy 10: Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential land use designation pathways shall be provided.</p>	<p>Consistent: The project includes roadway improvements consistent with General Plan standards for roadway construction and would not significantly affect circulation within or adjacent to the project site. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 25: The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.</p>	<p>Consistent: Although the project does not include the development of bike lanes on the project site, bicycle parking and bicycle racks would be provided on site. Additionally proposed roadway improvements detailed in Section 4.17, Transportation, of this EIR would include striping for Class II bicycle lanes, and the project would not preclude future development of bicycle lanes by others off site.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Parks and Recreation Element	
Goal 1: A high quality public park system with adequate land and facilities to provide recreational facilities and activities for the City's residents.	
Goal 2: A comprehensive bikeway, trail and walking path system that connects homes to workplaces, commercial venues and recreational facilities, and which enhances the safety and enjoyment of cyclists, equestrians and pedestrians.	
<p>Policy 6: The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.</p>	<p>Consistent: Although the project does not include the development of bike lanes on the project site, bicycle parking and bicycle racks would be provided on site. Additionally proposed roadway improvements detailed in Section 4.17, Transportation, of this EIR would include striping for Class II bicycle lanes, and the project would not preclude future development of bicycle lanes by others off site.</p>
Water Resources Element	
Goal: A balance of development, which assures the maintenance of the water supply and its continued high quality.	
<p>Policy 1: New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.</p>	<p>Consistent: The project, through implementation of project design features and compliance with laws and/or mitigation measures, would comply with all applicable water supply regulations prior to approval for construction.</p>
<p>Policy 2: The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.</p>	<p>Consistent: The project, through implementation of project design features and compliance with laws and/or mitigation measures, would comply with all applicable landscaping regulations meant to reduce water demand prior to approval for construction.</p>
<p>Policy 3: The City shall require the use of recycled wastewater for new development, or where it is unavailable, the infrastructure for recycled water when it becomes available, as a means of reducing demand for groundwater resources.</p>	<p>Consistent: The project would utilize recycled water for irrigation where feasible. Through implementation of project design features and compliance with laws and/or mitigation measures, the project would reduce potential groundwater extraction through incorporation of drought-tolerant landscaping and use of wastewater and recycled water where possible pursuant to all applicable water usage efficiency requirements and regulations meant to reduce water demand. See Section 4.10, Hydrology and Water Quality, and Section 4.19, Utilities and Service Systems, of this EIR.</p>
<p>Policy 4: Require that all new development be connected to the sewage treatment system or install dry sewers until such time as that connection is possible.</p>	<p>Consistent: The project would comply with all applicable regulations regarding sewage treatment systems during construction and operation. See Section 4.19, Utilities and Service Systems, of this EIR.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
<p>Policy 5: The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.</p>	<p>Consistent: The project, through implementation of project design features and compliance with laws and regulatory compliance measures, would comply with all applicable stormwater retention regulations prior to approval for construction. See Section 4.10, Hydrology and Water Quality, of this EIR.</p>
<p>Policy 6: Coordinate with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District, the California Regional Water Quality Control Board and other appropriate agencies to share information on potential groundwater contaminating sources.</p>	<p>Consistent: The project applicant would coordinate with all applicable agencies regarding water supplies and potential groundwater contamination sources. See Section 4.10, Hydrology and Water Quality, and Section 4.19, Utilities and Service Systems, of this EIR.</p>
<p>Policy 7: The City shall ensure that no development proceeds that has potential to create groundwater hazards from point and non-point sources, and shall confer with other appropriate agencies, as necessary, to assure adequate review and mitigation.</p>	<p>Consistent: The project, through implementation of project design features and compliance with laws and/or regulatory compliance measures, would comply with all applicable water usage and other applicable regulations meant to reduce potential to create groundwater hazards from point and nonpoint sources, and shall confer with other appropriate agencies, as necessary, to ensure adequate review and mitigation. See Section 4.10, Hydrology and Water Quality, of this EIR.</p>
<p>Open Space and Conservation Element</p>	
<p>Goal 1: Open space and conservation lands that are preserved and managed in perpetuity for the protection of environmental resources or hazards, and the provision of enhanced recreational opportunities and scenic qualities in the City.</p>	
<p>Goal 2: A balance between the City's built and open space environment and local and regional protection and preservation of its unique environment.</p>	
<p>Policy 6: Where practical, new development shall integrate pipeline, above- and under-ground utility corridors and other easements (including electric, cable and telephone distribution lines) into a functional open space network.</p>	<p>Consistent: As discussed in Chapter 3.0 of this EIR, all on-site electrical facilities would be undergrounded on the project site. The project would integrate underground utility corridors at connections with existing off-site facilities where practical.</p>
<p>Policy 7: Drought tolerant landscaping materials and design features shall be incorporated into parks, roadway medians, common area landscaping, public facilities and other appropriate open space lands to retain and preserve the natural environment.</p>	<p>Consistent: The project, through implementation of project design features, would comply with all applicable landscaping regulations meant to reduce water demand and establish appropriate buffers prior to approval for construction.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Biological Resources Element	
Goal: A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.	
<p>Policy 1: The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.</p>	<p>Consistent: The project is consistent with the applicable MSHCP and is not within a Criteria Cell, Cell Group, or Core. The project site has been previously rough graded and is located within the San Gorgonio Special Linkage area. For special linkage areas, the MSHCP requires local jurisdictions to assure preservation of a wildlife movement corridor in compliance with guidelines set forth in the <i>CEQA Guidelines</i> for wildlife movement and migratory wildlife corridors. Per Section 4.4, Biological Resources, of this EIR, the project would not interfere substantially with the movement of any wildlife species or impede a wildlife corridor and would include MM BIO-1 and MM BIO-2 to ensure impacts to sensitive wildlife and habitat are not significant.</p>
<p>Policy 2: As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land's value as viable open space.</p>	<p>Consistent: The project is consistent with the applicable MSHCP and is not within a Criteria Cell, Cell Group, or Core. The project site has been previously rough graded. Per Section 4.4, Biological Resources, of this EIR, the project would include MM BIO-1 and MM BIO-2 to ensure impacts to sensitive wildlife and habitat are not significant.</p>
<p>Policy 5: The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.</p>	<p>Consistent: The project site is consistent with the applicable MSHCP and is not within a Criteria Cell, Cell Group, or Core. The project site has been previously rough graded and is located within the San Gorgonio Special Linkage area. For special linkage areas, the MSHCP requires local jurisdictions to assure preservation of a wildlife movement corridor in compliance with guidelines set forth in the <i>CEQA Guidelines</i> for wildlife movement and migratory wildlife corridors. Per Section 4.4, Biological Resources, of this EIR, the project would not interfere substantially with movement of any wildlife species or impede a wildlife corridor and would include MM BIO-1 and MM BIO-2 to ensure impacts to sensitive wildlife and habitat are not significant.</p>
Archaeological and Cultural Resources Element	
Goal: Documentation, maintenance, preservation, conservation and enhancement of archaeological and historic sites, artifacts, traditions and other elements of the City's cultural heritage.	
<p>Policy 1: The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities.</p>	<p>Consistent: As discussed in Section 4.5, Cultural Resources, of this EIR, the project applicant conducted site-specific cultural resources studies, and the City consulted with interested Native American Tribes for the project. MM CUL-1 through MM CUL-8 would ensure impacts to cultural resources would not be significant.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
<p>Policy 3: Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural resources studies.</p>	<p>Consistent: As discussed in Section 4.5, Cultural Resources, of this EIR, the project applicant conducted site-specific cultural resources studies, and the City consulted with interested Native American Tribes for the project. MM CUL-1 through MM CUL-8 would ensure cultural resources are inventoried, kept confidential as appropriate, and recorded in accordance with <i>CEQA Guidelines</i>.</p>
<p>Policy 4: Sensitive archaeological and historic resources shall be protected from vandalism and illegal collection to the greatest extent possible.</p>	<p>Consistent: As discussed in Section 4.5, Cultural Resources, of this EIR, the project applicant conducted site-specific cultural resources studies, and the City consulted with interested Native American Tribes for the project. MM CUL-1 through MM CUL-8 would ensure archaeological and historic resources would be protected from vandalism and illegal collection to the greatest extent possible.</p>
<p>Air Quality Element⁴</p>	
<p>Goal: To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.</p>	
<p>Policy 1: The City shall be proactive in regulating local pollutant emitters and shall cooperate with the Southern California Association of Governments and the South Coast Air Quality Management District to assure compliance with air quality standards.</p>	<p>Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible. For additional information, see Section 4.3, Air Quality, of this EIR.</p>
<p>Policy 2: The City shall continue to coordinate and cooperate with local, regional, and federal efforts to monitor, manage and reduce the levels of major pollutants affecting the City and region, with particular emphasis on PM₁₀ and ozone emissions, as well as other emissions associated with diesel-fueled equipment and motor vehicles.</p>	<p>Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible. For additional information, see Section 4.3, Air Quality, of this EIR.</p>
<p>Policy 3: City land use planning efforts shall assure that sensitive receptors are separated from polluting point sources.</p>	<p>Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible. For additional information, see Section 4.3, Air Quality, of this EIR.</p>
<p>Policy 4: Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.</p>	<p>Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would mitigate impacts to the extent feasible. For additional information, see Section 4.3, Air Quality, of this EIR.</p>
<p>Policy 5: The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating, and cooling</p>	<p>Consistent: The project would be consistent with all applicable air quality regulations during construction and operation and would utilize energy-efficient equipment for heating and cooling and facilitate use of alternative energy equipment and vehicles to the extent feasible. For additional information, see Section 4.3, Air Quality, and Section 4.8, Greenhouse Gas Emissions, of this EIR.</p>
<p>Policy 6: The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.</p>	<p>Consistent: The project is designed to be connected by an internal system of pedestrian walkways and paths, is consistent with the General Plan Street System, and would not significantly affect circulation within or adjacent to the project site. For additional information, see Section 4.17, Transportation, of this EIR.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Energy and Mineral Resources Element	
Goal: Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.	
Policy 1: Promote energy conservation throughout all areas of the community and sectors of the local economy, including the planning and construction of urban uses and in City and regional transportation systems.	Consistent: The project is designed to comply with all applicable energy conservation and alternative energy regulations prior to approval for construction and through operation. See Section 4.6, Energy, of this EIR.
Policy 2: Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.	Consistent: The project is designed to comply with all applicable energy conservation and alternative energy regulations prior to approval for construction and through operation. See Section 4.6, Energy, of this EIR.
Flooding and Hydrology Element	
Goal: A comprehensive system of flood control facilities and services effectively protecting lives and property.	
Policy 6: All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.	Consistent: The project would incorporate RCM HYD-1 through RCM HYD-4 to ensure drainage impacts, flooding, and pollution from runoff is not significant. See Section 4.10, Hydrology and Water Quality, of this EIR.
Noise Element	
Goal: A noise environment that complements the community's residential character and its land uses.	
Policy 1: The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts and community open space, from potentially significant sources of community noise.	Consistent: The project would be constructed and operated in accordance with applicable noise regulations to minimize potential noise impacts to adjacent communities. Although temporary construction activities along Hathaway Street would generate significant levels of noise at the residential uses west of Hathaway Street, the project would be conditioned under RCM N-1 to limit construction-related activities to between the hours of 7:00 a.m. and 6:00 p.m., pursuant to Section 8.44.090(E) of the Banning Municipal Code, to protect noise-sensitive land uses to the extent feasible. For additional information, see Section 4.13, Noise, of this EIR.
Policy 2: The relationship between land use designations in the Land Use Element and changes in the circulation pattern of the City, as well as individual developments, shall be monitored and mitigated.	Consistent: The proposed project is consistent with the Business Park (BP) land use and zoning designation of the site and would be constructed and operated along City-designated truck routes (i.e., Hathaway Street, Ramsey Street, and Hargrave Street). The project would comply with all applicable noise regulations, through design or implementation of RCM N-1 , to limit construction-related activities to between the hours of 7:00 a.m. and 6:00 p.m. pursuant to Section 8.44.090(E) of the Banning Municipal Code in order to protect noise-sensitive land uses to the extent feasible.



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
<p>Policy 4: The City shall maintain a General Plan Circulation Map and assure low levels of traffic within neighborhoods by assigning truck routes to major roadways only.</p>	<p>Consistent: The site lies along a main arterial road of Hathaway Street, with major arterial roads at Hargrave Street and Ramsey Street, which are designated truck routes within the City and have direct access to I-10. The project would accommodate tractor-trailer traffic while minimizing impacts to adjacent land uses. See Section 4.17, Transportation, of this EIR.</p>
<p>Policy 6: All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.</p>	<p>Consistent: Although traffic on I-10 and intermittent noise from the Union Pacific Railroad (UPRR) located south of I-10 contribute to the ambient noise in the project area, the project site is not within the noise impact area of these facilities.</p>
<p>Policy 8: The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, onsite traffic, and use of parking, loading and trash storage facilities.</p>	<p>Consistent: The project would comply with all applicable regulations related to noise-generating equipment, on-site traffic, parking, loading/unloading, and trash storage facilities prior to approval for construction. See Section 4.13, Noise, of this EIR.</p>
Wildland Fire Hazards Element	
Goal: Protect human life, land, and property from the effects of wildland fire hazards.	
<p>Policy 3: Continue to identify wildfire hazard areas, and to enforce special standards for construction in wildland fire hazard areas.</p>	<p>Consistent: The project would comply with all applicable wildfire hazard regulations prior to approval for construction and through operation. See Section 4.20, Wildfire, of this EIR.</p>
<p>Policy 4: The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.</p>	<p>Consistent: The project would comply with all applicable regulations ensuring water supplies and pressures are available during a fire and/or an earthquake prior to approval for construction and through operation. See Section 4.20, Wildfire, of this EIR.</p>
Hazardous and Toxic Materials Element	
Goal: Maintain and promote measures to protect life and property from hazards resulting from human activities and development.	
<p>Policy 3: The City shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials, traversed by natural gas transmission lines or fuel lines, or sites that use potentially hazardous or toxic materials.</p>	<p>Consistent: As detailed in Section 4.9, Hazards and Hazardous Materials, of this EIR, the project site was evaluated under a Phase I ESA⁵ and Phase II ESA.⁶ Additionally, both the Phase I ESA and Phase II ESA were peer reviewed by Group Delta Consultants, Inc., which determined these reports conform with the provisions of ASTM International Practice E 1527-13 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312)⁷ to identify, to the extent feasible, the presence of RECs or historical RECs on the project site.</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Water, Wastewater, and Utilities Element	
Goal: A comprehensive range of water, Wastewater and utility services and facilities that adequately, cost-effectively and safely meet the immediate and long-term needs of the City.	
<p>Policy 1: The City shall coordinate between the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Geronio Pass Water Agency, California Regional Water Quality Control Board and Riverside County Environmental Health to protect and preserve local and regional water resources against overexploitation and contamination.</p>	<p>Consistent: As detailed in Section 4.19, Utilities and Service Systems, of this EIR, the project includes a WSA,⁸ which concludes that adequate water supplies exist to serve the project through multiple dry years. Implementation of project design features and compliance with laws and/or mitigation measures would ensure compliance with all applicable water usage regulations meant to reduce water demand, including use of wastewater or recycled water, prior to approval for construction. Additionally, the project would comply with the applicable regulations discussed in Section 4.10, Hydrology and Water Quality, of this EIR to avoid contamination of groundwater.</p>
<p>Policy 2: Sewer connection shall be required at the time a lot is developed when service is available.</p>	<p>Consistent: The project would comply with all applicable regulations regarding sewage treatment systems and sewer connections during construction and through operation of the project. See Section 4.19, Utilities and Services, of this EIR.</p>
<p>Policy 6: The City shall proactively support the widespread integration of energy resource conserving technologies throughout the community.</p>	<p>Consistent: The project would comply with all applicable energy conservation and alternative energy regulations prior to approval for construction and through operation. See Section 4.6, Energy, of this EIR.</p>
<p>Policy 7: The City shall continue to confer and coordinate with its solid waste service franchisee to maintain and, if possible, exceed the provision of AB 939 by expanding recycling programs that divert valuable resources from the waste stream and returning these materials to productive use.</p>	<p>Consistent: The project would comply with all applicable recycling regulations, including those outlined in AB 939, prior to approval for construction and through operation. See Section 4.19, Utilities and Service Systems, of this EIR.</p>
<p>Policy 8: The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.</p>	<p>Consistent: The project, to the greatest extent possible through coordination with the City and all applicable agencies and waste haulers, would implement project design features and comply with regulations designed to reduce and limit the amount of packaging and potential waste associated with construction and operation of the project. See Section 4.19, Utilities and Service Systems, of this EIR.</p>
<p>Policy 10: Major utility facilities, including power and other transmission towers, cellular communication towers and other viewshed intrusions shall be designed and sited to ensure minimal environmental and viewsheds impacts and environmental hazards.</p>	<p>Consistent: The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action. Development of the future substation would be subject to environmental review at the time it is proposed (refer to Figure 3-6 in Section 3.0, Project Description, of this EIR).</p>



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Policy 11: The City shall encourage the planning, development and installation of state-of-the art telecommunications and other broadband communications systems as essential infrastructure.	Consistent: As detailed in Figure 3-8 in Section 3.0, Project Description, the project includes new, modern telecommunications and other broadband communications infrastructure on site to interconnect to existing facilities along Hathaway Street and Wilson Street. See Section 4.19, Utilities and Service Systems, of this EIR.
Policy 12: The City shall encourage in others and itself the use of alternative fuel vehicles.	Consistent: The project would be subject to compliance with SCAQMD Rule 2305, which requires phased implementation of electric heavy-duty trucks for project operation, as well as the California Green Building Standards Code, which requires industrial development to include on-site infrastructure for electric vehicle use. See Section 4.3, Air Quality, of this EIR.
Public Buildings and Facilities Element	
Goal: The provision of a full range of dependable, cost-effective, and conveniently located public buildings, services and facilities that meet the functional, social and economic needs of the entire community.	
Policy 2: Continue to identify and evaluate viable, long-term funding mechanisms that provide for the construction, maintenance and operation of existing and future public buildings and facilities, including assuring that new development funds its fair share of these facilities.	Consistent: The project is consistent with the General Plan’s goal of encouraging industrial development and providing employment opportunities within Banning. Through coordination with the City, the new development would fund its share of public buildings and facilities. See Section 4.15, Public Services, of this EIR.
Policy 5: Encourage the undergrounding of all utility lines and the undergrounding or screening of transformers/facilities.	Consistent: The project would comply with all requirements related to undergrounding utility lines and undergrounding or screening of transformers/facilities. See Section 4.19, Utilities and Service Systems, of this EIR.
Schools and Libraries Element	
Policy 3: Schools and libraries shall be protected from excessive noise and traffic conditions, incompatible land uses, and the threat of on-site disturbance to the greatest extent practicable.	Consistent: The project, through implementation of project design features and compliance with laws and/or mitigation measures, would ensure impacts to schools, libraries, and other public facilities within the vicinity of the project site. See Section 4.13, Noise; Section 4.15, Public Services; and Section 4.17, Transportation, of this EIR.
Police and Fire Protection Element	
Goal: The highest possible quality and level of service for fire and police protection to preserve and protect the health, welfare and property of residents, business owners, visitors and property owners.	
Policy 1: The City shall work closely with the Fire and Police departments to assure that adequate facilities are constructed and service is provided as development and growth occur to maintain and enhance levels of service and insurance ratings.	Consistent: The City shall take a lead role in ensuring public services are adequately provided at the project site and to the adjacent existing communities after construction. See Section 4.15, Public Services, of this EIR.
Policy 2: The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.	Consistent: The City shall take a lead role in ensuring public services are adequately provided at the project site and to the adjacent existing communities after construction. See Section 4.15, Public Services, of this EIR.



Table 4.11.A: Project Consistency Analysis with the City of Banning General Plan

Applicable Policies	Development Project Consistency Analysis
Policy 3: The City shall strictly enforce fire standards and regulations in the course of reviewing development and building plans and conducting building inspections of large multiple family projects, community buildings, commercial structures and motel structures.	Consistent: The City shall take a lead role in ensuring public services are adequately provided at the project site and to the adjacent existing communities after construction. See Section 4.15, Public Services, of this EIR.
Policy 4: All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.	Consistent: The project would comply with all applicable fire safety standards as designed prior to approval. See Section 4.15, Public Services, and Section 4.20, Wildfire, of this EIR.
Policy 5: Crime prevention design techniques, including the use of “defensible space,” high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development.	Consistent: The project would comply with all applicable crime prevention and safety standards as designed prior to approval. See Section 4.15, Public Services, of this EIR.

Source: City of Banning Community Development Department. City of Banning General Plan. Adopted January 31, 2006.

- ¹ County of Riverside. *County of Riverside General Plan*. Appendix E-2: Socioeconomic Build-Out Assumptions and Methodology, Table E-5: Commercial Employment Factors. Adopted December 8, 2015. Revised April 11, 2017.
- ² 1,420,722 square feet of proposed building space ÷ 1,500 square feet per employee for Heavy Industrial land uses = 947.148 employees. 1,420,722 square feet of proposed building space ÷ 1,030 square feet per employee for Light Industrial land uses = 1,379.342 employees.
- ³ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.
- ⁴ Consistency with Goals and Policies in the Air Quality Element of the Banning General Plan is also presented in Table 4.3.G in Section 4.3, Air Quality, of this EIR.
- ⁵ Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California 92220*. March 26, 2021.
- ⁶ Weis Environmental, LLC. *Phase II Environmental Site Assessment, First Hathaway, Banning, California 92220*. May 26, 2021.
- ⁷ Group Delta Consultants, Inc. *Environmental Due Diligence Review, First Hathaway, Banning, California*. October 7, 2021.
- ⁸ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. January 30, 2023.

AB = Assembly Bill

CEQA = California Environmental Quality Act

CFR = Code of Federal Regulations

City = City of Banning

County = County of Riverside

EIR = Environmental Impact Report

ESA = Environmental Site Assessment

I = Interstate

kV = kilovolt(s)

MM = mitigation measure

MSHCP = Multiple Species Habitat Conservation Plan

RCM = Regulatory Compliance Measure

REC = recognized environmental condition

SCAQMD = South Coast Air Quality Management District

TUMF = Transportation Uniform Mitigation Fee

UPRR = Union Pacific Railroad

WSA = Water Supply Assessment



As detailed in Table 4.11.A, above, identifying relevant City land use policies, implementation of project design features, conditions of approval, and mitigation measures and ongoing consultation with the City and applicable agencies would ensure the project would be consistent with applicable goals and policies of the Banning General Plan.

Although level of service (LOS) is no longer the standard by which transportation impacts are evaluated pursuant to CEQA, the Banning General Plan Circulation Element maintains an intersection LOS performance standard under Policy 6, which states, “The City shall maintain peak hour Level of Service C or better on all local intersections, except those on Ramsey Street and at I-10 interchanges, where Level of Service D or better shall be maintained.” As referenced in Table 4.11.A, and Section 4.17, Transportation, of this EIR, the project would be conditioned to implement roadway improvements and pay County Transportation Uniform Mitigation Fees (TUMFs), development impact fees (DIFs), and fair-share fees to achieve the performance standard of Policy 6 in the Circulation Element of the Banning General Plan. By adopting these improvements as Conditions of Approval or the equivalent, the City would ensure that the project would be consistent with General Plan Circulation Element Policy 6 and impacts would be **less than significant**. Mitigation is not required.

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (SCAG RTP/SCS). The project is also consistent with the SCAG RTP/SCS (Connect SoCal).²¹ The project is located along a main arterial road (Hathaway Street), with direct access to I-10 along Hargrave Street and East Ramsey Street. These streets would accommodate tractor-trailer traffic in accordance with the City’s designated truck routes while minimizing impacts to adjacent land uses by avoiding collector and residential streets in the neighborhood. Utilizing City-designated truck routes designed and constructed to accommodate trucks minimizes congestion, noise, and exposure to air contaminants from truck and employee trips to and from the project site because these roadways are planned by the City to facilitate efficient truck movement along commercial and industrial corridors to the greatest extent possible. These types of trips would not significantly affect vehicle or pedestrian trips within the residential communities adjacent to the west of the project site. Further, as detailed in Section 4.14, Population and Housing, by providing additional employment opportunities for the residents of Banning and immediately adjacent unincorporated Riverside County areas, the project would contribute toward a more balanced jobs-to-housing ratio in the city and greater (county) region, thereby reducing regional commuter traffic from residents traveling out of the city to employment elsewhere in the region.

Connect SoCal provides performance measures and objectives to achieve the goals of improving public and private regional transportation and making communities and the region more sustainable. The project would provide additional local employment opportunities for residents of Banning and adjacent areas within the county, reducing regional commuter traffic. Further, the project provides roadway and signal improvements within and adjacent to the site, in addition to fair-share payments into existing fee programs for off-site regional transportation improvements. Additional analysis regarding potential local and regional vehicle miles traveled (VMT) impacts is provided in Section 4.17, Transportation, of this EIR.

²¹ Southern California Association of Governments (SCAG). *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Adopted September 2020.



Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As detailed in Section 4.4, Biological Resources, of this EIR, impacts on candidate, sensitive, or special-status species and associated habitats would be addressed through compliance with MSHCP policies, including the conduct of species-specific focused surveys (as appropriate) for burrowing owl and implementation of **MM BIO-1** and **MM BIO-2**. Impacts to local biological protection policies and the adopted MSHCP are also reduced to a less than significant level.

Banning Municipal Airport Master Plan. As detailed in Section 4.9, Hazards and Hazardous Materials, of this EIR, the project site lies approximately 0.3 mile north of Banning Municipal Airport. The project was presented to the Riverside County ALUC because the [Banning Municipal Airport] Riverside County ALUCP is not consistent with the City's General Plan, and the project is within ALUCP Compatibility Zone D of Banning Municipal Airport. The Riverside ALUC issued application number ZAP1047BA22.²² Zone D restricts nonresidential intensity to 300 people per average acre and 390 people per single acre. The project is expected to result in an average acre intensity of 31 people and a single-acre intensity of 96 people.²³ As detailed in Table 4.9.A, the project proposes a land use compatible with ALUCP Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area). Furthermore, the Federal Aviation Administration (FAA) reviewed the project and determined the project would not result in a hazard to air navigation provided the project applicant files an FAA Form 7460-2, Notice of Actual Construction or Alteration, within 5 days after the construction reaches its greatest height.²⁴ The Riverside ALUC prescribed conditions **MM HAZ-1** through **MM HAZ-7**, detailed in Section 4.9, Hazards and Hazardous Materials, of this EIR, to ensure the proposed project would not exceed obstruction standards, would not be a hazard to air navigation, and would be consistent with the ALUCP.²⁵ Impacts would be less than significant with mitigation incorporated. No additional mitigation is required.

Level of Significance Prior to Mitigation: Potentially Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Implementation of **Regulatory Compliance Measure (RCM) HYD-1** through **RCM HYD-4** (detailed in Section 4.10, Hydrology and Water Quality, of this EIR) and **RCM N-1** (detailed in Section 4.13, Noise, of this EIR), as well as **MM BIO-1** and **MM BIO-2** (detailed in Section 4.4, Biological Resources, of this EIR), **MM CUL-1** through **MM CUL-8** (detailed in Section 4.5, Cultural Resources, of this EIR), and **MM HAZ-1** through **MM HAZ-7** (detailed in Section 4.9, Hazards and Hazardous Materials) of this EIR, would ensure impacts from incompatibility with a land use plan would be reduced to **less than significant with mitigation incorporated**.

Level of Significance After Mitigation: Less than Significant Impact.

²² Riverside County Airport Land Use Commission. *Airport Land Use Commission (ALUC) Development Review – Director's Determination*. File No.: ZAP1047BA22. Page 1. July 11, 2022.

²³ Ibid.

²⁴ Federal Aviation Administration, Southwest Regional Office. *Aeronautical Study No. 2022-AWP-10883-OE*. Page 1. July 5, 2022. Extension of the effective period of the determination issued January 10, 2024.

²⁵ Ibid.



4.11.7 Cumulative Impacts

The City did not identify cumulatively significant land use impacts associated with the adoption of its current General Plan. The City's General Plan addressed potential land use compatibility issues through the identification of policies and programs, the active enforcement of which is a routine function of the City. 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. As detailed in Table 4.11.A, through implementation of project design features, conditions of approval, mitigation measures, and ongoing consultation with the City of Banning and applicable agencies, the project would remain consistent with the City's General Plan goals and policies.

Pursuant to the City's General Plan, all cumulative development projects must comply with the goals and policies outlined in the applicable plans detailed in the General Plan. In the absence of a project-specific impact, and as all cumulative development would similarly conform to applicable General Plan policies, as established in the General Plan EIR, the project's incremental land use and planning impacts would not be cumulatively considerable. Cumulative impacts of the project and the related projects would be **less than significant**.



This page intentionally left blank



4.12 MINERAL RESOURCES

This section describes the potential for implementation of the First Hathaway Logistics Project (project) to impact mineral resources on and near the project site. This section also discusses the existing setting of mineral resources within and near Banning and sets forth the relevant regulatory requirements that apply to the project's potential impacts on mineral resources. This section is based on information provided in the Energy and Mineral Resources Element of the City of Banning's (City) General Plan,¹ California Geological Survey (CGS) data,² and applicable provisions of the City's Municipal Code.³

4.12.1 Scoping

Potential impacts to mineral resources were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to mineral resources. For copies of the NOP comment letters, refer to **Appendix A** of this Environmental Impact Report (EIR).

4.12.2 Methodology

Impacts to mineral resources are assessed based on the potential for the proposed project to result in the loss of or reduced availability of known or potential mineral resources or sites. Information on mineral resources was compiled from published literature, maps, and aerial photographs. Geologic units and structural features were obtained from maps published by the CGS. Mineral resource impacts that could result from project-related activities were evaluated qualitatively based on site conditions; expected construction practices; and materials, locations, and duration of construction and operational activities.

Based on guidelines adopted by the CGS, areas known as Mineral Resource Zones (MRZs) are classified according to the presence or absence of significant deposits, as defined below. The following MRZ categories are used by the California State Geologist in classifying the State's lands:

- **MRZ-1:** Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. This zone is applied where well-developed lines of reasoning, based on economic-geologic principles and adequate data, indicate that the likelihood for occurrence of significant mineral deposits is nil or slight.
- **MRZ-2a:** Areas underlain by mineral deposits where geologic data show that significant measured or indicated resources are present. Areas classified MRZ-2a contain discovered mineral deposits that are either measured or indicated reserves as determined by such evidence as drilling records,

¹ City of Banning. *City of Banning General Plan, Chapter IV Environmental Resources, Energy and Mineral Resource Element*. April 19, 2006.

² California Department of Conservation, California Geological Survey. *Minerals*. Website: <https://www.conservation.ca.gov/cgs/minerals> (accessed August 2022).

³ Banning, California. *Code of Ordinances, Title 5 – Business Licenses and Regulations, Chapter 5.60 – Surface Mining and Reclamation, Section 5.60.170*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT5BULIRE_CH5.60SUMIRE_5.60.170MIREPR (accessed July 2023).



sample analysis, surface exposure, and mine information. Land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits.

- **MRZ-2b:** Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas classified MRZ-2b contain discovered deposits that are either inferred reserves or deposits that are presently subeconomic as determined by limited sample analysis, exposure, and past mining history.
- **MRZ-3a:** Areas containing known mineral deposits that may qualify as mineral resources. MRZ-3a areas are considered to have a moderate potential for the discovery of economic mineral deposits.
- **MRZ-3b:** Areas containing inferred mineral deposits that may qualify as mineral resources. Land classified MRZ-3b represents areas in geologic settings that appear to be favorable environments for the occurrence of specific mineral deposits.
- **MRZ-4:** Areas where geologic information does not rule out either the presence or absence of mineral resources. The MRZ-4 classification does not imply that there is little likelihood for the presence of mineral resources; rather, there is a lack of knowledge regarding mineral occurrence.

After an area has been classified into an MRZ, the California State Mining and Geology Board (SMGB) determines if the classified MRZ deposit warrants either a “regional” (multi-community) or “statewide economic significance” designation. In contrast to classification, which inventories mineral deposits without regard to existing land use, the purpose of designation is to identify those areas that are of prime importance in meeting the future needs of the study region and that remain available from a land use perspective. Once completed, the SMGB transmits the information to the affected counties and cities for mandated incorporation into the applicable land use planning processes.⁴

4.12.3 Existing Environmental Setting

The following describes the existing environmental setting of Riverside County, the city of Banning, and the site in which the project is located with regard to mineral resources.

4.12.3.1 Riverside County

Mineral extraction is an important component of the County of Riverside’s (County) economy and consists of areas where clay, limestone, iron, sand, and aggregates are collected. The County designates land within its jurisdiction as Open Space-Mineral Resources, which are areas that allow mineral extraction and processing facilities to be developed and areas held in reserve for future mineral extraction and processing. According to the Riverside County General Plan, there is no land

⁴ County of Riverside. *County of Riverside Environmental Impact Report No. 521, Section 4.14 Mineral Resources*. Page 4.14-3. February 2015.



that has an Open Space-Mineral Resource land use designation within the Pass Area Plan planning area (where the city of Banning is located).⁵

As of February 2015, Riverside County was classified with 83,267 acres of MRZ-1; 71,270 acres of MRZ-2 (including 22,114 acres of MRZ-2a and 7,428 acres of MRZ-2b); 1,336,723 acres of MRZ-3; and 1,751,892 acres of MRZ-4.⁶ Approximately 11,853 acres of MRZ-2 are designated as regionally significant by the SMGB. Approximately 6,731 acres in the Palm Springs region are approved by the SMGB for a regional significance designation and, as of 2015, are awaiting rulemaking to codify the decision. There is no land within Riverside County that the SMGB designates as locally important mineral recovery sites.⁷

4.12.3.2 City of Banning

As identified in the Energy and Mineral Resource Element of the General Plan, MRZ-3 is the predominant designation throughout most of Banning and its sphere of influence. An area of MRZ-2 occurs in the eastern portion of the city. This designation applies to approximately 6.5 miles of land along the alluvial fan of the San Gorgonio River that lies southeast of the Banning Bench, north and south of Interstate 10. The balance of the city is designated as Unstudied, with no portion of the city or its sphere of influence designated as MRZ-1 or MRZ-4.

Currently (2023), the Banning Quarry (Banning Rock Plant #66), operated by Robertson's Ready Mix, is the only aggregate producer in the city of Banning. The Banning Quarry is mined for rock, sand, and base materials used for concrete and construction. The quarry is located in the MRZ-2 zone in the eastern portion of the city, approximately 0.4 mile northwest of the project site.

4.12.3.3 Project Site

The project site is substantially disturbed from prior occupation and rough grading. Approximately 30.54 acres of the project site (Assessor's Parcel Numbers [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), consisting of approximately 64.32 acres, was cleared and graded in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand. Existing underground utilities and stormwater infrastructure were installed as part of the previously approved industrial warehouse development. Based on historical review of the project site, the eastern portion of the site (APNs 532-110-003, -008, -009, and -010) remained vacant and undisturbed prior to grading in 2011. There are no records that indicate the project site was previously used as a mineral resource recovery site or as

⁵ County of Riverside. *Riverside County General Plan, The Pass Area Plan*. Table 2, Statistical Summary of Pass Area Plan, page 21. Website: <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-GPA-2022-Compiled-PAP-4-2022-rev-20220523.pdf> (accessed July 2023).

⁶ County of Riverside. *Draft Program EIR No. 521, Section 4.14 Mineral Resources*. Website: https://planning.rctlma.org/Portals/14/genplan/general_plan_2015/DEIR%20521/DEIR%20No.%20521.pdf (accessed August 2022).

⁷ Ibid. Page 4.14-3.



a site occupied by mines. As stated above, the Banning Quarry (Banning Rock Plant #66), operated by Robertson's Ready Mix, is approximately 0.4 mile northwest of the project site.

The project site is mapped as MRZ-2, indicating adequate information is available to determine that significant mineral deposits are present, or that there is a high likelihood for their presence to exist. The SMGB maps the project site as Section G-1, which indicates that the site contains regionally significant Portland cement concrete (PCC) grade aggregate resources.⁸

4.12.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to mineral resources.

4.12.4.1 Federal Regulations

No federal mineral resource-related regulations would apply because the project site would not traverse any federal lands or require federal approvals related to mining.

4.12.4.2 State Regulations

The Surface Mining and Reclamation Act (SMARA), as discussed below, is the State regulation that applies to mineral resources within the vicinity of the site.

Surface Mining and Reclamation Act of 1975. The State of California recognizes that mineral resources are essential to the needs of society and the economic well-being of the State. In 1975, the State Legislature passed the Surface Mining and Reclamation Act of 1975 (SMARA), Public Resources Code (PRC) Section 2710, et seq. The intent of SMARA is to promote production and conservation of mineral resources, minimize the environmental effects of mining, and ensure mined lands are reclaimed to conditions suitable for alternative uses. Reclaiming land for other uses once mining operations are completed is important for the general health, safety, and welfare of the community. Under SMARA, permits are required for all mining activities commencing operation on or after January 1, 1976. In addition, all new and existing mining operations are required to file a reclamation plan with the appropriate jurisdiction (such as the County of Riverside) to address how the land would be brought back to a productive status once mining operations cease. The County is given the authority to permit or restrict mining operations within its boundaries, adhering to the SMARA legislation. Under this authority, the County sets forth regulations for mineral extraction and reclamation within unincorporated areas of Riverside County via Ordinance No. 555 (Implementing SMARA in Riverside County).

SMARA also requires every lead agency, such as the City, within whose jurisdiction a mineral resource's economic value is classified by the State Geologist or is designated as an area of regional economic significance by the SMGB, to establish Mineral Resource Management Policies (MRMPs) for the mineral resources in its general plan.

⁸ California Geological Survey. *2008 Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California*. Website: https://filerequest.conservation.ca.gov/?q=SR_206 (accessed August 2022).



Under current SMARA statutes (PRC Section 2763), prior to permitting a use that would threaten the potential to extract minerals in an area designated by the SMGB as having mineral resources of regional or statewide significance, the City must prepare a statement specifying its reasons for permitting the proposed use.⁹ In it, the City must consider its MRMPs, balance the mineral values against alternative land uses, and consider the importance of the minerals to their market region as a whole and not just their importance to the city area. This process is designed to ensure that decision-makers weigh the economic and environmental value of nonrenewable mineral resources when determining whether or not to protect existing mineral resources.

4.12.4.3 Regional Regulations

There are no regional regulations regarding mineral resources that are applicable to the project site.

4.12.4.4 Local Regulations

Local regulations governing mineral resources within the vicinity of the project site are included in the City of Banning General Plan and Municipal Code, as discussed below.

City of Banning General Plan. Chapter IV, Environmental Resources, of the Energy and Mineral Resources Element of the City's General Plan describes existing energy facilities and mineral resources within Banning. Policies and programs serve as tools that the City can use to help ensure the availability, conservation, and management of these resources.

The following policy in the Energy and Mineral Resources Element applies to the project site:

- **Policy 5:** Assure a balance between the availability of mineral resources and the compatibility of land uses in areas where mineral resources are mined.

The Banning General Plan, Energy and Mineral Resources Element, Exhibit IV-8, shows mineral resource zones in Banning. As shown, the project site is within MRZ-2, where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.¹⁰

City of Banning Municipal Code. Chapter 5.60, Surface Mining and Reclamation, of the Banning Municipal Code is codified to ensure the continued availability of important mineral resources while regulating surface mining operations as required by SMARA¹¹ and SMGB regulations for surface mining and reclamation practice.¹² This chapter of the Municipal Code ensures the following: (1) adverse environmental effects are prevented or minimized and mined lands are reclaimed to a usable condition that is readily adaptable for alternative land uses; (2) the production and conservation of mineral are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and (3) residual hazards to public health and safety are eliminated. In accordance with PRC Section 2762, the City's General Plan and

⁹ California Department of Conservation, Mine Reclamation. *Statutes and Regulations*, page 20. January 2022.

¹⁰ City of Banning General Plan. *Energy and Mineral Resources Element*, Exhibit IV-8, page IV-84.

¹¹ California Public Resources Code, Sections 2710 et seq.

¹² California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, Sections 3500 et seq.



resource maps will be updated to reflect mineral information (classification and/or designation reports) within 12 months of receipt from the SMGB of such information. Land use decisions within Banning will be guided by information provided on the location of identified mineral resources of regional significance. Conservation and potential development of identified mineral resource areas will be considered and encouraged. Recordation on property titles of the presence of important mineral resources within the identified mineral resource areas may be encouraged as a condition of approval of any development project in the impacted area.

Title 17, Zoning, Chapter 17.12, Commercial and Industrial Districts, of the Banning Municipal Code identifies Industrial-Mineral Resources (I/MR) as a land use/zoning designation that is applicable to land within Banning. The I/MR designation allows surface mining operations on lands designated by the City or the State as having significance potential for mineral resources while applying all requirements of the SMGB to the land under this designation. The project site is not designated as an I/MR land use or zone.

4.12.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section XII of Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact to mineral resources if it would:

Threshold 4.12-1: Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State; or

Threshold 4.12-2: 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.

4.12.6 Project Impact Analysis

Potential impacts of the project on mineral resources are discussed below pursuant to the thresholds established in Section 4.12.5, above.

4.12.6.1 Loss of Availability of Mineral Resource Site of Regional or State Value

Threshold 4.12-1: Would the project result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State?

The city of Banning is in Riverside County, and the Riverside County General Plan EIR identifies 11,853 acres of MRZ-2 land designated as regionally significant by the SMGB and approximately 6,731 acres within the Palm Springs region as approved by the SMGB for designation as regionally significant. The SMGB does not designate any land within Riverside County as a locally important mineral recovery site. According to the CGS, the project site is mapped as MRZ-2, which consists of land designated as regionally significant by the SMGB. As mapped by the CGS, the site is also known to contain PCC-grade aggregate resources. Although the project site is designated as an area where significant mineral deposits are present, there are no records that indicate the project site was previously used as a mineral resource recovery site or as a site occupied by mines. Therefore, development of the proposed project would not result in the loss of a current mineral resource recovery site.



Additionally, the City's General Plan does not designate the project site as within a land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. The project site has a General Plan land use and zoning designation of Business Park (BP), and mineral extraction would result in incompatible uses within the BP zoning. The proposed warehouse development is a permitted use within the BP land use and zoning designation and would not conflict with Policy 5 of the City's General Plan pertaining to balance between the availability of mineral resources and the compatibility of land uses in areas where mineral resources are mined. Therefore, impacts associated with the loss of availability of a mineral resource of statewide importance would be **less than significant**, and mitigation would not be required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: Less than Significant Impact.

4.12.6.2 Loss of Availability of Mineral Resource Site Delineated on a Local Plan

Threshold 4.12-2: Would the 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?

As stated above, although the project site is mapped by the CGS and shown in the City's General Plan as MRZ-2 (an area where significant mineral deposits are present), the City's General Plan does not designate the project site as a mineral resource land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. The project site has a General Plan land use and zoning designation of Business Park (BP), and mineral extraction would result in incompatible uses within the BP zoning. Furthermore, there are no records that indicate the project site was previously used as a mineral resource recovery site or a site occupied by mines. Therefore, impacts associated with the loss of availability of a mineral resource of local importance would be **less than significant**, and mitigation would not be required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance after Mitigation: Less than Significant Impact.

4.12.7 Cumulative Impacts

The purpose of this section is to evaluate any additional incremental impact that the proposed project is likely to cause over and above the combined impacts of the projects identified in Table 4.A, Cumulative Project List, in Chapter 4.0, Evaluation of Environmental Impacts, of this EIR. As defined in the *State CEQA Guidelines*, cumulative impacts are the incremental effects of past, current, and probable future projects within the cumulative study area.



The cumulative study area for mineral resources is the City of Banning. As population levels increase in the region, greater demand for aggregate and other mineral materials will be placed on mineral resources, especially sand and gravel. Similarly, developmental pressures in areas where these mineral resources are known or expected to occur would result in the loss of availability of these mineral resources. Within Sector G-1,¹³ approximately 470.6 acres remains open for mineral extraction, including the Banning Quarry (0.4 mile north of the project site), operated by Robertson's Ready Mix, which is mined for rock, sand, and base materials used for concrete and construction. Over 22,200 acres of land with identified PCC-grade aggregate resources remains in the San Bernardino Production-Consumption Region. Although the project would preclude any future mineral extraction on the site, the loss of the project site for mineral extraction potential represents 0.43 percent of total remaining areas designated for PCC-grade aggregate in the San Bernardino Production-Consumption Region.

Although the project site is mapped MRZ-2 by CGS, the site is graded and has not been previously utilized for extractive activity. The City's General Plan does not designate the project site with a mineral resource land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. The Banning Quarry, operated by Robertson's Ready Mix, is the only aggregate producer in Banning. The Banning Quarry is mined for rock, sand, and base materials used for concrete and construction. The quarry is located in the MRZ-2 zone in the eastern portion of the city, approximately 0.4 mile north of the project site. The proposed project, in tandem with the cumulative projects, would not conflict or interfere with mineral extraction operations at the Banning Quarry. Therefore, the cumulative impact of the project would be **less than significant** with respect to mineral resources. As no significant impact to mineral resources would result from the project, it would not contribute to a cumulatively considerable impact.

¹³ California Geological Survey. *2008 Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California*. Website: https://filerequest.conservation.ca.gov/?q=SR_206 (accessed August 2022).



4.13 NOISE AND VIBRATION

This section of the Environmental Impact Report (EIR) examines the construction and operational noise and vibration impacts of the First Hathaway Logistics Project (project) on sensitive land uses in proximity to the project site and evaluates the effectiveness of regulatory compliance measures and, as applicable, mitigation measures, to attenuate noise and vibration to acceptable levels. This analysis includes the potential for the proposed project to result in generation of a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of noise standards or generation of excessive groundborne vibration or groundborne noise levels. The analysis contained in this section is based on the *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*¹ (Noise and Vibration Impact Analysis), which is provided in **Appendix H** of this EIR.

4.13.1 Scoping

Potential impacts from noise were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City of Banning (City) received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts from noise. For copies of the NOP comment letters, refer to **Appendix A** of this EIR.

4.13.2 Methodology

The evaluation of noise and vibration impacts associated with the proposed project includes the following steps:

- Determine if project construction activities would substantially increase ambient noise levels on off-site noise-sensitive uses in excess of the City's interior construction noise standard. In addition, determine if project construction traffic would substantially increase ambient noise levels on off-site noise-sensitive uses in excess of conditionally acceptable noise levels established in the City's land use compatibility criteria for community noise;
- Determine if the operations of the project, including vehicular traffic and stationary noise sources, would substantially increase ambient noise levels on off-site noise-sensitive uses and would result in noise levels that exceed the noise standards in the City's General Plan Noise Element and Municipal Code.
- Determine if project construction and operational activities would generate excessive ground-borne vibration or ground-borne noise levels based on the annoyance (Table 4.13.D, provided in Section 4.13.4.1) and building damage criteria (Table 4.13.E, also provided in Section 4.13.4.1) recommended by Federal Transit Administration (FTA); and

¹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. May 2023.



- Evaluate proposed regulatory compliance measures and, if applicable, mitigation measures and their effectiveness to reduce project-related construction and operational noise and vibration impacts.

An increase of 3 A-weighted decibels (dBA) or more would be barely perceptible to the human ear in an outdoor environment² and is considered to be a substantial noise increase because it is a noticeable change to the noise environment.

4.13.3 Existing Environmental Setting

The following describes the existing physical setting of the project site and vicinity applicable to noise and vibration.

4.13.3.1 Existing Noise Environment

The primary existing noise sources in the project area are transportation facilities. Traffic on Interstate 10 (I-10), Hathaway Street, Ramsey Street, and other roadways in the vicinity of the project site is a steady source of ambient noise. Intermittent noise from the Union Pacific Railroad (UPRR) located south of, and parallel to, I-10 also contributes to the ambient noise in the project area.

4.13.3.2 Land Uses in the Project Vicinity

Land uses surrounding the project site include vacant lands to the north and east; a California Department of Transportation (Caltrans) materials and staging yard (Caltrans Banning Maintenance Station) and vacant land to the south; and residential uses to the west. The nearest sensitive receptors in proximity to the project site are residential uses across Hathaway Street west of the site. Additionally, commercial and industrial land uses are located farther to the south of the project site.

4.13.3.3 Ambient Noise Measurements

Short-term and long-term noise level measurements were conducted at adjacent land uses surrounding the project site to document the existing noise environment in order to determine noise increases from the proposed project. Details of the short-term and long-term ambient noise level measurements are provided below.

Short-Term Noise Measurements. Short-term (20-minute) noise level measurements were conducted on November 10, 2021, using a Larson Davis Model 831 Type 1 sound level meter. The short-term noise level measurements were conducted during near-normal COVID-19 pre-pandemic conditions with students back to school and businesses operating without restrictions. Table 4.13.A, Short-Term Ambient Noise Level Measurements, shows the results of the short-term noise level measurements along with a description of the measurement locations and noise sources that occurred during the measurements. As shown in Table 4.13.A, the measured average noise levels in the project vicinity range from 58.7 to 64.8 dBA equivalent continuous sound level (L_{eq}), and the maximum instantaneous noise levels (L_{max}) range from 65.8 to 77.6 dBA L_{max} . Short-term noise level

² California Department of Transportation (Caltrans). *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Page 2-44. September 2013.



measurement survey sheets are provided in the Noise and Vibration Impact Analysis³ in **Appendix H** of this EIR. Figure 4.13-1, Noise Monitoring Locations, shows the short-term monitoring locations.

Long-Term Noise Measurements. Five long-term (24-hour) noise level measurements were conducted from November 9, 2021, to November 10, 2021, using Larson Davis Spark 706RC dosimeters. The long-term noise level measurements were conducted during near-normal COVID-19 pre-pandemic conditions with students back to school and businesses operating without restrictions. Table 4.13.B, Long-Term Ambient Noise Monitoring Results, summarizes the results of the long-term noise level measurements and provides a description of the measurement locations and noise sources that occurred during the measurements. As shown in Table 4.13.B, the daytime noise levels ranged from 56.6 to 74.5 dBA L_{eq} , and nighttime noise levels ranged from 49.7 to 70.3 dBA L_{eq} . Also, the daytime maximum instantaneous noise levels ranged from 68.4 to 92.9 dBA L_{max} , and the nighttime maximum instantaneous noise levels ranged from 64.7 to 88.3 dBA L_{max} . Also, the calculated community noise equivalent level (CNEL) levels range from 64.1 dBA to 75.1 dBA. Long-term noise level measurement survey sheets, along with the detailed hourly L_{eq} , L_{max} , and minimum measured sound level (L_{min}) results, are provided in the Noise and Vibration Impact Analysis⁴ in **Appendix H** of this EIR. Figure 4.13-1, Noise Monitoring Locations, shows the long-term monitoring locations.

4.13.3.4 Existing Aircraft Noise

The nearest airport to the project site is Banning Municipal Airport, which is approximately 0.3 mile south of the project site. Based on the [*Banning Municipal Airport*] *Riverside County Airport Land Use Compatibility Plan (ALUCP)*,⁵ the project site is outside the 55 CNEL airport noise contour. In addition, there are no private airstrips in the vicinity of the project site.

4.13.3.5 Existing Train Noise

The UPRR line, which also carries Amtrak trains, is located south of the project site and south of I-10. The train crossing data from the Federal Railroad Administration Office of Safety Analysis⁶ show a total of 34 freight and passenger trains pass through the UPRR corridor in Banning per day. Noise generated from train operations would be captured in the short-term and long-term noise level measurements, as shown in Table 4.13.A and Table 4.13.B, respectively.

³ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. May 2023.

⁴ Ibid.

⁵ Riverside County Airport Land Use Commission. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document*. Chapter 3, FV. Banning Municipal Airport. October 14, 2004. Amended January 2012.

⁶ Federal Railroad Administration. *Train Crossing Searchable Database. Office of Safety Analysis*. <http://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Xingqryloc.aspx> (accessed March 2023).



Table 4.13.A: Short-Term Ambient Noise Level Measurements

Monitor No.	Location	Start Time	Noise Level (dBA)			Noise Source(s)
			Leq	Lmax	Lmin	
ST-1	331 North Hathaway Street. On the south side of the single-family residence on the sidewalk north of Jacinto View Road.	12:40 PM	58.7	65.8	54.1	Traffic on I-10. Some train noise.
ST-2	1679 East Ramsey Street, Quality Tile Works. At the northwestern corner of the property, approximately 15 ft north and 6 ft west of the chain-link fence.	12:13 PM	62.4	66.7	57.4	Traffic on I-10. Some train noise.
ST-3	1233 East Ramsey Street. In front of Cruz Tires Truck Repair, near the east driveway.	1:31 PM	64.8	77.6	58.2	Traffic on I-10 and Ramsey Street. Some train noise. Truck idling nearby. One loud motorcycle on Ramsey Street.

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California.* May 2023.

Note: Short-term (20-minute) ambient noise level measurements were conducted on November 10, 2021.

CNEL = Community Noise Equivalent Level

Leq = equivalent continuous sound level

dBA = A-weighted decibels

Lmax = maximum instantaneous noise levels

ft = foot/feet

Lmin = minimum measured sound level

I = Interstate

Table 4.13.B: Long-Term Ambient Noise Monitoring Results

Monitoring No.	Location	Noise Level (dBA)				CNEL	Noise Source(s)
		Daytime		Nighttime			
		Leq	Lmax	Leq	Lmax		
LT-1	2033 East Ramsey Street, Caltrans Banning Maintenance Station. At the northwestern corner of the facility on a powerline pole.	62.0– 67.9 (65.2) ¹	68.4– 83.5	57.9– 64.5 (62.8) ²	64.7– 73.9	68.9	Traffic on I-10 and Ramsey Street.
LT-2	555 North Hathaway Street. On a light pole. Approximately 24 ft from the Hathaway Street centerline.	59.4– 66.9 (65.2) ¹	78.6– 91.2	49.7– 66.4 (59.7) ²	70.2– 84.7	67.4	Traffic on Hathaway Street.
LT-3	1582 East Nicolet Street. On a powerline pole in front of a single-family residence. Approximately 25 ft from the Nicolet Street centerline.	56.6– 60.0 (58.4) ¹	69.9– 83.0	53.5– 60.2 (57.5) ²	66.3– 83.2	64.1	Traffic on Hathaway Street and light traffic on Nicolet Street.
LT-4	1387 East Ramsey Street, Calvary Church of God In Christ. On a powerline pole on the north side of Ramsey Street. Approximately 25 ft from the Ramsey Street centerline.	67.0– 74.5 (72.5) ¹	81.4– 92.5	64.8– 69.5 (68.5) ²	77.3– 88.3	75.1	Traffic on I-10 and Ramsey Street. Some train noise.
LT-5	932 East Ramsey Street, Country Inn. On the third palm tree closest to Ramsey Street. Approximately 55 ft from the Ramsey Street centerline.	67.9– 73.0 (71.5) ¹	80.0– 92.9	66.0– 70.3 (68.1) ²	78.5– 83.3	75.0	Traffic on I-10 and Ramsey Street. Some train noise.

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California.* May 2023.

Note: Long-term (24-hour) noise level measurements were conducted from November 9 to November 10, 2021.

¹ Average daytime noise level.

² Average nighttime noise level.

dBA = A-weighted decibels

I = Interstate

Caltrans = California Department of Transportation

Leq = equivalent continuous sound level

CNEL = Community Noise Equivalent Level

Lmax = maximum instantaneous noise level

ft = foot/feet

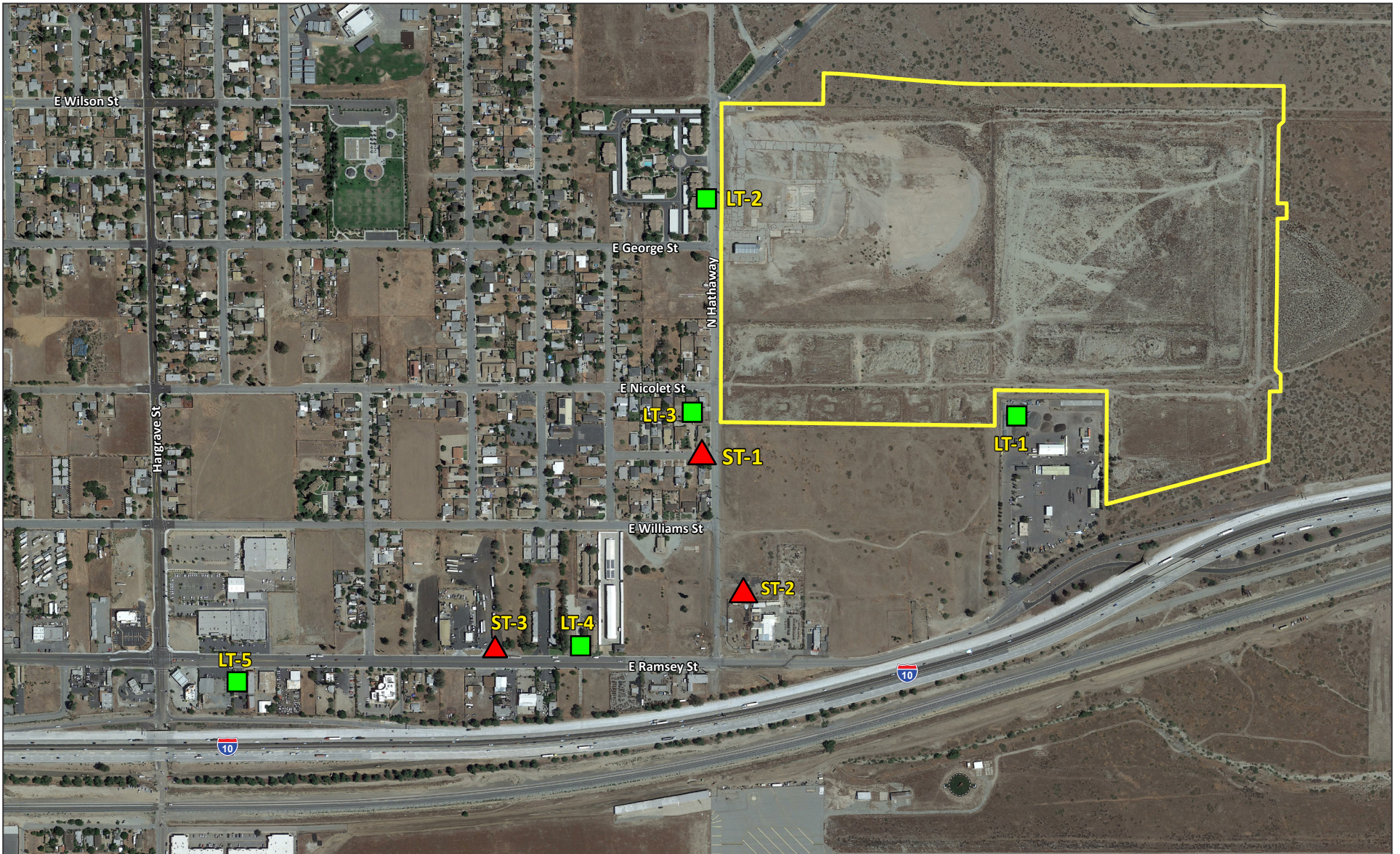


FIGURE 4.13-1

LSA

LEGEND

- Project Site
- ▲ **ST-1** Short-term Noise Monitoring Location
- **LT-1** Long-term Noise Monitoring Location



0 375 750

FEET

SOURCE: Google Earth 2022

I:\FRT2102\G\Noise_Locs.ai (9/28/2023)

First Hathaway Logistics Project
Noise Monitoring Locations



This page intentionally left blank



4.13.3.6 Existing Traffic Noise

The Federal Highway Administration (FHWA) *Highway Traffic Noise Prediction Model (FHWA RD-77-108)*⁷ was used to evaluate traffic-related noise conditions along roadway segments in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry, to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resulting noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The existing average daily traffic (ADT) volumes were obtained from the *First Hathaway Logistics Center Local Transportation Analysis*⁸ (Local Transportation Analysis). The standard vehicle mix for Southern California roadways was used for roadways in the project vicinity. Table 4.13.C, Existing Traffic Noise Levels, lists the existing traffic noise levels on roadways in the project vicinity. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and the model printouts are provided in the Noise and Vibration Impact Analysis⁹ in **Appendix H** of this EIR.

4.13.4 Regulatory Setting

The following describes the federal and local (e.g., City) regulations applicable to the proposed project with regard to noise and vibration.

4.13.4.1 Federal Guidelines

Federal Transit Administration. Vibration standards included in the *FTA Transit Noise and Vibration Impact Assessment Manual*¹⁰ are used in this analysis for ground-borne vibration impacts on human annoyance. Table 4.13.D, Interpretation of Vibration Criteria for Detailed Analysis, provides the criteria for assessing the potential for interference or annoyance from vibration levels in a building.

The criteria for environmental impacts from ground-borne vibration and noise are based on the maximum levels for a single event. Table 4.13.E, Construction Vibration Damage Criteria, lists the potential vibration building damage criteria associated with construction activities, as suggested in the *Transit Noise and Vibration Impact Assessment Manual*.¹¹ FTA guidelines show that a vibration level of up to 102 velocity decibels (VdB) (equivalent to 0.5 inch per second [in/sec] in peak particle velocity [PPV]) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For non-engineered timber and masonry buildings, the construction building vibration damage criterion is 94 VdB (0.2 in/sec in PPV).¹²

⁷ Federal Highway Administration (FHWA). *Highway Traffic Noise Prediction Model, FHWA RD 77-108*. 1977.

⁸ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

⁹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. May 2023.

¹⁰ Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123*. September 2018. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed May 2023).

¹¹ Ibid.

¹² Ibid.



Table 4.13.C: Existing Traffic Noise Levels

Roadway Segment	ADT ¹	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane
Hathaway Street south of Wilson Street	490	< 50	< 50	< 50	53.5
Hathaway Street north of George Street	2,280	< 50	< 50	70	60.1
Hathaway Street between George Street and Nicolet Street	2,300	< 50	< 50	69	60.7
Hathaway Street between Nicolet Street and Williams Street	2,340	< 50	< 50	70	60.8
Hathaway Street between Williams Street and Ramsey Street	2,285	< 50	< 50	68	61.2
Hathaway Street between George Street and Nicolet Street	2,300	< 50	< 50	69	60.7
Hargrave Street between Nicolet Street and Williams Street	4,000	< 50	< 50	< 50	58.7
Hargrave Street between Williams Street and Ramsey Street	5,090	< 50	< 50	60	59.8
Hargrave Street between Ramsey Street and I-10 WB	8,555	< 50	77	164	66.5
Hargrave Street between I-10 WB and I-10 EB	6,495	< 50	64	137	65.3
George Street west of Hathaway Street	480	< 50	< 50	< 50	49.5
Nicolet Street west of Hargrave Street	910	< 50	< 50	< 50	52.3
Nicolet Street between Hargrave Street and Hathaway Street	530	< 50	< 50	< 50	49.9
Williams Street west of Hargrave Street	1,150	< 50	< 50	< 50	53.3
Williams Street between Hargrave Street and Hathaway Street	490	< 50	< 50	< 50	49.6
Ramsey Street west of Hargrave Street	4,690	< 50	54	111	63.4
Ramsey Street between Hargrave Street and Hathaway Street	4,575	< 50	53	109	63.3
Ramsey Street east of Hathaway Street	2,440	< 50	< 50	73	60.6

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. May 2023.

Note: Traffic noise within 50 ft of the roadway centerline should be evaluated with site-specific information.

¹ ADT volumes are presented in PCE values that represent the number of passenger vehicles that could travel through an intersection in the same amount of time that a truck could. Refer to Section 4.17.2.1, Trip Generation, of this EIR for more information.

ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
EB = eastbound

ft = foot/feet
I = Interstate
PCE = passenger car equivalent
WB = westbound



Table 4.13.D: Interpretation of Vibration Criteria for Detailed Analysis

Land Use	Maximum L_v (VdB) ¹	Description of Use
Workshop	90	Vibration that is distinctly felt. Appropriate for workshops and similar areas not as sensitive to vibration.
Office	84	Vibration that can be felt. Appropriate for offices and similar areas not as sensitive to vibration.
Residential Day	78	Vibration that is barely felt. Adequate for computer equipment and low-power optical microscopes (up to 20×).
Residential Night and Operating Rooms	72	Vibration is not felt, but ground-borne noise may be audible inside quiet rooms. Suitable for medium-power microscopes (100×) and other equipment of low sensitivity.

Source: Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September 2018.

¹ As measured in 1/3-octave bands of frequency over the frequency range 8 to 80 Hz.

FTA = United States Federal Transit Administration

L_v = velocity in decibels

Hz = hertz

VdB = vibration velocity decibels

Table 4.13.E: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)	Approximate L_v (VdB) ¹
Reinforced concrete, steel, or timber (no plaster)	0.50	102
Engineered concrete and masonry (no plaster)	0.30	98
Non-engineered timber and masonry buildings	0.20	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September 2018.

¹ RMS vibration velocity in decibels (VdB) re 1 μ in/sec.

μ in/sec = microinches per second

L_v = velocity in decibels

VdB = vibration velocity decibels

FTA = Federal Transit Administration

PPV = peak particle velocity

in/sec = inches per second

RMS = root-mean-square

4.13.4.2 Local Regulations

City of Banning General Plan Noise Element. The maximum outdoor noise level in residential areas is 65 dBA CNEL.¹³ The allowable exterior ambient noise levels for each land use are summarized in the City's land use compatibility categories for community noise environments as shown in Table 4.13.F, Land Use Compatibility for Community Noise Environments. Applicable goals, policies, and programs for the proposed project are listed below.

¹³ Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. Page V-49. September 2018. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed May 2023)..



Table 4.13.F: Land Use Compatibility for Community Noise Environments

Land Uses	CNEL (dBA)						
	50	55	60	65	70	75	80
Residential - Single Family Dwellings, Duplex, Mobile Homes	A	B					D
Residential – Multiple Family	A	B					D
Transient Lodging: Hotels and Motels	A	B			C		D
School Classrooms, Libraries, Churches, Hospitals, Nursing Homes and Convalescent Hospitals	A	B			C		D
Auditoriums, Concert Halls, Amphitheaters		B			C		
Sports Arenas, Outdoor Spectator Sports		B			C		
Playgrounds, Neighborhood Parks	A				C		D
Golf Courses, Riding Stables, Water Recreation, Cemeteries	A				B		D
Office Buildings, Business, Commercial and Professional	A			B			D
Industrial, Manufacturing, Utilities, Agriculture	A				B		D

Source: California Department of Health Services, "Guidelines for the Preparation and Content of the Noise Element of the General Plan," 1990

- Normally Acceptable:** With no special noise reduction requirements assuming standard construction.
- Conditionally Acceptable:** New construction or development should be undertaken only after a detailed analysis of the noise reduction requirement is made and needed noise insulation features included in the design
- Normally Unacceptable:** New construction is discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
- Clearly Unacceptable:** New construction or development should generally not be undertaken.

- **Goal:** A noise environment that complements the community’s residential character and its land uses.
 - **Policy 1:** The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts, and community open space, from potentially significant sources of community noise.
 - **Program 1.A:** The City shall require building setbacks, the installation of wall and window insulation, soundwalls, earthen berms, and/or other mitigation measures in areas exceeding the City’s noise limit standards for private development projects as they occur.



- **Program 1.B:** The City shall maintain and enforce its Noise Control Ordinances that establish community-wide noise standards and identify measures designed to resolve noise complaints.
- **Program 1.C:** The City shall use the development review process to assure the use of buffers between sensitive receptors and incompatible land uses.
- **Program 1.D:** The City shall require that commercial compactors, loading zones, and large trash bins be located at a sufficient distance from residential properties to reduce noise impacts to its acceptable standard.
- **Policy 2:** The relationship between land use designations in the Land Use Element and changes in the circulation pattern of the City, as well as individual developments, shall be monitored and mitigated.
 - **Program 2.A:** The City shall develop guidelines and minimal criteria requirements for noise analyses for proposed development projects. Studies shall evaluate project impacts and the effectiveness of proposed mitigation measures.
- **Policy 6:** All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.
- **Policy 8:** The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, onsite traffic, and use of parking, loading and trash storage facilities.

City of Banning Municipal Code. Sections 8.44.070 and 8.44.080 of the Banning Municipal Code have established exterior maximum noise levels for residential and nonresidential (commercial and industrial) uses. Table 4.13.G, City of Banning Maximum Noise Level Standards, shows the City's exterior maximum noise levels.

Section 8.44.090(E) of the City's Municipal Code permits construction activities to exceed the maximum noise levels as shown in Table 4.13.G between the hours of 7:00 a.m. and 6:00 p.m. However, the City prohibits construction activities exceeding 55 dBA for more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.



Table 4.13.G: City of Banning Maximum Noise Level Standards

Zone Use	Time	Base Ambient Noise Level (dBA)	L ₂₅ ¹ (15 min)	L ₅ ² (5 min)	L ₁ ³ (1 min)	L _{max} ⁴
Residential	10:00 PM to 7:00 AM	45	50	55	60	65
	7:00 AM to 10:00 PM	55	60	65	70	75
Industrial and Commercial	Anytime	75	--	--	--	--

Source: Source: City of Banning. *Municipal Code, Title 8 – Health and Safety.*

¹ The exterior noise standard for a cumulative period of 15 minutes in any hour.

² The exterior noise standard for a cumulative period of 5 minutes in any hour.

³ The exterior noise standard for a cumulative period of 1 minute in any hour.

⁴ The exterior maximum noise level that is not permitted.

dBA = A-weighted decibels

L_{max} = maximum instantaneous noise level

min = minute/minutes

4.13.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Section XIII of Appendix G of the *CEQA Guidelines*. According to Section XIII of Appendix G to the *CEQA Guidelines*, the proposed project would have a significant noise and vibration impact if it would:

Threshold 4.13-1: Generate 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; or

Threshold 4.13-2: Generation excessive groundborne vibration or groundborne noise levels; or

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, expose people residing or working in the project area to excessive noise levels.

4.13.6 Project Impact Analysis

Potential impacts of the proposed project related to noise and vibration are discussed below pursuant to the thresholds established in Section 4.13.5, above.

4.13.6.1 Temporary or Permanent Noise Increase

Threshold 4.13-1: Would the project generate 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?

Construction Noise. Two types of construction-related noise impacts could occur with development of the proposed project, consisting of construction crew commutes and construction activities, as discussed below.



Construction Crew Commutes and Transport of Construction Equipment and Materials. First, construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on roadways leading to the site. The pieces of heavy equipment for construction activities would be moved on site, would remain for the duration of each construction phase, and would not add to the daily traffic volume in the project vicinity. Construction crew commutes to and from the project site would occur on a daily basis. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 84 dBA),¹⁴ the effect on longer-term ambient noise levels would be small because the number of daily construction-related vehicle trips is small compared to existing daily traffic volume on Hathaway Street and Ramsey Street. For example, construction of the proposed project would generate up to 1,495 passenger car equivalent (PCE) daily trips based on the estimated project construction schedule and the number of construction trips provided by the California Emissions Estimator Model (CalEEMod, Version 2022.1) results contained in the *First Hathaway Logistics Warehouse Project Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*¹⁵ provided in **Appendix B-1** of this EIR. Exact travel patterns of employees would be based on the personal choice of each employee; however, a reasonable estimate for the purposes of this analysis is that the primary roadways that would be used to access the project site during construction are Hathaway Street and Ramsey Street since they are designated commercial vehicle routes in the project vicinity¹⁶ and provide direct access to the project site from I-10. Based on Table 4.13.C, Existing Traffic Noise Levels, Hathaway Street and Ramsey Street have estimated existing daily PCE traffic volumes of 2,280 and 2,440, respectively, near the project site. Based on the information above, construction-related traffic would increase noise by up to 2 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment.¹⁷ Therefore, short-term, construction-related impacts associated with worker commutes and transport of construction equipment and material to the project site would be **less than significant**, and mitigation is not required.

Construction Activities. The second type of short-term noise impact is related to noise generated from construction activities. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. Construction of the proposed project includes demolition, site preparation, grading, building construction, on-site paving, and architectural coating phases of construction. Construction of roadway and infrastructure improvements includes grubbing and land clearing; grading and excavation; drainage, utilities, and sub-grade; and road paving. These various sequential phases change the character of the noise generated on a project site. Therefore, noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be

¹⁴ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 11. May 2023.

¹⁵ LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project*. September 2023.

¹⁶ City of Banning. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.

¹⁷ California Department of Transportation (Caltrans). *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Page 2-44. September 2013.



categorized by work phase. Table 4.13.H, Typical Construction Equipment Noise Levels, lists the L_{max} recommended for noise impact assessments for typical construction equipment included in the *FHWA Highway Construction Noise Handbook*¹⁸ based on a distance of 50 feet between the equipment and a noise receptor.

Table 4.13.H: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor ¹ (%)	Maximum Noise Level (L_{max}) at 50 feet ²
Backhoe	40	80
Compactor (ground)	20	80
Compressor	40	80
Concrete Saw	20	90
Crane	16	85
Dozer	40	85
Dump Truck	40	84
Excavator	40	85
Flatbed Truck	40	84
Man Lift (forklift)	20	85
Front-End Loader	40	80
Generator	50	82
Generator (<25 KVA, VMS signs)	50	70
Grader	40	85
Jackhammer	20	85
Pavement Scarifier	20	85
Paver	50	85
Pickup Truck	40	55
Pneumatic Tools	50	85
Pump	50	77
Rock Drill	20	85
Roller	20	85
Scraper	40	85
Tractor	40	84
Welder/Torch	40	73

Source: Federal Highway Administration. *Highway Construction Noise Handbook. Roadway Construction Noise Model, FHWA HEP-06-015. DOT-VNTSC-FHWA-06-02. NTIS No. PB2006-109012.* Table 9-1. August 2006.

Note: The noise levels reported in this table are rounded to the nearest whole number.

¹ Usage factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.

² Maximum noise levels were developed based on Specification 721.560 from the CA/T program to be consistent with the City of Boston, Massachusetts, Noise Code for the “Big Dig” project.

CA/T = Central Artery/Tunnel

FHWA = Federal Highway Administration

kVA = kilovolt-ampere

L_{max} = maximum instantaneous noise level

VMS = variable-message sign

¹⁸ Federal Highway Administration (FHWA). *Highway Construction Noise Handbook. Roadway Construction Noise Model, FHWA HEP-06-015. DOT-VNTSC-FHWA-06-02. NTIS No. PB2006-109012.* August 2006.



Table 4.13.I, Summary of Construction Phase, Equipment, and Noise Levels, lists the anticipated construction equipment for each construction phase based on the CalEEMod (Version 2022.1) results contained in the *First Hathaway Logistics Warehouse Project Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum*¹⁹ provided in **Appendix B-1** of this EIR. Table 4.13.I shows the combined noise level at 50 feet from all the equipment in each phase as well as the L_{eq} noise level for each piece of equipment at 50 feet based on the quantity, reference L_{max} noise level at 50 feet, and acoustical usage factor. As shown in Table 4.13.I, noise levels would reach up to 89.2 dBA L_{eq} at a distance of 50 feet for the construction of the proposed warehouse building, and noise levels would reach up to 90.8 dBA at a distance of 50 feet for the construction of roadways and infrastructure improvements.

Table 4.13.I: Summary of Construction Phase, Equipment, and Noise Levels

Construction Phase	Construction Equipment	Quantity	Reference Noise Level at 50 ft (dBA L_{max})	Acoustical Usage Factor ¹ (%)	Noise Level at 50 ft (dBA L_{eq})	Combined Noise Level at 50 ft (dBA L_{eq})
Warehouse Construction						
Demolition	Concrete Saw	1	90	20	83.0	89.2
	Excavator	3	85	40	85.8	
	Bulldozer	2	85	40	84.0	
Site Preparation	Bulldozer	3	85	40	85.8	87.3
	Front-End Loader	4	80	40	82.0	
Grading	Excavator	2	85	40	84.0	89.2
	Grader	1	85	40	81.0	
	Bulldozer	1	85	40	81.0	
	Scraper	2	85	40	84.0	
	Front-End Loader	2	80	40	79.0	
Building Construction	Crane	1	85	16	77.0	86.5
	Forklift	3	85	20	82.8	
	Generator	1	82	50	79.0	
	Front-End Loader	3	80	40	80.8	
On-Site Paving	Paver	2	85	50	85.0	87.6
	Paving Equipment	2	85	20	81.0	
	Roller	2	85	20	81.0	
Architectural Coating	Air Compressor	1	80	40	76.0	76.0
Roadway and Infrastructure Improvements						
Grubbing and Land Clearing	Tractor	1	84	40	80.0	83.7
	Excavator	1	85	40	81.0	
	Signal Boards	2	70	50	70.0	
Grading and Excavation	Tractor	1	84	40	80.0	90.8
	Excavator	3	85	40	85.8	
	Grader	1	85	40	81.0	
	Roller	2	85	20	81.0	
	Dozer	1	85	40	81.0	
	Scraper	2	85	40	84.0	
	Signal Boards	2	70	50	70.0	
Front-End Loader	2	80	40	79.0		

¹⁹ LSA. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project*. September 2023.



Table 4.13.I: Summary of Construction Phase, Equipment, and Noise Levels

Construction Phase	Construction Equipment	Quantity	Reference Noise Level at 50 ft (dBA L _{max})	Acoustical Usage Factor ¹ (%)	Noise Level at 50 ft (dBA L _{eq})	Combined Noise Level at 50 ft (dBA L _{eq})
Drainage, Utilities, and Sub-Grade	Air Compressor	1	80	40	76.0	88.4
	Generator	1	82	50	79.0	
	Grader	1	85	40	81.0	
	Compactor	1	80	20	73.0	
	Pumps	1	77	50	74.0	
	Man Lift	1	85	20	78.0	
	Scraper	2	85	40	84.0	
	Signal Boards	2	70	50	70.0	
	Front-End Loader	2	80	40	79.0	
Road Paving	Paver	1	85	50	82.0	87.0
	Pavement Scarafier	1	85	20	78.0	
	Roller	3	85	20	82.8	
	Signal Boards	2	70	50	70.0	
	Front-End Loader	2	80	40	79.0	

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table K. May 2023.

¹ The acoustical usage factor is the percentage of time during a construction noise operation that a piece of construction equipment operates at full power.

dBA = A-weighted decibels

ft = foot/feet

L_{eq} = equivalent continuous sound level

L_{max} = maximum instantaneous noise level

The closest residential uses in proximity to construction of the proposed warehouse building are located west of the project site, approximately 1,465 feet from the center of the project site.²⁰ At a distance of 1,465 feet, noise levels would attenuate by 29.3 dBA compared to the noise level measured at 50 feet from the source.²¹ In addition, these same residential uses are located approximately 45 feet west of the Hathaway Street centerline, along which proposed off-site roadway and infrastructure improvements would occur, and would be subject to noise generated by construction of these improvements. At a distance of 45 feet, noise levels would increase by 0.9 dBA compared to the noise level measured at 50 feet from the source.²²

Interior noise levels at the closest residential uses were calculated based on the calculated exterior construction noise level and an exterior-to-interior noise reduction of 20 dBA.²³ Based on the information above, the closest residential building from the construction of the proposed warehouse

²⁰ The center of the project site is considered the average distance between the nearest sensitive receptor and each phase of construction on the project site. Therefore, the noise level for each construction phase at the nearest sensitive receptor was calculated using a distance of 1,465 feet.

²¹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 15. May 2023.

²² LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 15. May 2023.

²³ Federal Highway Administration (FHWA). *FHWA Highway Traffic Noise: Analysis and Abatement Guidance, FHWA HEP-10-025*. December 2011. https://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf (accessed May 2023).



building would be exposed to an interior construction noise level of 39.9 dBA L_{eq} (89.2 dBA – 29.3 dBA – 20 dBA = 39.9 dBA). This noise level would not exceed the City’s construction noise standard of 55 dBA for more than 15 minutes per hour for the construction of the proposed warehouse building. However, the closest residential building from the construction of roadways and infrastructure improvements along Hathaway Street would be exposed to an interior construction noise level of 71.7 dBA L_{eq} (90.8 dBA + 0.9 dBA – 20 dBA = 71.7 dBA), and this noise level would exceed the City’s construction noise standard of 55 dBA for more than 15 minutes per hour for the construction of roadways and infrastructure improvements. Because there is driveway access from the sensitive residential uses onto Hathaway Street, it is not feasible to attenuate noise levels generated from construction activities along Hathaway Street with temporary construction barriers.

As codified in **Regulatory Compliance Measure (RCM) N-1**, the proposed project would be subject to compliance with Banning Municipal Code Section 8.44.090(E), which prohibits construction noise in excess of the maximum noise levels shown in Table 4.13.G between the hours of 6:00 p.m. and 7:00 a.m. Implementation of **RCM N-1** would ensure that construction noise does not exceed established City thresholds during the nighttime period when residences would be most sensitive to noise. However, Banning Municipal Code Section 8.44.090(E) also prohibits construction activities exceeding 55 dBA for more than 15 minutes per hour as measured in the interior of the nearest occupied residence. Since reduction of construction noise to 55 dBA or less for more than 15 minutes per hour during improvements to Hathaway Street is not feasible, construction noise impacts would be **significant and unavoidable**.

Operational Traffic Noise. The FHWA *Highway Traffic Noise Prediction Model (FHWA-RD-77 108)*²⁴ was used to evaluate traffic-related noise conditions along roadway segments in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry, to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. The Existing Conditions, Opening Year (2023), and Cumulative Conditions (2023) without and plus project ADT volumes were obtain from the *First Hathaway Logistics Center Local Transportation Analysis*.²⁵ The standard vehicle mix for Southern California roadways was used for traffic on these roadway segments. Tables 4.13.J, 4.13.K, and 4.13.L, presented below, detail the traffic noise levels for the Existing Conditions, Opening Year (2023), and Cumulative Conditions (2023) without and plus project scenarios, respectively.

²⁴ Federal Highway Administration (FHWA). *Highway Traffic Noise Prediction Model, FHWA RD 77-108*. 1977.

²⁵ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.



Table 4.13.J: Existing Conditions Without and Plus Project Traffic Noise Levels

Roadway Segment	Without Project Traffic Conditions					Plus Project Traffic Conditions					
	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	Increase from Baseline Conditions
Hathaway Street south of Wilson Street	490	< 50	< 50	< 50	53.5	720	< 50	< 50	< 50	55.1	0.0
Hathaway Street north of George Street	2,280	< 50	< 50	70	60.1	2,520	< 50	< 50	75	60.6	0.5
Hathaway Street between George Street and Nicolet Street	2,300	< 50	< 50	69	60.7	2,915	< 50	< 50	81	61.7	1.0
Hathaway Street between Nicolet Street and Williams Street	2,340	< 50	< 50	70	60.8	3,640	< 50	< 50	93	62.7	1.9
Hathaway Street between Williams Street and Ramsey Street	2,285	< 50	< 50	68	61.2	3,555	< 50	< 50	91	63.1	1.9
Hathaway Street between George Street and Nicolet Street	2,300	< 50	< 50	69	60.7	2,915	< 50	< 50	81	61.7	1.0
Hargrave Street between Nicolet Street and Williams Street	4,000	< 50	< 50	< 50	58.7	4,270	< 50	< 50	54	59.0	0.3
Hargrave Street between Williams Street and Ramsey Street	5,090	< 50	< 50	60	59.8	5,360	< 50	< 50	62	60.0	0.2
Hargrave Street between Ramsey Street and I-10 WB	8,555	< 50	77	164	66.5	9,405	< 50	82	175	66.9	0.4
Hargrave Street between I-10 WB and I-10 EB	6,495	< 50	64	137	65.3	6,810	< 50	66	141	65.5	0.2
George Street west of Hathaway Street	480	< 50	< 50	< 50	49.5	580	< 50	< 50	< 50	50.3	0.8
Nicolet Street west of Hargrave Street	910	< 50	< 50	< 50	52.3	940	< 50	< 50	< 50	52.4	0.1
Nicolet Street between Hargrave Street and Hathaway Street	530	< 50	< 50	< 50	49.9	830	< 50	< 50	< 50	51.9	2.0
Williams Street west of Hargrave Street	1,150	< 50	< 50	< 50	53.3	1,180	< 50	< 50	< 50	53.4	0.1
Williams Street between Hargrave Street and Hathaway Street	490	< 50	< 50	< 50	49.6	520	< 50	< 50	< 50	49.9	0.3
Ramsey Street west of Hargrave Street	4,690	< 50	54	111	63.4	4,770	< 50	54	112	63.5	0.1
Ramsey Street between Hargrave Street and Hathaway Street	4,575	< 50	53	109	63.3	5,240	< 50	57	119	63.9	0.6
Ramsey Street east of Hathaway Street	2,440	< 50	< 50	73	60.6	3,040	< 50	< 50	84	61.5	0.9

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table O. May 2023.

Note: Traffic noise within 50 ft of the roadway centerline should be evaluated with site-specific information.

ADT = average daily traffic dBA = A-weighted decibels ft = feet WB = westbound
CNEL = Community Noise Equivalent Level EB = eastbound I = Interstate



Table 4.13.K: Opening Year (2023) Without and Plus Project Traffic Noise Levels

Roadway Segment	Without Project Traffic Conditions					Plus Project Traffic Conditions					
	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	Increase from Baseline Conditions
Hathaway Street south of Wilson Street	2,070	< 50	< 50	66	59.7	2,300	< 50	< 50	71	60.2	0.5
Hathaway Street north of George Street	2,380	< 50	< 50	72	60.3	2,620	< 50	< 50	77	60.7	0.4
Hathaway Street between George Street and Nicolet Street	2,400	< 50	< 50	71	60.8	3,015	< 50	< 50	83	61.8	1.0
Hathaway Street between Nicolet Street and Williams Street	2,440	< 50	< 50	72	61.0	3,740	< 50	< 50	95	62.9	1.9
Hathaway Street between Williams Street and Ramsey Street	2,375	< 50	< 50	70	61.4	3,645	< 50	< 50	93	63.2	1.8
Hathaway Street between George Street and Nicolet Street	2,400	< 50	< 50	71	60.8	3,015	< 50	< 50	83	61.8	1.0
Hargrave Street between Nicolet Street and Williams Street	4,130	< 50	< 50	52	58.9	4,430	< 50	< 50	55	59.2	0.3
Hargrave Street between Williams Street and Ramsey Street	5,005	< 50	< 50	59	59.7	5,560	< 50	< 50	63	60.2	0.5
Hargrave Street between Ramsey Street and I-10 WB	8,610	< 50	77	165	66.5	9,750	< 50	84	179	67.0	0.5
Hargrave Street between I-10 WB and I-10 EB	6,760	< 50	66	140	65.4	7,075	< 50	68	145	65.6	0.2
George Street west of Hathaway Street	510	< 50	< 50	< 50	49.8	610	< 50	< 50	< 50	50.6	0.8
Nicolet Street west of Hargrave Street	940	< 50	< 50	< 50	52.4	970	< 50	< 50	< 50	52.6	0.2
Nicolet Street between Hargrave Street and Hathaway Street	520	< 50	< 50	< 50	49.9	850	< 50	< 50	< 50	52.0	2.1
Williams Street west of Hargrave Street	1,200	< 50	< 50	< 50	53.5	1,230	< 50	< 50	< 50	53.6	0.1
Williams Street between Hargrave Street and Hathaway Street	475	< 50	< 50	< 50	49.5	535	< 50	< 50	< 50	50.0	0.5
Ramsey Street west of Hargrave Street	4,880	< 50	55	114	63.6	4,960	< 50	55	115	63.7	0.1
Ramsey Street between Hargrave Street and Hathaway Street	4,475	< 50	< 50	108	63.2	5,425	< 50	59	122	64.1	0.9
Ramsey Street east of Hathaway Street	2,010	< 50	< 50	65	59.7	3,140	< 50	< 50	86	61.7	2.0

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table P. May 2023.

Note: Traffic noise within 50 ft of the roadway centerline should be evaluated with site-specific information.

ADT = average daily traffic dBA = A-weighted decibels ft = feet WB = westbound
CNEL = Community Noise Equivalent Level EB = eastbound I = Interstate



Table 4.13.L: Cumulative Conditions (2023) Traffic Noise Levels Without and Plus Project

Roadway Segment	Without Project Traffic Conditions					Plus Project Traffic Conditions					
	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	ADT	Centerline to 70 dBA CNEL (ft)	Centerline to 65 dBA CNEL (ft)	Centerline to 60 dBA CNEL (ft)	CNEL (dBA) 50 ft from Centerline of Outermost Lane	Increase from Baseline Conditions
Hathaway Street south of Wilson Street	3,640	< 50	< 50	94	62.2	3,870	< 50	< 50	98	62.4	0.2
Hathaway Street north of George Street	3,920	< 50	< 50	99	62.5	4,180	< 50	< 50	103	62.8	0.3
Hathaway Street between George Street and Nicolet Street	3,930	< 50	< 50	98	63.0	4,545	< 50	< 50	108	63.6	0.6
Hathaway Street between Nicolet Street and Williams Street	3,940	< 50	< 50	98	63.1	5,240	< 50	56	119	64.3	1.2
Hathaway Street between Williams Street and Ramsey Street	3,845	< 50	< 50	96	63.5	5,115	< 50	54	116	64.7	1.2
Hathaway Street between George Street and Nicolet Street	3,930	< 50	< 50	98	63.0	4,545	< 50	< 50	108	63.6	0.6
Hargrave Street between Nicolet Street and Williams Street	4,280	< 50	< 50	54	59.0	4,550	< 50	< 50	56	59.3	0.3
Hargrave Street between Williams Street and Ramsey Street	6,280	< 50	< 50	69	60.7	6,550	< 50	< 50	70	60.9	0.2
Hargrave Street between Ramsey Street and I-10 WB	10,930	< 50	90	193	67.5	11,780	< 50	95	203	67.8	0.3
Hargrave Street between I-10 WB and I-10 EB	8,775	< 50	78	167	66.6	9,090	< 50	80	171	66.7	0.1
George Street west of Hathaway Street	540	< 50	< 50	< 50	50.0	640	< 50	< 50	< 50	50.8	0.8
Nicolet Street west of Hargrave Street	1,030	< 50	< 50	< 50	52.8	1,060	< 50	< 50	< 50	53.0	0.2
Nicolet Street between Hargrave Street and Hathaway Street	575	< 50	< 50	< 50	50.3	890	< 50	< 50	< 50	52.2	1.9
Williams Street west of Hargrave Street	1,290	< 50	< 50	< 50	53.8	1,320	< 50	< 50	< 50	53.9	0.1
Williams Street between Hargrave Street and Hathaway Street	565	< 50	< 50	< 50	50.2	595	< 50	< 50	< 50	50.4	0.2
Ramsey Street west of Hargrave Street	5,480	< 50	59	123	64.1	5,560	< 50	59	124	64.2	0.1
Ramsey Street between Hargrave Street and Hathaway Street	5,750	< 50	61	127	64.3	6,415	< 50	65	136	64.8	0.5
Ramsey Street east of Hathaway Street	3,130	< 50	< 50	85	61.7	3,730	< 50	< 50	96	62.4	0.7

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table Q. May 2023.

Note: Traffic noise within 50 ft of the roadway centerline should be evaluated with site-specific information.

ADT = average daily traffic dBA = A-weighted decibels ft = feet WB = westbound
CNEL = Community Noise Equivalent Level EB = eastbound I = Interstate



These noise levels represent the worst-case scenario, which assumes that no shielding is provided between traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and model printouts are provided in the *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project*²⁶ in **Appendix H** of this EIR.

Tables 4.13.J, 4.13.K, and 4.13.L show that the project-related traffic noise increase would be up to 2.1 dBA. Noise level increases less than 3 dBA would not be perceptible to the human ear in an outdoor environment.²⁷ Therefore, traffic noise impacts from project-related traffic on off-site sensitive receptors would be **less than significant**, and mitigation is not required.

Long-Term Off-Site Stationary Noise. Stationary noise sources, such as truck delivery/loading and unloading activities, automobile and truck parking activities, and heating, ventilation, and air conditioning (HVAC) equipment associated with the project could potentially affect the existing off-site sensitive land uses. The following provides a detailed noise analysis and discussion of each stationary noise source.

Truck Delivery and Truck Unloading Activities. Truck delivery and truck loading/unloading activities for the proposed project would occur on the north and south sides of the proposed warehouse building. These activities would take place during both daytime and nighttime hours. Noise levels generated from these activities include truck movement, docking at loading dock doors, backup alarms, air brakes, idling, and loading and unloading activities. These activities would result in a maximum noise similar to noise readings from truck delivery and truck loading and unloading activities for other industrial projects, which would generate a noise level of 75 dBA L_{max} at 20 feet based on measurements conducted by LSA.²⁸ At a distance of 50 feet, noise levels would be 67 dBA L_{eq} . Although a typical truck unloading process takes an average of 15 to 20 minutes, this maximum noise level occurs in a much shorter period of time (less than 5 minutes). It is estimated that there would be up to 28 truck delivery and loading/unloading activities per hour during daytime hours (7:00 a.m. to 10:00 p.m.) and 12 truck delivery and loading/unloading activities per hour during nighttime hours (10:00 p.m. to 7:00 a.m.)²⁹ based on the project trip generation from the Local Transportation Analysis³⁰ provided in **Appendix I-1** of this EIR. With each truck generating a noise level of 66.4 dBA L_{eq} at 50 feet for a cumulative period of 140 minutes during daytime hours and 60 minutes during nighttime hours in any hour, noise generated from these activities would reach up to 70.7 dBA L_{eq} and 67.0 dBA L_{eq} at 50 feet during daytime and nighttime hours, respectively.³¹

²⁶ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 15. May 2023.

²⁷ California Department of Transportation (Caltrans). *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Page 2-44. September 2013.

²⁸ LSA. *Operational Noise Impact Analysis for Richmond Wholesale Meat Distribution Center*. May 2016.

²⁹ The nighttime truck delivery and truck loading and unloading activities were calculated based on the daily truck trips of 310 minus the a.m. and p.m. peak-hour truck trips of 28 and 14, respectively, divided by 22 hours.

³⁰ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

³¹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 22. May 2023.



The proposed industrial building would provide a noise level reduction of 3 dBA because the proposed industrial building would partially shield truck delivery and truck loading/unloading activities from the residences west of the project site.³²

Parking Lot Activity. The proposed project would include surface parking for automobiles and trucks. Noise generated from parking lot activities would include noise generated by vehicles traveling at slow speeds, engine start-up noise, car door slams, car horns, car alarms, and tire squeals. Car door slams would have a sound power level of 98.1 based on the SoundPLAN model. This noise level would be equivalent to 66.5 dBA L_{eq} at a distance of 50 feet.³³ Noise levels generated from car door slams would be representative of parking activities. It is estimated there would be up to 127 automobile parking activities during the daytime hours and 66 automobile parking activities during nighttime hours³⁴ based on the project trip generation from the Local Transportation Analysis³⁵ provided in **Appendix I-1** of this EIR. With each automobile generating a noise level of 66.5 dBA L_{eq} at 50 feet for a cumulative period of 35 minutes in any hour during daytime hours and 20 minutes in any hour during nighttime hours, noise generated from these activities would reach up to 64.2 dBA L_{eq} and 61.7 dBA L_{eq} at 50 feet during daytime and nighttime hours, respectively.³⁶

Noise generated from truck parking activities would include noise generated by trucks maneuvering trailers, truck engine noise, air brakes, and backup alarms. Representative parking activities would generate a noise level of 76.3 dBA for a cumulative period of 5 minutes in any hour (L_8) at 20 feet based on measurements conducted by LSA.³⁷ Therefore, at a distance of 50 feet, noise levels would be 68.2 dBA L_8 .³⁸ As stated above, up to 28 trucks are expected to park on site during daytime hours, and 12 trucks are expected to park on site during nighttime hours³⁹ based on the project trip generation from the Local Transportation Analysis⁴⁰ provided in **Appendix I-1** of this EIR. With each truck generating a noise level of 76.3 dBA L_8 at 20 feet for a cumulative period of 10 minutes in any hour during daytime hours and 5 minutes in any hour during nighttime hours, noise generated from these activities would reach up to 60.4 dBA L_{eq} and 57.4 dBA L_{eq} at 50 feet during daytime and nighttime hours, respectively.⁴¹

³² LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 22. May 2023.

³³ Ibid.

³⁴ The nighttime automobile parking activities were calculated based on a rate of 1,660 daily trips minus the 84 a.m. and 127 p.m. peak-hour trips, divided by 22 hours.

³⁵ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

³⁶ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Pages 22 and 23. May 2023.

³⁷ LSA. *Operational Noise Impact Analysis for Richmond Wholesale Meat Distribution Center*. May 2016.

³⁸ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 23. May 2023.

³⁹ The nighttime truck parking activities were calculated based on a rate of 310 daily trips minus the 28 a.m. and 14 p.m. peak-hour trips, divided by 22 hours.

⁴⁰ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

⁴¹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 23. May 2023.



Heating, Ventilation, and Air Conditioning Equipment. The proposed project would include up to two rooftop HVAC units each at the northwest, northeast, southwest, and southeast corners of the building for the office portion of the warehouse (a total of eight rooftop HVAC units) based on the project plan set (refer to Figure 3-6, Proposed Conceptual Site Plan). The HVAC equipment could operate 24 hours per day. The specifications of the HVAC equipment, including the reference noise level, are provided in the Noise and Vibration Impact Analysis⁴² in **Appendix H** of this EIR. Each rooftop HVAC unit would generate a noise level of 62.4 dBA L_{eq} at a distance of 50 feet, and each group of two HVAC units operating simultaneously at each location would generate a noise level of 65.4 dBA L_{eq} at a distance of 50 feet.⁴³

Stationary Noise Impacts Summary. Table 4.13.M, Daytime and Nighttime Stationary Noise Levels, shows the daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) individual stationary noise source levels from truck delivery and truck loading and unloading activities, automobile and truck parking activities, and rooftop HVAC equipment at land uses surrounding the project site, as well as the distance attenuation, noise reduction from shielding, and combined stationary noise levels at each off-site property line.

Residential Land Uses. Table 4.13.M shows that the closest residential property line to the west would have combined daytime and nighttime stationary noise levels of 54.8 and 53.6 dBA L_{eq} , respectively. The daytime stationary noise level of 54.8 dBA L_{eq} would not exceed the City's exterior daytime 30-minute (L_{50}) noise standard of 55 dBA. The nighttime stationary noise level of 53.6 dBA L_{eq} would exceed the City's exterior nighttime 30-minute (L_{50}) noise standard of 45 dBA. Although daytime and nighttime noise levels would exceed the City's exterior daytime 30-minute (L_{50}) noise standards, measured average daytime and nighttime ambient noise levels at LT-3 were 57.5 dBA L_{eq} , as shown in Table 4.13.B and Figure 4.13-1, which is representative of the ambient noise levels at the residences west of the project site. It should be noted that the average nighttime ambient noise level of 57.5 dBA L_{eq} is considered relatively high under existing conditions without the project. Therefore, stationary noise sources during project operation would increase ambient noise levels by 1.5 dBA.⁴⁴ A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment.⁴⁵ In addition, daytime and nighttime stationary noise levels of 54.8 and 53.6 dBA L_{eq} would not exceed the City's exterior daytime and nighttime maximum noise standards of 75 dBA and 65 dBA, respectively, for residential land uses. Therefore, noise generated from project operations would not be perceptible at the residential property line west of the project site, and noise impacts from project operations would be **less than significant**. Mitigation is not required.

⁴² LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Attachment E. May 2023.

⁴³ Ibid. Page 23.

⁴⁴ Ibid.

⁴⁵ California Department of Transportation (Caltrans). *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Page 2-44. September 2013.



Table 4.13.M: Daytime and Nighttime Stationary Noise Levels

Land Use	Direction	Noise Source	Reference Noise Level at 50 ft (dBA L _{eq})	Distance from Source to Receptor (ft)	Distance Attenuation (dBA)	Shielding (dBA)	Noise Level (dBA L _{eq})	Combined Noise Level (dBA L _{eq})
Industrial	South	Truck Delivery ¹	70.7/67.0 ²	315	16.0	0	54.7/51.0 ²	65.3/62.3 ²
		Auto Parking	64.2/61.7 ²	440	18.9	0	45.3/42.8 ²	
		Truck Parking	60.4/57.4 ²	30	-4.4	0	64.8/61.8 ²	
		HVAC (Northwest)	65.4	1,375	28.8	0	36.6	
		HVAC (Northeast)	65.4	1,105	26.9	0	38.5	
		HVAC (Southeast)	65.4	510	20.2	0	45.2	
		HVAC (Southwest)	65.4	960	25.7	0	39.7	
Commercial	South	Truck Delivery ¹	70.7/67.0 ²	1,550	29.8	0	40.9/37.2 ²	45.2/43.3 ²
		Auto Parking	64.2/61.7 ²	925	25.3	0	38.9/36.4 ²	
		Truck Parking	60.4/57.4 ²	1,020	26.2	0	34.2/31.2 ²	
		HVAC (Northwest)	65.4	2,015	32.1	0	33.3	
		HVAC (Northeast)	65.4	2,685	34.6	0	30.8	
		HVAC (Southeast)	65.4	2,185	32.8	0	32.6	
		HVAC (Southwest)	65.4	1,286	28.2	0	37.2	
Residential	West	Truck Delivery ¹	70.7/67.0 ²	1,395	28.9	3 ³	38.8/35.1 ²	54.8/53.6 ²
		Auto Parking	64.2/61.7 ²	215	12.7	0	51.5/49.0 ²	
		Truck Parking	60.4/57.4 ²	465	19.4	0	41.0/38.0 ²	
		HVAC (Northwest)	65.4	360	17.1	0	48.3	
		HVAC (Northeast)	65.4	2,345	33.4	0	32.0	
		HVAC (Southeast)	65.4	2,340	33.4	0	32.0	
		HVAC (Southwest)	65.4	350	16.9	0	48.5	

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table R. May 2023.

¹ Truck delivery and truck loading and unloading activities.

² Daytime/nighttime noise levels.

³ The proposed industrial building would provide a noise level reduction of 3 dBA because the proposed industrial building would partially shield truck delivery and truck loading/unloading activities.

dBA = A-weighted decibels

ft = feet

HVAC = heating, ventilation, and air conditioning

L_{eq} = equivalent continuous sound level

L_{max} = maximum instantaneous noise level



Commercial and Industrial Land Uses. Table 4.13.M shows that the combined stationary noise levels at the closest commercial and industrial property lines to the south would reach up to 65.3 and 62.3 dBA L_{eq} , respectively. These noise levels would not exceed the City's exterior anytime noise standard of 75 dBA for commercial and industrial uses. Therefore, noise impacts from project operations at commercial and industrial properties south of the project site would be **less than significant** and mitigation is not required.

Level of Significance Prior to Mitigation: Potentially Significant during construction and Less than Significant during operation.

Regulatory Compliance Measures and Mitigation Measures: The following regulatory compliance measure (RCM N-1) is required:

RCM N-1: The construction contractor shall limit construction-related activities to between the hours of 7:00 a.m. and 6:00 p.m. pursuant to Section 8.44.090(E) of the Banning Municipal Code. No construction shall be permitted outside of these hours.

Level of Significance After Mitigation: Since there are no feasible mitigation measures that would reduce noise levels at off-site residential uses to the west from the construction of roadway and infrastructure improvements on Hathaway Street, short-term off-site construction noise impacts would be **significant and unavoidable**.

4.13.6.2 Groundborne Noise and Vibration

Threshold 4.13-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

This construction vibration impact analysis discusses the level of human annoyance using vibration levels in root-mean-square (RMS) velocity (VdB) and assesses the potential for building damage using vibration levels in PPV in/sec. Vibration levels calculated in RMS velocity are best for characterizing human response to building vibration, whereas vibration levels in PPV are best for characterizing damage potential.

Construction Vibration. Table 4.13.N, Vibration Source Amplitudes for Construction Equipment, shows the reference vibration levels at a distance of 25 feet for each type of standard construction equipment from the FTA *Transit Noise and Vibration Impact Assessment Manual*.⁴⁶ Construction of the proposed warehouse building and the construction of roadways and infrastructure improvements are expected to require the use of large bulldozers, loaded trucks, and jackhammers, which would generate ground-borne vibration levels of up to 87 VdB (0.089 PPV [in/sec]), 86 VdB (0.076 PPV [in/sec]), and 79 VdB (0.035 PPV [in/sec]), respectively, when measured at 25 feet.

⁴⁶ Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September 2018. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed May 2023).



Table 4.13.N: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L _v at 25 ft	
	PPV (in/sec)	L _v (VdB) ¹
Pile Driver (Impact), Typical	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller²	0.210	94
Hoe Ram	0.089	87
Large Bulldozer²	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks²	0.076	86
Jackhammer²	0.035	79
Small Bulldozer	0.003	58

Source: Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September 2018.

¹ RMS vibration velocity in decibels (VdB) is 1 μin/sec.

² Equipment shown in bold is expected to be used on site.

μin/sec = microinches per second

ft = foot/feet

FTA = Federal Transit Administration

in/sec = inches per second

L_v = velocity in decibels

PPV = peak particle velocity

RMS = root-mean-square

VdB = vibration velocity decibels

The highest vibration levels are anticipated to occur during the site preparation and grading phase due to the size of equipment anticipated to be used, and all other phases are expected to result in lower vibration levels.⁴⁷ The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project boundary, including proposed off-site roadway and infrastructure improvements (assuming the construction equipment would be used at or near the project boundary), because vibration impacts normally occur within the buildings.

The formula for vibration transmission is provided below:

$$L_v\text{dB (D)} = L_v\text{dB (25 ft)} - 30 \text{ Log (D/25)}$$

$$\text{PPV}_{\text{equip}} = \text{PPV}_{\text{ref}} \times (25/\text{D})^{1.5}$$

Community Annoyance from Construction Vibration. Table 4.13.O, Potential Construction Vibration Annoyance, lists the projected vibration levels from various construction equipment associated with construction of the proposed warehouse building as measured from the center of the project site to the nearest off-site buildings in the project vicinity.⁴⁸ In addition, the nearest off-site buildings in proximity to proposed roadway and infrastructure improvements along Hathaway Street are residential buildings located approximately 45 feet west of the Hathaway Street centerline and would be subject to vibration generated by construction of these improvements.

⁴⁷ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 16. May 2023.

⁴⁸ The center of the project site is considered the average distance between the nearest off-site building and each phase of construction on the project site. Therefore, the vibration level related to community annoyance for each construction activity at the nearest off-site building was calculated using the average distance between the off-site building and the construction activity.



Table 4.13.O: Potential Construction Vibration Annoyance

Land Use	Direction	Equipment/ Activity	Reference Vibration Level (VdB) at 25 ft	Distance to Structure (ft) ¹	Vibration Level (VdB)
Warehouse Construction					
Industrial (Caltrans Banning Maintenance Station)	South	Large bulldozers	87	800	42
		Loaded trucks	86	800	41
		Jackhammer	79	800	34
Commercial (1679 East Ramsey Street)	South	Large bulldozers	87	1,875	31
		Loaded trucks	86	1,875	30
		Jackhammer	79	1,875	23
Residences	West	Large bulldozers	87	1,465	34
		Loaded trucks	86	1,465	33
		Jackhammer	79	1,465	26
Roadway and Infrastructure Improvements					
Residences	West	Large bulldozers	87	45	79
		Loaded trucks	86	45	78
		Jackhammer	79	45	71

Source: Compiled by LSA (2023).

Note: The FTA-recommended annoyance thresholds of 84 VdB for offices (and other similar areas not as sensitive to vibration) and 78 VdB for daytime residences were used to assess potential construction vibration annoyance.

¹ For the construction of the proposed warehouse building, the distance is from the center of the project site to the building structure. For the construction of roadways and infrastructure improvements, the distance is from the roadway centerline.

Caltrans = California Department of Transportation

ft = feet

FTA = Federal Transit Administration

VdB = vibration velocity decibels

As shown in Table 4.13.O, the closest industrial and commercial buildings south of the project site and residential buildings west of the project site are approximately 800 feet, 1,875 feet, and 1,465 feet, respectively, from the center of the project site for the construction of the proposed warehouse building. These buildings would be subject to a vibration level of up to 42 VdB. This vibration level would not result in community annoyance because it would not exceed the FTA community annoyance threshold of 84 VdB for uses that are not as sensitive to vibration (i.e., commercial and industrial uses) and 78 VdB for residences.⁴⁹

For the construction of roadways and infrastructure improvements, the closest residential buildings are approximately 45 feet west of the Hathaway Street centerline. These buildings would experience a vibration level of up to 79 VdB. This vibration level would have the potential to result in community annoyance because it would exceed the FTA community annoyance threshold of 78 VdB for residences. However, vibration generated from project construction activities is temporary and would stop once project construction is completed. Other buildings that surround the project site would experience lower vibration levels because they are farther

⁴⁹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 16. May 2023.



away from proposed construction activities. Therefore, community annoyance impacts from construction vibration would be **less than significant**, and mitigation is not required.

Building Damage from Construction Vibration. Table 4.13.P, Potential Construction Vibration Damage, lists the projected vibration levels from proposed construction equipment associated with construction of the proposed warehouse building and off-site roadway and infrastructure improvements, as measured from the project construction boundary to the nearest buildings in the project vicinity. As shown in Table 4.13.P, the industrial and commercial buildings south of the project site and residential buildings west of the project site are approximately 215 feet, 825 feet, and 95 feet, respectively, from the boundary of construction of the proposed warehouse building. For construction of roadways and infrastructure improvements, the closest residential buildings are approximately 40 feet west of the construction boundary limits along Hathaway Street. The nearest buildings would experience a vibration level of up to 0.044 PPV (in/sec). This vibration level would not result in building damage because industrial, commercial, and residential buildings are constructed to withstand vibration levels equivalent to those listed in the FTA *Transit Noise and Vibration Impact Assessment Manual* for non-engineered timber and masonry buildings,⁵⁰ and vibration levels generated during project construction would not exceed the FTA vibration damage threshold of 0.20 PPV (in/sec).⁵¹ Other buildings that surround the project site would experience lower vibration levels because they are farther away and are constructed equivalent to or better than non-engineered timber and masonry. Therefore, construction vibration impacts during project construction would be **less than significant** and mitigation is not required.

Level of Significance Prior to Mitigation: Less Than Significant.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant.

⁵⁰ Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual*. FTA Report No. 0123. September 2018. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed May 2023).

⁵¹ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 17. May 2023.



Table 4.13.P: Potential Construction Vibration Damage

Land Use	Direction	Equipment/ Activity	Reference Vibration Level at 25 ft PPV (in/sec)	Distance to Structure (ft) ¹	Vibration Level PPV (in/sec)
Warehouse Construction					
Industrial (Caltrans Banning Maintenance Station)	South	Large bulldozers	0.089	215	0.004
		Loaded trucks	0.076	215	0.003
		Jackhammer	0.035	215	0.001
Commercial (1679 East Ramsey Street)	South	Large bulldozers	0.089	825	0.000
		Loaded trucks	0.076	825	0.000
		Jackhammer	0.035	825	0.000
Residences	West	Large bulldozers	0.089	95	0.012
		Loaded trucks	0.076	95	0.010
		Jackhammer	0.035	95	0.005
Roadway and Infrastructure Improvements					
Residences	West	Large bulldozers	0.089	40	0.044
		Loaded trucks	0.076	40	0.038
		Jackhammer	0.035	40	0.017

Source: LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Table N. May 2023.

Note: The FTA-recommended building damage threshold is 0.20 PPV [in/sec] at the receiving non-engineered timber and masonry building.

¹ Distance from the project construction boundary to the building structure.

Caltrans = California Department of Transportation

in/sec = inches per second

ft = feet

PPV = peak particle velocity

FTA = Federal Transit Administration

VdB = vibration velocity decibels

4.13.6.3 Airport Noise

Threshold 4.13-2: 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 two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The nearest airport to the project site is Banning Municipal Airport, which is 0.3 mile south of the project site. The project site is located within Compatibility Zone D (Primary Traffic Patterns and Runway Buffer Area) of the [Banning Municipal Airport] *Riverside County Airport Land Use Compatibility Plan (ALUCP)*.⁵² The ALUCP is developed to promote compatible land uses adjacent to airfields.

The project site is outside the 55 CNEL airport noise contour.⁵³ Industrial uses are normally acceptable up to 70 dBA CNEL based on the City's land use compatibility for community noise environments shown in Table 4.13.F. In addition, there are no private airstrips within the vicinity of the project site.

⁵² *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document*. Chapter 3, FV. Banning M Airport. Riverside County Airport Land Use Commission. October 14, 2004. Amended January 2012.

⁵³ LSA. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. Page 11. May 2023.



Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels. **No impacts** would occur. Mitigation is not required.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.13.7 Cumulative Impacts

The cumulative area for noise and vibration impacts is the project site and adjacent areas. Due to the attenuating characteristics of noise and vibration, cumulative noise and vibration impacts are evaluated on the project site and immediately adjacent areas. Cumulative projects generally would not result in cumulative noise and vibration effects when evaluated in conjunction with the proposed project due to their scattered locations and distance from the proposed project site.

Construction crew commutes and the transport of construction equipment and materials to the site for the project would incrementally increase noise levels on roadways leading to the project site. Secondary sources of noise would include noise generated during the construction of the proposed warehouse and the construction of roadways and infrastructure improvements. The construction of the proposed warehouse would include demolition, site preparation, grading, building construction, on-site paving, and architectural coating phases of construction on the project site. The construction roadway and infrastructure improvements would include grubbing and land clearing; grading and excavation; drainage, utilities, and sub-grade; and road paving. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance in Section 4.13.6, above. Although it is not possible to predict if contiguous or nearby properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties would be developed at the same time as the project site. In the event the project and nearby properties are developed at the same time, adherence to Section 8.44.090(E) of the City's Municipal Code would limit the construction activities to daytime hours between 7:00 a.m. and 6:00 p.m., and construction noise in the project area would **not be cumulatively considerable**.

Operational noise resulting from occupation of the project site would be typical of that experienced in similar industrial and commercial development and would include noise resulting from truck delivery and truck loading and unloading activities, parking activities, and HVAC equipment. It is unlikely that activities on adjacent properties would generate noises that would combine with noise from the project site to be additive in nature because of two important reasons. First, the noise sources would have to be adjacent, or in close proximity, to one another in order for the noises to intermingle. Second, the sensitive receptor or receptors also would have to be adjacent, or in close proximity, to the noise generators. It is not possible to predict with reasonable certainty if cumulative development in the project area would generate noise at the same time and location(s) sufficient to create significant cumulative noise impacts at sensitive receptors in proximity to these sources. Each



project would be required to identify and mitigate operational noise such that exterior and interior noise levels do not exceed established City standards at any noise-sensitive use. Adherence to standard City provisions that regulate noise and implementation of project-specific mitigation, as required, for identified cumulative projects would ensure that **cumulative long-term noise impacts would be less than cumulatively significant.**



This page intentionally left blank



4.14 POPULATION AND HOUSING

This section describes the existing population and housing characteristics in both the city of Banning and Riverside County and evaluates the potential impacts of the First Hathaway Logistics Project (proposed project) on population and housing growth. This section is based on sources of demographic information provided by the Southern California Association of Governments (SCAG), the California Department of Finance (DOF), and the United States Census Bureau.

4.14.1 Scoping

Potential concerns to population and housing were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City of Banning (City) received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to population and housing. For copies of the NOP comment letters, refer to Appendix A of this Environmental Impact Report (EIR).

4.14.2 Methodology

City and County of Riverside (County) demographic data in conjunction with SCAG projections were used to describe the existing population and housing characteristics in the city and county. City goals and policies regarding population and housing were used to evaluate potential direct and indirect impacts that could result from development of the proposed project.

4.14.3 Existing Environmental Setting

The project site is located in the city of Banning. The city is characterized by urban areas, including single-family and multifamily residential uses and concentrations of retail, office, and industrial uses surrounded by land that has traditionally been utilized for farming, cattle grazing, and equestrian uses. The project site consists of graded/disturbed grassland and developed areas composed of engineered slopes, a remnant building and paved areas of the former Orco Block and Hardscape Company. The project site does not currently contain or support a population or housing, nor does it accommodate employees.

4.14.3.1 Population and Housing

Southern California Association of Governments. The Southern California Association of Governments (SCAG), the regional planning agency for the six-county southern California region that includes Los Angeles, Orange, Riverside, San Bernardino, Ventura, and Imperial counties, is responsible for preparing a regional growth forecast in conjunction with its efforts to prepare a Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for its regional planning area. SCAG's Connect SoCal, adopted in September 2020, is an RTP/SCS plan developed pursuant to Senate Bill (SB) 375 to assist in the State's reduction of greenhouse gas emissions by considering land use allocation in its RTP.¹ Connect SoCal thus builds upon and expands land use and transportation strategies to increase mobility options and achieve more sustainable growth patterns. The SCAG RTP/SCS Demographics and Growth Forecast is meant to provide a common foundation for regional

¹ Southern California Association of Governments. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Adopted September 2020.



and local planning, policymaking, and infrastructure provision within the SCAG region.² The growth forecast for the city and county in the SCAG RTP/SCS Growth Forecast is supplemented with interim 2023 forecasts by the DOF, as provided below in **Table 4.14.A: Population, Housing, and Employment Forecasts (2016–2045)**. These projections are used as a reference point for discussing population and housing growth throughout this section.

Table 4.14.A: Population, Housing, and Employment Forecasts (2016–2045)

	2016 ¹	2023 ²	2045 ¹	2016–2045 Increase	Percent Change 2016–2045
Total Population					
City of Banning	31,000	31,250	41,500	10,500	33.9%
Riverside County	2,364,000	2,439,234	3,252,000	888,000	37.6%
Total Households³					
City of Banning	10,900	12,411	16,100	5,200	47.7%
Riverside County	716,000	872,930	1,086,000	370,000	51.7%
Total Employment					
City of Banning	7,300	10,500	11,400	4,100	56.2%
Riverside County	743,000	1,081,300	1,103,000	360,000	48.5%

¹ Southern California Association of Governments. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 3, 2020.

² 2023 estimates are based on:

- California Department of Finance. E-5 Population and Housing Estimates for Cities Counties, and the State January 2021–2023 with 2020 Benchmark. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed September 2023).
- State of California, Employment Development Department. Labor Force and Unemployment Rate for Cities and Census Designated Places. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

³ The Southern California Association of Governments forecasts “households” rather than housing units. As defined by the United States Census Bureau, “households” are equivalent to occupied housing units.

Riverside County. As shown in Table 4.14.A, above, total population in Riverside County is expected to increase by approximately 888,000, from 2,364,000 in 2016 to 3,252,000 in 2045, for an approximate increase of 37.6 percent. Total households in Riverside County are expected to increase by approximately 370,000, from 716,000 in 2016 to 1,086,000 in 2045, for an approximate increase of 51.7 percent (approximately 1.8 percent per year). The 2023 population of Riverside County is approximately 2,439,234, and the number of households is approximately 872,930.

City of Banning. As shown in Table 4.14.A, above, total population in the city of Banning is expected to increase by approximately 10,500, from 31,000 in 2016 to 41,500 in 2045, for an approximate increase of 33.9 percent. Total households in Banning are expected to increase by approximately 5,200, from 10,900 in 2016 to 16,100 in 2045, for an approximate increase of 47.7 percent (approximately 1.6 percent per year). The 2023 population of the city is approximately 31,250, and the number of households is approximately 12,411. By forecasting a greater percentage of household

² Southern California Association of Governments. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.



growth than population growth, the SCAG growth forecast projects a decrease in the average household size in both the city and the county by 2045.

The Banning General Plan Housing Element indicates that, between 2010 and 2020, the population in the city increased from 29,603 to 31,125, for a 5.1 percent increase.³ This is a lower increase than in Riverside County as a whole, which saw a population increase of 11.5 percent over the same period. The Housing Element indicates that in the same period between 2010 and 2020, housing units in Banning remained stagnant, only increasing by 0.1 percent. However, occupied housing units decreased by 7.3 percent, indicating that housing is widely available within the city. The Housing Element indicates that, as of 2019, the city had 9,761 employed residents.⁴

4.14.3.2 Employment

Riverside County. As shown in Table 4.14.A, above, total employment in Riverside County is expected to increase by approximately 360,000, from 743,000 in 2016 to 1,103,000 in 2045, for an approximate increase of 48.5 percent. As of 2023, Riverside County had a labor force of 1,143,100, with approximately 61,800 people unemployed.⁵ Accordingly, employment in Riverside County is approximately 1,081,300, and the unemployment rate in the county is approximately 5.4 percent.⁶ The increase in employment is commensurate with the population and housing increases discussed above.

City of Banning. As shown in Table 4.14.A, above, total employment in the city of Banning is expected to increase by approximately 4,100, from 7,300 in 2016 to 11,400 in 2045, for an approximate increase of 56.2 percent. As of 2023, the city had a labor force of 11,200, with approximately 700 people unemployed.⁷ Accordingly, employment in the city is approximately 10,500, and the unemployment rate is approximately 6.6 percent.⁸ This increase is commensurate with the population and housing increases discussed above.

4.14.3.3 Age Characteristics

A city's age distribution often shapes its housing demand because different age groups prefer different types of housing. According to the City of Banning Housing Element, the city's population is aging. **Table 4.14.B: Riverside County and City of Banning Age Characteristics (2017–2021)** provides a comparison of the city's and county's population by age group using data from the 2016–2020 American Community Survey (ACS) 5-year estimate. According to the ACS data, the City's median age is 43.1 years.

³ Southern California Association of Governments. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Table 1. Adopted September 2020.

⁴ Ibid. Page 8.

⁵ State of California, Employment Development Department, Labor Market Information Division. *Monthly Labor Force Data for Cities and Census Designated Places*. July 2023. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.



Table 4.14.B: Riverside County and City of Banning Age Characteristics (2017–2021)

Age Group	Riverside County		City of Banning	
	Persons	Percentage	Persons	Percentage
Under 18 Years	606,535	25.2%	7,041	23.7%
18 to 24 Years	229,998	9.5%	2,177	7.3%
25 to 44 Years	649,335	26.9%	6,218	21.0%
45 to 64 Years	577,985	24.0%	5,847	19.6%
65 and Over	345,478	14.4%	8,381	28.4%
Total	2,409,331	100%	29,664	100%
Median Age	36		43.1	

Source: United States Census Bureau. *2017–2021 American Community Survey 2021 5-Year Estimate Table S0101*. https://data.census.gov/table?q=S0101&g=050XX00US06065_160XX00US0603820&y=2021&tid=ACSS5Y2021.S0101 (accessed September 2023).

As shown in Table 4.14.B, the city and county have similar proportions of residents under the age of 18 (23.7 percent and 25.2 percent, respectively). The city has lower percentages of residents between the ages of 18 and 24 years (7.3 percent, compared to 9.5 percent for the county) and the ages of 25 and 44 (21.0 percent, compared to 26.9 percent for the county). The city also has a lower percentage of residents between the ages of 45 and 64 (19.6 percent, compared to 24.0 percent for the county). However, the city has a significantly higher percentage of residents older than age 65 than the county (28.4 percent, compared to 14.4 percent for the county).

4.14.3.4 Jobs/Housing Balance

Pursuant to Government Code Section 65890.1, State land use patterns should be encouraged that balance the location of employment-generating uses with residential uses, so that employment-related commuting is minimized. According to SCAG’s Connect SoCal,⁹ the SCAG region has a 1.4:1 jobs-to-housing ratio.¹⁰ Therefore, a jobs-to-housing ratio of 1.4:1 is considered “balanced,” meaning a balance between employment and housing opportunities without requiring a commute outside of the indicated jurisdiction. Below 1.4, the jurisdiction has more housing available than jobs. Above 1.4, the jurisdiction has more jobs than housing and residents would be forced to commute in from outside the area. The following describes the existing jobs-to-housing ratio for Riverside County through SCAG.

Riverside County. The jobs-to-housing ratio is used to evaluate a community’s or county’s employment and housing opportunity within its boundaries or jurisdiction. According to SCAG’s Connect SoCal and Table 4.14.A,¹¹ Riverside County has a 1.04:1 jobs-to-housing ratio.¹² Using interim data for 2023, Riverside County has a 1.24:1 jobs-to-housing ratio.¹³ The 2016 and 2023 jobs-to-

⁹ Southern California Association of Governments (SCAG). *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.

¹⁰ 8,389,900 employees ÷ 6,012,000 households = 1.395 jobs per household.

¹¹ SCAG. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.

¹² 743,000 employees ÷ 716,000 households = 1.037 jobs per household.

¹³ 1,081,300 employees ÷ 872,930 households = 1.238 jobs per household.



housing ratios for the county indicate the county has more housing available than jobs compared to the SCAG region and is, therefore, “housing rich, but jobs poor.”

City of Banning. Using the same methodology to calculate the jobs -housing ratio for the SCAG region and Riverside County, Banning has a 0.67:1 jobs-to-housing ratio.¹⁴ Using interim data for 2023, the city has a 0.85:1 jobs to housing ratio.¹⁵ The 2016 and 2023 jobs-to-housing ratios for the city indicate the city has an even larger jobs deficit than the county and the SCAG region according to SCAG’s Connect SoCal and Table 4.14.A.¹⁶

4.14.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to population and housing.

4.14.4.1 Federal Regulations

There are no federal regulations regarding population and housing applicable to the proposed project.

4.14.4.2 State Regulations

Government Code Section 66300 et seq. Government Code Section 66300 et seq. has restrictions on implementing new development policies, standards or conditions that may restrict housing developments, including any initiatives or referenda voted into law by the general populace. Under this law, among other things, cities and counties are restricted from implementing any new development policies, standards, or conditions that have any of the following effects unless modifications to the development standards, policies, and conditions to ensure no net loss in residential capacity as a result of project implementation are proposed:

- A change to the general plan land use designation, specific plan land use designation, or zoning that results in a less intensive use. Less intensive use means, for example: (1) reductions in height, density, or floor area ratio; (2) new or increased open space or lot size requirements; (3) new or increased setback requirements, minimum footage requirements, or maximum lot coverage limitations; and (4) anything that would lessen the intensity of housing.
- A reduction of the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning below what was allowed under the applicable land use designation and zoning ordinance in effect as of January 1, 2018.

California Housing and Community Development Department. At the State level, the Housing and Community Development Department (HCD) estimates the relative share of California’s projected population growth that would occur in each county based on DOF population projections and historical growth trends. These figures are compiled by the HCD in a Regional Housing Needs

¹⁴ 7,300 employees ÷ 10,900 households = 0.669 job per household.

¹⁵ 10,500 employees ÷ 12,411 households = 0.846 job per household.

¹⁶ Southern California Association of Governments (SCAG). *2020–2045 Regional Transportation Plan/ Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.



Assessment (RHNA) for each region of California. Where there is a regional council of governments, the HCD provides the RHNA to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares gives cities and counties the opportunity to comment on the proposed allocations. The HCD oversees the process to ensure that the council of governments distributes its share of the State's projected housing need.

State law recognizes the vital role local governments play in the supply and affordability of housing. To that end, the California Government Code requires that housing elements achieve legislative goals to:

- Identify adequate sites to facilitate and encourage the development, maintenance, and improvement of housing for households of all economic levels, including for persons with disabilities.
- Remove, as legally feasible and appropriate, governmental constraints to the production, maintenance, and improvement of housing for persons of all incomes, including those with disabilities.
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households.
- Conserve and improve the condition of housing and neighborhoods, including existing affordable housing. Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- Preserve for lower-income households the publicly assisted multifamily housing developments in each community.

4.14.4.3 Regional Regulations

Southern California Association of Government (SCAG). SCAG provides regional population, housing, and employment information in its RTP/SCS documents. As discussed in Section 4.14.3.1, above, Connect SoCal, SCAG's RTP/SCS, builds upon and expands land use and transportation strategies to increase mobility options and achieve more sustainable growth patterns. The SCAG RTP/SCS Growth Forecast is meant to provide a common foundation for regional and local planning, policymaking, and infrastructure provision within the SCAG region. These documents include population growth patterns regionally and in individual counties and cities within the SCAG region. This analysis also includes Working Age Resident Population (WARP) job and WARP-housing ratios, which further evaluate the population, employment, and housing data available for the southern California region, including the city of Banning and Riverside County.

4.14.4.4 Local Regulations

City of Banning Housing Element. California planning and zoning law requires each City and County to adopt a general plan for future growth (California Government Code Section 65300). This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need.



State of California housing element laws (California Government Code §§ 65580 to 65589) require that each city and county identify and analyze existing and projected housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs. The housing elements of each city or county are required to be updated every 8 years. The City of Banning’s 6th Housing Element was updated for the 2021–2029 period and adopted by City Council in November 2021.¹⁷

4.14.5 Thresholds of Significance

The City has not adopted local California Environmental Quality Act (CEQA) significance thresholds as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Section XIV of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact to population and housing if it would:

Threshold 4.14-1: 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); or

Threshold 4.14-2: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.14.6 Project Impact Analysis

Potential impacts of the project on population and housing are discussed below pursuant to the thresholds established in Section 4.14.5, above.

4.14.6.1 Substantial Unplanned Population Growth

Threshold 4.14-1: Would the 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)?

The potential for the proposed project to induce substantial unplanned population growth in the project area and region during construction and operational activities is discussed below.

Construction. Construction of the proposed project would provide short-term construction jobs. Construction jobs would be temporary and would be specific to the variety of construction activities. The workforce is expected to include a variety of construction trade workers, such as cement finishers, ironworkers, welders, carpenters, electricians, painters, grading workers, site prep workers, surveyors, and laborers. Generally, construction workers are only at a job site for the timeframe in which their specific skills are needed to complete that phase of construction. It is expected that local and regional construction workers would be available to serve the construction needs of the proposed

¹⁷ City of Banning. *Housing Element, 2021-2029*. Adopted October 2021.



project. This can be reasonably determined based on the 2023¹⁸ unemployment rates of 6.6 and 5.4 percent for the city and county, respectively. Construction workers would not be expected to relocate their households' place of residence while working on the proposed project because on-site construction activities would be temporary (expected to last approximately 18 months, with the discrete or specialized phases of construction occurring for even shorter durations). Therefore, construction of the proposed project would result in a **less than significant impact** associated with inducing substantial population growth or demand for housing through increased construction employment. No mitigation would be required.

Operation. As demonstrated in Section 4.11, Land Use and Planning, of this EIR, the proposed project is consistent with applicable City General Plan goals and policies. The proposed project would result in the development of an approximately 1,420,722-square-foot warehouse distribution building. No housing is proposed. The project site has a General Plan land use designation and zoning of Business Park (BP), which allows for development of light industrial manufacturing and office/warehouse buildings.¹⁹

The proposed project may result in indirect population growth due to the employment opportunities provided by the proposed warehouse distribution building. Employment generation factors in Appendix E-2, *Socioeconomic Build-Out Assumptions and Methodology*, of the Riverside County General Plan²⁰ are based on land use designations of the General Plan Land Use Element,²¹ of which the Heavy Industrial (HI)²² and Light Industrial (LI)²³ land use designations would be most applicable to the project for purposes of employment generation, since the County's definition of BP assumes "employee intensive uses, including research and development, technology centers, corporate offices, clean industry, and supporting retail uses," and no such office- or retail-centric uses are proposed as part of the project.

Based on Table E-5 of Appendix E-2, *Socioeconomic Build-Out Assumptions and Methodology*, of the Riverside County General Plan, HI land uses would generate one employee per 1,500 square feet of building space while LI land uses would generate one employee per 1,030 square feet of building space.²⁴ Accordingly, the proposed 1,420,722-square-foot warehouse building could generate

¹⁸ State of California, Employment Development Department. *Labor Force and Unemployment Rate for Cities and Census Designated Places*. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

¹⁹ City of Banning and Terra Nova Planning & Research, Inc. *City of Banning General Plan*. Chapter III, Community Development. Page III-7. Adopted January 31, 2006.

²⁰ County of Riverside. *County of Riverside General Plan*. Appendix E-2: Socioeconomic Build-Out Assumptions and Methodology, Page 3. Adopted December 8, 2015. Revised April 11, 2017.

²¹ County of Riverside. *County of Riverside General Plan*. Chapter 3: Land Use Element, Page LU-42. Adopted September 28, 2021.

²² Heavy Industrial (HI): More intense industrial activities that generate greater effects, such as excessive noise, dust, and other nuisances.

²³ Light Industrial (LI): Industrial and related uses, including warehousing/distribution, assembly and light manufacturing, repair facilities, and supporting retail uses.

²⁴ County of Riverside. *County of Riverside General Plan*. Appendix E-2: Socioeconomic Build-Out Assumptions and Methodology, Table E-5: Commercial Employment Factors. Adopted December 8, 2015. Revised April 11, 2017.



employment for between 948 and 1,380 persons.²⁵ As the specific use of the proposed warehouse distribution building is not yet known, the amount of employment generated could vary depending on the building tenant(s). Regardless of the range in project employment growth, the proposed project would be consistent with the General Plan land use designation for the site. Growth that would result from implementation of the proposed project is therefore consistent with applicable land use plans, which have anticipated increases in demand for goods and services as a result of planned growth.

As of 2023, Banning maintained a labor force of 11,200 and Riverside County had a labor force of 1,143,100, with approximately 700 and 61,800 people unemployed, respectively.²⁶ The 2023 unemployment rate was 6.6 percent for the city and 5.4 percent for the county.²⁷ These elevated unemployment figures may reflect the economic slowdown associated with widespread shelter-in-place orders in effect throughout much of 2020 and 2021 due to the ongoing COVID-19 pandemic. The local economy has bounced back to pre-pandemic levels in terms of employment rate in both the city and county.²⁸ However, there is uncertainty regarding the pandemic's ongoing effect on the economy, as shifts in the workforce and supply chain disruptions have resulted in reduced business activity and related higher unemployment in the city than in Riverside County as a whole. The previously cited unemployment rates suggest an available local and regional labor pool exists to serve the long-term employment opportunities that would be provided by the proposed project. Therefore, it is unlikely that the proposed project's labor demand would necessitate a substantial number of employees from outside the region to meet the need for employees resulting from development of the proposed project. As stated previously, the proposed project would generate between 948 and 1,380 employees and would thus improve the current (2023) 0.85:1 jobs-housing imbalance in the city and 1.24:1 jobs-housing imbalance in the county.

It is possible that a nominal number of employees could relocate to the city or nearby unincorporated county areas. However, since the project is consistent with the General Plan land use designation and zoning designation for the site, any such incremental population increase resulting from the proposed project is not considered substantial or unplanned. Based on the analysis above, the proposed project would not indirectly result in a population increase above what has been planned for by the city. Impacts related to population and housing resulting from operation of the proposed project would be **less than significant**, and mitigation is not required.

Development of the proposed project would require the extension of existing utility infrastructure (gas, electric, telecommunications, water, sewer, and storm drain facilities) along Hathaway Street, Wilson Street, and Nicolet Street onto the project site. These infrastructure improvements would

²⁵ 1,420,722 square feet of proposed building space ÷ 1,500 square feet per employee for Heavy Industrial land uses = 947.148 employees. 1,420,722 square feet of proposed building space ÷ 1,030 square feet per employee for Light Industrial land uses = 1,379.342 employees.

²⁶ State of California, Employment Development Department, Labor Market Information Division. *Monthly Labor Force Data for Cities and Census Designated Places*, July 2023. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

²⁷ Ibid.

²⁸ Unemployment, 2020 rates: Riverside County, 10.1%; City of Banning, 12.7%. 2021 Rates: Riverside County, 7.3%; City of Banning, 9.4%.



connect to existing infrastructure surrounding the site and would be accepted as part of the public domain. Wet utility facilities (e.g., water and wastewater) required for the project would connect to existing City systems pursuant to the future needs identified in the Integrated Master Plan (IMP)²⁹ and developed pursuant to the City's Capital Improvement Program (CIP) and would not extend infrastructure or promote growth (directly or indirectly) beyond that already accounted for by the City. Furthermore, two primary electrical circuits would be required to serve the project site, with the primary point of interconnection to occur from Hathaway Street. The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5-kilovolt (kV)/12.47 kV step-down power transformation substation in the future under a separate action. Development of the future substation would be subject to environmental review at the time it is proposed.

The existing regional infrastructure and the established roadway network would be utilized by employees accessing the project site. Regional access to the project site is provided via Interstate I-10 (I-10) at the Ramsey Street and Hargrave Street interchanges. Hargrave Street and Hathaway Street connect to Ramsey Street. Primary access to the project site would be provided off Hathaway Street on the west side of the site. As part of the proposed project, Hathaway Street would be improved along the project site frontage with a new 250-foot-long combination bus stop and deceleration lane south of the proposed driveway to facilitate mass transit and unobstructed vehicle access at this location. The proposed project would also construct and dedicate to the City portions of Wilson Street, First Industrial Way, and Nicolet Street along the northern, eastern, and southern perimeters of the project site, respectively, and dedicate right-of-way to the City for public use.³⁰ Wilson Street is classified as a Major Highway through Banning and currently ends at North Blanchard Street, although it is shown on the City's General Plan Street System map with a future extension east to the future Cottonwood Road. Cottonwood Road is planned as a future north-south Major Highway that would create a future interchange east of the project site, as shown on the City's General Plan Street System.³¹ Proposed construction of First Industrial Way would occur between Wilson Street to the north and Nicolet Street to the south and terminate at those junctions, serving only the project site. Nicolet Street would be constructed and dedicated to ultimate 78-foot full width per the General Plan standard for a Divided Collector Street fronting the project site between (existing) Hathaway Street and proposed First Industrial Way and would terminate at its junction with First Industrial Way. The roadway improvements constructed as part of the proposed project would be constructed consistent with City standards and regulations, resulting in build out of roads in a manner consistent with the City's General Plan Circulation Element, and would not expand the scope or change the designations of those roadways beyond the City's planned improvements.³²

²⁹ The Integrated Master Plan (IMP) evaluates the performance and condition of the City's potable water, wastewater, and recycled water systems under existing and future conditions through 2040. The IMP informs the City during the development and update(s) of its CIP and identifies, plans, and develops the system of water, wastewater, and recycled water system facilities necessary to serve current customers and support anticipated growth through 2040. The IMP can be accessed online at the following location: <http://www.ci.banning.ca.us/DocumentCenter/View/10541/2018-Integrated-Master-Plan>.

³⁰ Refer to Section 3.4.4 of this Draft EIR for a description of the proposed roadway improvements.

³¹ City of Banning. *Exhibit 1-7: Proposed General Plan Truck Route System*.

³² City of Banning. *Exhibit 1-7: Proposed General Plan Truck Route System*.



Based on the analysis above, operation of the proposed project would not induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure). Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than significant impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less than significant impact.

4.14.6.2 Displace Substantial Numbers of Existing People

Threshold 4.14-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

In its current condition, the project site is vacant with no occupied structures. Implementation of the proposed project would not require the demolition of existing housing and would not displace an existing population residing on the project site or within the project area. Therefore, there would be **no impact** related to the displacement of substantial numbers of existing people or housing, or the need to construct replacement housing elsewhere. Mitigation is not required.

Level of Significance Prior to Mitigation: No impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: No Impact.

4.14.7 Cumulative Impacts

The cumulative study area for the discussion of population and housing impacts is primarily the city of Banning, but it should be viewed in the larger context of Riverside County. The proposed project is consistent with the General Plan land use and zoning of BP for the site. Although the proposed project could generate between 948 and 1,380 new jobs, this growth has been previously anticipated by the General Plan and is therefore not considered unplanned. Both the city and Riverside County are considered “housing rich,” meaning there is more housing in these areas than jobs available, requiring travel to employment opportunities outside the city and county. The project does not include a residential component and would not cumulatively contribute to Banning’s current jobs-housing imbalance.

Consistent with housing and employment forecasts detailed in Table 4.14.A, the project would increase employment opportunities in the city. According to SCAG’s Connect SoCal,³³ the SCAG region

³³ Southern California Association of Governments (SCAG). *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.



in 2045 is projected to have a 1.32:1 jobs-to-housing ratio.³⁴ In 2045, SCAG³⁵ projects that Riverside County would have a 1.02:1 jobs-to-housing ratio,³⁶ while Banning would have a 0.71:1 jobs-to-housing ratio.³⁷ Based on forecast data, the jobs-housing condition in 2045 is expected to improve slightly over current conditions. With the city's ample supply of existing and planned housing and unemployment rates of 6.6 percent for the city and 5.4 percent for the county,³⁸ the additional employment opportunities provided by the project would contribute to the forecast improvement in Banning's jobs-housing imbalance. Furthermore, roadway improvements constructed as part of the proposed project would be constructed consistent with City standards and regulations, resulting in build out of roads in a manner consistent with the City's General Plan Circulation Element, and would not expand the scope or change the designations of those roadways beyond the City's planned improvements.³⁹ Furthermore, wet utility facilities (e.g., water and wastewater) required for the project would connect to existing City systems pursuant to the future needs identified in the IMP⁴⁰ and developed pursuant to the City's CIP, and would not extend infrastructure or promote growth (directly or indirectly) beyond that already accounted for by the City. Therefore, the project would not result in a cumulatively considerable impact on substantial unplanned population growth or displacement of people or housing, and this impact would be **less than significant**.

³⁴ 10,049,000 employees ÷ 7,633,000 households = 1.316 jobs per household.

³⁵ SCAG. *2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Demographics and Growth Forecast, Technical Report. Table 14. Adopted September 2020.

³⁶ 1,103,000 employees ÷ 1,086,000 households = 1.015 jobs per household.

³⁷ 11,400 employees ÷ 16,100 households = 0.708 job per household.

³⁸ State of California, Employment Development Department, Labor Market Information Division. *Monthly Labor Force Data for Cities and Census Designated Places*, July 2023. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

³⁹ City of Banning. *Exhibit 1-7: Proposed General Plan Truck Route System*.

⁴⁰ The IMP evaluates the performance and condition of the City's potable water, wastewater, and recycled water systems under existing and future conditions through 2040. The IMP informs the City during the development and update(s) of its CIP and identifies, plans, and develops the system of water, wastewater, and recycled water system facilities necessary to serve current customers and to support anticipated growth through 2040. The IMP can be accessed online at the following location: <http://www.ci.banning.ca.us/DocumentCenter/View/10541/2018-Integrated-Master-Plan>.



4.15 PUBLIC SERVICES

This section describes the public services providers within the jurisdiction of the project site and evaluates the potential for implementation of the First Hathaway Logistics Project (proposed project) to impact public services. This section addresses the following public services (service providers are noted in parentheses):

- Fire Protection (Riverside County Fire Department [RCFD])
- Police Protection (Banning Police Department [BPD])
- Public Schools (Banning Unified School District [BUSD])
- Parks (City of Banning Parks and Recreation Department)
- Other Public Services—Public Libraries (Banning Library District [BLD])

4.15.1 Scoping

Potential impacts related to public services were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City of Banning (City) received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts on public services. For copies of the NOP comment letters, refer to **Appendix A** of this Environmental Impact Report (EIR).

4.15.2 Methodology

This section evaluates impacts to public facilities to the extent project demand for police and fire protection, school services, parks, and other public facilities would require new or expanded facilities to support the project, the construction of which would result in an adverse physical impact to the environment. Information regarding public services was obtained from a variety of sources, including technical studies prepared for the proposed project, agency websites, the City of Banning 2006 General Plan,¹ the City of Banning 2006 Comprehensive General Plan and Zoning Ordinance Final EIR,² the California Department of Education, the City of Banning Parks and Recreation Department, and the BLD.

4.15.3 Existing Environmental Setting

This section describes existing public services (fire protection, police protection, public schools, parks, and other public facilities [e.g., libraries]) within the city and in proximity to the project site. **Figure 4.15-1, Nearest Public Services to Project Site**, shows the closest fire station, police station, school (elementary, middle-school, high school), parks, public library, and other public service facilities that would serve the proposed project, as described further below.

¹ City of Banning. *City of Banning General Plan*. Adopted January 2006.

² City of Banning. *Final Environmental Impact Report for The City of Banning Comprehensive General Plan and Zoning Ordinance*. January 18, 2006.



This page intentionally left blank

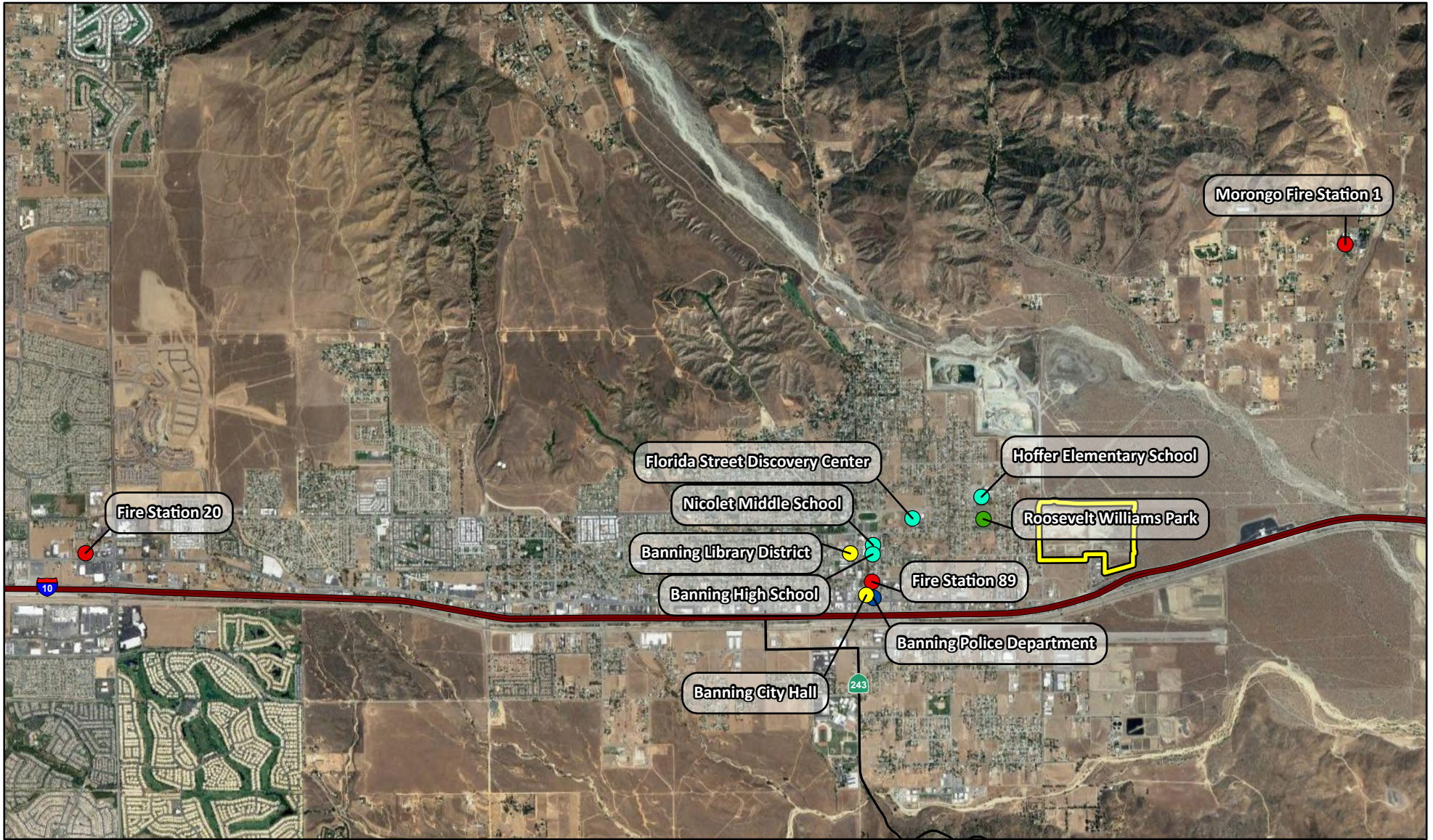


FIGURE 4.15-1

LSA

 Project Location

-  Civic
-  Fire
-  Park
-  Police
-  School



0 2000 4000
FEET

SOURCE: Google Imagery (2022)

J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (6/29/2023)

First Hathaway Logistics Project
Nearest Public Services to the Project Site



This page intentionally left blank



4.15.3.1 Fire Protection

Since September 1998, the City has contracted with the Riverside County Fire Department (RCFD) for fire protection services. The RCFD, which contracts with the California Department of Forestry and Fire Protection (CAL FIRE), is a full-service department providing fire protection services, paramedic response, hazardous materials response, search and rescue, swift water rescue, fire prevention support, and disaster preparedness. The project site is within the jurisdiction of the RCFD.

Two RCFD fire stations service the city of Banning: Fire Station 89, which covers east Banning, is located at 172 North Murray Street, approximately 1.2 miles west of the project site, and Fire Station 20, which covers west Banning, is located at 1550 East 6th Street in Beaumont, approximately 5.6 miles west of the project site. Fire Station 20 has one staffed Type 1 engine, two staffed Type 3 engines, and a State-owned dozer and dozer tender. Fire Station 89 has one staffed Type 1 engine, one Type I engine (unstaffed reserve), and one squad unit (also not staffed).³ Fire Stations 20 and 89 are staffed with six firefighters and two paramedics.⁴ The City of Banning General Plan Police and Fire Protection Element indicated a firefighter-to-population ratio of 0.53 firefighter per 1,000 residents desired by the County Fire Chief.⁵ All CAL FIRE/RCFD firefighters are trained to handle medical emergencies. One paramedic is assigned to each engine.

The RCFD's Alternative Staffing Model Recommendation, adopted by the Riverside County Board of Supervisors (Board) on March 7, 2017, recommends response times based on four Board-Approved Land Use Classifications. Given the General Plan designation and zoning for the site, the site is classified as "Heavy Urban," which includes a recommended response time of 5 minutes, 90 percent of the time.⁶ It is estimated, based on the driving distance from each of these stations to the project site, that firefighters could arrive on scene at the site within 3 minutes from Station 89 and within approximately 10 minutes from Station 20 under current conditions.⁷

Within the area's emergency services system, fire and emergency medical services are also provided by other Riverside County fire stations. Generally, each agency is responsible for structural fire protection and wildland fire protection within its area of responsibility. However, mutual-aid agreements enable nonlead fire agencies to respond to fire emergencies outside their district boundaries. In the Riverside County/Banning area, fire agencies cooperate under a statewide master mutual-aid agreement for wildland fires. There are also mutual-aid agreements in place with neighboring fire agencies, and they typically include interdependencies that exist among the region's fire protection agencies for structural and medical responses but are primarily associated with the peripheral "edges" of each agency's boundary.

³ Dudek. *Fire Protection Plan First Hathaway Logistics Project County of Riverside*. Page 31. July 2023.

⁴ Ibid.

⁵ City of Banning. *City of Banning General Plan, Chapter VI Public Services and Facilities, Police and Fire Protection Element*. Page VI-35. Adopted January 2006.

⁶ Dudek. *Fire Protection Plan First Hathaway Logistics Project County of Riverside*. Page 32. July 2023.

⁷ 2.69 minutes from Station 89 and 10.17 minutes from Station 20. (Dudek. *Fire Protection Plan First Hathaway Logistics Project County of Riverside*. Table 2. July 2023.)



The primary department providing mutual aid for all call types in the city of Banning is the Morongo Fire Department.⁸ The nearest station is Station 1, approximately 3 miles from the project site at 11581 Potrero Road. Station 1 is staffed year-round with eight career firefighters who have several apparatuses available for use by call type, including two Type 1 engines, a brush engine, a ladder truck, a Type 6 engine, and two ambulances. A second Morongo Fire Department is planned to be constructed on the Morongo Band of Mission Indians (Morongo) Reservation in the southwest corner of Morongo Road and Santiago Road and may be complete around the completion of the proposed project (construction is estimated to commence in 2024).⁹

RCFD also provides fire protection to the neighboring city of Beaumont, the nearby city of Calimesa, and unincorporated areas of Riverside County including the community of Cabazon just east of Banning. Automatic aid agreements obligate the nearest RCFD fire company to respond to a fire regardless of the jurisdiction. The RCFD also has an automatic aid agreement with Morongo. Automatic aid is assistance dispatched automatically by contractual agreement between two fire departments, in comparison with mutual aid, which is arranged on a case-by-case basis.

4.15.3.2 Police Protection

Banning Police Department (BPD) provides law enforcement service to the city of Banning and the project site. The BPD station is located approximately 1 mile southwest of the project site at 125 East Ramsey Street. BPD offers a variety of services and assignments, such as field patrol, a detective bureau, a gang task force, a field training officer, and a reserve police officer program.^{10,11} Per the City's 2022–2023 Budget, BPD plans for 40 sworn and classified personnel.¹² Volunteer civilians also provide additional patrols in the community and assist with clerical functions. BPD's response time goal for responding to emergency and non-emergency calls within its service area is 3 minutes or less. Currently, the average response time is approximately 8 minutes¹³; therefore, BPD is currently not meeting the response time goal.

4.15.3.3 Public Schools

The BUSD provides public kindergarten through 12th grade (K–12) education in the city of Banning; the communities of Cabazon, Whitewater, and Poppett Flats in unincorporated Riverside County; and the Morongo Reservation. BUSD, as of the 2022–2023 school year, had an enrollment of 4,376

⁸ Dudek. *Fire Protection Plan First Hathaway Logistics Project County of Riverside*. Page 31. July 2023.

⁹ Ibid.

¹⁰ City of Banning. *Rancho San Gorgonio Specific Plan EIR, Draft EIR Chapter 5.13 Public Services*. Page 5.13-10. June 2016.

¹¹ Banning Police Department (BPD) Divisions include Animal Control, Code Enforcement, Dispatch, Investigations, Patrol, Property & Evidence, and Records. Website: <https://www.ci.banning.ca.us/558/Divisions> (accessed September 7, 2023).

¹² Includes the Chief, 1 captain, 1 lieutenant, 11 sergeants, 1 corporal, 19 officers, 1 Community Services Officer, 3 police assistants, 1 information technology analyst, and 1 executive assistant. Website: <https://www.ci.banning.ca.us/ArchiveCenter/ViewFile/Item/2771> (accessed September 7, 2023).

¹³ Ibid.



students¹⁴ at four elementary schools, one middle school, two high schools, one independent study, one discovery center, and nonpublic/nonsectarian schools.¹⁵

The proposed project is located within the school attendance boundary of BUSD. Schools closest to the project site include Hoffer Elementary School (approximately 0.26 mile northwest of the project site) at 1115 East Hoffer Street, Florida Street Discovery Center (approximately 0.65 mile east of the project site) at 671 North Florida Street, Nicolet Middle School (approximately 1 mile east of the project site) at 101 East Nicolet Street, and Banning High School (approximately 1.4 miles southwest of the project site) at 100 West Westward Avenue. **Table 4.15.A, BUSD Classroom Enrollment and Capacity (2022–2023)** identifies the 2022–2023 enrollment for BUSD by school level, school level enrollment capacity, and whether a surplus/shortage of seats for students exists.

Table 4.15.A: BUSD Classroom Enrollment and Capacity (2022–2023)

School Type	2022–2023 Facilities Capacity	2022–2023 Student Enrollment ¹	Surplus (Shortage) of Permanent Capacity
Elementary School (Grades K–5)	1,620	2,082	(462)
Middle School (Grades 6–8)	527	975	(448)
High School (Grades 9–12)	2,046	1,228	735
Total	4,193	4,285	(175)

Source: Banning Unified School District. *Developer Fee Justification Study for Residential & Commercial/Industrial Development*. Table 5. May 2023.

¹ Does not include 83 independent study and 6 nonpublic/nonsectarian school students.

BUSD = Banning Unified School District

Table 4.15.A shows that the BUSD was operating over capacity in the 2022–2023 school year by 175 students. BUSD assesses a Level I school impact fee of \$0.66 per square foot of commercial/industrial development that would be applicable to the project.¹⁶

4.15.3.4 Parks

Section 4.16, Recreation, of this EIR, contains a detailed discussion related to parks and recreational facilities within the City. Park and recreation services in the project area are provided by the City of Banning Community Services Department. Park classifications within the City of Banning include:

¹⁴ Includes independent study and other non-traditional students.

¹⁵ California Department of Education. *Data Quest, 2020–2021 Enrollment by Grade Banning Unified Report*. <https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=3366985&agglevel=district&year=2020-21> (accessed September 2023).

¹⁶ Banning Unified School District (BUSD). *Banning Unified School District. Fee Justification Report for New Residential and Commercial/Industrial Development*. Page 21. Website: <https://4.files.edl.io/fe8c/03/25/21/165359-bd3c13be-80e9-402e-a2aa-861ab8a653eb.pdf> (accessed September 2023), which states Level 1 fees of \$4.09 and \$0.66 per square foot of residential and commercial/industrial development, respectively.) See also the May 2023 *Developer Fee Justification Study for Residential & Commercial/Industrial Development* prepared for the BUSD Board, which identifies that the payment of these higher fees to BUSD is justified (\$4.79 and \$0.78 per square foot for residential and industrial/commercial uses, respectively, The project applicant will be required to the pay fees in effect at the time payment is required.



(1) tot lots, mini parks, pocket parks and plazas ranging in size from 0.5 to 3.0 acres; (2) neighborhood parks located within walking or bicycle distance of residences and ranging in size from 5 to 10 acres; (3) school parks built adjacent to but separate from educational facilities; (4) community parks that range in size from 20 to 50 acres designed to serve an area within a 5-mile radius of the park; (5) regional parks that are at least 50 acres in size and serve the entire City or region; and (6) special use parks linked to a specific activity, such as a skate park.

The City has seven public parks totaling approximately 66.7 acres.¹⁷ The park facilities include one mini park, four neighborhood parks, one community park, one regional park, and one private park. Public facilities include three picnic shelter areas; three parks with ball and soccer fields; tennis courts; basketball courts; a new skateboard park; a senior center; and a community center with gymnasium, kitchen area, and meeting rooms.¹⁸ Additionally, the City owns 150 acres of land identified as Smith Creek Ranch Site, which is under consideration for development as a recreational and multi-use facility.¹⁹ The City's General Plan establishes a parkland acreage need of 5 acres per 1,000 residents. As of 2023, the population of Banning was 31,250 residents;²⁰ therefore, the current population-to-parkland ratio is 2.13 acres per 1,000 residents.

The nearest existing park to the project site is Roosevelt Williams Park, located approximately 0.3 mile west of the project site.

4.15.3.5 Other Public Facilities—Libraries

Library service in the city is provided through the BLD and was created as a California Special District funded by property tax revenue through the County of Riverside and a special property tax assessment on residents within the BLD service area. The proposed project is within the BLD service area. A collection of 57,590 volumes is available at the 9,563-square-foot library (the only library in the BLD) located at 21 West Nicole Street, approximately 1 mile west of the project site.²¹ The existing library also provides 14 computer stations available to the public, wireless access for laptop users, a computer lab with 8 computers, a teen zone dedicated to young adult literature, and a Children's Services Department that provides a book selection and storytime events aimed at younger children visiting the facility.

¹⁷ RJM Design Group, Inc. City of Banning Parks and Recreation Master Plan. Pages 2-4 and 2-5. 2010.

¹⁸ City of Banning. 2021. City of Banning Parks and Recreation. Website: <http://banning.ca.us/97/Parks-Recreation> (accessed August 2022).

¹⁹ Smith Creek Ranch Site, a 150-acre site owned by the City and located in the southeast portion of Banning. Planned improvements are identified as: equestrian facilities, museum, lake development, a commercial retail center, a restaurant, a hotel, a driving range, a swimming pool, a clubhouse, tennis courts, and a multi-use open space. To date, no such facilities have been developed. (See the 2010 Banning Parks and Recreation Master Plan and the City's website: <https://banningca.gov/93/City-Assets>.)

²⁰ California Department of Finance. *E-5 Population and Housing Estimates for Cities Counties, and the State January 2021–2023 with 2020 Benchmark*. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed September 2023).

²¹ Email communication between Kevin Lee, District Director Banning Library, and Tulsi Mistry, Assistant Environmental Planner, LSA, March 8, 2022.



Banning City Hall and other City public facilities (the Planning Department, the Public Works Department, the Parks and Recreation Department, etc.) are located at 99 East Ramsey Street approximately 1 mile southwest of the project site. These facilities are open to the public Monday through Friday, 8:00 a.m. to 5:00 p.m.

4.15.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) regulations applicable to the proposed project regarding public services.

4.15.4.1 Federal Regulations

There are no federal regulations regarding public services applicable to the proposed project.

4.15.4.2 State Regulations

The following State regulations would be applicable to the proposed project.

Assembly Bills 2926, 1600, and 2751; School Fees. To assist in providing facilities to serve students generated from new development projects, the State enacted Assembly Bill (AB) 2926 in 1986, which allows school districts to collect impact fees from developers of new residential, commercial, and industrial developments. Development impact fees (DIFs) are also referenced in the 1987 Leroy Greene Lease-Purchase Act, which requires school districts to contribute a matching share of the costs for the construction, modernization, or reconstruction of school facilities. Subsequent legislation has modified the fee structure and general guidelines. In 1987, the provisions of AB 2926 were expanded and revised by AB 1600, which limits the ability of a school district to levy school fees unless (i) there is a need for the school fee revenues generated, and (ii) there is a nexus or relationship between the need for school fee revenues and the type of development project on which the school fee is imposed. (The requirements of AB 1600 were clarified with the passage in 2006 of AB 2751, which codifies the findings of *Shapell Industries vs. Milpitas Unified School District*.)

Senate Bill 50 and California Education Code Section 17620. Senate Bill (SB) 50, the Leroy F. Greene School Facilities Act of 1998, was signed into law on August 27, 1998. It is a program for funding school facilities largely based on matching funds. The approval of Proposition 1A authorized funds for SB 50 in the amount of \$9.2 billion, including grants for the construction of new schools and modernization of existing schools. The new construction grant provides funding on a 50/50 State and local match basis. The modernization grant provides funding on a 60/40 State and local match basis. Districts that are unable to provide some or all of the local match requirements and are able to meet financial hardship provisions may be eligible for additional State funding.²² SB 50 (codified as California Education Code Section 17620) allows school districts to levy a fee, charge, dedication, or other requirement against any development project within their boundaries for the purpose of funding the construction or reconstruction of school facilities. The maximum fee amount that school districts can assess is limited by statutes provided in California Government Code Section 65995.

²² State of California. State Allocation Board. *Office of Public School Construction, School Facility Program Handbook*. April 2007.



The California Department of Education permits local school districts to increase facility fees subject to Department of Education review and with approval of a nexus study from the school district that demonstrates that costs incurred by the school district for the provision of school facilities and services are higher than Level 1 funding provides. In such an instance, a nexus must be demonstrated in the study between the increase proposed by the local school district and the actual cost of provision of school facilities and services.

California Building Code Title 24. Title 24 of the California Code of Regulations, also known as the California Building Code (CBC or Title 24), contains the design standards that govern the construction of buildings in California to “safeguard life or limb, health, property, and public welfare by regulation and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment.” The 2022 Edition of the CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures and certain equipment. The 2022 CBC became effective January 1, 2020, and consists of 12 parts. Part 2 of the CBC outlines building design and construction requirements relating to fire, life safety, and structural safety.

California Fire Code. The California Fire Code (CFC) includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Several fire safety requirements include the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

Office of Emergency Services. The State of California passed legislation authorizing the Office of Emergency Services to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Noncompliance with SEMS could result in the State withholding disaster relief from the noncomplying jurisdiction in the event of an emergency disaster.

4.15.4.3 Regional Regulations

There are no regional policies or regulations related to public services applicable to the proposed project.

4.15.4.4 Local Regulations

The following local regulations would be applicable to the proposed project.

City of Banning General Plan. The City of Banning General Plan includes the following applicable elements: Public Building and Facilities, Schools and Libraries, Police and Fire Protection, and Emergency Preparedness. These elements incorporate policies to achieve a better-balanced, well-planned community for residents living in Banning. The following policies related to fire, police, public



schools, libraries, parks and open space, and parks and recreation services would be applicable to development of the project site:

- **Police and Fire Services Element – Fire Services**

- **Policy 1:** The City shall work closely with the Fire and Police departments to assure that adequate facilities are constructed, and service is provided as development and growth occur to maintain and enhance levels of service and insurance ratings.
- **Policy 2:** The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.
- **Policy 3:** The City shall strictly enforce fire standards and regulations in the course of reviewing development and building plans and conducting building inspections of large multiple family projects, community buildings, commercial structures and motel structures.
- **Policy 4:** All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.
- **Policy 5:** Crime prevention design techniques, including the use of “defensible space,” high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development.

- **Police and Fire Services Element – Police Services**

- **Policy 2:** The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.
- **Policy 5:** Crime prevention design techniques, including the use of “defensible space,” high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development.

- **Schools and Library Element – Public School Services**

- **Policy 3:** Schools and libraries shall be protected for excessive noise and traffic conditions, incompatible land uses, and the threat of on-site disturbances to the greatest extent practicable.

- **Open Space and Conservation Element – Parks and Open Space**

- **Policy 7:** Drought tolerant landscaping materials and design features shall be incorporated into parks, roadway medians, common area landscaping, public facilities and other appropriate open space lands to retain and preserve the natural environment.



- **Parks and Recreation Element – Parks and Recreation**

- **Policy 6:** The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.

City of Banning Municipal Code. The City of Banning Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's general plan and proposed development projects. The following provisions address fire, emergency services, and schools, and would be applicable to the proposed project:

- **Chapter 3.36 (Fees and Service Charge Revenue).** Requires developers to provide a school district-issued Certificate of Compliance, verifying the payment of required fees, prior to issuance of building permits.
- **Chapter 8.16 (Fire Protection Code).** The California Fire Code is adopted, as amended, revised and supplemented, by the City as the City of Banning Fire Protection Code.
- **Chapter 15.28 (Fire Districts).** Categorizes the City into Fire Zones One, Two, and Three. Requires fire-retardant roof coverings on all buildings or structures in the City. No wood roof-covering of any type is permitted within the City limits.

City of Banning Development Impact Fees. The City of Banning prepared the *Development Impact Fee Update Study*²³ (DIF Study) in August 2019 to outline and update DIFs that are imposed on developers building in Banning to fund public services. The DIF Study establishes the share of public facilities and capital improvements to be imposed on future development in the form of a DIF for police facilities, fire facilities, parks and recreation facility, general city facilities, wastewater facilities, and water facilities.

The DIFs identified in the DIF Study may only fund the share of public facilities related to new development in the city of Banning. They may not be used to fund the share of facility needs generated by existing development or by development outside of the city.

4.15.5 Thresholds of Significance

Significance determinations utilized in this section are from Section XV of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact with respect to public services if it would:

- Threshold 4.15-1: 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;**

²³ Willdan Financial Services. *City of Banning, Development Impact Fee Update Study*. August 2019.



- Threshold 4.15-2:** 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;
- Threshold 4.15-3:** 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;
- Threshold 4.15-4:** 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; or
- Threshold 4.15-5:** 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.

4.15.6 Project Impact Analysis

Potential impacts of the proposed project on public services (e.g., fire, police, schools, parks, and library services) are discussed below pursuant to the thresholds established in Section 4.15.5, above.

4.15.6.1 Fire Protection

Threshold 4.15-1: Would the 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?

Impacts on fire protection services are considered significant if an increase in population or building area would result in inadequate response times or other performance objectives for fire protection, and/or increased demand for services that would require construction of new fire protection facilities. The following analyzes construction and operation-related impacts to fire protection services that could occur with implementation of the proposed project.

Construction. Construction activities, including improvements to the west side of Hathaway Street, have the potential to affect fire protection services, such as emergency vehicle response times, by potentially requiring temporary lane closures. As described in Section 4.17, Transportation, of this EIR,



the construction contractor would be required to prepare and implement a Traffic Management Plan (TMP) (**Regulatory Compliance Measure [RCM] TRA-2**) to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook*²⁴ and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. Implementation of the TMP would ensure that emergency vehicles and emergency service providers (i.e., Fire Department personnel) are notified of any temporary lane closures in advance and can plan for adequate navigation to the project site and within the project area. Traffic management personnel (flagpersons), required as part of the TMP would be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access. If partial lane closures are required, notice would be provided to the RCFD, and flagpersons would be used to facilitate the traffic flow until construction is complete. With implementation of **RCM TRA-2**, potential impacts related to emergency access during construction of the proposed project would not be impeded.

Construction of the proposed project could also increase the potential for accidental on-site fires from the operation of construction equipment, the use of flammable construction materials, and sparking during the removal of any existing on-site vegetation. As required by the California Occupational Safety and Health Administration (Cal/OSHA) and Fire and Building Code requirements, the construction contractor would be required to carefully store flammable materials in appropriate containers during project construction, use construction equipment with spark arrestors, and immediately and completely clean up spills of flammable materials when they occur. In addition, as specified in the conditions of the site-specific Fire Protection Plan (**RCM FIRE-1**), prior to bringing lumber or combustible materials onto the project site, improvements within the active development area must be in place (including utilities, operable fire hydrants, and approved temporary roadway surfaces), and construction-phase fuel modification zones must be established. Furthermore, the construction contractor and construction personnel would be familiar with the Fire Protection Plan and trained in emergency response, and fire suppression equipment specific to the construction site would be available and maintained on site for the duration of the construction period. Adherence to the Fire Protection Plan and existing laws would ensure that the project site is adequately served by fire protection services during construction.

As such, impacts to fire protection, emergency medical services, and Fire Department response times would be minimized during construction. Construction of the proposed project would not require the provision of new or physically altered governmental facilities or the 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. Impacts would be **less than significant**, and mitigation is not required.

Operation. The proposed project would provide general and emergency access to the project site via Hathaway Street. The main entrance to the project site would be from Hathaway Street via a 62-foot-wide truck/automobile driveway that would be constructed opposite George Street. The main driveway entrance off Hathaway Street would be signed for passenger vehicles only and accessed via

²⁴ California Inter-Utility Coordinating Committee. *California Temporary Traffic Control Handbook, 7th Edition*. May 2018.



a deceleration lane proposed between Nicolet Street and George Street that would connect to an 800-foot-long on-site 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 and four additional 26-foot-wide automobile driveways would be constructed along Nicolet Street along the project site's southern frontage. In addition, the proposed project would construct various street improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street as well as construct three additional roadways along the northern, eastern, and southern perimeters of the site and dedicate right-of-way to the City for public use. All roadways and structures associated with the proposed project would be constructed in accordance with City and RCFD emergency access standards. Development on the site would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and within the project site for emergency vehicles. Water availability, fire water flow, and hydrant placement throughout the proposed project would be reviewed and verified by the RCFD to ensure compliance with local and State codes. Additionally, fire protection measures specified in **RCM PUB-1** would be required for the proposed project in accordance with Riverside County ordinances and/or recognized fire protection standards.

The proposed industrial use is anticipated to employ between 948 to 1,380 employees, depending on the building occupant(s), which would result in an increased demand for RCFD services at the project site when compared to existing site conditions. As previously stated, the proposed project would be required to adhere to the site-specific Fire Protection Plan and Wildfire Evacuation Plan, as specified in **RCM FIRE-1**, including measures such as the use of ignition-resistant construction materials, installation of fire sprinkler systems, and inclusion of Fuel Modification Zones. Additionally, the proposed project would be required to comply with applicable CBC, CFC, RCFD regulations, and City Municipal Code regulations. Therefore, the proposed project is not expected to generate additional demand for fire protection services to the extent that new or expanded facilities would be required to serve the proposed project, the construction of which could result in a significant physical effect to the environment.

The National Fire Protection Association (NFPA) has a 6-minute guideline for Fire Department response time to a fire emergency.²⁵ In addition, the RCFD's Alternative Staffing Model Recommendation, adopted by the Board on March 7, 2017, recommends a 5-minute response time, 90 percent of the time.²⁶ Fire Station 89 can respond to the project site in approximately 2.69 minutes, and Fire Station 20 can respond to the project site in approximately 10.17 minutes.²⁷ Given the location of the project site relative to Fire Station 89 and the current response times, the RCFD would be able to respond to an emergency at the project site or in the project vicinity within the RCFD's 5-minute response time goal. Therefore, implementation of the proposed project would not

²⁵ National Fire Protection Association (NFPA). *NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*. 2020.

²⁶ *Ibid.* Page 32.

²⁷ Dudek. *Fire Protection Plan, First Hathaway Logistics Project, County of Riverside*. Table 2. July 2023.



result in the need to expand or construct new fire protection facilities in order to maintain adequate response times.

In addition, **RCM PUB-2**, as prescribed below, would require the proposed project to pay current Fire Protection Facilities DIFs for commercial and industrial development that would contribute to the fair-share funding for RCFD improvements, staffing increases, and equipment purchases to ensure adequate fire protection services continue in Banning and at the project site. With implementation of **RCM PUB-1** and **RCM PUB-2**, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire facilities, or the need for new or physically altered fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. Additionally, as prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** requires the proposed project to adhere to the project-specific Fire Protection Plan²⁸ and Wildfire Evacuation Plan.²⁹ **RCM PUB-1** and **RCM PUB-2**, prescribed below, require implementation of fire protection measures along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. These compliance measures are codified through existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to public services. The City considers these requirements to be mandatory; therefore, they are not mitigation measures.

RCM PUB-1: In accordance with County of Riverside (County) ordinances and/or recognized fire protection standards, prior to the issuance of building permits by the City of Banning (City), the project applicant shall provide documentation that the following fire protection measures have been incorporated into the proposed project's plans:

1. **Fire Protection Water Supplies/Fire Flow:** Minimum fire flow for the construction of all buildings is required per California Fire Code (CFC) Appendix B. Prior to building permit issuance for new construction, the applicant shall provide documentation to show there exists a water system capable of delivering the required fire flow. Specific design features may increase or decrease the required fire flow. Refer to CFC 507.3.
2. **Fire Protection Water Supplies/Hydrants:** The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with CFC Appendix C and National Fire Protection Association (NFPA) 24. Fire hydrants

²⁸ Dudek. *Fire Protection Plan, First Hathaway Logistics Project, County of Riverside*. Table 2. March 2024.

²⁹ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. April 2024.



shall be located no more than 400 feet from all portions of the exterior of the building along an approved route on a fire apparatus access road, unless otherwise approved by the Riverside County Fire Department (RCFD). Fire hydrants shall be at least 40 feet from the building they are serving. A fire hydrant shall be located within 20 to 100 feet of the RCFD connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are 4" x 2 ½" x 2 ½" (super hydrant). Refer to CFC 507.5, CFC Appendix C, and NFPA 24.

3. **Fire Department Access:** Fire apparatus access roads shall be provided to within 150 feet of all exterior portions of buildings unless otherwise approved by the RCFD. Fire apparatus access roads shall have an unobstructed width of no less than 24 feet. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with an approved turnaround. The minimum required turning radii of a fire apparatus access road are 38 feet outside radius and 14 feet inside radius. The construction of the fire apparatus access roads shall be all-weather and capable of sustaining 75,000 pounds. Unless otherwise approved, the grade of a fire apparatus access road shall not exceed 16 percent and the cross slope shall not exceed 2.5 percent. The angles of approach and departure for fire apparatus access roads shall be a maximum of 6 percent grade change for 25 feet of approach/departure. Refer to CFC 503.1.1, 503.2.1, as amended by the County, and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.4.
4. **Fire Department Access Turnaround:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with a bulb turnaround at the terminus measuring a minimum of 38 feet outside radius and 14 feet inside radius. Parallel parking around the perimeter of the bulb is acceptable provided the bulb's outside turning radius is increased by 8 feet. In lieu of a bulb, a hammerhead-type turnaround is acceptable where the top of the "T" dimension is 120 feet with the stem in the center. Additional turnaround designs may be acceptable as approved by the RCFD. Refer to CFC 503.1.1, 503.2.1, as amended by the County, and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.
5. **Secondary Access:** Unless otherwise approved by the RCFD, dead-end fire apparatus access roads shall not exceed 1,320 feet. Secondary egress/access fire apparatus access roads shall provide independent egress/access from/to the area or as otherwise approved by the RCFD. Secondary egress/access fire apparatus access roads shall be as remote as possible from the primary fire apparatus access road to reduce the possibility that both routes will be obstructed by a single emergency. Additional fire apparatus access roads based on the potential for impairment by vehicle congestion, condition of terrain, climatic conditions, anticipated magnitude of a potential incident, or other factors that could limit access may be required by the RCFD. Refer to CFC 503.1.2 and Riverside County Office of the Fire Marshal Technical Policy #TP22-002.



- a. First Industrial Way shall be constructed and completed prior to Certificate of Occupancy to allow adequate secondary emergency vehicle access.
6. **Fire Department Building Construction Plan Review:** Submittal of construction plans to the RCFD will be required. Final fire and life safety conditions will be addressed when the RCFD reviews the plans. These conditions will be based on the CFC, California Building Code (CBC), and related codes/standards adopted at the time of construction plan submittal. Refer to CFC 105.1.
7. **Fire Sprinkler System:** All new commercial buildings and structures 3,600 square feet or larger will be required to install a fire sprinkler system. Refer to CFC 903.2, as amended by the County.
8. **Fire Alarm and Detection System:** A water flow monitoring system and/or fire alarm system may be required as determined at the time of building construction plan review. Refer to CFC 903.4 and CFC 907.2.
9. **Traffic Calming Devices:** Requests for the installation of traffic calming designs/devices on fire apparatus access roads shall be submitted and approved by the Fire Code Official. Refer to CFC 503.4.1.
10. **Gate Access:** All electronically operated gates shall be provided with Knox key switches and automatic sensors for access. These gates shall be provided with access to gate equipment or another method to open the gate if there is a power failure. (Manual gates shall not be locked unless a Knox Box containing the key to the lock is installed in an approved location on the approach side of the gate). A pedestrian gate, if used to provide access, shall be a minimum of 3 feet wide and provided with a Knox Box/padlock if locked. Refer to CFC 506.1.
11. **Fire Department Access Doors:** If high-piled storage will be utilized in the building, RCFD access doors may be required every 150 feet along all portions of the interior of the building that are along the fire apparatus access road. Refer to CFC 3206.7.
12. **Dock Loading:** Dock loading shall not impede RCFD access lanes.
13. **Addressing:** All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Refer to CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01.
14. **Water Plans:** If fire hydrants are required to be installed, the applicant/developer shall furnish the water system fire hydrant plans to the RCFD for review and approval prior to building permit issuance. Plans shall be signed by a registered civil engineer and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the



originals shall be presented to the RCFD for review and approval. Refer to CFC 105.4.1.

15. **Emergency Responder Communication Coverage Systems:** Projects that do not meet the exceptions set forth by the Riverside County Office of the Fire Marshal shall provide plans for an emergency responder radio coverage system. Refer to CFC 510.1 and Riverside County Office of the Fire Marshal Technical Policy #TP19-002.

16. **Fire Planning Review:** This planning case will also be reviewed by the RCFD Planning Section for the cumulative impact on the RCFD's ability to provide an acceptable level of service. Additional requirements may be conditioned by Fire Planning to mitigate these impacts. Questions for Fire Planning can be addressed to RRUOFMPlanning@fire.ca.gov.

RCM PUB-2: Prior to the issuance of building permits by the City of Banning, the most current Fire Protection Facilities Development Impact Fee (DIF) 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 Fire Protect Facilities DIF is paid.

Level of Significance After Mitigation: As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. As prescribed in Section 4.20, Wildfire, of this EIR, **RCM FIRE-1** specifies measures to reduce wildfire risks and details evacuation options for project occupants in the event of an emergency. Additionally, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures and payment of applicable Fire Protection Facilities DIFs. With implementation of **RCM TRA-2**, **RCM FIRE-1**, **RCM PUB-1**, and **RCM PUB-2** the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire facilities, or the need for new or physically altered fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Impacts would remain **less than significant**, and mitigation is not required.

4.15.6.2 Police Protection

Threshold 4.15-2: Would the 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?

As discussed above, police protection services within Banning are provided by BPD. The City has established objectives for staffing levels for BPD in its General Plan. The following analysis considers the potential impacts related to construction and operation of the proposed project on the City's objective for a level of service equating to 2.0 sworn officers per 1,000 population.



Construction. Construction activities, including improvement to the west side of Hathaway Street, have the potential to affect law enforcement services, such as emergency vehicle response times, by potentially requiring temporary lane closures. As discussed above, the construction contractor would be required to prepare and implement a TMP (**RCM TRA-2**) to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook* and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. Implementation of the TMP would ensure that emergency vehicles and emergency service providers (i.e., law enforcement) are notified of any detours or lane closures in advance and can plan for adequate navigation to the project site. Traffic management personnel (flagpersons), required as part of the TMP, would be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with law enforcement vehicle access. If temporary lane closures are required, notice would be provided to BPD, and flagpersons would be used to facilitate the traffic flow until construction is complete.

Active construction sites are often vulnerable to criminal activity during nonconstruction hours due to construction equipment and vehicles with gasoline and diesel fuel staged on site, and unsecured construction materials. To minimize trespassing, the project site would be fenced, and during nonconstruction hours, access points would be locked. Construction equipment would be stored in well-lit areas and smaller equipment would be secured. Patrols by BPD would increase during nonconstruction hours; however, such increases would be nominal and would be in existing patrol areas of the BPD.

As such, impacts to police services and response times would be minimized during construction. Construction of the proposed project would not require the provision of, or need for, new or physically altered governmental facilities. The construction of such facilities could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Impacts would be **less than significant**, and mitigation is not required.

Operation. The proposed project would not include the development of residential units and therefore would not directly increase the existing population of the city or the BPD service area. However, development of proposed project is expected to generate between 948 and 1,380 employees, depending on the building occupant(s), which could result in indirect population growth within Banning and the BPD service area. As discussed in Section 4.14, Population and Housing, in this EIR, the majority of the long-term employment opportunities offered by the proposed project are anticipated to be filled by existing city or county residents. Therefore, it can be assumed that these existing city and county residents already have housing within the city or county and, therefore, would likely not relocate as a result of employment. It is possible, however, that a nominal number of employees could relocate to Banning, thereby increasing demand for BPD services. According to BPD, the Department is currently staffed at 1.05 officers per 1,000 residents, which is slightly lower than



the national average of 1.2 officers per 1,000 residents. To meet the national average, BPD would need to hire five more officers to adequately serve the city.³⁰

The proposed project would be required to incorporate Crime Prevention Through Environmental Design (CPTED) features to keep service demand increases from the BPD to a minimum.³¹ For example, public zones and private zones would be incorporated via physical and symbolic barriers to define acceptable uses of the proposed building and determine who has a right to occupy such zones. Additionally, the proposed building would be equipped with formal surveillance through the use of closed-circuit television, electronic monitoring, and potential security patrols, as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants. BPD employs CPTED principles during the development review process for new construction and offers CPTED inspection services free of charge to reduce the likelihood of criminal activity and create safer places for the community. Pursuant to Section 17.12.170 of the Banning Municipal Code, the proposed project would implement lighting that follows the following guidance: lighting in commercial and industrial projects should be only the minimum required for safety and security; lighting should be integrated into the structure's architecture to the greatest extent possible; and all lighting fixtures shall not have a visible light source and must be shielded and directed downward to confine light spread within the site boundaries. Pursuant to Section 15.7.072 of the Banning Municipal Code, as a condition of the proposed project specified below in **RCM PUB-3**, the proposed project would be required to pay current Police Facilities DIFs for commercial and industrial development.

Although Police Facilities DIFs would be imposed, the proposed project could result in a temporary increase in the amount of people in the city during business/working hours and BPD service calls could increase, thereby impacting the service capability of BPD over the lifetime of the proposed project. All of the deficiencies of BPD would not be resolved with payment of the proposed project's Police Facilities DIFs. However, other developments within the city would also pay their fair share of Police Facilities DIFs that would collectively be used to fund BPD increases in law enforcement personnel, development of new BDP stations as needed, purchase of new BPD equipment, and/or improvements to existing BDP facilities in the city. Therefore, with payment of Police Facilities DIFs, implementation of the proposed project would not require the specific development of a new BPD facility or expansion of the existing facilities in Banning, and impacts would be **less than significant**. Mitigation is not required.

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

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to

³⁰ Based on an estimated 2023 population of 31,250 residents. $(31,250/1,000)*1.05 = 32.8$ rounded to 33 officers. $(31,250/1,000)*1.2 = 37.5$ rounded to 38 officers. The population estimate was contrived from the California Department of Finance *E-5 Population and Housing Estimates for Cities Counties, and the State January 2021–2023 with 2020 Benchmark*. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed September 2023).

³¹ City of Banning. *City of Banning General Plan, Chapter VI – Public Services and Facilities, Policy 5*. January 31, 2006.



manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. Additionally, **RCM PUB-3**, prescribed below, requires payment of current Police Facilities DIFs for commercial and industrial development projects. These compliance measures are codified through existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to public services. The City considers these requirements to be mandatory; therefore, they are not mitigation measures.

RCM PUB-3: Prior to the issuance of building permits by the City of Banning, the most current Police Facilities DIF for commercial and industrial development shall be paid as calculated by the City. The building permits will be issued by the City after proof that the appropriate Police Facilities DIF is paid.

Level of Significance After Mitigation: As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. Additionally, **RCM PUB-3** requires payment of applicable Police Facilities DIFs. With implementation of **RCM TRA-2** and **RCM PUB-3**, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities, or the need for new or physically altered police facilities in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. Impacts would remain **less than significant**, and mitigation is not required.

4.15.6.3 Schools

Threshold 4.15-3: Would the 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?

The project site is located within the BUSD jurisdictional boundary; however, as the proposed project does not include the development of residential uses, direct increases in student enrollment to BUSD schools would not occur. Construction and operation impacts of the proposed project related to schools are discussed below.

Construction. Construction of the proposed project over an approximately 18-month period would create temporary employment opportunities within Banning. It is anticipated that the majority of construction-related employees would come from within the city or surrounding county areas. As such, school-aged children of any potential construction-related employee would already be enrolled in BUSD or other area schools. Given the duration of construction, it is not anticipated that construction-related employees would relocate to the city as a result of employment; therefore, construction of the proposed project is not anticipated to result in the addition of new students to BUSD. **No impact** would occur, and no mitigation is required.



Operation. As with construction of the proposed project, it is anticipated that the majority of the employees that would occupy the project site would come from within Banning or surrounding Riverside County areas. As such, school-aged children of any potential new employees would already be enrolled in BUSD or other area schools and the addition of new students to BUSD would be nominal. As such, implementation of the proposed project may have the potential to slightly increase the BUSD service deficiency of students within its district boundary. To reduce potential impacts to BUSD, the project applicant would be required to pay current DIFs to BUSD, as required by **RCM PUB-4**. The payment of these fees by the project applicant serves to mitigate all potential impacts on school facilities that may result from implementation of the proposed project to levels that are less than significant (pursuant to California Government Code Section 65996). The provisions of SB 50 provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other State or local laws. As such, with payment of DIFs to BUSD through implementation of **RCM PUB-4**, impacts to the BUSD and its schools from implementation of the proposed project would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: **RCM PUB-4**, prescribed below, requires payment of current School DIFs to BUSD for commercial and industrial development projects. This compliance measure is codified through existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to public services. The City considers this requirement to be mandatory; therefore, it is not a mitigation measure.

RCM PUB-4: Prior to the issuance of building permits by the City of Banning, the most current School DIF to Banning Unified School District (BUSD) for commercial and industrial development shall be paid as calculated by the City, as applicable. The building permits will be issued by the City after proof that the appropriate School DIF to BUSD are paid.

Level of Significance After Mitigation: **RCM PUB-4** requires payment of applicable School DIFs. With implementation of **RCM PUB-4**, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, or the need for new or physically altered school facilities, in order to maintain acceptable service ratios or other performance objectives related to schools. Impacts would remain **less than significant**, and mitigation is not required.

4.15.6.4 Parks

Threshold 4.15-4: Would the 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?

Construction and operation impacts of the proposed project related to parks are discussed below.



Construction. As described above, construction of the proposed project over an approximately 18-month period would create temporary employment opportunities within Banning. It is anticipated that the majority of construction-related employees would come from within the city or surrounding county areas, and that these existing city and county residents already use park facilities within the city and county. Given the duration of construction, it is not anticipated that construction-related employees would relocate to Banning as a result of employment. Therefore, construction of the proposed project is not anticipated to result in an increased use of city park facilities. **No impact** would occur, and no mitigation is required.

Operation. The proposed project would not include the development of residential units; therefore, the proposed project would not directly add to the existing population of the city. Without directly adding to the population, the need for additional park and recreational uses would not be anticipated. The proposed project is anticipated to increase employment in Banning by an estimated 948 to 1,380 jobs (depending on the building occupant[s]), the majority of which are anticipated to be filled by existing city or county residents. It can therefore be assumed that these existing city and county residents already use park and recreation facilities within the city and county. With payment of DIFs, the proposed project would contribute to park and recreation facilities in the city. As such, implementation of the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, or the need for new or physically altered park facilities, the construction of which could cause significant environmental impact, to maintain acceptable service ratios or other performance objectives for parks. Impacts would be **less than significant**, and mitigation is not required.

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

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain less than significant, and mitigation is not required.

4.15.6.5 Other Public Facilities—Libraries

Threshold 4.15-5: Would the 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?

This analysis focuses on libraries as other public facilities (i.e., City Town Hall and City Departments) have been developed to accommodate the build-out population of Banning as well as the employment force in the city. San Gorgonio Memorial Hospital (located at 600 North Highland Springs Avenue in Banning) is a privately owned facility and is therefore not analyzed as a publicly owned facility under this analysis.

The BLD provides library service to city residents and employees at the 9,563-square-foot library located at 21 West Nicolet Street, approximately 1 mile west of the project site. According to staff,



the BLD adequately serves the population within its jurisdiction.³² The library is planning to construct a second branch to serve residents in the next few years (2024 or 2025), and the current library facility may be expanded as part of implementation of Measure M funding.³³ Construction and operation impacts of the proposed project related to library facilities are discussed below.

Construction. Short-term construction activities would not impact the existing BLD system because there are no nearby libraries that could be impacted by construction activities and construction activities would not generate a demand for library services. It is unlikely that construction workers would increase the demand for library services during the temporary construction of the proposed project, as most workers would commute directly to and from the site for the sole purpose of working on the proposed project. Therefore, no new libraries would be required to be developed, nor would the existing library need to be expanded to provide adequate public library services during construction of the proposed project. As such, potential impacts on public libraries during project construction would be **less than significant**, and mitigation is not required.

Operation. Demand for library services is typically determined based on the size of the resident population. Implementation of the proposed project does not include residential uses and therefore would not directly add population to the city that would use services provided by the BLD. The proposed project, based on the commercial and industrial uses that would be developed on the site, would generate between 948 to 1,380 jobs, which would increase employment opportunities in the city. However, it is anticipated that the majority of the jobs generated by the proposed project would be filled by existing city or county residents who already use library facilities within Banning or the region. It is unlikely that employees of the proposed building would use library services during their working hours; however, the possibility exists that employees may use library services after work hours and/or during lunch breaks. As such, any increase in library usage by project employees would be nominal.

The BLD, as it is a California Special District, is funded by property tax revenue. The annual estimate of costs of BLD operations is furnished to the County of Riverside and the tax required to fund library functions is computed, entered upon the tax rolls, and collected in the same manner as County taxes are computed and collected. All money collected is County treasury to the credit of the BLD.³⁴ As permitted, the BLD'S Board of Trustees may call an election and submit to the electors of the district a proposition of whether bonds may be issued and sold for the purpose of raising money to support library functions and facilities.³⁵ In 2022, the BLD initiated (Measure M) to fund the expansion and modernization of the current 9,563-square-foot facility to 31,000 square feet to better serve the City's population. The BLD has already received a \$4.8 million State grant for this expansion. According to the BLD, Measure M would have increased property taxes by \$9.70 per \$100,000 of assessed valuation annually, or roughly 80 cents per month to property owners.³⁶ Only 50.22 percent of voters supported

³² Email communication between Kevin Lee, District Director Banning Library, and Tulsi Mistry, Assistant Environmental Planner, LSA, March 8, 2022.

³³ Ibid.

³⁴ California Education Code, §§19470-19473.

³⁵ California Education Code, §19520.

³⁶ *Record Gazette*, H. Hernandez, November 11, 2022.



Measure M; therefore, it did not garner the two-thirds of votes necessary for approval in the November 2022 election.³⁷

The BLD is not included in the City's DIF program; therefore, property owners are responsible for funding BLD facilities and functions through the payment of property taxes. In the absence of a significant direct or indirect increase in library demand from development of the proposed project, there is no need for additional library facilities. As BLD facilities are currently providing adequate service to district residents, and because any use of BLD facilities by project employees would be nominal, the continued payment of property taxes (which include an appropriate BLD assessment) would provide adequate funds to support BLD functions/facilities. Therefore, **no impact** to BLD would result from development of the proposed project, and mitigation is not required.

Level of Significance Prior to Mitigation: No Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: No impacts would occur, and mitigation is not required.

4.15.7 Cumulative Impacts

The cumulative impact area for public services for the proposed project is the city of Banning. The cumulative development of residential, commercial, and industrial uses in the city will proportionally increase the demand for public services. A considerable cumulative impact would occur if cumulative development required the provision of new or expanded public facilities to maintain adequate service levels, the construction of which would cause a significant environmental impact.

The City maintains a schedule of DIFs imposed on development to fund public services and offset future developments' share of public facilities and capital improvements for police facilities, fire facilities, parks and recreation facilities, general city facilities, wastewater facilities, and water facilities. The fees collected are dependent on the type and size of development and fund the share of public facilities related to new development in the city. The BLD, as it is a California Special District, is funded by property tax revenue. The annual estimate of costs of BLD operations is furnished to the County of Riverside and the tax required to fund library functions is computed, entered upon the tax rolls, and collected in the same manner as County taxes are computed and collected. Under the provisions of SB 50, the BUSD is authorized to collect fees to offset the costs associated with increased demand on school facilities resulting from development. Under AB 2926, this funding may go to acquiring school sites, constructing new school facilities, and modernizing existing school facilities. Pursuant to California Government Code Section 65995(h), the payment of these school fees (as established and ratified by the BUSD) by a developer would provide full mitigation of potential impacts on school facilities.

The City's DIF impact analysis identifies existing and future service population (residents plus workers) and existing and planned public facilities based on an estimated number of residents, dwelling units,

³⁷ https://www.voteinfo.net/Elections/20221108/docs/ElectionSummaryReportRPT_mhtml.htm (accessed November 22, 2022).



employees, and building square feet in Banning, both in 2018 and in 2040. The base-year estimates of residents and dwelling units come from the California Department of Finance. Future resident and dwelling unit are based on draft Growth Figures from the Southern California Association of Governments' Integrated Growth Forecast from the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy. As the DIF program has already accounted for the 2040 forecasted population/dwellings in Banning, it is reasonable to anticipate that the fees established in the current DIF program (or the DIF program in effect at the time of proposed physical development of cumulative projects) adequately addresses any proportional increase in cumulative demand for public services. The City may use these fees to pay for the debt service on the existing facilities or for the construction or purchase of buildings, equipment, and land that are part of the system of public services to serve new development. As previously stated, the proposed project would be conditioned to pay applicable DIFs prior to the issuance of building permits. The payment of said fees would offset any proportional project-related increase in demand for public services.

As additional development occurs in the city, there may be an overall increase in the demand for law enforcement and fire protection services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. Although public service impacts tend to be cumulative in nature, each cumulative project would subject to applicable service conditions of providing agencies and would be required to pay DIFs, school fees, and/or property tax assessments to provide for its fair-share contribution to any increased demand for public services. With payment of such fees and tax assessments, which is required pursuant to Banning Municipal Code Chapter 15.68, the project's contribution to public services impacts is not cumulatively considerable. Further, as the payment of such fees is required for the cumulative development projects, cumulative impacts would be **less than significant**.

As detailed in Section 4.19, Utilities and Service Systems, of this EIR, the project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action in anticipation of the City's General Plan's long-term growth. Additionally, as detailed in Section 4.17, Transportation, of this EIR, proposed roadway improvements along the perimeter of the project site would implement the City's Circulation Element. As these facilities themselves are planned services to meet public demand, and because activity at these public facilities would be limited to periodic inspection and/or maintenance, no cumulative substantial adverse impacts are anticipated from construction of these facilities, which accommodate planned increases in demand for public services. The project's contribution to demand for public services, therefore, would not be cumulatively considerable.



This page intentionally left blank



4.16 RECREATION

This section describes the potential for implementation of the First Hathaway Logistics Project (project) to impact parks and other recreational facilities on or near the project site. This section also discusses the existing setting of recreational facilities within and near Banning and sets forth the relevant regulatory requirements that apply to the analysis of the proposed project's impact on recreational facilities. This section is based, in part, on information provided in the Public Buildings and Facilities Element of the City of Banning's (City) General Plan,¹ the *Banning Parks and Recreation Master Plan*,² and applicable provisions of the City's Municipal Code.

4.16.1 Scoping

Potential impacts to recreation and recreational facilities were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to recreation and recreational facilities. For copies of the NOP comment letters, refer to Appendix A of this Environmental Impact Report (EIR).

4.16.2 Methodology

Impacts to recreational facilities are assessed based on the potential for the proposed project's employees and users to generate increased demand on recreational facilities that could result in deterioration of, or contribute toward substantial accelerated deterioration of, those facilities or require the construction of new facilities or expansion of existing facilities that could have an adverse physical effect on the environment. For the purposes of this analysis, "recreational facilities" are defined as parks and designated public areas and facilities used for active or passive recreation. The *Banning Parks and Recreation Master Plan* implements a standard for acreage of parkland and open space at a ratio of 5 acres of parkland per 1,000 residents and uses the terms "park" and "recreation facility" interchangeably.³ These types of facilities include all six City park types, including tot lots/mini-parks/pocket parks/plazas, neighborhood parks, community parks, regional parks, special-use park lands, and school parks.⁴ Furthermore, Title 17 of the Banning Municipal Code describes open space and parks facilities that "allow public and private parks and recreational facilities, including golf courses, tot lots, dog parks, neighborhood, community, and regional parks, sports fields, and passive parks."⁵

4.16.3 Existing Environmental Setting

The 94.86-acre project site does not contain any parks or other recreational facilities and is not planned for development of such land uses.

¹ City of Banning. *City of Banning General Plan, Chapter VI, Public Services and Facilities*. April 19, 2006.

² RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. 2010.

³ Ibid. Pages 1-12, 2-1, 4-2, 4-24, 4-26, and 5-5.

⁴ Ibid. Pages 2-1 through 2-4.

⁵ City of Banning. *Code of Ordinances, Title 17 – Zoning, Division II. – Land Use Districts, Chapter 17.20 – Open Space Districts, Section 17.20.010(B)(2)*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT17ZO_DIVIIAUSD_I_CH17.20OPSPDI (accessed July 12, 2023).



There are currently seven public parks within the city, which range in size from the approximately 0.33-acre Carpenter-Hamilton Park to the 20-acre Dysart Equestrian Park.⁶ As shown in Table 4.16.A: Parks and Recreational Facilities in the City of Banning, the total parkland acreage in Banning is 66.67 acres. These areas consist of sports fields, picnic and play areas, an aquatic center, and other recreational structures and facilities. The nearest existing park to the project site is Roosevelt Williams Park, located approximately 0.3 mile west of the project site.

Table 4.16.A: Parks and Recreational Facilities in the City of Banning

Recreational Facility	Location	Type	Size (acres)	Amenities
Carpenter-Hamilton Park (at City Hall)	San Gorgonio Avenue at Ramsey Street	Mini	0.33	“Ring-of-Honor,” benches, and fountains.
Richard Sanchez Park	Mountain Avenue at Cypress Street	Neighborhood	3.32	Basketball court, playground/tot lot, picnic shelter/gazebo, and picnic tables.
Roosevelt Williams Park	Wilson Street at Blanchard Street	Community	5.5	Two basketball courts, multipurpose field, soccer field, community building, playground/tot lot, picnic shelter/gazebo, picnic tables, pedestrian walkway, restroom, and parking.
Sylvan Park	2801 West Nicolet Street	Neighborhood	7.8	Baseball field, two basketball courts, multipurpose field, softball field, volleyball court, playground/tot lot, picnic shelter/gazebo, picnic tables, barbecues, restroom, and parking.
Replier Park Complex	201 West George Street	Community	13.6	Playhouse Bowl Amphitheatre, Banning Aquatics Center, two tennis courts, multipurpose field, softball field, skate park, playground/tot lot, picnic shelter/gazebo, picnic tables, gymnasium, two community buildings, barbecues, restroom, and parking.
Lions Park	Charles Street at Hargrave Street	Community	16.12	Two baseball diamonds, football field, softball field, concession building, playground/tot lot, picnic tables, restrooms, and parking.
Dysart Equestrian Park	2107 West Victory Avenue	Community	20.0	Community garden, rodeo grandstand, vendor pads, equestrian arena and staging area, meeting rooms, restrooms, and parking.

Source: RJM Design Group, Inc. City of Banning Parks and Recreation Master Plan. Pages 2-4 and 2-5. 2010.

¹ Future acquisition site.

The City classifies parks as community, neighborhood, or mini-facilities based on size. In addition, the City recognizes school parks and special-use park lands. In 2009, Banning Unified School District (BUSD) and the City executed a joint-use agreement allowing City residents to use school playfields during nonschool hours. The following describes the existing types of parks and/or recreational facilities available within Banning and Riverside County.

⁶ RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. Pages 2-4 and 2-5. 2010.



4.16.3.1 Tot Lots/Mini-Parks/Pocket Parks/Plazas

Tot lots/mini-parks/pocket parks/plazas are 0.5 to 3 acres in size and are typically used for limited, isolated, or unique purposes. Carpenter-Hamilton Park is a 0.33-acre park located at Banning City Hall. This is the only mini-park in the city. The park includes a veterans' memorial, benches, and fountains.

4.16.3.2 Neighborhood Parks

Neighborhood parks are generally located within residential areas and tend to include a combination of passive and active recreation elements that address daily recreation needs. Richard Sanchez Park is approximately 3 acres and provides a playground, picnic opportunities, a pedestrian trail, and an outdoor basketball court for the residents in this area. Sylvan Park is almost 8 acres and provides a variety of recreation opportunities, including a playground, picnicking areas, barbecues, a ballfield, and an outdoor basketball court. Support facilities at Sylvan Park include parking and a restroom. Open play areas are used for informal volleyball games and unstructured open play.

4.16.3.3 Community Parks

Dysart Park (20 acres), Lions Park (16.12 acres), Replier Park Complex (13.6 acres), and Roosevelt Williams Park (5.5 acres) are the four major community parks located in the city.⁷ Community parks serve neighborhoods and offer recreational opportunities for large groups. These parks are generally over 10 acres in size and include a variety of facilities, including active recreational facilities, such as athletic fields and group picnic areas. Although Roosevelt Williams Park is only 5.5 acres, it is considered a community park because it provides many community-related recreation opportunities, including a Boys & Girls Club facility.

4.16.3.4 Regional Parks

Although owned and maintained by the County of Riverside (County), Gilman Historic Ranch and Wagon Museum is located in Banning, and Bogart County Park is about 0.75 mile northwest of the City's boundary.

Gilman Historic Ranch and Wagon Museum, at 1901 West Wilson Street in Banning, is approximately 160 acres and includes a wagon museum, historic ranch house, and adobe. It offers interpretive programs for students and the general public, including California Gold Rush and Native Americans of the Pass programs.⁸

Bogart County Park, at 9600 Cherry Avenue in the unincorporated community of Cherry Valley in Riverside County, includes picnic patios, playgrounds, a campground, an equestrian campground, and trails and covers more than 400 acres.⁹

⁷ RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. Pages 2-4 and 2-5. 2010.

⁸ Riverside County Parks. Gilman Historic Ranch and Wagon Museum. 2021. Website: <https://www.rivcoparks.org/gilman-ranch-wagon> (accessed February 15, 2021).

⁹ Beaumont Cherry Valley Recreation and Park District. *Bogart Regional Park*. 2021. Website: <https://www.bcvparks.com/more-information> (accessed August 5, 2021).



4.16.3.5 Other Public Facilities

Other national public open space areas that provide recreational opportunities in the vicinity of the project site include the San Bernardino National Forest (SBNF), San Gorgonio Wilderness, and Sand to Snow National Monument, as described below.

San Bernardino National Forest. The SBNF abuts the city's northern boundary and is located approximately 2.3 miles northwest of the project site. A separate section of the SBNF, encompassing the San Jacinto Mountains and most of the Santa Rosa Mountains, is approximately 3.7 miles southeast of the project site. The SBNF spans 679,000 acres and includes dozens of campgrounds, three ski resorts, and hundreds of miles of trails.

San Gorgonio Wilderness. The San Gorgonio Wilderness spans 148 square miles of the southeast San Bernardino Mountains and is partly within the SBNF and partly on land managed by the Bureau of Land Management.

Sand to Snow National Monument. President Obama designated the Sand to Snow National Monument on February 11, 2016. This National Monument spans 154,000 acres, stretching from the western boundary of Joshua Tree National Park on the east and encompassing the San Gorgonio Wilderness on the west.¹⁰ The monument includes two critical wildlife movement corridors and provides recreational opportunities, including hiking, horseback riding, backpacking, fishing, and bird watching. At higher elevations, recreational activities include snowshoeing, cross country skiing, and hiking along a portion of the Pacific Crest Trail. The southeast boundary of the monument is approximately 5.8 miles northeast of the project site.

4.16.3.6 Private Recreation Facilities

Sun Lakes Country Club and Serrano del Vista are two private, gated communities that serve the 55-and-older population in Banning. Amenities include golf courses, tennis courts, pools and spas, billiards, fitness rooms, and hobby/recreation clubs. There are also several public golf courses in the area, including Morongo Golf Club at Tukwet Canyon and Oak Valley Golf Club in nearby Beaumont.¹¹

Additionally, many of the residential developments and commercial/industrial open space facilities within Banning feature recreational amenities, including clubhouses, pools, tennis courts, walking paths, and other related recreational facilities. Although they are not included in the city's parkland inventory, these facilities complement public recreational amenities.

¹⁰ White House Office of the Press Secretary. *FACT SHEET: President Obama to Designate New National Monuments in the California Desert*. February 12, 2016. Website: <https://obamawhitehouse.archives.gov/the-press-office/2016/02/12/fact-sheet-president-obama-designate-new-national-monuments-california> (accessed July 2023).

¹¹ RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. Page 2-12. 2010.



4.16.3.7 Schools

As stated previously, in 2009, BUSD and the City executed a joint-use agreement allowing Banning residents to use school playfields during nonschool hours. Table 4.16.B: Joint-Use School Facilities outlines the park and sports facilities available at the six BUSD campuses.

Table 4.16.B: Joint-Use School Facilities

Schools	Amenities
Banning High School	2 indoor basketball courts, 8 outdoor basketball courts, 8 soccer fields, 1 gymnasium, 2 picnic shelters, and 20 picnic tables
Central Elementary School	3 outdoor basketball courts, 2 playground/tot lots, and 6 picnic tables
Coombs Middle School	3 baseball fields, 4 outdoor basketball courts, 1 football field, 2 volleyball courts, and 35 picnic tables
Hemmerling Elementary School	2 softball fields, 1 soccer field, 2 playground/tot lots, 1 picnic shelter, and 30 picnic tables
Hoffer Elementary School	1 baseball field, 2 outdoor basketball courts, 1 soccer field, 1 playground/tot lot, 1 picnic shelter, and 25 picnic tables
Nicolet Middle School	1 baseball field, 1 indoor basketball court, 8 outdoor basketball courts, 1 concession building, 1 football field, 1 gymnasium, 2 softball fields, 2 soccer fields, 4 tennis courts, and 10 picnic tables

Source: RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. Page 2-12. 2010.

4.16.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to parks and recreational facilities.

4.16.4.1 Federal Regulations

There are no federal regulations regarding parks and recreation applicable to the project site.

4.16.4.2 State Regulations

The Quimby Act of 1975, as discussed below, is the State regulation that applies to parks and recreation facilities in Banning.

Quimby Act of 1975. The Quimby Act (California Government Code § 66477) allows the legislative body of a city or county to require by ordinance the dedication of land, the payment of an in-lieu park fee, or a combination thereof, for the approval for a final tract or parcel map for residential development. In cases where such dedication or park fee is not obtained through a map, they may be imposed when building permits are issued. The following conditions must be met to comply with the Quimby Act:

- The city or county ordinance must include definitive standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof.



- The legislative body must adopt a general plan containing a recreation element, and any proposed park or recreational facility must be consistent with the principles and standards established in the element.

The Quimby Act applies to residential development projects only and would not apply to the warehouse uses proposed for the project site.

4.16.4.3 Regional Regulations

There are no regional regulations regarding parks and recreation applicable to the project site.

4.16.4.4 Local Regulations

Local regulations that guide development of parks and recreation facilities include the City's General Plan, City Development Impact Fees (DIFs), the City's Municipal Code, and the *Banning Parks and Recreation Master Plan*.

City of Banning General Plan. The Public Buildings and Facilities Element in Chapter IV, Public Services and Facilities, of the City's General Plan describes existing park and recreational facilities within Banning and evaluates these facilities with regard to land use compatibility, aesthetics, and functionality to foster coordinated planning and development.¹²

City of Banning Development Impact Fee (DIF). The City of Banning currently charges DIFs to fund the expansion of fire, police, traffic control, parkland and parks, general city, water, and wastewater facilities to serve new development. The parkland and parks impact fee funds parkland and parks facilities needed to serve new development.

City of Banning Municipal Code. The City of Banning Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provision addresses recreation:

- **Chapter 15.68 (Open Space and Parks Fees).** Imposes fees on new residential, commercial, and industrial development to pay for the costs incurred by the City in acquiring, improving, and expanding open space areas, scenic drives, parks, playgrounds, and recreational facilities to meet the increased needs for those facilities resulting from the effects of new development.¹³

Banning Parks and Recreation Master Plan 2010. The *Banning Parks and Recreation Master Plan* provides a guide for orderly development and management of parks and recreational facilities in Banning. The plan details existing recreation facilities and programs and includes a needs assessment for recreation facilities as well as recommendations. Opportunity sites for future recreation facilities and parks are also mapped. As stated previously, the *Banning Parks and Recreation Master Plan*

¹² City of Banning. *City of Banning General Plan, Chapter VI, Public Services and Facilities*. Page VI-9. April 19, 2006.

¹³ City of Banning. *Code of Ordinances, Title 15 – Buildings and Construction, Chapter 15.68 – Development Impact Fees, Section 15.668.050*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.68DEIMFE_15.68.050PAPAFDEIMFE (accessed July 2022).



implements a standard for acreage of parkland and open space at a ratio of 5 acres of parkland per 1,000 residents and uses the terms “park” and “recreation facility” interchangeably.¹⁴

4.16.5 Thresholds of Significance

The City has not established local CEQA significance thresholds for this impact area as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section XVI of Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact to recreation facilities if the project would:

Threshold 4.16-1: 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; or

Threshold 4.16-2: Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.16.6 Project Impact Analysis

Potential impacts of the project on recreation are discussed below pursuant to the thresholds established in Section 4.16.5, above.

4.16.6.1 Increase the Use of Existing Neighborhood and Regional Parks

Threshold 4.16.1: Would the 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?

The City of Banning maintains seven developed public parks totaling approximately 66.7 acres. The park facilities include one mini-park, four neighborhood parks, one community park, one regional park, and one private park. Public facilities include three picnic shelter areas; three parks with ball and soccer fields; tennis courts; basketball courts; a new skateboard park; a senior center; and a community center with a gymnasium, a kitchen area, and meeting rooms.¹⁵ Population estimates from 2023 indicate the population of Banning is 31,250 residents;¹⁶ therefore, the current population to parkland ratio is 2.134 acres per 1,000 residents. Additionally, the City owns 150 acres of land

¹⁴ RJM Design Group, Inc. *City of Banning Parks and Recreation Master Plan*. Pages 1-12, 2-1, 4-2, 4-24, 4-26, and 5-5. 2010.

¹⁵ City of Banning. 2021. *City of Banning Parks and Recreation*. Website: <http://banning.ca.us/97/Parks-Recreation> (accessed August 2022).

¹⁶ California Department of Finance. *E-5 Population and Housing Estimates for Cities Counties, and the State January 2021–2023 with 2020 Benchmark*. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed September 2023).



identified as the Smith Creek Ranch Site, which is under consideration for development as a recreational and multi-use facility.¹⁷

The proposed project would not include the development of residential units; therefore, the proposed project would not directly add to the existing population of Banning. Without directly adding to the population, the need for additional park and recreational uses is not expected as a result of development of the proposed project. As discussed in Section 4.14, Population and Housing, of this EIR, development of the proposed project would increase employment in Banning by an estimated 948 to 1,380 jobs, the majority of which are anticipated to be filled by existing city residents or residents in nearby municipalities in Riverside County. It therefore is expected that these existing city and county residents already use park and recreation facilities within the city and county. Some employees could relocate to Banning or nearby unincorporated Riverside County land. However, the existing and planned housing stock in the city is more than sufficient to accommodate the small number of employees who may relocate. Therefore, operation of the proposed project would not indirectly result in a population increase in Banning that has not been accounted for, and the increase in employment from the project would not result in an unanticipated increase in the use of existing park and recreational facilities in the city. With the payment of DIFs, the proposed project would contribute to funding for park and recreation facilities in Banning, each of which would be subject to site-specific analysis pursuant to CEQA. As the proposed project is not anticipated to notably increase the number of residents in the city, the proposed project would not generate an increased need for use of existing neighborhood or regional parks and other recreational facilities such that substantial physical deterioration of facilities would occur or be accelerated. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less than Significant Impact.

4.16.6.2 Include or Require Construction of Recreational Facilities Resulting in Physical Effects on the Environment

Threshold 4.16.2: Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project consists of a warehouse distribution building with truck loading docks, trailer parking, and passenger car parking. The proposed project does not include recreational facilities, nor is it anticipated to notably increase the number of residents in the city, which would otherwise

¹⁷ Smith Creek Ranch Site, a 150-acre site owned by the City and located in the southeast portion of Banning. Planned improvements are identified as: equestrian facilities, museum, lake development, a commercial retail center, a restaurant, a hotel, a driving range, a swimming pool, a clubhouse, tennis courts, and a multi-use open space. To date, no such facilities have been developed. (See the 2010 Banning Parks and Recreation Master Plan and the City's website: <https://banningca.gov/93/City-Assets>.)



generate an increased need for use of existing neighborhood or regional parks and other recreational facilities. With the payment of DIFs, the proposed project would contribute to funding for park and recreation facilities in Banning, each of which would be subject to site-specific analysis pursuant to CEQA. Therefore, the proposed project would not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. Impacts would be less than significant, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Less than Significant Impact.

4.16.7 Cumulative Impacts

Implementation of the proposed project itself would not substantially increase the use of existing park and recreation facilities because it would not substantially increase population in the city. However, in combination with projects identified in Table 4.A, Cumulative Project List, in Chapter 4.0, Evaluation of Environmental Impacts, of this EIR, there would be an incremental increase in the use of existing parks and recreational facilities within Banning resulting primarily from residential projects proposed elsewhere in the city under separate actions.

The cumulative geographic study area for parks and recreation is the city of Banning. The proposed project does not propose any residential uses or other land uses that may generate population that would directly increase the use of existing neighborhood and regional parks or other recreational facilities. Development of the proposed project would increase employment in the city by an estimated 948 to 1,380 jobs, the majority of which are anticipated to be filled by existing Banning residents or residents in nearby municipalities in Riverside County. It therefore is expected that these existing city and county residents already use park and recreation facilities within the city and county. Some employees could relocate to Banning or nearby unincorporated Riverside County land. However, the existing and planned housing stock in the city is more than sufficient to accommodate the small number of employees who may relocate. Therefore, operation of the proposed project would not indirectly result in a population increase in the city that has not been accounted for, and the increase in employment from the project would not result in an unanticipated increase in the use of existing park and recreational facilities in the city.

The projects identified in Table 4.A (**Cumulative Project List**) of this EIR include development of residential uses,¹⁸ a corresponding increase in population, and/or increased demand on existing parks and recreational facilities within the city. Chapter 15.68 of the Banning Municipal Code identifies

¹⁸ For example, the approved Rancho San Gorgonio Specific Plan encompasses 831 acres in the southern portion of the City and envisions development of a master community offering a variety of residential (3,133 dwelling units) and commercial uses, and a school. Approximately 210 acres of parks and open space areas are provided within that approved cumulative project, including: an entry park (1.1 acres), neighborhood park (12.7 acres), confluence park (10.2 acres), and community park (26 acres); a linear park along Smith Creek and Pershing Creek (122 acres); village paseos (12.6 acres); and natural open space (25.7 acres).



requirements to fund required public facilities, including parkland and recreation facilities, and development of the project site would be subject to such payment requirements. Additionally, the Quimby Act (California Government Code Section 66477) permits the local legislative body to require the dedication of land or impose a requirement of the payment of fees in lieu of the dedication, or a combination of both, for parks and recreational purposes as a result of projects that include residential development. The amount of land dedicated, or fees paid, is based on the residential density and average number per household. Therefore, any cumulative development of residential uses would pay required DIFs/Quimby Act fees and/or dedicate appropriate land for park facilities sufficient to reduce any project-specific impact.

Other cumulative projects in Banning would be required to demonstrate their level of impact on recreational facilities. Similar to the proposed project, as future development is proposed, each project would be required to pay applicable DIFs, which will contribute to funding the maintenance of existing park and recreation facilities and/or funding new or renovating existing park equipment and recreation facilities in the city. With payment of such fees, which is required pursuant to Banning Municipal Code Chapter 15.68, the proposed project's contribution to recreation impacts is not cumulatively considerable. As the cumulative projects would each be required to demonstrate their level of impact on recreational facilities, including paying the appropriate DIFs, the proposed project would not result in a cumulative impact related to recreation.



4.17 TRANSPORTATION

This section provides a discussion of the existing transportation conditions in the region, in Banning, and in the vicinity of the project site and evaluates potential impacts related to transportation from construction and operation of the First Hathaway Logistics Project (project). This section also summarizes information provided in the *First Hathaway Logistics Center Local Transportation Analysis*¹ (Local Transportation Analysis) and *First Hathaway Logistics Center VMT Assessment* (VMT Assessment),² which are included as **Appendices I-1** and **I-2**, respectively, of this Environmental Impact Report (EIR). This section also incorporates data and information from the City of Banning (City) General Plan, a review of existing resources, technical data, and applicable laws, regulations, and guidelines.

4.17.1 Scoping

The City received two public comments pertaining to transportation issues from participants at the public scoping meeting held on May 19, 2022, for the proposed project. These comments included:

- **Inge Schuler:** The issue of concern was that the 18-wheelers generated by the proposed project would be of such a substantial number as to impact area circulation. The commenter expressed concern that, when Interstate 10 (I-10) is congested, motorists would use Ramsey Street through town to bypass congestion on the interstate. The commenter further stated that freeway access on Hargrave Street is limited and that the parking of idle 18-wheelers would impact surrounding residential areas (from vehicle emissions).
- **Joe Rodriguez:** Stated the additional truck traffic is a specific issue requiring assessment in the EIR.

In addition, the City received two comment letters regarding transportation in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022. NOP comments related to transportation included the following:

- Kathleen Dale (May 23, 2022) raised concerns regarding proposed project truck access directly across Hathaway Street from existing homes causing project-level and cumulative traffic-related impacts that cannot be mitigated below a level of significance. The EIR must look at alternatives that would reduce these impacts. The EIR should include an alternative that looks at circulation system improvements for the planned industrial area generally east of Hathaway Street to provide a truck access route that keeps truck traffic out of residential areas, possibly using Ramsey Street and Hathaway Street south of Williams Street. Additionally, the EIR should identify enforceable project elements and/or mitigation measures to confine truck access to the designated access route and prohibit errant truck traffic through the adjoining residential neighborhoods.
- California Allied for a Responsible Economy (CARE CA) (May 19, 2022) requested the EIR evaluate impacts from construction and operation of cold-storage warehouse space and the potential use of transportation refrigeration units, and that the vehicle miles traveled (VMT) analysis in the EIR include heavy truck traffic.

¹ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

² Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. March 13, 2023.



Copies of the NOP and public scoping comments are provided in **Appendix A** of this EIR.

4.17.2 Methodology

Until July 1, 2020, roadway congestion or level of service (LOS) was used as the primary study metric for planning and environmental review of development projects in California. However, Senate Bill (SB) 743 required the Governor's Office of Planning and Research (OPR) to establish a new metric for identifying and mitigating transportation impacts pursuant to the California Environmental Quality Act (CEQA) in an effort to meet the State's goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation. California Public Resources Code (PRC) Section 21099(b) states that, upon certification of the revised guidelines for determining transportation impacts, automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA.

Conversely, OPR identified VMT as the required CEQA transportation metric, and beginning July 1, 2020, VMT (not LOS) is the only legally acceptable threshold for transportation-related environmental impacts pursuant to CEQA. However, because LOS is still used by the City of Banning in its General Plan for local planning purposes, LOS is analyzed for consistency with the City's General Plan under Threshold 4.17-1 based on the number of vehicle trips the project is expected to contribute to the existing circulation system.

4.17.2.1 Trip Generation

The trip rates applied to the proposed project were obtained from the High-Cube Transload and Short-Term Storage Warehouse category (Category 154) found in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*.³ As shown in Table 1 of the Local Transportation Analysis (**Appendix I-1**), the total trip generation for the site is 114 trips during the a.m. peak hour, 142 trips during the p.m. peak hour, and 1,989 daily trips.⁴ During the a.m. peak hour, the truck trip rate is approximately 25 percent of the total a.m. peak-hour trip rate. During the p.m. peak hour, the truck trip rate is approximately 10 percent of the total p.m. peak-hour rate, and on a daily basis, the truck trip rate is approximately 16 percent of the total trip rate. Of the project's total trip generation, trucks are estimated to generate 28 a.m. peak-hour trips, 14 p.m. peak-hour trips, and 313 daily trips. The remaining 86 a.m. peak-hour trips, 128 p.m. peak-hour trips, and 1,676 daily trips would be generated by passenger vehicles.

Truck classification counts at the intersections were converted to passenger car equivalent (PCE) volumes. The concept of PCEs accounts for the larger impact of trucks on traffic operations, as compared to the impact of passenger vehicles, by assigning a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same amount of time that a truck could. The truck trips are expected to consist of four-axle trucks or larger. Therefore, the City

³ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Table 1. March 14, 2023.

⁴ The a.m. peak hour is defined as the 1 hour of highest traffic volumes occurring between 7:00 a.m. and 9:00 a.m. The p.m. peak hour is the 1 hour of highest traffic volumes occurring between 4:00 p.m. and 6:00 p.m.



has established a PCE factor of 3.0 to be applied to truck trips, which would result in 84 a.m. peak-hour PCE trips, 43 p.m. peak-hour PCE trips, and 939 daily PCE trips.

4.17.2.2 Level of Service

The Local Transportation Analysis assessed impacts to Existing Conditions, Opening Year (2023), Opening Year (2023) Plus Project, Cumulative Conditions (2023), and Cumulative Conditions (2023) Plus Project scenarios. The following signalized, all-way stop-control (AWSC), and two-way stop-control (TWSC) intersections are identified as the study intersections for LOS:

1. 8th Street/Ramsey Street (signal)
2. Hargrave Street/Nicolet Street (AWSC)
3. Hargrave Street/Williams Street (TWSC)
4. Hargrave Street/Ramsey Street (signal)
5. Hargrave Street/I-10 Westbound (TWSC)
6. Hargrave Street/I-10 Eastbound (TWSC)
7. Hathaway Street/Morongongo Road (AWSC)
8. Hathaway Street/George Street (TWSC)
9. Hathaway Street/Nicolet Street (TWSC)
10. Hathaway Street/Williams Street (TWSC)
11. Hathaway Street/Ramsey Street (TWSC)

The study area intersections were identified through consultation with City staff based on the expectation that the majority of passenger and truck trips would be oriented between the project site (Hathaway Street) and the I-10 interchanges at Hargrave Street to the southwest and Ramsey Avenue to the southeast.⁵

Intersection impacts to 11 study area intersections (see Tables 2 through 4 in the Local Transportation Analysis [**Appendix I-1**])⁶ were evaluated using the Highway Capacity Manual, Sixth Edition (HCM 6) analysis methodology and in accordance with the City's *Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis*,⁷ and a corresponding LOS is defined. Traffic LOS is designated "A" through "F," with LOS A representing free-flow conditions and LOS F representing severe traffic congestion.

⁵ Hathaway Street between the city limits to the north and Ramsey Street to the south, Hargrave Street between Ramsey Street and Lincoln Street, and Ramsey Street from Highland Springs Avenue to the I-10 interchange east of Hathaway Street are classified as commercial vehicle routes. However, the City is proposing to remove the segment of Ramsey Street between 4th Street and Martin Street as a truck route and instead route trucks to Livingston Street in this area as part of the City's pending Circulation Element update. This proposed change in truck routes is not expected to affect operation of the proposed project because trucks would bypass this segment of Livingston Street via I-10.

⁶ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Tables 2 through 4. March 14, 2023.

⁷ LSA. *Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis, City of Banning, Riverside County, California*. Adopted October 2021.



Operational improvements would be required at study intersections under either of the following conditions:

- a. Addition of project traffic causes the intersection LOS to degrade from an acceptable LOS D or better to an unacceptable LOS E or F.⁸
- b. Addition of project traffic causes the peak-hour delay to increase as follows:
 - o LOS A/B by 10 seconds;
 - o LOS C by 8 seconds;
 - o LOS D by 5 seconds;
 - o LOS E by 2 seconds; or
 - o LOS F by 1 second.

If either of the above conditions is satisfied, improvements must be identified that achieve the following:

- Improving traffic operations to LOS D or better for case a, above.
- Improving traffic operations to offset the increase in delay for case b, above.

4.17.2.3 Vehicles Miles Traveled

VMT is a measurement of the amount and distance that a person drives, accounting for the number of passengers within a vehicle. Many interdependent factors affect the amount and distance a person might drive. In particular, the type of built environment affects how many places a person can access within a given distance, time, and cost, using different ways of travel (e.g., private vehicle, public transit, bicycling, walking). Typically, low-density development located at great distances from other land uses and in areas with few alternatives to the private vehicle provides less access than a location with high-density development, a mix of land uses, and numerous ways of travel. Therefore, low-density development typically generates more VMT per capita compared to a similarly sized development in an urban area. In general, higher-VMT areas are associated with more air pollution, including GHG emissions and energy usage, than lower VMT areas. VMT is calculated by multiplying the number of trips generated by a project by the total distance of each of those trips.

The City has identified the Western Riverside Council of Governments (WRCOG) as the region for VMT analysis purposes. WRCOG uses an online tool to evaluate whether proposed development projects would generate VMT impacts. The WRCOG data is based on the Riverside County Transportation Model (RIVCOM) travel demand forecasting model. The City's VMT Guidelines⁹ list standardized screening methods for project-level VMT analyses that can be used to identify when a proposed land use development project is anticipated to result in a less than significant impact, thereby eliminating the need to conduct a full VMT analysis. The City of Banning VMT screening methods, as described within the City Guidelines, are listed below:

⁸ The acceptable performance standard for LOS D is stopped delay not to exceed 55 seconds for signalized intersections or 35 seconds for stop sign control.

⁹ LSA. *City of Banning VMT Analysis Implementation Guidelines*. Adopted October 2021.



- A project that is located within 0.5 mile of a Transit Priority Area or a High-Quality Transit Corridor, as defined by the Governor’s Office of Planning and Research (OPR), is consistent with the City’s General Plan and zoning, has a floor area ratio (FAR) greater than 0.75, provides less parking than or equal to the City’s Municipal Code requirements, and does not replace any affordable housing units with moderate- or high-income residential units;
- A residential, office, industrial, or mixed-use project that is located in an area with low VMT and incorporates similar features;
- A local-serving retail project with less than 50,000 square feet;
- A redevelopment project that results in equal VMT or a net reduction in VMT;
- A local park, daycare center, student housing on or adjacent to a college campus, local-serving gas station, bank, or K–12 public school project;
- An institutional/government or public-service project, such as a police station, fire station, community center, or refuse station;
- A project that has 100 percent affordable housing units; or
- A project that generates fewer than 500 daily vehicle trips (for projects requiring a General Plan Amendment [GPA]) or fewer than 1,000 daily trips (for projects that do not require a GPA).

The proposed project does not satisfy any of the above screening criteria; therefore, a VMT analysis is required and is presented in this section.

Lead agencies have the discretion to set their own thresholds of significance with the goals of reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. On September 28, 2021, the Banning City Council approved Resolution 2021-95, which adopted the *City of Banning VMT Analysis Implementation Guidelines*. The City’s VMT Guidelines establish thresholds for VMT per capita, VMT per employee, VMT per service population, or total VMT. If the project VMT metric is less than the significance threshold, the project is presumed to create a less than significant impact. No further VMT analysis would then be required. If the project VMT metric is greater than the significance threshold, mitigation measures will be required.

4.17.2.4 VMT Modeling

The City Guidelines¹⁰ identify RIVCOM as the appropriate tool for conducting VMT analysis for land development projects in Banning. The Western Riverside Council of Governments (WRCOG) is the developer/owner of RIVCOM and, in August 2021, launched the new modeling tool for use by its member agencies. At the time the project-specific analysis was prepared, the RIVCOM tool was in its fourth update (also referred to as version 3.0). This analysis has been prepared based on version 3.0

¹⁰ LSA. *City of Banning VMT Analysis Implementation Guidelines*. Adopted October 2021.



of RIVCOM, which is consistent with the version of the RIVCOM model used to develop the City's VMT impact thresholds listed by the City Guidelines.

The City's significance threshold for nonresidential land uses that are consistent with the General Plan, such as the proposed warehouse distribution use, is "no net change in VMT per employee." The average VMT per employee for the WRCOG region is 30.42, as obtained from RIVCOM and shown in Figure 4A of the City Guidelines.¹¹ Therefore, for the project to result in "no net change in VMT per employee," the project VMT would need to be at or below the threshold of 30.42 VMT per employee (a reduction in average VMT per employee would not be considered a significant impact).¹²

4.17.3 Existing Environmental Setting

The information below describes the existing setting of the roadway network, bicycle and pedestrian facilities, and transit that services the City of Banning as well as the project site vicinity. As LOS is no longer the legally acceptable threshold for transportation-related environmental impacts pursuant to CEQA, the existing traffic conditions on nearby roadways and intersections and future traffic conditions without as well as with the proposed project are not presented in this EIR, and are instead discussed in the Local Transportation Analysis¹³ prepared for the project (**Appendix I-1**).

4.17.3.1 Existing Transportation and Circulation System

The following includes a discussion of the existing transportation and circulation system at and within the vicinity of the site, including the existing roadway network, LOS, pedestrian and bicycle facilities, and transit network.

Roadway Network. The roadway network within the project area includes the following:

- **Hathaway Street:** Hathaway Street is a north-south street, with the northern section of the roadway separated from the southern section by I-10 and Banning Municipal Airport. The project site is located along the northern portion of Hathaway Street, which is classified as a four-lane Arterial Highway¹⁴ and commercial vehicle route between Hoffer Street to the north and Ramsey Street to the south;¹⁵ however, Hathaway Street along the project site's western boundary currently consists of 70 feet of right-of-way (ROW) and 45 feet of street section between Morongo Street to the north and George Street to the south. The west half of Hathaway Street is fully built-out to a 40-foot ROW along this segment of roadway with curb, gutter, and sidewalk, while the east half features an interim asphalt curb for 2 feet east of the centerline but no sidewalk. Hathaway Street from George Street to approximately 300 feet south of George Street features 40 feet of street section with interim curb and gutter on both sides of the roadway but no sidewalks. Starting at 320 feet south of George Street south to Williams Street, the City has improved Hathaway Street with 60 feet of street section with new curb, gutter, and sidewalk on the east side

¹¹ LSA. *City of Banning VMT Analysis Implementation Guidelines*. Adopted October 2021. Figure 4A.

¹² Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. Page 5. March 13, 2023.

¹³ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.

¹⁴ Arterial Highways are classified as having up to 100 feet of right-of-way with up to 76-feet of street section per the Banning General Plan (General Plan Exhibit III-6).

¹⁵ City of Banning. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.



of the roadway. Hathaway Street from Williams Street south to Ramsey Street is fully built out with 100 feet of ROW with 76-feet of street section and curb, gutter, and sidewalk on both sides of the roadway. The west side of Hathaway Street is developed with residential uses, and the east side is largely vacant. The speed limit on Hathaway Street is 35 miles per hour (mph).

- **Hargrave Street:** Hargrave Street from Wilson Street to Ramsey Street and south of Lincoln Street is classified as a four-lane Secondary Highway consisting of 88 feet of ROW with a 64-foot street section per the Banning General Plan. Between Ramsey Street and Lincoln Street, where the I-10 interchange is located, Hargrave Street is classified as a four-lane Major Highway and also a commercial vehicle route.¹⁶ It is currently two lanes with on-street parking and low-density residential north of Williams Street. Hargrave Street has a speed limit of 25 mph north of Ramsey Street and 30 mph south of Ramsey Street.
- **Ramsey Street:** Ramsey Street from Highland Springs Avenue to the I-10 interchange east of Hathaway Street is classified as a four-lane Major Highway and commercial vehicle route consisting of 100 feet of ROW with a 76-foot street section.¹⁷ West of 8th Street, Ramsey Street is four lanes with left-turn pockets, on-street bike lanes, and sidewalks. East of 8th Street, Ramsey Street is two lanes with left-turn pockets at the larger intersections and bike sharrows¹⁸ and sidewalks west of San Gorgonio Avenue. East of San Gorgonio Avenue, there are no bike facilities and some segments without sidewalks. However, the City has recently widened Ramsey Street to the ultimate full width per the General Plan standard for a Major Highway (four 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, this segment includes new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations. Land uses along Ramsey Street in the study area are primarily commercial. The Banning Civic Center is located on Ramsey Street at San Gorgonio Avenue. The speed limit on Ramsey Street is 40 mph west of 8th Street, 25 mph between 8th Street and Hargrave Street, and 40 mph east of Hargrave Street.
- **Wilson Street.** Wilson Street is classified as a Major Highway through the city, consisting of 100 feet of ROW with a 76-foot street section. Wilson Street currently ends at North Blanchard Street, although it is shown on the City's General Plan Street System map with a future extension east to the future Cottonwood Road. The roadway width varies, and the number of lanes varies from two lanes to four lanes with turn pockets. Land uses along Wilson Street consist of single-family residential, mobile home parks, schools and churches, and undeveloped land. Bike lanes are provided for a short 0.5-mile section east of Highland Springs Avenue, and bike sharrows are striped east of 8th Street. There are many sections without sidewalks. The speed limit on Wilson Street varies from 35 mph east of 8th Street to 40 mph west of 8th Street, and increases up to 50 mph west of Sunrise Avenue.
- **Collector Streets:** George Street, Nicolet Street, and Williams Street are classified as Collector Highways, consisting of 66 feet of ROW with a 44-foot street section per the Banning General Plan.

¹⁶ City of Banning. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.

¹⁷ *Ibid.*

¹⁸ Bike sharrows are roadway markings in the middle of vehicle lanes that indicate bicyclists and motor vehicles are permitted to coexist in the same lane.



These streets are generally 40 feet wide with on-street parking allowed and no centerline stripe. Many portions are unimproved and are without sidewalks. Land uses along these streets consist primarily of residential uses.

- **I-10.** I-10 passes through Banning just south of the project site. I-10 is currently eight general-purpose lanes with no high-occupancy vehicles (HOV) lanes in the project vicinity. Interchanges in Banning are provided at Highland Springs Avenue, Sunset Avenue, 22nd Street, 8th Street, Hargrave Street, and the eastern terminus of Ramsey Street. A future interchange east of the project site is shown on the City's General Plan Street System at the future Cottonwood Road. The City is currently in the early stages of planning for the future Cottonwood Road interchange, but there are no funding sources identified for construction at this time.

Level of Service. The existing LOS at the signalized study intersections is an acceptable LOS D or better during the a.m. and p.m. peak hours, and the existing LOS at the stop-controlled intersections is at an acceptable LOS C or better, with the exception of Hargrave Street at I-10 eastbound.¹⁹ The stop-controlled eastbound off-ramp movement at this location currently operates at an unacceptable LOS F during the a.m. peak hour.

Pedestrian Facilities. Pedestrian facilities consist of sidewalks, off-street pathways, marked and enhanced crosswalks (mid-block and at intersections), curb ramps, median refuges, and pedestrian-scale lighting. In the vicinity of the project site, a sidewalk is located on the west side of Hathaway Street between George Street and Morongo Road. The balance of Hathaway Street lacks sidewalks on either side of the street. Sidewalks are present along the north side of Ramsey Street west of Hathaway Street, although they are missing along a portion on the south side west of Hargrave Street. Sidewalks are also provided on both sides of Hargrave Street in the study area and are intermittently provided in residential areas along George Street, Nicolet Street, and Williams Street.

Bicycle Facilities. The City's General Plan Circulation Element includes an alternative transportation section that considers pedestrian, equestrian, bicycle, and golf cart facilities.²⁰ Policy 25 of the Circulation Element identifies future Class I bikeways²¹ and sidewalks on Wilson Street, Ramsey Street,

¹⁹ The acceptable performance standard for LOS D is stopped delay not to exceed 55 seconds for signalized intersections or 35 seconds for stop sign control. The acceptable performance standard for LOS C is stopped delay not to exceed 25 seconds for stop sign control.

²⁰ City of Banning. *City of Banning General Plan, Chapter III Community Development, Circulation Element.* Pages III-65 and III-66. April 19, 2006.

²¹ **Class I Bikeways** (Bike Paths) provide a completely separate ROW, are designated for the exclusive use of bicycles and pedestrians, and minimize vehicle and pedestrian cross-flow. **Class II Bikeways** (Bike Lanes) are lanes for bicyclists generally adjacent to the outer vehicle travel lanes. These lanes have special lane markings, pavement legends, and signage. Bicycle lanes are generally 5 feet wide. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted. **Class III Bikeways** (Bicycle Routes/Bicycle Boulevards) are designated by signs or pavement markings for shared use with pedestrians or motor vehicles but have no separated bicycle ROW or lane striping. Bicycle routes serve either to (a) provide continuity to other bicycle facilities or (b) designate preferred routes through high-demand corridors. **Class IV Bikeways**, also known as "cycle tracks" or "protected bike lanes," provide an ROW designated exclusively for bicycle travel within a roadway and are protected from other vehicle traffic with devices including, but not limited to, grade separation, flexible posts, inflexible physical barriers, or parked cars.



and Lincoln Street; Class II bikeways and sidewalks on all existing arterial streets that have sufficient width to safely accommodate bicycle travel lanes; and Class III bikeways where Class I and Class II facilities are not feasible. Policy 27 states that the City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians, or pedestrians.

Bike lanes are provided on Ramsey Street west of 8th Street, and bike sharrows are striped between 8th Street and San Gorgonio Avenue. East of San Gorgonio Avenue, there are no bike facilities on Ramsey Street. There are no bicycle facilities on the other streets in the study area.

Transit. Transit service in the area is provided by Banning Connect Transit System. The Banning Circulator (Combination Route 5/6) includes stops on Hathaway Street adjacent to the project site.

Transit service is reviewed and updated by Banning Connect periodically to address ridership, budget, and community demand needs/changes. Changes in land use (i.e., occurring as part of the proposed project) can affect these periodic adjustments, which may lead to either enhanced or reduced service where appropriate.

4.17.4 Regulatory Setting

The following State and local transportation plans, policies, and regulations guide transportation planning in Banning.

4.17.4.1 State Regulations

This section summarizes State transportation regulations that would be applicable to the proposed project.

California Department of Transportation. The California Department of Transportation (Caltrans) is responsible for the maintenance and operation of State routes and highways. In Banning, Caltrans facilities include I-10 and State Route (SR) 243. Caltrans maintains a volume monitoring program and reviews local agency planning documents (such as this EIR) to assist in its forecasting of future volumes and congestion points. *The Guide for the Preparation of Traffic Impact Studies*, published by Caltrans,²² is intended to provide a consistent basis for evaluating traffic impacts to State facilities. The City recognizes that “Caltrans endeavors to maintain a target level of service at the transition between LOS C and LOS D on State highway facilities”²³; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. Caltrans states that, for existing State highway facilities operating at less than the target LOS, the existing LOS should be maintained.

Caltrans released a *VMT-Focused Transportation Impact Study Guide* that recommends use of the OPR recommendations for land use projects and plans.²⁴ For transportation projects, Caltrans suggests

²² California Department of Transportation. *Guide for the Preparation of Traffic Impact Studies*. December 2002.

²³ Ibid. Page 1.

²⁴ California Department of Transportation. *Vehicle Miles Traveled-Focused Transportation Impact Study Guide*. May 2020.



that any increase in VMT would constitute a significant impact for transportation projects. This has been referred to as the “Net Zero VMT threshold.”

Senate Bill 375. As a means to achieve the statewide emission reduction goals set by Assembly Bill (AB) 32 (“The California Global Warming Solutions Act of 2006”), SB 375 (“The Sustainable Communities and Climate Protection Act of 2008”) directs the California Air Resources Board (CARB) to set regional targets for reducing GHG emissions from cars and light trucks. Using the template provided by the State’s Regional Blueprint program to accomplish this goal, SB 375 seeks to align transportation and land use planning to reduce VMT through modified land use patterns. There are five basic directives of the bill: (1) creation of regional targets for GHG emissions reduction tied to land use, (2) a requirement that regional planning agencies create a Sustainable Communities Strategy (SCS) to meet those targets (or an Alternative Planning Strategy if the strategies in the SCS would not reach the target set by CARB), (3) a requirement that regional transportation funding decisions be consistent with the SCS, (4) a requirement that the Regional Housing Needs Allocation numbers for municipal general plan housing element updates must conform to the SCS, and (5) CEQA exemptions and streamlining for projects that conform to the SCS.

Senate Bill 743. SB 743 was signed into law in 2013 and fundamentally changed the way transportation impacts under CEQA are analyzed. It required the OPR to “prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to the [CEQA] guidelines ...establishing criteria for determining the significance of transportation impacts of projects” to “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.”

On December 28, 2018, the Natural Resources Agency adopted *CEQA Guidelines* Section 15064.3, which establishes specific criteria for evaluating a project’s transportation impacts and states that “vehicle miles traveled is the most appropriate measure of transportation impacts.” It gives agencies the “discretion to choose the most appropriate methodology to evaluate a project’s vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure” provided that “[a]ny assumptions used to estimate vehicle miles traveled... should be documented and explained in the environmental document prepared for the project.” Section 15064.3 further states that except for certain transportation projects, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” See *Citizens for Positive Growth & Preservation v. City of Sacramento* (2019) 43 Cal. App. 5th 609, 626 (holding that a general plan’s impact on LOS, which effectively measures automobile delay, can no longer constitute a significant environmental impact).

Additionally, OPR issued a technical advisory memorandum in December 2018 that includes general guidance and information for lead agencies to use in implementing SB 743, including choosing VMT methodology and establishing VMT thresholds. On September 28, 2021, the Banning City Council approved Resolution 2021-95, which adopted the City of Banning VMT Analysis Implementation Guidelines. The Guidelines were formally adopted in October 2021.



4.17.4.2 Local Regulations

This section summarizes local transportation regulations that would be applicable to the proposed project.

Riverside County Transportation Uniform Mitigation Fee. The Transportation Uniform Mitigation Fee (TUMF) program is administered by the WRCOG based on a regional Nexus Study that was most recently updated in 2016 to address major changes in ROW acquisition and improvement cost factors. The regional TUMF program was put into place to ensure that development pays its fair share and that funding is in place for construction of Riverside County transportation facilities needed to maintain the requisite LOS and critical to mobility in the region. TUMF, as it is a regional mitigation fee program, is imposed and implemented in every jurisdiction (i.e., City of Banning) in Western Riverside County.

Riverside County Measure A. Riverside County's Measure A was adopted by voters in 1988 and extended in 2002 to fund Riverside County transportation improvements through 2039. The half-cent sales tax for transportation associated with Measure A funds a wide variety of Riverside County transportation projects and services throughout the county. The Riverside County Transportation Commission is responsible for administering the program, and Measure A funds are spent in accordance with a voter-approved expenditure plan that was adopted as part of the 1988 election.

City of Banning Development Impact Fee Program. The Development Impact Fee (DIF) Program created and imposed by the City of Banning collects fees from new residential, commercial, and industrial development for the purpose of funding roadways and intersections necessary to accommodate City growth as identified in the City's General Plan Circulation Element. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain facilities and landscaped medians identified in the list of improvements funded by the DIF Program. The project applicant would be subject to the City's DIF program and would pay the requisite City DIFs at the rates in effect. The project applicant's payments of the requisite DIFs at the rates then in effect pursuant to the DIF program would mitigate its impacts to DIF-funded facilities.

City of Banning General Plan. The City's *2013 Circulation Element Amendment*²⁵ provides the following policies pertaining to transportation that would be applicable to the proposed project:²⁶

- **Policy 1:** The City's Recommended General Plan Street System shall be strictly implemented.

²⁵ City of Banning. *City of Banning General Plan, Chapter III Community Development, Circulation Element*. Pages III-16 through III-24. April 19, 2006; amended March 26, 2013.

²⁶ The City is in the process of preparing an Active Transportation Plan that is planned to be completed in the summer of 2024. The Active Transportation Plan is expected to be prepared and implemented in accordance with applicable goals and policies of the General Plan as they relate to all users of public roadways, including bicycles, pedestrians, transit, and other non-motorized modes such as scooters, skateboards, and wheelchairs.



- **Policy 2:** Local streets shall be scaled to encourage neighborhood interaction, pedestrian safety, and reduced speeds.
- **Policy 6:** The City shall maintain peak hour Level of Service D or better on all local roadways and intersections.
- **Policy 7:** New development proposals shall pay their fair share for the improvement of street within and surrounding their projects on which they have an impact, including roadways, bridges, grade separations and traffic signals.
- **Policy 8:** Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds.
- **Policy 9:** Street trees within the City right of way shall be preserved, unless a danger to the public health and safety or if the tree is diseased.
- **Policy 10:** Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential land use designation pathways shall be provided.
- **Policy 19:** Bus pullouts shall be designed into all new projects on arterial roadways, to allow buses to leave the flow of traffic and reduce congestion.
- **Policy 25:** The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.
- **Policy 26:** The City should continue to work with the Morongo Band of Mission Indians and neighboring cities and communities to create a regional bicycle and trail network.
- **Policy 27:** The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians, and/or pedestrians.

4.17.5 Thresholds of Significance

Significance determinations utilized in this section are from Section XVII of Appendix G of the *CEQA Guidelines* and the City's *VMT Analysis Implementation Guidelines*. The proposed project would result in a significant impact to transportation if it would:

Threshold 4.17-1: Conflict with a program, plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities;

Threshold 4.17-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);

Threshold 4.17-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or

Threshold 4.17-4: Result in inadequate emergency access.



4.17.6 Project Impact Analysis

Chapter 3.0, Project Description, of this EIR provides a description of the development that is proposed to occur with implementation of the proposed project. The project is situated in the eastern portion of Banning on 94.86 gross acres. The applicant seeks to entitle and permit development of the entire 94.86-acre site with an approximately 1,420,722-square-foot warehouse distribution building with employee/visitor and trailer parking on 75.54 acres, 7.61 acres assigned to additional trailer parking, 1.65 acres to remain generally undeveloped, and 10.06 acres dedicated for public roadways to facilitate access to the site and adjacent properties.

4.17.6.1 Conflict with Transportation Programs, Plans, Ordinances, or Policies

Threshold 4.17.1: Would the proposed project conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities?

This section discusses the proposed project's impacts related to conflicts with applicable plans, ordinances, and policies related to transportation. As discussed in more detail below, for CEQA purposes, the proposed project would be consistent with applicable plans, ordinances, and policies that address the circulation system.

Roadway Facilities. Passenger vehicles would access the project site via Hathaway Street on the west side of the site, and trucks would be able to use this driveway only for ingress onto the project site. The project applicant 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 off-site striping plan, previously detailed in Figure 3-7, depicts the perimeter roadways, driveways, and on-site drive aisles. The following street improvements are proposed:²⁷

- **Wilson Street:** Construct and dedicate to its ultimate 110-foot full width per the General Plan standard for an Arterial Highway on the east leg of the Wilson Street/Hathaway Street intersection, for the first 489 feet east of the Hathaway Street centerline. From that point, the project includes construction and dedication to the ultimate 55-foot half width per the General Plan standard for an Arterial Highway, with an interim 5-foot shoulder from the centerline for approximately 2,160 feet along the project site northern frontage east to First Industrial Way and

²⁷ Ongoing or planned roadway projects by the City, the Morongo Band of Mission Indians (Morongo), and other entities under separate actions include the following. 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 Reservation, has been dedicated to the City 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 Morongo has plans underway to relocate their main entrance to the reservation lands (Morongo Road) to the north along Hathaway Street near Hoffer Street. The City recently completed an improvement project along Hathaway Street and Ramsey Street in proximity to the project site under a separate action. Under this project, Hathaway Street has been widened to Major Highway full width (four lanes) from 300 feet north of Nicolet Street southbound to Ramsey Street. Ramsey Street has been widened to Major Highway full width (four 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 Ramsey Street include new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations.



installation of curb, gutter, sidewalk, parkway landscaping, and street lights and trees along the south side of the street fronting the project site between (existing) Hathaway Street and proposed First Industrial Way. Wilson Street/Hathaway Street would be a three-way stop-sign intersection, and Wilson Street east of Hathaway Street would terminate at its junction with First Industrial Way.

- **First Industrial Way:** Construct and dedicate to its ultimate 39-foot half width plus 10 feet past the centerline per the General Plan standard for a Divided Collector Street and install curb, gutter, sidewalk, parkway landscaping, and streetlights and trees along the west side of the street fronting the project site between proposed Wilson Street and proposed Nicolet Street. The proposed construction of First Industrial Way would occur between Wilson Street to the north and Nicolet Street to the south and would terminate at those junctions.
- **Nicolet Street:** Construct and dedicate to its ultimate 78-foot full width per the General Plan standard for a Divided Collector Street with a 12-foot painted median and install curb, gutter, sidewalk, parkway landscaping, and streetlights and trees along both sides of the street fronting the project site between proposed First Industrial Way and (existing) Hathaway Street. Nicolet Street/Hathaway Street would become a two-way stop-sign intersection, and Nicolet Street east of Hathaway Street would terminate at its junction with First Industrial Way.
- **Hathaway Street:** Dedicate and widen to its ultimate 55-foot half width per the General Plan standard for an Arterial Highway with an 11-foot painted median that would join with the existing westerly portion of the street and install curb, gutter, sidewalk, parkway landscaping, streetlights, and trees along the east side of the street fronting the project site from approximately 200 feet south of Nicolet Street north to proposed Wilson Street. Along this segment, Hathaway Street would be improved with two northbound through lanes, while the existing southbound through lane would be protected in place. The northbound segment would also include a 100-foot dedicated right-turn lane onto Nicolet Street and a 250-foot combination bus stop and deceleration lane to facilitate vehicle access to the primary project driveway. One of the two northbound lanes would become a dedicated right-turn lane onto Wilson Street. South of the proposed project improvements, Hathaway Street is being improved by the City to ultimate full width per the General Plan standard for a Major Highway (four lanes) from Williams Street southbound to Ramsey Street.

The main entrance to the project site would be from Hathaway Street via a 62-foot-wide truck/automobile driveway that would be constructed opposite George Street to create a two-way stop intersection while Hathaway Street remains a through street. The main driveway entrance off Hathaway Street would be signed to allow full access for passenger vehicles and only ingress for trucks. This driveway would be accessed via the 250-foot-long combination bus stop and deceleration lane proposed along northbound Hathaway Street south of the proposed driveway to facilitate mass transit and unobstructed vehicle access to the project site. This driveway would connect to an 800-foot-long on-site drive aisle leading downslope to employee and trailer parking. One 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 and four additional 26-foot-wide automobile driveways would be constructed along Nicolet Street along the project site's southern frontage. Combined, six of the seven driveways proposed along Nicolet Street would result



in three TWSC intersections facilitating access north to the warehouse building property and south to the additional trailer parking lot, with the seventh 40-foot-wide truck/automobile driveway facilitating access to the additional trailer parking lot composing the southeast portion of the project site. The project site would include 875 passenger vehicle parking stalls and 659 trailer parking stalls.²⁸

As specified in the City's *2013 Circulation Element Amendment* Policy 1, Policy 8, Policy 19, Policy 25, and Policy 26, improvements to Wilson Street and Hathaway Street would occur in accordance with City Standard No. ST-101.1 for the Major Highway roadway designation in the City's General Plan,²⁹ and improvements to First Industrial Way and Nicolet Street would occur in accordance with City Standard No. ST-100 for the Divided Collector roadway designation in the City's General Plan.³⁰ Improvements to these roadways would include curb, gutter, sidewalk, parkway landscaping, streetlights, and trees, as specified above, in accordance with Policies 2, 9, and 11 of the City's *2013 Circulation Element Amendment*. The design of all street improvements would be reviewed and approved by the City and would be constructed consistent with City standards and regulations. This would ensure consistency with the City's *2013 Circulation Element Amendment* policies, which require that the City's recommended General Plan Street System be "strictly implemented." As the design and construction of roadway improvements would fully comply with established City standards, the project would be consistent with policies as discussed above. This impact would be **less than significant**, and mitigation measures are not required.

Level of Service. Although LOS is no longer the applicable metric for evaluating transportation impacts under CEQA, the City's *2013 Circulation Element Amendment* (Policy 6) indicates the City shall maintain peak-hour LOS D or better on all local roadways and intersections. Increases in delay that cause or contribute to LOS being undesirable would conflict with select policies of the City General Plan, but these conflicts would not necessarily result in adverse physical effects to the environment according to the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* and *CEQA Guidelines* Section 15064.3(b)(4).³¹ Accordingly, the following discussion regarding LOS is for disclosure and informational purposes only. Operational improvements would be required at study intersections if the project would result in either of the following conditions:

- Cause the intersection LOS to degrade from an acceptable LOS D or better to an unacceptable LOS E or F; or
- Addition of project traffic causes the peak-hour delay to increase as follows:
 - LOS A/B by 10 seconds
 - LOS C by 8 seconds
 - LOS D by 5 seconds
 - LOS E by 2 seconds

²⁸ Trailer parking stalls can be converted to passenger vehicle parking stalls if necessary.

²⁹ City of Banning. *Typical Divided Street Sections, Standard No. ST-101.1*. 2012 Edition.

³⁰ City of Banning. *Typical Divided Street Sections, Standard No. ST-100*. 2012 Edition.

³¹ State of California, Governor's Office of Planning and Research. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December 2018.



- LOS F by 1 second. Eleven study intersections were included in the roadway LOS analysis, and potential project effects were evaluated under Opening Year and Cumulative Conditions. The project is consistent with the General Plan; therefore, a Horizon Year intersection impact analysis is not required.

Opening Year. As stated previously, in the existing condition, all study area intersections, with the exception of the stop-controlled eastbound off-ramp at Hargrave Street,³² operate at acceptable LOS conditions during both the a.m. and p.m. peak hours. Under Opening Year (2023) Plus Project conditions, the intersection of Hargrave Street/I-10 eastbound ramps would continue to operate at LOS F during the a.m. peak hour and at LOS E during the p.m. peak hour with the addition of project trips. With the addition of project traffic, the a.m. peak-hour LOS F delay would increase by more than 1.0 second and the p.m. peak-hour LOS E delay would increase by more than 2.0 seconds; therefore, the project would contribute to deficient conditions under Opening Year (2023) Plus Project conditions at this location. All remaining study intersections would operate at an acceptable LOS D or better during both a.m. and p.m. peak hours.³³

Traffic operation at the intersection of Hargrave Street and I-10 eastbound could be improved by installation of AWSC at this location. Another potential improvement consists of installation of a roundabout. Since this location is part of the State highway system, Caltrans will make the final determination regarding the type of improvement(s) to implement. Installation of an all-way stop at the intersection would result in LOS C during the a.m. peak hour and LOS B during the p.m. peak hour. Installation of a roundabout would result in LOS A during the a.m. and p.m. peak hours.³⁴ Either improvement would result in an acceptable LOS at this intersection.

A freeway ramp queuing analysis was performed at the I-10 interchange at Hargrave Street to determine if peak-hour off-ramp traffic would back up and potentially affect mainline freeway traffic during the a.m. and p.m. peak hours under Opening Year (2023) Plus Project conditions. The eastbound and westbound off-ramps at Hargrave Street are both approximately 1,000 feet long. The queues are not expected to exceed the available storage during the a.m. or p.m. peak hour under Opening Year (2023) Plus Project conditions.³⁵

Cumulative Condition³⁶. Under Cumulative Conditions (2023), the intersection of Hargrave Street/I-10 westbound would operate at an unacceptable LOS F during the a.m. peak hour and at unacceptable LOS E during the p.m. peak hour, and the intersection of Hargrave Street/I-10 eastbound would operate at an unacceptable LOS F during the a.m. and p.m. peak hours. All remaining study area intersections would operate at acceptable LOS D or better during both the

³² Under existing conditions, this intersection operates at LOS F during the a.m. peak hour.

³³ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Table 5.2. March 14, 2023.

³⁴ Ibid. Table 9.1.

³⁵ The Ramsey Street off-ramp from westbound I-10 is a free-flowing movement, and queues would not affect mainline traffic flow; therefore, the Ramsey Street off-ramp is not included in the freeway ramp queuing analysis.

³⁶ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Tables 6-1, 6-2, 6-3 and 6-4 and Figure 6-1. March 14, 2023.



a.m. and p.m. peak hours. Under Cumulative Conditions (2023) Plus Project, both these intersections would operate at LOS F during the a.m. and p.m. peak hours. All remaining study area intersections would operate at acceptable LOS D or better during both the a.m. and p.m. peak hours during Cumulative Conditions (2023) Plus Project.

A potential improvement at the intersection of Hargrave Street and westbound I-10 is the installation of a traffic signal. The intersection satisfies the Peak-Hour Signal Warrant under without and with project conditions. An alternative potential improvement is a roundabout at this location. Either improvement option would result in an acceptable LOS condition during both the a.m. and p.m. peak hours.³⁷ Design efforts for a future grade separation of the Union Pacific Railroad crossing at Hargrave Street are anticipated to begin in the summer of 2024. However, there currently is no funding identified for construction.

Potential improvement options at the intersection of Hargrave Street and I-10 eastbound include the installation of a traffic signal or a roundabout. This intersection satisfies the Peak Hour Signal Warrant under without project and with project conditions. Either improvement would result in acceptable LOS conditions during both the a.m. and p.m. peak hours. Since these two locations are part of the State highway system, Caltrans would make the final determination regarding the type of improvement(s) to the Hargrave Street ramps to I-10.

Approximately 1,000 feet of storage is available on the eastbound and westbound I-10 off-ramps at Hargrave Street. Under existing side-street stop-control conditions, the eastbound ramp queue would exceed the available storage under Cumulative Conditions (2023) Plus Project during the a.m. peak hour.

Although adverse LOS effects were identified at one study intersection under Opening Year (2023) Plus Project conditions and two intersections under Cumulative Conditions (2023) Plus Project, the project would be responsible for paying its WRCOG TUMF and the City's DIF. The project would contribute to deficient conditions at the Hargrave Street and the I-10 ramp intersections. The project would include widening the east side of Hathaway Street along the project frontage and would extend Wilson Street and Nicolet Street between Hathaway Street and the future First Industrial Way. In accordance with Policy 7 of the City's *2013 Circulation Element Amendment*, the project would be responsible for its fair-share contribution toward the future build-out traffic signal improvements at the intersections at Wilson Street, George Street, Nicolet Street, and Williams Street along Hathaway Street. Since widening and signal improvements at the Hargrave Street and I-10 ramp intersections are included in the Traffic Component of the City's DIF, the project is not responsible for additional fair-share costs beyond its DIF payment.

As the payment of TUMF, DIF, and fair-share fees is sufficient to correct traffic operations at study area intersections to the LOS standard acceptable to the City, and because the payment of such fees is a standard requirement for development projects in Banning, the proposed project would

³⁷ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Table 9.2. March 14, 2023.



not be inconsistent with any City policy related to roadway operations; therefore, impacts would be **less than significant**, and mitigation is not required.

Pedestrian Facilities. Policy 10 of the City’s General Plan Circulation Element states, “Sidewalks shall be provided on all roadways 66 feet wide or wider.”³⁸ Additionally, Policy 11 of the City’s General Plan Circulation Element states, “Sidewalks or other pedestrian walkways shall be required on all streets within all new subdivisions.”³⁹ The project would improve the east side of Hathaway Street along the project frontage to its ultimate width and would construct curb, gutter, and sidewalk facilities consistent with the street’s General Plan designation. Furthermore, sidewalks with parkway landscaping and street trees would be installed along First Industrial Way, Wilson Street, and Nicolet Street (see Figure 3-7).

The proposed project would be consistent with the applicable General Plan policies related to pedestrian facilities. This impact would be **less than significant**, and mitigation is not required.

Bicycle Facilities. Policy 25 of the City’s General Plan Circulation Element states, “The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.”⁴⁰ Additionally, Policy 27 of the City’s General Plan Circulation Element states, “The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians, and/or pedestrians.”⁴¹

There currently are no bike facilities along Hathaway Street in the project vicinity. The project would improve to ultimate width the east half of Hathaway Street, the south half of Wilson Street, the west half of First Industrial Way, and both sides of Nicolet Street along the project frontage. These improvements would provide adequate space for Class II bike lanes on these roadways, from which bicyclists would have access to future bike facilities on Ramsey Street and other local streets in the area. This impact would be **less than significant**, and mitigation is not required.

Transit Facilities. The Banning Circulator (combination routes 5/6) includes stops on Hathaway Street adjacent to the project site and provides service to areas west and south of the project site, as well as connections to Routes 1 and 6 south of the site. The project site is designed to provide convenient and direct access for transit users. A 250-foot-long combination bus stop and deceleration lane would be constructed south of the proposed project driveway opposite George Street to facilitate mass transit and unobstructed vehicle access at this location.

Transit service would be provided as needed and determined by Banning Connect; therefore, implementation of the proposed project would not be inconsistent with a program, plan, ordinance, or policy addressing the existing transit system. This impact would be **less than significant**, and mitigation is not required.

³⁸ City of Banning. *City of Banning General Plan, Chapter III Community Development, Circulation Element*. Pages III-19. April 19, 2006; amended March 26, 2013.

³⁹ *Ibid.* Page III-19.

⁴⁰ *Ibid.* Page III-22.

⁴¹ *Ibid.* Page III-23.



Level of Significance Prior to Mitigation: Less than Significant impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance or mitigation measures are required.

Level of Significance After Mitigation: Less than Significant impact.

4.17.6.2 VMT Impacts

Threshold 4.17.2: Would the proposed project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The project site covers approximately 94.86 gross acres in the eastern portion of Banning. The General Plan land use designation and zoning for the project site is 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.”⁴²

The proposed warehouse development is a permitted use in the existing Business Park (BP) land use designation and zoning district. As previously stated in Section 4.17.2.2, the proposed project does not satisfy any of the screening criteria identified in the City’s VMT Guidelines. For logistics land uses such as the proposed project, the City’s guidelines specify that the metric for evaluation of potential impact is VMT per employee. The project is consistent with the General Plan land use designation for the site; therefore, the City’s guidelines state that the threshold of significance is “no net change in VMT per employee.”⁴³ The average VMT per employee for the WRCOG region is 30.42; therefore, for the project to result in “no net change in VMT per employee,” the project VMT would need to be at or below the threshold of 30.42 VMT per employee.⁴⁴

The WRCOG VMT calculator tool identifies the VMT per employee for the project site is 33.6.⁴⁵ As detailed in Table 4.17.A, the VMT per employee for the project is 10.5 percent above the average VMT per employee for the region; therefore, the proposed project does not meet the City’s VMT significance threshold of “no net increase in VMT per employee,” and a potentially significant VMT impact would result from project development.

⁴² City of Banning. *City of Banning General Plan, Chapter III Community Development, Circulation Element*. Pages III-7 and III-8. April 19, 2006; amended March 26, 2013.

⁴³ Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. Page 5. March 13, 2023.

⁴⁴ LSA. *City of Banning VMT Analysis Implementation Guidelines*. Figure 4.A, page 17. Adopted October 2021.

⁴⁵ Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. Appendix A. March 13, 2023.



Table 4.17.A: Project VMT Summary

	Project
Threshold of Significance (Regional Average)	30.42
Project VMT per Employee	33.6
Percent Above/Below Threshold	+10.5%
Significant Impact?	Yes

Source: Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning.*

Table 5-1. March 13, 2023.

VMT = vehicle miles traveled

Level of Significance Prior to Mitigation: Potentially Significant.

Regulatory Compliance Measures and Mitigation Measures: The City of Banning has identified several VMT-reducing strategies that nonresidential land development projects can implement to reduce the amount of VMT per employee. The City’s guidelines state the percentage reduction in VMT which could reasonably be expected with the implementation of each measure based on analysis published by the California Air Pollution Control Officers Association (CAPCOA). The following VMT-reducing measures that could feasibly be implemented by a logistics development are identified in **Mitigation Measure (MM) TRA-1**. However, implementation of feasible Transportation Demand Management (TDM) measures and quantification of the measures identified in **MM TRA-1** cannot be guaranteed to reduce the project’s VMT per employee to a level of less than significant.⁴⁶

MM TRA-1 Prior to issuance of occupancy permits, the project applicant shall prepare a Transportation Demand Management (TDM) strategy report for review and approval by the City Traffic/Transportation Manager. The TDM strategy shall include measures to reduce employee vehicle miles traveled (VMT), including, but not limited to:

- a. Provide pedestrian network improvements (0.00%–2.00% reduction in VMT).
- b. Provide bike parking and end-of-trip facilities (lockers, showers, etc.) for bicycle commuters (0.625% reduction in VMT).
- c. Implement or provide access to a voluntary commute reduction program (1.00%–6.20% reduction in VMT).
- d. Provide teleworking options (0.07%–5.50% reduction in VMT).
- e. Implement preferential parking program for carpools and vanpools (variable reduction in VMT).
- f. Provide bicycling network improvements (negligible reduction in VMT).

⁴⁶ Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning.* Page 7. March 13, 2023.



Level of Significance After Mitigation: Because the proposed warehouse end-user is speculative, the specific effectiveness of **MM TRA-1** cannot be quantified with certainty and therefore may not reduce VMT per employee to 30.42 or less. Therefore, VMT impacts would be significant and unavoidable.

4.17.6.3 Transportation Hazards

Threshold 4.17.3: Would the proposed project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Driveway Length. As shown on Figure 3-7 in Chapter 3.0, Project Description, the driveway on Hathaway Street opposite George Street has a long drive aisle (i.e., more than 500 feet) from the Hathaway Street intersection that leads to the parking lots north of the proposed building. This driveway is not gated; therefore, the driveway length would be sufficient to allow vehicles to enter the site without causing subsequent vehicles to back up onto Hathaway Street. The driveway on Wilson Street is approximately 70 feet long. This driveway leads to parking lots along the eastern edge of the site and is not gated. A small amount of inbound truck traffic is estimated to use this driveway, and passenger vehicles would use it for ingress and egress.

The western driveway on the north side of Nicolet Street connects to a circulation aisle that leads to the main parking lot and the gated warehouse area. The middle driveway on the north side of Nicolet Street is approximately 130 feet long. This driveway into the warehouse area is gated. The estimated number of trucks arriving at this driveway during the peak hour is approximately three trucks. The average arrival rate is one truck every 20 minutes. During the peak 5 minutes of the peak hour, the expected rate is one truck per 10 minutes, and the expected queue of one truck can be accommodated within the 130-foot driveway. The eastern driveway on the north side of Nicolet Street is approximately 350 feet long, which leads to parking lots and the gated warehouse area. This driveway length is sufficient to accommodate inbound truck and passenger vehicles.

The two driveways into the parking lot on the south side of Nicolet Street are each approximately 30 feet long. The two driveways into the truck trailer parking on the south side of Nicolet Street have a length of approximately 70 feet. These driveways are gated, and the average arrival at either driveway during the peak hour is two trucks, or one truck every 30 minutes. During the peak 5 minutes of the peak hour, the arrival rate at either driveway is estimated to be one truck every 15 minutes, and the expected queue is one vehicle, which can be accommodated within the available driveway length.

Driveway Distance to Intersections. To minimize the number of driveways on Hathaway Street, the proposed project includes a driveway on Hathaway Street opposite George Street. Nicolet Street east of Hathaway Street would be extended, resulting in the addition of a fourth segment to the intersection. The western project driveway on Nicolet Street would be located approximately 490 feet from the Hathaway Street intersection. The eastern project driveway on Nicolet Street would be located approximately 283 feet from the future First Industrial Way intersection. The project would also construct a segment of Wilson Street east of Hathaway Street where Morongo Road currently intersects with Hathaway Street at a 45-degree angle. The segment of Morongo Road northeast of Hathaway Street would be realigned to intersect Hathaway Street at a right angle opposite Hoffer



Street north of Wilson Street under a separate action. The project driveway on the extension of Wilson Street would be located approximately 278 feet from the future First Industrial Way intersection.

Intersection Line of Sight. The project access driveways and parking aisles are appropriately sized, spaced, and configured for the project volumes and vehicle types and would be designed in accordance with applicable agency standards. Sight-distance requirements at project access driveways would be provided per Riverside County Standard Plan 821 requirements. The required line-of-sight distance for the driveway opposite George Street on Hathaway Street, which has a speed limit of 35 mph, is 250 feet. The Hathaway Street roadway is straight and flat; as detailed in **Regulatory Compliance Measure (RCM) TRA-1**, landscaping would be limited to 30 inches in height; and no trees, walls, or other obstructions would be placed within the limited use areas to provide the required sight distance pursuant to Banning Municipal Code Section 17.28.060. Similarly, the sight distance at the project driveways along Wilson Street and Nicolet Street would be provided by limiting landscaping to 30 inches in height, and no trees, walls, or other obstructions would be placed in the limited use areas.

Truck Turning Movements. A truck turning analysis was conducted to ascertain the ability of the proposed project to accommodate anticipated on-site vehicle movements. As established in the Local Transportation Analysis,⁴⁷ the driveway widths and curb radii are sufficient to accommodate the large trucks that are anticipated to enter and exit the site.

The proposed driveways and project intersections would be sited in a manner to prevent unnecessary queuing on adjacent roads and to provide adequate sight distance. Implementation of the proposed project, including the siting, design, and construction of proposed roadway improvements, would be conducted pursuant to the standards identified by the City. As the required improvements would be reviewed and approved by the City, they would be consistent with existing requirements to ensure they do not introduce safety hazards in the project area. Therefore, impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: The following regulatory compliance measure is included as part of the proposed project and is considered in the analysis of potential impacts related to transportation. The City considers this requirement to be mandatory pursuant to Banning Municipal Code Section 17.28.060; therefore, it is not a mitigation measure or a voluntary Project Design Feature.

RCM TRA-1: Compliance with Banning Municipal Code Section 17.28.060, Parking Lot Design Standards. Prior to the issuance of building permits, the applicant shall provide evidence to the City that project site and landscape plans demonstrate the project is designed consistent with Banning Municipal Code Section 17.28.060. Specifically, landscaping would be limited to 30 inches in height, and no trees, walls, or other obstructions would be placed within the limited use areas, defined as the required

⁴⁷ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. Figures 8-3 and 8-4. March 14, 2023.



line of sight distance of 250 feet along the project site frontage of Hathaway Street to the north and south from the proposed project driveway opposite George Street, to provide the required sight distance pursuant to Banning Municipal Code Section 17.28.060. Similarly, the sight distance at the project driveways along Wilson Street and Nicolet Street would be provided by limiting landscaping to 30 inches in height, and no trees, walls, or other obstructions would be placed in the limited use areas, defined as the required line of sight distance of 250 feet along the project site frontage in each direction from the proposed driveways along Wilson Street and Nicolet Street.

Level of Significance After Mitigation: RCM TRA-1 is prescribed to ensure that landscape plans demonstrate the project is designed consistent with Banning Municipal Code Section 17.28.060 to ensure potential impacts related to hazards due to a geometric design feature remain **less than significant**.

4.17.6.4 Emergency Access

Threshold 4.17.4: Would the proposed project result in inadequate emergency access?

The proposed project is not anticipated to result in any significant emergency access impacts during construction. In the event of an accident or emergency during project construction, emergency service providers would be able to access the site and Hathaway Street (via Williams, Nicolet, George, and Hoffer streets, all of which maintain access to Hargrave Street and its interchange with I-10.) Construction of the proposed project includes improvements to the west side of Hathaway Street, which may require partial lane closures. The proposed project also includes improvements to Wilson Street, First Industrial Way, and Nicolet Street. To maintain traffic flows to the greatest extent practicable during construction, the construction contractor would be required to prepare and implement a Transportation Management Plan (TMP) (**RCM TRA-2**), to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook*⁴⁸ and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. With implementation of **RCM TRA-2**, construction of the proposed project, including temporary lane closures along Hathaway Street, would not result in inadequate emergency access to the project site.

Furthermore, unimpeded access to and through the project site would be maintained by ensuring that vehicles would not be parked or placed in a manner that would impede access for emergency response vehicles pursuant to California Vehicle Code 21806. Internal access drives and parking areas would be constructed to meet the requirements of emergency service providers to maintain adequate and appropriate passage for emergency vehicles. As discussed previously, the proposed project would include improvements to the existing roadway network consistent with City design standards. Overall, the proposed project would provide adequate access and signage for patrons, workers, and

⁴⁸ California Inter-Utility Coordinating Committee. *California Temporary Traffic Control Handbook*, 7th Edition. May 2018.



emergency access personnel. This impact would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant.

Regulatory Compliance Measures and Mitigation Measures: The following regulatory compliance measure is included as part of the proposed project and is considered in the analysis of potential impacts related to transportation. The City considers this requirement to be mandatory; therefore, it is not a mitigation measure or a voluntary Project Design Feature.

RCM TRA-2: Transportation Management Plan. The construction contractor is required to prepare and implement a Transportation Management Plan (TMP) during construction of the proposed project. The Draft TMP shall be reviewed and approved by City of Banning staff prior to the initiation of construction. The TMP shall be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook* and shall include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction.

Level of Significance After Mitigation: RCM TRA-2 is prescribed to ensure that construction of the proposed project includes a project-specific TMP to ensure potential impacts related to emergency access during construction remain **less than significant**.

4.17.7 Cumulative Impacts

As previously discussed, the proposed project would result in less than significant impacts relating to conflicts with the circulation system, roadway design hazards, and emergency access. To comply with the City's General Plan and the Banning Municipal Code requirements, other past, present, and reasonably foreseeable projects in the city would be required to meet standard requirements to provide transportation facilities that accommodate pedestrian, bicycle, and vehicle travel and to avoid roadway design hazards and emergency access.

As established in Section 4.17.6.3, implementation of the feasible TDM measures and quantification of the measures identified in **MM TRA-1** cannot be guaranteed to reduce the proposed project's VMT per employee to a level of less than significant. As summarized in *WRCOG Senate Bill 743 Implementation Pathway Document Package*, "...VMT thresholds based on an efficiency form of the metric...can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and greenhouse gas emissions."⁴⁹ In this respect, significant and unavoidable VMT impacts at the project level would also be considered cumulatively significant. Because implementation of TDM strategies cannot guarantee VMT reductions, and the proposed project VMT per employee would still exceed the average VMT per employee for the WRCOG region even with implementation of **MM TRA-1**, the proposed project impacts from VMT would be cumulatively considerable and significant. No additional mitigation is feasible to reduce the impact further.

⁴⁹ Fehr & Peers. *WRCOG SB 743 Implementation Pathway Document Package*. Page 67. March 2019.



4.18 TRIBAL CULTURAL RESOURCES

This section evaluates the potential for implementation of the First Hathaway Logistics Project (project) to impact tribal cultural resources. This section also discusses the existing setting regarding tribal cultural resources within and near the city of Banning and sets forth the relevant regulatory requirements that apply to the analysis of the proposed project's impacts on tribal cultural resources. According to California Public Resources Code (PRC) Section 21074 and Chapter 532, Statutes 2014 (i.e., Assembly Bill [AB] 52), "tribal cultural resources" are defined as the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either: (a) included or determined to be eligible for inclusion in the California Register of Historical Resources (CRHR); or (b) included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
2. 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 PRC Section 5024.1.

Tribal consultation and the process involved with consultation is explained in further detail below under the definition of AB 52 in Section 4.18.4.2, State Regulations. The analysis below summarizes information obtained from Native American consultation efforts conducted pursuant to AB 52. Analysis pertaining to other historic and archaeological cultural resources is presented in Section 4.5, Cultural Resources, of this EIR.

4.18.1 Scoping

Potential impacts to tribal cultural resources were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City of Banning (City) received three comment letters in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts to tribal cultural resources. Additionally, the City received a fourth comment letter via email that concerned biological resources and compliance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) through consultation with local Native American groups. For copies of the NOP comment letters, refer to **Appendix A** of this Draft EIR. NOP comments related to tribal cultural resources and tribal consultation include comments received from the following:

- The California Native American Heritage Commission (NAHC), April 26, 2022, detailing State procedures for compliance with AB 52, Senate Bill [SB] 18, and other State regulations related to tribal resources and the California Environmental Quality Act (CEQA).
- The Morongo Band of Mission Indians (Morongo), May 13, 2022, discussing the location of the project site within ancestral and traditional use areas of the Morongo, the adjacency of the project site to the Morongo reservation, the sensitivity of cultural resources, and requests for data related to project development. The Morongo representative formally requested consultation with the City pursuant to AB 52.
- The Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians), May 9, 2022, recognizing that the project site is outside Serrano ancestral territory and



that the Yuhaaviatam would not request consultation with the City or review of any documents created for the project.

- Kathleen Dale, May 23, 2022, advising that the project is located within an MSHCP Special Linkage Area (San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage), which triggers tribal coordination regarding American Indian Lands in this area pursuant to the MSHCP.

No questions or issues of concern related to tribal cultural resources were conveyed to the City during the public scoping meeting; however, Kathleen Dale made the same comment at the scoping meeting on May 19, 2022, that she provided via email on May 23, 2022, regarding tribal coordination for projects within the MSHCP Special Linkage Area (San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage). As stated previously, a discussion of the project's potential impacts relative to cultural resources is included in Section 4.5 of this EIR.

4.18.2 Methodology

The NAHC was contacted on March 3, 2021, to conduct a Sacred Lands File (SLF) search and provide a Native American contact list for the project site pursuant to AB 52. The NAHC responded on March 12, 2021, stating that an SLF search was completed for the project site with negative results. The NAHC recommended contacting 19 Native American individuals representing the Cahuilla, Serrano, Luiseño, and Quechan groups to potentially provide information regarding cultural resources that could be affected by the proposed project.

As part of the AB 52 consultation process, pursuant to MSHCP requirements for projects within the Special Linkage Area (San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage), and in response to the Morongo Tribe's request during the scoping process, the City sent a consultation initiation request letter to the identified Morongo representative on November 27, 2022, to inform Morongo about the proposed project and to request information regarding Native American cultural resources near the project site. From this initial correspondence, Morongo responded on December 29, 2022, requesting formal consultation with the City regarding the proposed project. Requested documents were forwarded to Morongo for review on January 10, 2023.

A formal consultation meeting occurred on June 7, 2023, among Morongo, City staff, the project Applicant, and the Applicant's environmental consultant, during which Morongo informed the project team that known tribal cultural resources occur in the vicinity of the project site and tribal cultural resources have the potential to occur even in disturbed contexts. Accordingly, Morongo recommended specific mitigation measures to address unanticipated encounters with tribal cultural resources, including human remains. These measures are incorporated into this Draft EIR as **Mitigation Measures CUL-1** through **CUL-8** (see Section 4.5.6, Cultural Resources).

4.18.3 Existing Environmental Setting

The area that is now the city of Banning was prehistorically occupied by Native Americans. This area is within the traditional boundaries of the Cahuilla and Luiseño tribal groups. Prior to Spanish contact with indigenous groups in the region, the Cahuilla occupied a territory that reached from the San Bernardino, Orocochia, and Chocolate mountains to the west to the Salton Sea and Borrego Springs to



the south, Palomar Mountain and Lake Mathews to the west, and the Santa Ana River to the north.¹ Meanwhile, the Luiseño occupied a territory that reached from the Pacific Ocean to the west to the Peninsular Ranges mountains (including Palomar Mountain and Santiago Peak) to the east, the Agua Hedionda Lagoon to the south, and Aliso Creek in present-day San Juan Capistrano to the north.² Refer to the project-specific *Cultural Resources Study for the First Hathaway Project*³ (**Appendix C**) for a detailed discussion of the cultural and ethnographic setting of the project site and vicinity.

4.18.4 Regulatory Setting

The following describes federal, State, and local (e.g., County and City) regulations applicable to the proposed project with regard to tribal cultural resources.

4.18.4.1 Federal Regulations

There are no federal regulations applicable to tribal cultural resources that are relevant to the proposed project.

4.18.4.2 State Regulations

State regulations that govern the identification and treatment of tribal cultural resources as applicable to the project site include AB 52 and California Health and Safety Code (HSC) Section 7050.5, as discussed below.

Assembly Bill 52 Tribal Consultation (AB 52). California PRC Section 21080.3.1 and Chapter 532, Statutes 2014 (i.e., AB 52), require that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. The bill requires a lead agency to begin consultation with each California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and requests consultation prior to determining whether a Negative Declaration (ND), Mitigated Negative Declaration (MND), or EIR is required for a project. AB 52 specifies examples of mitigation measures that may be considered to avoid or minimize impacts on tribal cultural resources. The bill makes the above provisions applicable to projects that have a NOP, or a notice of ND or MND filed on or after July 1, 2015. By requiring the lead agency to consider these effects relative to tribal cultural resources and to conduct consultation with California Native American tribes, this bill imposes a State-mandated local program.

California Health and Safety Code Section 7050.5. HSC Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains, until the Coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the Coroner's authority. If the human remains

¹ Brian F. Smith and Associates, Inc. *Cultural Resources Study for the First Hathaway Project, City of Banning, County of Riverside, APNs 532-110-001 to -003 and -008 to -010*. Page 1.0-13. July 26, 2021; revised April 2024..

² Ibid. Pages 1.0-10 and 1.0-11.

³ Ibid. Pages 1.0-5 through 1.0-22.



are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC would identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

4.18.4.3 Regional Regulations

There are no regional regulations that are applicable to tribal cultural resources relevant to the proposed project.

4.18.4.4 Local Regulations

City of Banning General Plan. The Archaeological and Cultural Resources Element of the City of Banning General Plan describes the documented precontact and history of the city. Program 1.B of the City's General Plan EIR states, "...All development or land use proposals which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase 1 studies and appropriate mitigation measures shall be incorporated into project approval."⁴ The following policies pertaining to cultural resources would be applicable to the proposed project:

Policy 1: The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposal development projects and other activities.

Policy 2: The City shall expand and enhance its prehistoric preservation efforts.

Policy 3: Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural resources studies.

Policy 4: Sensitive archaeological and historic resources shall be protected from vandalism and illegal collection, to the greatest extent possible.

Policy 5: Encourage public participation in and appreciation of the City's cultural heritage.

Policy 6: Support the listing of eligible structures or sites as potential historic landmarks and their inclusion in the National Register of Historic Places.

Policy 7: The City shall consider offering economic or other incentives, such as direct subsidies or application/permitting fee reductions or waivers, to property owners to encourage the maintenance and enhancement of significant cultural buildings and sites.

⁴ City of Banning. *General Plan, Chapter IV Environmental Resources, Archaeological and Cultural Resources Element*, page IC-68. April 18, 2006.



4.18.5 Thresholds of Significance

The City has not established local CEQA significance thresholds for this impact area as described in Section 15064.7 of the *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the *CEQA Guidelines*. According to Section XVIII of Appendix G to the *CEQA Guidelines*, the proposed project would result in a significant impact to tribal cultural resources if the project would:

Threshold 4.18.1: 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); or,

Threshold 4.18.2: 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.

4.18.6 Project Impact Analysis

Potential impacts of the project on tribal cultural resources are discussed below pursuant to the thresholds established in Section 4.18.5, above.

4.18.6.1 Substantial Adverse Change to a Tribal Cultural Resource, defined in PRC Section 21074, Pursuant to PRC Sections 5020.1(k) and 5024.1

Threshold 4.18.1: Would the 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)?



Threshold 4.18.2: Would the 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.

A cultural resources record search was completed on March 12, 2021, by staff at the Eastern Information Center (EIC), located at the University of California, Riverside (UCR). The EIC record search included the project site and the areas within 1 mile of the project site. The record search included reviews of known cultural resource surveys and excavation reports in that area. In addition, the National Register of Historic Places (NRHP) and the Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD) were examined as well as land patent records held by the Bureau of Land Management (BLM) and accessible through the BLM General Land Office (GLO). The record search identified 34 cultural resource studies conducted within a 1-mile radius of the project site, 7 of which included all or portions of the project site. The search also identified 104 cultural resources, all historic in age, located within 1 mile of the project site. None of these resources are located within the project site.

The historic resources consist of 5 trash scatters, 1 isolate, 1 transmission line, 1 segment of John Street, 2 industrial buildings, 1 airport, 1 church, 3 commercial buildings, 1 railroad segment, 79 single-family residences, 1 single-/multifamily residence, and 8 multifamily residences.

Two of the previously recorded resources (LSA-OSI0801-H1 [historic artifact scatter] and LSA-OSI0801-H2 [three historic building foundations]) are located within the project site but were determined ineligible for listing on the California Register of Historical Resources (CRHR) and not significant under CEQA criteria.⁵ A pedestrian survey was also conducted on March 3, 2021, at the project site and identified disturbances that are detailed further in Section 4.5, Cultural Resources, of this EIR.

Native American consultation was conducted by the City in compliance with AB 52. As part of the initial consultation process, a review of the SLF by the NAHC yielded negative results. Subsequently, the City consulted with representatives of Morongo via written correspondence on November 27, 2022; December 29, 2022; and January 10, 2023. A formal consultation meeting was held on June 7, 2023 with Morongo.

The Morongo representatives who attended the consultation meeting held on June 7, 2023, emphasized the importance of including archaeological and Native American monitoring in order to thoroughly assess whether any tribal cultural resources are located at the project site. Morongo representatives also discussed the mitigation measures included within the project-specific *Cultural Resources Study for the First Hathaway Project*⁶ that was current at the time and explained that their

⁵ Brian F. Smith and Associates, Inc. *Cultural Resources Study for the First Hathaway Project, City of Banning, Riverside County, APNs 532-110-001 to -003 and -008 to -010*. July 26, 2021; revised April 2024.

⁶ Ibid.



comments and concerns would be further detailed in a follow-up letter to the City following the consultation meeting. In their follow-up letter, Morongo representatives provided their review of the project's Cultural Resources Study and recommended **Mitigation Measures MM CUL-1 through MM CUL-8** to ensure that impacts to resources of importance to Morongo would be avoided or reduced to the extent feasible.⁷ **MM CUL-1 through MM CUL-8** are presented in Section 4.5.6, Cultural Resources, of this EIR.

Due to the potential presence of tribal cultural resources at the project site, the City is engaged in ongoing consultation efforts with Morongo and will continue to consult with Morongo as project construction occurs in the event that any tribal cultural resources are encountered. If identified, procedures outlined in **MM CUL-1 through MM CUL-8** would be implemented, as appropriate.

Level of Significance Prior to Mitigation: Potentially significant impacts to unidentified tribal cultural resources during ground disturbing activities.

Regulatory Compliance Measures and Mitigation Measures: **MM CUL-1 through MM CUL-8**, prescribed in Section 4.5, Cultural Resources, of this EIR, would be implemented to reduce potential impacts to tribal cultural resources during project construction.

Level of Significance After Mitigation: Compliance with **MM CUL-1 through MM CUL-8** would ensure the project would be conditioned to include Native American and professional archaeological monitoring during ground-disturbing activities. Excavation and/or construction activities would cease if cultural, tribal cultural, or archaeological resources or human remains are identified and would be managed in accordance with a project-specific Cultural Resource Management Plan (CRMP). These measures also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. With implementation of **MM CUL-1 through MM CUL-8**, impacts to tribal cultural resources that are (1) listed or eligible for listing in the CRHR or a local register of historical resources as defined in PRC Section 5020.1(k) and/or (2) determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1 would be reduced to a less than significant level.

4.18.7 Cumulative Impacts

Potential impacts to known or unknown tribal cultural resources may result from cumulative development in the city of Banning and elsewhere and may contribute to cumulatively significant impacts to these resources. However, for each development proposal subject to environmental review pursuant to CEQA, the City must engage interested tribal governments pursuant to AB 52.

Program 1.B of the City's General Plan EIR states, "...All development or land use proposals which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase 1 studies and appropriate mitigation measures

⁷ Morongo Band of Mission Indians. *Revisions and Additions requested for Cultural Resources Study for the First Hathaway Project, City of Banning, County of Riverside, APNs 532-110-001 to -003 and -008 to -010, June 2022.* June 7, 2023.



shall be incorporated into project approval.”⁸ The City maintains a standard practice of providing site-specific cultural assessments to interested tribes for review and comment during the consultation process and prior to final City acceptance of said assessments.

The City has developed mitigation that addresses 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 determined appropriate through the required AB 52 consultation process, **MM CUL-1** through **MM CUL-8**, or measures of equal effectiveness, may be equally applied to any future cumulative development.

Consultation with interested tribal governments, including the implementation of measures to safeguard identified tribal cultural resources, is required prior to completion of the CEQA process. Completion of the consultation processes required under AB 52 and the incorporation of applicable measures as project-specific conditions or mitigation required for each project would render cumulative impacts to cultural resources **less than significant**. Therefore, the proposed project would not contribute to a cumulatively considerable impact to tribal cultural resources.

⁸ City of Banning General Plan. *Chapter IV Environmental Resources, Archaeological and Cultural Resources Element*. Page IC-68. April 18, 2006.



4.19 UTILITIES AND SERVICE SYSTEMS

This section describes the utility providers within whose jurisdiction the First Hathaway Logistics Project (project) site is located and evaluates the potential for implementation of the proposed project to impact utilities and service systems. This section addresses the following utilities and service systems (service providers are noted in parentheses).

- Potable Domestic Water (City of Banning, Public Works Department, Water and Wastewater Division[PWD-WWD])
- Wastewater (PWD-WWD)
- Storm Drainage (City of Banning [City] Public Works Department and Riverside County Flood Control District)
- Solid Waste (Waste Management, Inc.)
- Electricity (Banning Electric Utility [BEU])
- Natural Gas (Southern California Gas Company [SoCalGas])
- Telecommunications (Verizon and Time Warner)

The analysis in this section is based in part on the *Water Supply Assessment (WSA)*¹ included as **Appendix G-3** of this Environmental Impact Report (EIR).

4.19.1 Scoping

Potential impacts to utilities and service systems were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received two public comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts related to utilities and service systems. These comments included:

- The County of Riverside Department of Environmental Health (DEH) (April 22, 2022) requested information about the water source and sanitary sewer service for the project and asked for supporting documentation if service is being provided from a municipal purveyor.
- BEU (May 18, 2022) informed City Planning staff via email that a representative of BEU would attend the public scoping meeting on May 19, 2022.

Copies of the NOP and public scoping comments are provided in **Appendix A** of this EIR.

¹ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. January 30, 2023.



4.19.2 Methodology

This section evaluates impacts to utilities and service systems to the extent that project demand for potable water and wastewater, electricity, natural gas, telecommunications, and landfill capacity would require new or expanded facilities to support the project, the construction of which would result in an adverse physical impact to the environment. Information regarding utilities and service systems was obtained from a variety of sources, including technical studies prepared for the proposed project, agency websites, and adopted planning documents of the service and utility providers.

4.19.3 Existing Environmental Setting

This section describes existing utility and service system providers that would provide service to the project site.

4.19.3.1 Water

The City's 2020 *Urban Water Management Plan*² (UWMP) is a long-term planning document to achieve water conservation and efficient use, and supply and demand management. The project site's zoning designation (Business Park [BP]) is part of the General Plan that was accounted for as part of the City's most recently adopted 2020 UWMP. The 2020 UWMP determined that there would be adequate water supply for the Business Park-zoned project site.

The City of Banning Public Works Department provides domestic water services to Banning and portions of unincorporated Riverside County lands located southwesterly of the city limits. The primary source of water in the city is groundwater, with some augmentation from the California State Water Project (SWP) which is used for recharge. Banning is within the boundaries of the Coachella Valley Hydrologic Unit, which encompasses several groundwater basins, including the Coachella Valley Groundwater Basin (Basin), within which the city is located. Several large subbasins, the boundaries of which are generally defined by fault lines that restrict the lateral flow of water, underlie the Basin. The Basin extends from Banning easterly to the Salton Sea.

The city is underlain by the San Gorgonio Pass Subbasin (SGP Subbasin) portion of the Basin. The SGP Subbasin is divided into water storage units ("basins"). The City relies on five sources of groundwater storage supply units, which are not totally independent from each other. A description of each unit is provided below, as detailed in the 2020 UWMP³:

- **Beaumont Storage Unit (Beaumont Basin):** Located in the San Gorgonio Pass and draining a total surface area of approximately 12,480 acres, the Beaumont Basin is replenished by infiltration of precipitation, subsurface flow across faults, return from irrigation and septic systems, and artificial recharge. The City's total pumping capacity in the basin is 8,050 gallons per minute (gpm) from seven groundwater production wells (three of which are co-owned with the Beaumont-Cherry Valley Water District [BCVWD]).

² West & Associates and John Robinson Consulting, Inc. 2020 *Urban Water Management Plan, City of Banning, CA*. 2021. Website: http://www.banning.ca.us/DocumentCenter/View/8877/Final-Draft-Revised-2020-UWMP---Banning_May-2021?bidId= (accessed September 6, 2022).

³ Ibid. Section 3: Water Sources & Supplies.



- West Banning Storage Unit:** The total drainage surface area for this unit is approximately 2,489 acres. The unit is underlain by alluvial sediments, with bedrock occurring to the north in the San Bernardino Mountains. The City operates four groundwater production wells in this unit, with a combined nominal capacity of 2,650 gpm.
- Banning Bench Storage Unit:** The total drainage surface area for this unit is approximately 3,753 acres, and the unit is underlain by alluvial sediments, with bedrock occurring to the north in the San Bernardino Mountains. The estimated capacity of this unit is 240,000 acre-feet, and the City operates three groundwater production wells in this unit with a combined pumping capacity of 3,650 gpm.
- Banning Water Canyon Storage Unit:** The total drainage surface area for this unit is approximately 1,058 acres, and it is located north of the Banning Bench Storage Unit. The estimated capacity of this unit is 13,500 acre-feet, and additional recharge occurs through the diversion of Whitewater River Drainage into Banning Water Canyon using the Whitewater Flume. The City owns eight active wells in this unit with a nominal pumping capacity of 8,600 gpm.
- Cabazon Storage Unit:** This unit is located near the eastern boundary of the city, southeast of the West Banning Storage Unit and the Banning Bench Storage Unit, and has a total drainage surface area of approximately 17,215 acres. The estimated storage capacity of this unit is 1,000,000 acre-feet of water. The City has one active well on this unit with a pumping capacity of 900 gpm.

The City’s potable water system is supplied by groundwater from 23 wells.⁴ Additionally, there is one nonpotable groundwater well. The City is planning to redrill Well M-12, add a well on land being dedicated by the Tri-Pointe Homes land developer, and construct a groundwater well to be designated as Well C-8, bringing the total number of wells operated by the City for potable water to 21. The City also has three shared wells with the BCVWD with a combined nominal capacity of 6,800 gpm, of which one-half is allotted to the City. **Table 4.19.A: Projected Groundwater Supply** shows the projected groundwater supply to the City from the units described above between 2025 and 2045.

Table 4.19.A: Projected Groundwater Supply (Acre-Feet/Year)

Groundwater Source	2025	2030	2035	2040	2045
Groundwater Pumped (Total)	8,508	8,574	8,595	8,542	8,476
Pumped from Beaumont Basin Storage Account	999	2,126	3,156	4,128	4,991
Total Anticipated Use of Supplies (Estimated Production)	9,507	10,700	11,751	12,670	13,467
Total Available Supply	56,358	52,388	44,066	33,124	21,098

Source: Stantec, Inc., *Water Supply Assessment, First Hathaway Logistics*, January 2023.

The City purchases SWP water from the San Geronio Pass Water Agency (SGPWA), one of 29 State water agencies with a SWP Water Supply Contract with the California Department of Water Resources (DWR). Quantities of SWP water purchased are recharged to the Beaumont Basin on SGPWA property.

⁴ City of Banning. *Municipal Water and Sewer Service*. Website: <http://www.banning.ca.us/96/Municipal-WaterSewer-Utilities> (accessed July 13, 2023).



Recharge points were previously located at BCVWD. Quantities that would be recharged in the future are dependent on SWP water availability and storage capacity available to Banning.

On December 1, 2020, the SGPWA announced that the SWP now expects to deliver 10 percent of requested supplies in 2021 because of above average precipitation in May. An initial allocation of 10 percent was announced in December and increased to 15 percent in January. This would likely be the final allocation update of 2020. However, on April 20, 2023, the SWP updated its expected deliveries of requested supplies in 2023 from 5 percent to 100 percent due to the wet winter and strong runoff conditions. Although the City may expect variable reliability in availability of SWP water, such water is not its primary source of water. Previous short-term declines in SWP water availability would be offset by the City’s substantial reserves of stored groundwater and would not affect the City’s water supply. DWR has announced an initial 15 percent allocation for 2024, but this is expected to rise throughout the year.⁵

Currently, the City serves only one customer (Sun Lakes Development Golf Course) with recycled water.⁶ According to the City of Banning *2018 Integrated Master Plan (IMP) Final Report*,⁷ the City anticipates implementing upgrades by 2027-28 at its wastewater treatment plant that would meet tertiary treatment standards to expand recycled water services to WWUD customers. Upon completion of the upgrades, approximately 2,700 acre-feet/year of recycled water would be available to recycled water customers.⁸

Table 4.19.B: Normal, Single-Dry, Multiple-Dry Year Water Demand shows the existing normal, single-dry, and multiple-dry year water demand scenarios for the City of Banning.

Table 4.19.B: Normal, Single-Dry, Multiple-Dry Year Water Demand (Acre-Feet/Year)

Water Use		2025	2030	2035	2040	2045
Normal Year		9,507	10,700	11,751	12,670	13,467
Single Dry Year		9,969	11,226	12,362	13,332	14,135
Multiple Dry Year Water Use		2021	2022	2023	2024	2025
Multiple Dry Year	Total Dry Demand	8,865	9,419	9,172	9,443	9,684
	Normal Year Demand	8,443	8,721	8,993	9,258	9,494
	% of Normal Year	105%	108%	102%	102%	102%

Source: Stantec. *Water Supply Assessment, First Hathaway Logistics*. Tables 14 and 15. January 2023.

Although the project site is vacant, it is currently served off site by an existing 8-inch public water main located within Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street.

⁵ California Department of Water Resources. *DWR Announces Increase to Anticipated State Water Project Allocation for 2024*. Published February 21, 2024. Website: <https://water.ca.gov/News/News-Releases/2024/Feb-24/DWR-Announces-Increase-to-Anticipated-State-Water-Project-Allocation-for-2024> (accessed April 21, 2024).

⁶ Carollo. *2018 Integrated Master Plan Final Report, Version 1.2*. Page 3-32. March 2018.

⁷ Ibid.

⁸ Ibid. Page 6-55.



4.19.3.2 Wastewater

Wastewater from residential, industrial, and commercial uses in Banning is collected by the City PWD-WWD. According to the Banning Public Works Department, wastewater is collected from these uses through infrastructure composed of 115 miles of gravity sewer mains (4- to 30-inch-diameter pipes), 5 miles of force mains, and 4 sewer lift stations. Wastewater is conveyed through this infrastructure system to the Banning Wastewater Reclamation Facility (WRF) located at 2242 East Charles Street, approximately 0.75 mile south of the project site. The WRF has a daily intake capacity of 3.5 million gallons of wastewater and is currently operating at an intake of 2.0 million gallons of wastewater per day.⁹ Although the project site is vacant, it is currently served by an existing off-site 8-inch sewer line on Hathaway Street and Nicolet Street that connects the project to the City's wastewater infrastructure system.

4.19.3.3 Storm Drainage Infrastructure

Existing drainage courses include off-site areas north of the project site and are conveyed by the local street network until discharging into the natural unlined channels on Morongo Band of Mission Indians (Morongo) Tribal Lands. These natural channels convey flows into an earthen channel that was constructed in 2011 for a previously approved industrial warehouse development (the former Banning Business Park Project) that was not constructed due to changes in market demand.¹⁰

According to the *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center* (Hydrology Report), there are three drainage areas associated with the project site: Drainage Area A, Drainage Area C, and Drainage Area D, as detailed on Figure 4.10-1, Proposed Drainage Management Areas, in Section 4.10, Hydrology and Water Quality, of this EIR.¹¹

Drainage Area A is a watershed comprised mostly of off-site tributary areas north of Wilson Street, which discharges to an existing 48-inch storm drain along First Industrial Way. The majority of Drainage Area A consists of off-site flows. Initial flows are conveyed by the local street network until discharging into natural unlined channels on Morongo Tribal Lands. These natural channels convey flows through natural terrain and discharge into an earthen channel, which is dewatered by a 48-inch storm drain located 400 feet south of the intersection of Wilson Street and First Industrial Way. When the off-site flows exceed the existing drainage capacity of the local street network, stormwater sheet flows onto the project site. A small portion (approximately 11.1 acres) of Drainage Area A is located on site in the northeast portion of the project site and contributes flows to the 48-inch storm drain.

⁹ Email communication between Chris Graham, LSA, and Arturo Vela, City of Banning Director of Public Works Public Works Department, December 3, 2021.

¹⁰ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.

¹¹ Stantec. *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center, Banning California*. Pages 5–8. June 22, 2023.



Drainage Area C, which is a total of 37.6 acres, is located on the south side of the project site. Drainage Area C consists of portions of Nicolet and First Industrial Streets, as well as the existing parking lot located south of Nicolet Street. Drainage Area C is defined by a minor ridge on the former Orco Block and Hardware Company facility and extends easterly to First Industrial Way. In Drainage Area C, stormwater flows north to south and is collected via drainage pipes and conveyed into interim detention areas. Flows from within the detention areas are collected by a second storm drain system before discharging at the south project boundary.

Drainage Area D, which is a total of 12 acres, is located on the west side of the project site. Drainage Area D is bounded by Wilson Street on the north and Hathaway Street on the west. In Drainage Area D, stormwater flows north to south across vacant land that is partially covered with concrete, asphalt pavement, and scattered vegetation.

4.19.3.4 Solid Waste

Solid waste practices in California are governed by multiple federal, State, and local agencies that enforce legislation and regulations ensuring that landfill operations minimize impacts to public health and safety and the environment. The project site is located in the Riverside County Department of Waste Resources jurisdiction/service area. The Riverside County Department of Waste Resources has adopted a countywide Integrated Waste Management Plan (CIWMP), which was prepared in accordance with the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939). The CIWMP sets goals, policies, and objectives for the development and implementation of coordinated waste reduction programs for jurisdictions within Riverside County (including the City of Banning).

The Riverside County Department of Waste Resources is also obligated to obtain a Solid Waste Facilities Permit, a Stormwater Discharge Permit, and permits to construct and operate gas management systems and meet Waste Discharge Requirements. The Local Enforcement Agency (LEA), the South Coast Air Quality Management District (SCAQMD), and the Regional Water Quality Control Board (RWQCB) enforce landfill regulations related to health, air quality, and water quality, respectively.

Solid Waste Collection. Waste Management Inc. is the franchise waste hauler for the City of Banning and collects solid waste from all residential, industrial, and commercial customers.

Solid Waste Recycling and Disposal. The Riverside County Waste Management Department (RCWMD) provides recycling and disposal services for the City of Banning. In 2020, most of the solid waste generated by uses in Banning was disposed of at three facilities in Riverside County: the Badlands Sanitary Landfill near the city of Moreno Valley; the El Sobrante Landfill near the city of Corona; and the Lamb Canyon Sanitary Landfill near the city of Beaumont.¹² As shown in **Table 4.19.C: Riverside County Waste Management Department Landfills**, these three landfills have a remaining capacity for additional solid waste of 38,826,219 tons.

¹² Riverside County Department of Waste Resources. 2022. Website: <https://www.rcwaste.org> (accessed September 1, 2022).



Table 4.19.C: Riverside County Waste Management Department Landfills

Landfill	Nearest City	Maximum Permit Capacity (cubic yards)	Remaining Capacity (cubic yards)	Maximum Permitted Throughput (tons per day)	Estimated Closing Date
Badlands Sanitary	Moreno Valley	82,300,000	7,800,000	5,000	1/1/2059
Lamb Canyon Sanitary	Beaumont	39,681,513	19,242,950	5,000	4/1/2032
El Sobrante	Corona	209,910,000	143,977,170	16,054	1/1/2051
Total-		331,891,513	171,020,120	26,054	-

Source: Riverside County Department of Waste Resources. 2023. Website: <https://www.rcwaste.org/disposal/hours> (accessed October 2023).

4.19.3.5 Electricity and Natural Gas

The project site is within the service territory of the BEU. The BEU is a not-for-profit, publicly owned retail electrical energy distribution utility with six distribution substations and 134 miles of power lines serving nearly 13,500 citizens and businesses. The BEU is a member of the Southern California Public Power Authority (SCPPA), which allows for effective planning, construction, management, and operations of electrical energy resources.¹³ According to the California Energy Commission (CEC), total electricity consumption in the BEU service area in 2022 was 151.548 gigawatt-hours (GWh) (8.48 GWh for the industrial sector).¹⁴

SoCalGas, which is regulated by the California Public Utilities Commission (CPUC), is the natural gas service provider for the project site. SoCalGas provides natural gas to approximately 21.1 million people within a 24,000 square-mile service area throughout Central and Southern California, from Visalia to the Mexican border.¹⁷ According to the CEC, total natural gas consumption in the SoCalGas service area in 2022 was 5,026.46 million therms (1,605.78 million therms for the industrial sector).¹⁸ SoCalGas supplies natural gas to Banning.

4.19.3.6 Telecommunications Facilities

Telephone, television, and internet services are offered by a variety of providers in the city. Verizon is the telephone service provider in the city, with a wide variety of telecommunication products and services that are available to residential and business customers. These services include local and long-distance calling, Digital Subscriber Line (DSL) and internet, wireless communication, conference services, and online courses. Cable television services are provided to Banning by Time Warner Cable through a franchise agreement. Time Warner Cable offers a wide range of cable products and services,

¹³ Banning Electric Utility (BEU). 2022. Website: www.ci.banning.ca.us/57/Banning-Electric-Utility (accessed September 2023).

¹⁴ Southern California Gas Company (SoCalGas). *Company Profile*. 2023. Website: <https://www.socalgas.com/about-us/company-profile#:~:text=For%20more%20than%20150%20years,fueling%20new%20possibilities%20in%20California>(accessed September 2023).

¹⁷ Ibid.

¹⁸ California Energy Commission (CEC). Gas Consumption by Entity. 2016. Website: <https://ecdms.energy.ca.gov/gasbyutil.aspx> (accessed September 2023).



including high-speed internet, digital cable with access to over 200 channels, iControl movies, and High-Definition TV (HDTV).

4.19.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) regulations applicable to the proposed project with regard to utilities and service systems.

4.19.4.1 Federal Regulations

The following federal regulations would be applicable to the proposed project:

Clean Water Act. Pursuant to Section 404 of the Clean Water Act (CWA; 33 United States Code [USC] Section 1251 et seq.), the United States Army Corps of Engineers (USACE) is authorized to regulate any activity that would result in the discharge of pollutants into the waters of the United States and regulating quality standards for surface waters of the United States (including wetlands), which include those waters listed in 33 Code of Federal Regulations (CFR) 328.3 (as amended at 80 Federal Register [FR] 37104, June 29, 2015).

The RWQCB, a division of the State Water Resources Control Board (SWRCB), is required to provide “certification that there is reasonable assurance that an activity that may result in the discharge to waters of the U.S. will not violate water quality standards.” Water Quality Certification must be based on the finding that proposed discharge will comply with applicable water quality standards.

The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the United States under CWA Section 402.

Safe Drinking Water Act. The Safe Drinking Water Act (SDWA) (42 USC Section 300f et seq.) is intended to protect public health by regulating the nation’s public drinking water supply. The Federal SDWA authorizes the United States Environmental Protection Agency (EPA) to set national standards for drinking water to protect against both naturally occurring and manmade contaminants. Under the SDWA, the EPA also establishes minimum standards for State programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

Resource Conservation and Recovery Act (42 United States Code §6901 et seq.). The federal Resource Conservation and Recovery Act (RCRA) was enacted in 1976 to ensure that solid and hazardous wastes are properly managed from their generation to their ultimate disposal or destruction. Implementation of the RCRA has largely been delegated to federally approved state waste management programs and, under Subtitle D, further promulgated to local governments for management of planning, regulation, and implementation of nonhazardous solid waste disposal. The EPA retains oversight of state actions under CFR Title 40, Section 239–259. Where facilities are found to be inadequate, Section 256.42 requires that necessary facilities and practices be developed by the responsible state and local agencies, or by the private sector. In California, that responsibility was created under AB 939, the California Integrated Waste Management Act, in 1989.

4.19.4.2 State Regulations

The following State regulations would be applicable to the proposed project.



California Integrated Waste Management Act of 1989. The California Integrated Waste Management Act of 1989 (Public Resources Code [PRC] Division 30), enacted through AB 939 and modified by subsequent legislation, required all California cities and counties to implement programs to reduce, recycle, and compost at least 50 percent of their wastes by 2000 (PRC Section 41780). The State determines compliance with this mandate to “divert” 50 percent of generated waste (which includes both disposed and diverted waste) through a complex formula. This formula requires cities and counties to conduct empirical studies to establish a “base year” waste generation rate against which future diversion is measured. The actual determination of the diversion rate in subsequent years is arrived at through deduction, not direct measurement: instead of counting the amount of material recycled and composted, the city or county tracks the amount of material disposed at landfills, then subtracts the disposed amount from the base year amount. The difference is assumed to be diverted (PRC Section 41780.2). The Riverside County Department of Waste Resources has adopted a CIWMP, which was prepared in accordance with the California Integrated Waste Management Act of 1989 (AB 939).

Waste Reuse and Recycling Act (AB 1327). The Waste Reuse and Recycling Act (WRRRA) required the California Integrated Waste Management Board (CIWMB) to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. This act requires local agencies to adopt a local ordinance by September 1, 1993, or allow the model ordinance to take effect, and requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued.

Mandatory Commercial Recycling Program (AB 341). AB 341 directed the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling. AB 341 was designed to help meet California’s recycling goal of 75 percent by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place.

Urban Water Management Planning Act. The Urban Water Management Planning Act (UWMP Act) (California Water Code [CWC], Division 6, Part 2.6, § 10610 et seq.) was enacted in 1983. The UWMP Act applies to municipal water suppliers, such as the BCVWD, because it provides water service directly to more than 3,000 connections. The UWMP Act requires these suppliers to develop UWMPs for a 20-year planning period horizon and to update their UWMP every 5 years to demonstrate an appropriate level of reliability in supplying anticipated short-term and long-term water demands during normal, dry, and multiple dry years.

Porter-Cologne Water Quality Act. The Porter-Cologne Water Quality Act (CWC § 13000 et seq.) is the basic water quality control law for California. Under this act, the SWRCB has primary responsibility for coordination and control of water quality. In California, the EPA has delegated authority to issue NPDES permits to the SWRCB. The State is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine RWQCBs, carries out the regulation, protection, and administration of water quality in each region. Each RWQCB is required to adopt a Water Quality Management Plan or Basin Plan that recognizes and reflects the regional differences in existing water



quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems.

California Water Conservation in Landscaping Act, Government Code Section 65591 et seq. Pursuant to the Water Conservation in Landscaping Act of 2006 (Government Code 65591 et seq.), cities and counties in California are required to adopt a water-efficient landscape ordinance. Local ordinances are intended to reduce water use for landscaping and irrigation purposes and encourage the use of recycled and reclaimed water for these purposes. The DWR maintains a model water efficient landscape ordinance (MWELO) (California Code of Regulations [CCR] Title 23, Section 490 et seq.) after which local jurisdictions can model their ordinances.

California Water Recycling in Landscaping Act, Government Code Section 65601 et seq. The California Water Recycling in Landscaping Act promotes the efficient use of water through the development of water recycling facilities. The act stipulates that landscape design, installation, and maintenance should be water efficient, and the use of potable domestic water for landscaped areas is considered a waste or unreasonable use of water if recycled water is available that meets the conditions described in Section 13550 of the CWC.

State Model Ordinance, California Solid Waste Reuse and Recycling Access Act of 1991 (AB 1327). AB 1327 requires development projects to reserve adequate areas for collecting and loading recyclables. The City, in Chapter 8 of its Municipal Code, similarly has requirements for including garbage and recycling enclosures in site design, including space for recycling containers and access for recycling and garbage collection trucks.

Water Supply Assessment. California PRC Section 21151.9 requires that any proposed "project," as defined in Section 10912 of the CWC, prepare a WSA in compliance with CWC Section 10910, et seq. CWC Section 10910 et seq. outlines the necessary information and analysis that must be included in an EIR to ensure that a proposed land development has a sufficient water supply to meet existing and planned water demand over a 20-year horizon.

According to these requirements, a "project" is defined as any of the following:

- A residential development of more than 500 dwelling units;
- A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet (sf) of floor space;
- A commercial office building employing more than 1,000 persons or having more than 250,000 sf of floor space;
- A hotel or motel, or both, having more than 500 rooms;
- An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 sf of floor area;



- A mixed-use project that includes one or more of the projects specified above; and
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project.

If a public water system has fewer than 5,000 service connections, a “project” means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system’s existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system’s existing service connections.

Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act (SGMA) of 2014 is a comprehensive three-bill package that Governor Jerry Brown signed into California State law in September 2014. The SGMA provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for State intervention if necessary to protect the resource. The plan is intended to ensure a reliable groundwater supply for California for years to come.

The SGMA requires governments and water agencies of high- and medium-priority basins to halt overdrafts of groundwater basins. The SGMA requires the formation of local groundwater sustainability agencies (GSAs) that are required to adopt Groundwater Sustainability Plans to manage the sustainability of the groundwater basins.

The SGMA, which was enacted in September 2014, requires governments and water agencies of high- and medium-priority basins to halt overdraft of groundwater basins. The SGMA requires the formation of local GSAs, which are required to adopt Groundwater Sustainability Plans to manage the sustainability of the groundwater basins. The project site in the Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin, which the California Department of Water Resources designates as a medium priority basin.¹⁹ The San Gorgonio Pass Subbasin Groundwater Sustainability Plan (Subbasin Plan) was adopted in January 2022. The main goal of the Subbasin Plan is to maintain the trend of cyclical water table variations that provide long-term groundwater storage, with the understanding that water levels will fluctuate based on the season, hydrologic cycle, and changing groundwater demands within the subbasin.²⁰ The Groundwater Sustainability Plan identifies various projects and management actions to support implementation efforts of the Groundwater Sustainability Plan. These projects include municipal water conservation, storm water capture, and additional imported water spreading and new pipelines at various spreading basins and storage units. Management actions include implementation of an Action Plan if groundwater levels fall below minimum thresholds, implementation of well head requirements, investigation of issues regarding water quality

¹⁹ Integrated Data and Analysis Branch Division of Statewide Integrated Water Management, Water Management Planning Tool. Website: <https://gis.water.ca.gov/app/boundaries/> (accessed May 17, 2022).

²⁰ Provost & Pritchard Consulting Group and Intera Geoscience and Engineering Solutions, San Gorgonio Pass Subbasin Groundwater Sustainability Agency. 2022. San Gorgonio Pass Subbasin Groundwater Sustainability Plan. January. Website: https://www.sgpgsas.org/wp-content/uploads/2022/01/Final_SGPGSP_1230_2021-web.pdf (accessed May 17, 2022).



and unexpected water pumping, imposing fees on pumpers to encourage reduced pumping and conservation, groundwater pumping allocation, and groundwater basin adjudication.²¹

Senate Bill 1374. Senate Bill (SB) 1374 requires that the annual report submitted to the CalRecycle include a summary of the progress made in diversion of construction and demolition waste materials. In addition, SB 1374 required that CalRecycle adopt a model ordinance suitable for adoption by any local agency to require 50 to 74 percent diversion of construction and demolition waste materials from landfills by March 1, 2004. Local jurisdictions are not required to adopt their own construction and demolition ordinances, nor are they required to adopt CalRecycle’s model by default. However, adoption of such an ordinance may be considered by CalRecycle when determining whether to impose a fine on a jurisdiction that has failed to implement its Source Reduction and Recycling Element (SRE).

Assembly Bill 75. AB 75, passed in 1999, took effect on January 1, 2000. This bill adds new provisions to the PRC, mandating that State agencies develop and implement an Integrated Waste Management Plan (IWMP); it also mandates that community service districts providing solid-waste services report disposal and diversion information to the City, County, or regional agency in which the community service district is loaded.

Title 24 of the California Code of Regulations. Energy and water consumption by new buildings in California is regulated by the California Green Building Standards Code (CALGreen), embodied in CCR Title 24. Title 24 provides efficiency standards for new construction and the rehabilitation of both residential and nonresidential buildings, including building energy consumption, water conservation, and operational efficiencies. Title 24 regulates building energy consumption for heating, cooling, ventilation, water heating, and lighting with regard to both electricity and natural gas, while also regulating water consumption through the installation of efficient plumbing fixtures. The efficiency standards apply to both new construction and rehabilitation of both residential and nonresidential buildings. The building efficiency standards are enforced through the local building permit process. Local government agencies may adopt and enforce energy standards for new buildings, provided these standards meet or exceed Title 24 Building Code requirements. The 2019 Standards went into effect January 1, 2020, following approval by the California Building Standards Commission.

Additionally, CALGreen Section 5.408.1 identifies that construction projects shall “recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.” The City of Banning strives to meet the 75 percent diversion of solid waste to landfills as set forth by the State of California.

Assembly Bill 341. AB 341, enacted in 2011 and begun in 2012, changes the due date of the State agency waste management annual report to May. The bill makes a legislative declaration that it is the

²¹ Provost & Pritchard Consulting Group, Intera Geoscience and Engineering Solutions, and San Gorgonio Pass Subbasin Groundwater Sustainability Agency. *San Gorgonio Pass Subbasin Groundwater Sustainability Plan*. January 2022. Website: https://www.sgpgsas.org/wp-content/uploads/2022/01/Final_SGPGSP_1230_2021-web.pdf (accessed January 24, 2023).



policy goal of the State of California that no less than 75 percent of solid waste generated be source-reduced, recycled, or composted by 2020.

4.19.4.3 Regional Regulations

The following regional regulations would be applicable to the proposed project:

Beaumont Basin Watermaster. The Beaumont Basin is an adjudicated basin established by the Stipulation for Entry of Judgment Adjudicating Groundwater Rights in the Beaumont Basin. Pursuant to the Judgment, the Court appointed a five-member Watermaster Committee, consisting of representatives from each of the five appropriators, which include the City of Banning, the City of Beaumont, BCVWD, the South Mesa Water Company, and the Yucaipa Valley Water District. The Beaumont Basin Watermaster is responsible for the management and control of water supply withdrawal and replenishment in the Basin and the acquisition and spread of replacement water as needed.

Riverside Countywide Integrated Waste Management Plan. The CIWMP was prepared in accordance with the California Integrated Waste Management Act of 1989 (AB 939). AB 939 redefined solid waste management in terms of both objectives and planning responsibilities for local jurisdictions and the State. AB 939 mandated a reduction of waste being disposed: jurisdictions were required to meet diversion goals of 25 percent by 1995 and 50 percent by 2000. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. The Waste Reuse and Recycling Act (AB 1327) requires local agencies to adopt a local ordinance that requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. The Mandatory Commercial Recycling Program (AB 341) was designed to help meet California's recycling goal of 75 percent by 2020 and requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multifamily apartments with five or more units are also required to form a recycling program.

Banning Master Drainage Plan. A master drainage plan addresses the current and future drainage needs of a given community. The boundary of the plan usually follows regional watershed limits. The proposed facilities may include channels, storm drains, levees, basins, dams, wetlands, or any other conveyance capable of economically relieving flooding problems within the plan area. The plan includes an estimate of facility capacity, sizes, and costs. The Banning Master Drainage Plan, prepared by the Riverside County Flood Control and Water Conservation District, covers a 19-square-mile area, including the project site.²²

4.19.4.4 Local Regulations

The following local regulations would be applicable to the proposed project:

²² Riverside County Flood Control and Water Conservation District. *Banning Master Drainage Plan*. Page 1. 1994.



City of Banning Code of Ordinances. The City of Banning Code of Ordinances includes chapters and sections pertaining to utility services in Banning. The following chapter/sections of the Banning Code of Ordinances would apply to utility services pertaining to the proposed project:

- **Chapter 13, Section 13.08.050 (Water System Connection Fee).** Applicants developing commercial and industrial uses in the city are required to pay a water connection fee. The fee amount is dependent on the project type, the number of meters on the site, and the meter size required for the uses on the site.
- **Chapter 13, Section 13.08.060 (Sewer System Connection Fee).** This section requires an applicant of a development in Banning to pay a sewer connection fee in order to be connected to the City-owned system. Commercial and industrial developments are required to pay this fee dependent on the type of project being constructed. The revenues from the sewer connection fee are spent on capital improvements of the City's sewage system (i.e., sewer main and interceptor extensions, wastewater treatment plant upgrades, or expansions).
- **Chapter 13.16 (Water Conservation).** This section of the Code of Ordinances requires adoption of an urban water management plan or conservation plan by the City. The plan is to be available and kept on file at the City Clerk's office for public access. Pursuant to Section 13.16.030, all new development in the city is required to comply with water conservation provisions that use xeriscape principles, such as turf limitations, irrigation techniques, use of mulch, and water-conserving landscaping plans. In times of water supply emergencies, Section 13.16.020 restricts water use by all customers in Banning.
- **Chapter 13.24 (Stormwater Management System).** This chapter regulates nonstormwater discharges to the municipal storm drain; controls discharges to municipal storm drains from spills, dumping, or disposal of nonstormwater materials; and reduces pollutants in stormwater discharges as to not cause pollution in receiving waters.
- **Chapter 15.08.** Chapter 15.08, Section 15.08.010(3), adopts the 2019 California Green Building Standards Code, 2019 Edition (Title 24). Generally, the intent of Title 24 is to provide efficiency standards for new construction and the rehabilitation of both residential and nonresidential buildings, including building energy consumption, water conservation, and operational efficiencies. Title 24 regulates building energy consumption for heating, cooling, ventilation, water heating, and lighting with regard to both electricity and natural gas, while also regulating water consumption through the installation of efficient plumbing fixtures.
- **Chapter 18.15 (Erosion and Sediment Control).** This section requires that all individual construction and grading projects shall implement measures to ensure that pollutants are not discharged from the site, would reduce pollutants to the maximum extent practicable, and would not cause or contribute to an exceedance of water quality objectives in the local natural watercourses within the city. Erosion and sediment control plans and control systems are required by each individual development in the city to ensure erosion and sediment control is handled properly.



City of Banning General Plan. The Water, Wastewater, and Utilities Element²³ of the Banning General Plan establishes policies and programs to be implemented to ensure the adequate provision of domestic water, sewage treatment, and utilities services to all residents/businesses in the city. The following goals and policies pertaining to utility services would be applicable to the proposed project:

- **Goal:** A comprehensive range of water, wastewater and utility services and facilities that adequately, cost-effectively and safely meet the immediate and long-term needs of the City.
 - **Policy 1:** The City shall coordinate between the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Geronio Pass Water Agency, California Regional Water Quality Control Board and Riverside County Environmental Health to protect and preserve local and regional water resources against overexploitation and contamination.
 - **Policy 2:** Sewer connection shall be required at the time a lot is developed when service is available.
 - **Policy 6:** The City shall proactively support the widespread integration of energy resource conserving technologies throughout the community.
 - **Policy 7:** The City shall continue to confer and coordinate with its solid waste service franchisee to maintain and, if possible, exceed the provision of AB 939 by expanding recycling programs that divert valuable resources from the waste stream and returning these materials to productive use.
 - **Policy 8:** The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.
 - **Policy 10:** Major utility facilities, including power and other transmission towers, cellular communication towers and other viewshed intrusions shall be designed and sited to ensure minimal environmental and viewsheds impacts and environmental hazards.
 - **Policy 11:** The City shall encourage the planning, development and installation of state-of-the-art telecommunications and other broadband communications systems as essential infrastructure.
 - **Policy 12:** The City shall encourage in others and itself the use of alternative fuel vehicles.

The Water Resources Element²⁴ of the Banning General Plan addresses water quality, availability, and conservation for the City's current and future need. Topics in the element include groundwater replenishment programs, consumptive demand of City residents, and wastewater management and

²³ City of Banning. City of Banning General Plan Chapter VI. *Public Services and Facilities*. January 31, 2006.

²⁴ City of Banning, City of Banning General Plan Chapter IV. *Environmental Resources*. January 31, 2006.



its increasingly important role in the protection of groundwater resources. The following goals and policies pertaining to water resources are applicable to the proposed project:

- **Goal:** A balance of development which assures the maintenance of the water supply and its continued high quality.
 - **Policy 1:** New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan, or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.
 - **Policy 2:** The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.
 - **Policy 3:** The City shall require the use of recycled wastewater for new development, or where it is unavailable, the infrastructure for recycled water when it becomes available, as a means of reducing demand for groundwater resources.
 - **Policy 4:** Require that all new development be connected to the sewage treatment system, or install dry sewers until such time as that connection is possible.
 - **Policy 5:** The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.
 - **Policy 6:** Coordinate with the San Geronio Pass Water Agency, Banning Heights Mutual Water Company and the Beaumont-Cherry Valley Water District, the California Regional Water Quality Control Board, and other appropriate agencies to share information on potential groundwater contaminating sources.
 - **Policy 7:** The City shall ensure that no development proceeds that has potential to create groundwater hazards from point and non-point sources, and shall confer with other appropriate agencies, as necessary, to assure adequate review and mitigation.

4.19.5 Thresholds of Significance

Significance determinations utilized in this section are from Section XIX of Appendix G of the *State CEQA Guidelines*. The proposed project would result in a significant impact with respect to utilities and service systems if it would:

- Threshold 4.19.1: 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;**



- Threshold 4.19.2:** Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
- Threshold 4.19.3:** 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 projected demand in addition to the provider's existing commitments;
- Threshold 4.19.4:** 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; or
- Threshold 4.19.5:** Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.19.6 Project Impact Analysis

Potential impacts of the proposed project on utilities and service systems are discussed below pursuant to the thresholds established in Section 4.19.5, above.

4.19.6.1 New or Expanded Utility Infrastructure

Threshold 4.19.1: Would the 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?

Construction and operation impacts of the proposed project related to relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities are discussed below.

Water. The City of Banning Public Works Department provides domestic water services to Banning and portions of unincorporated Riverside County lands located southwesterly of the city limits. As detailed in Figure 3-8, Proposed Conceptual Utility Systems Map, in Section 3.0, Project Description, of this EIR, existing 8-inch potable water lines are located within Hathaway Street, as well as the existing alignments of proposed Wilson Street, First Industrial Way, and Nicolet Street. The project's proposed utility infrastructure would include a looped system to serve uses on the project site by installing the following components:

- A proposed fire flow system consisting of a 12-inch looped water main with two backflow connections to the perimeter streets (one connection on Nicolet Street and one connection on First Industrial Way);
- A proposed irrigation system consisting of three irrigation meters with connections on Nicolet Street, Wilson Street, and Hathaway Street; and



- A proposed potable water supply system consisting of two water meters with connections on Nicolet Street and First Industrial Way.

The City does not have a supply of recycled water available to users in the eastern portion of Banning; however, the City anticipates implementing upgrades at its wastewater treatment plant that would meet tertiary treatment standards to supply recycled water for outdoor irrigated use by 2027-2028.²⁵ In anticipation of this, the proposed project would include on-site infrastructure for recycled water when it becomes available in accordance with General Plan Policy 3 of the Water Resources Element.²⁶

As the project site is currently vacant, implementation of the proposed project would increase water demand, and on-site infrastructure would be required. A discussion of water use during construction and operation of the proposed project is provided below.

Construction. Short-term demand for water would occur during excavation, grading, and construction activities on site. Water demand for soil watering (fugitive dust control), cleanup, masonry, painting, and other activities would be temporary and would cease once all of the development is completed on the project site. Overall, short-term construction activities would require minimal water and are not expected to have any adverse impacts on the existing water system or available water supplies. Therefore, impacts associated with short-term construction activities would not require or result in the construction of new water treatment facilities or expansion of existing facilities, and construction of the proposed project would not require the need for new or expanded water entitlements. Construction impacts would be **less than significant**, and mitigation is not required.

Operation. The proposed project would include the installation of on-site potable and recycled water distribution infrastructure. These improvements would be funded and constructed by the project applicant and built to City of Banning Public Works Department standards for interconnection into the municipal potable and recycled water system.

Long-term demand for water is anticipated to occur during project operation. There is currently no water demand on the project site, as it is currently vacant. **Table 4.19.D, Estimated Project Water Demand**, provides the estimated water demand during operation of the proposed project. As shown in Table 4.19.D, the proposed project would demand approximately 734 acre-feet of water per year for industrial use or 79 acre-feet of water per year for commercial use. Since the proposed project has a Business Park (BP) land use designation, the range of possibilities for development of the property could potentially result in a water demand closer to the estimated commercial demand in the future. However, the proposed industrial use is also a permitted use under the existing Business Park (BP) land use designation; therefore, this analysis assumes the project would demand the conservative estimate of 734 acre-feet of water per year.

²⁵ City of Banning, City of Banning General Plan Chapter IV. Environmental Resources. January 31, 2006.

²⁶ Ibid.



Table 4.19.D: Estimated Project Water Demand

Land Use ²	Acres	Demand Factor (acre-feet/year)	Landscape Demand (acre-feet/year)	Water Demand (acre-feet/year)
Industrial	95	703	31	734
Commercial		48	31	79

Source: Stantec, Inc., *Water Supply Assessment, First Hathaway Logistics*, Table 8 Estimated Project Water Demand – Operational Use, page 15. January 2023.

As required of all new development in California, the proposed project would comply with State law regarding water conservation measures, including pertinent provisions of the CCR regarding the implementation of water efficiency and water conservation measures, such as, but not limited to:

- Water-efficient plumbing fixtures that contribute to a 20 percent reduction in domestic and irrigation water demand;
- Provisions of drought-tolerant plants for exterior landscape design;
- Installation of water-efficient irrigation systems that employ “smart” sensors that can tell whether it has rained or whether the landscape needs irrigation using moisture sensors; and
- Use of recycled water (where available) for common-area landscape irrigation.

Incorporation of these water conservation measures would reduce the water demands of the proposed project. Furthermore, the following demand measures outlined in Chapter 8 – Demand Management Measures of the City’s 2020 UWMP would be applicable to the proposed project²⁷:

- City Ordinance Number 1039, adopted by the City Council in 1991, prohibiting the waste of water. This ordinance describes actions that are considered a waste of water and subsequent penalties if a violation occurs.
- In 1998, this ordinance was incorporated into City Ordinance Number 1231. In 2006, AB 1881 was passed, requiring local agencies, beginning January 1, 2010, to adopt a model water efficiency landscape ordinance that is at least as effective as the State’s model water efficiency landscape ordinance. The City Council adopted Resolution Number 2010-06 on January 26, 2010, to meet this requirement.
- The City adopted Ordinance No. 1489 pertaining to drought water conservation. This ordinance sets forth mandatory prohibitions and additional restrictions on water use during drought conditions to comply with the executive orders issued by Governor Brown pertaining to the

²⁷ West & Associates and John Robinson Consulting, Inc. *2020 Urban Water Management Plan, City of Banning, CA*. Chapter 8 – Demand Management Measures. 2021. Website: http://www.banning.ca.us/DocumentCenter/View/8877/Final-Draft-Revised-2020-UWMP---Banning_May-2021?bidid= (accessed September 6, 2022).



declared drought emergency and with the emergency water conservation regulations promulgated by the SWRCB.

- All the City's water service connections, for all customer sectors, are metered. Additionally, the City has installed dedicated landscape irrigation meters for Sun Lakes Country Club, the California Department of Transportation (Caltrans), the City park system, and City school district facilities. The City would continue to meter all new non-residential water service connections.
- The City has a three-tiered increasing rate structure that applies to all customers. The City is has completed its conversion to automatic meter read system that allows the City to monitor each individual customer account for water conservation.
- The City has initiated several water conservation programs to educate its water service customers in regard to various approaches to conserve water. Water conservation pamphlets are displayed year-round at City Hall as well as at public citywide events.
- As part of the City's normal operations, the City repairs major leaks to the distribution system as soon as possible after they are discovered. Further, under the City's Capital Improvement Plan, old leaking pipes are continually being replaced.

Compliance with the above-outlined demand measures would also reduce the water demands of the proposed project.

According to the WSA prepared for the proposed project, the City's projected water surplus in 2025 is expected to be 49,559 acre-feet under 5-dry-year scenario.²⁸ The increase in potable water demand as a result of operation of the proposed project (734 acre-feet/year) would represent a small portion (1.48 percent)²⁹ of the City's projected surplus water supply in 2025 under a multiple dry year scenario. Therefore, adequate surplus water supply is available in the City's service area in 2025 under the worst-case scenario, and the City of Banning Public Works Department would be able to accommodate the increased demand for potable water from existing entitlements. The proposed project would not necessitate new or expanded water facilities.

Given that the proposed project would comply with the City's standard requirements for facility planning and that adequate water distribution facilities would exist to serve the project site, the proposed project would not require the relocation or construction of new or expanded potable or recycled water facilities beyond the on-site improvements detailed above. As required by the City of all development that connects to the City's potable water supply, Water Development Impact Fees (DIFs), as required by **Regulatory Compliance Measure (RCM) UTL-1**, provided below, would be required to be paid to the City prior to grading permit issuance by the City on the project site. Impacts would be **less than significant**, and mitigation is not required.

²⁸ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. Table 15 and page 20. January 30, 2023.

²⁹ $734 \text{ acre-feet per year} \div 49,559 \text{ acre-feet per year} * 100 = 1.48 \text{ percent}$.



Wastewater. The City would collect wastewater from the proposed project through off-site infrastructure, where the wastewater would be conveyed to the existing Banning WRF. The Banning WRF has a daily intake capacity of 3.5 million gallons of wastewater³⁰ and is currently operating at an intake of 2.0 million gallons of wastewater per day.³¹ As such, the Banning WRF is currently operating at 57.1 percent of its daily intake capacity.

The proposed project is designed to collect wastewater flows from the warehouse building into a proposed onsite 8-inch polyvinyl chloride (PVC) sewer main which would be located along the south, west and east sides of the proposed warehouse (see Figure 3-8, Proposed Conceptual Utility Systems Map, in Section 3.0, Project Description, of this EIR). The proposed collection mains on the west and east sides of the proposed warehouse are designed to service the proposed office space locations at the four corners of the warehouse building. All three mains would connect downstream into an existing 8-inch sewer main within proposed Nicolet Street. This existing sewer main within the existing alignment of proposed Nicolet Street was installed in 2011 as part of the former Banning Business Park Project that was not constructed.³² This existing sewer main within proposed Nicolet Street flows downstream to the east to a location at the northwest corner of proposed First Industrial Way and proposed Nicolet Street. This is a low point in the grade of the project site and the location of a proposed sewer lift station. This proposed sewer lift station would pump the wastewater within an existing 4-inch force main previously constructed within the existing alignment of proposed Nicolet Street. This wastewater flow in this force main would be pumped westerly, upstream, within Nicolet Street to an existing 8-inch gravity public sewer main within Hathaway Street. This existing gravity public sewer main within Hathaway Street flows downstream in a southerly direction and crosses I-10 to ultimately end up at the City of Banning Wastewater Treatment Plant located near Charles Street and Scott Street, approximately 0.75 mile south of the project site.

As the project site is currently vacant, uses developed as part of the proposed project would increase wastewater generation, and on-site wastewater infrastructure would be required for the proposed project to be completed. A discussion of wastewater generation during construction and operation of the uses of the proposed project is provided below.

Construction. No significant increase in wastewater flows is anticipated as a result of construction activities on the project site. Sanitary services during construction would be provided by portable restroom facilities, which transport waste off site for treatment and disposal. Therefore, during

³⁰ Montrose Environmental. *City of Banning Wastewater Treatment Plant Capacity and Condition Assessment Evaluation*. March 2020. Website: <https://banningca.gov/DocumentCenter/View/7855/3-WWTP-Condition-Assessment> (accessed September 20, 2022).

³¹ California Regional Water Quality Control Board. 2015. *Waste Discharge Requirements for City of Banning, Wastewater Treatment Plant Banning-Riverside Order R7-2016-0015*. December. Website: https://www.waterboards.ca.gov/rwqcb7/board_decisions/adopted_orders/orders/2016/0015banning.pdf (accessed September 2022).

³² The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as TPM No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancellation of the approved development by the developer.



construction, potential impacts to wastewater treatment and wastewater conveyance infrastructure would be **less than significant**, and mitigation is not required.

Operation. Business Park/Industrial uses would be developed as part of the proposed project. The proposed project would result in an increase in wastewater generation during operation. **Table 4.19.E, Project Wastewater Generation**, shows that the proposed project is estimated to generate 71,145 gallons per day of wastewater. The estimated increase in wastewater associated with operation of the proposed project would represent 4.7 percent of the Banning WRF’s remaining daily intake capacity. The increase in wastewater generated by the proposed project is anticipated to be accommodated within the existing design capacity of the Banning WRF, which currently accepts 57.1 percent of its capacity.

Table 4.19.E: Project Wastewater Generation

Land Use	Quantity (acres)	Wastewater Flow Generation Factors (gpd/acre)	Project Wastewater Generation (gpd)	Project Wastewater Generation (gpy)
Industrial	94.86	750	71,145	25,967,925
Total	94.86	--	71,145	25,967,925

Sources: *City of Banning 2018 Integrated Master Plan (IMP) Final Report*, Chapter 3, Table 3.19 Wastewater Flow Factors. Page 3-28.
gpd = gallons per day
gpy = gallons per year

Therefore, the proposed project would not require, nor would it result in, the construction of new wastewater treatment or collection facilities or the expansion of existing facilities other than those facilities to be constructed on site. As required by the City of all development that connects to the City’s wastewater infrastructure system, Wastewater Facilities DIFs, as required by **RCM UTL-1**, would be required to be paid to the City prior to grading permit issuance by the City on the project site. Therefore, impacts related to the construction of wastewater treatment or collection facilities and the capacity of the wastewater treatment provider would be **less than significant**, and mitigation is not required.

Stormwater Infrastructure. Section 4.10, Hydrology and Water Quality, of this EIR provides a summary of the existing on-site drainage patterns, the proposed drainage system, and the potential impacts that implementation of the proposed project would have on drainage and stormwater systems. The project is designed to replicate existing flow patterns and maintain existing discharge locations. The capacity of the downstream storm drain infrastructure depends on peak discharge rates entering the system. Under existing conditions, stormwater flows through three drainages that are located on the project site: Drainage Management Area (DMA) A (a portion of), B, and D from the previous development.

Construction. The proposed project would include the construction of new on and off-site stormwater drainage facilities as described below and in Section 4.10, Hydrology and Water Quality, of this EIR. The areas of potential impact from construction of the new on-site stormwater drainage facilities are within the analytical footprint of the proposed project and, therefore, have



already been analyzed in this EIR. Impacts related to the construction of stormwater drainage facilities would be **less than significant**, and mitigation is not required.

Operation. The analysis below is based in part on the Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center (WQMP),³³ included as **Appendix G-1** to this EIR and the Hydrology Report,³⁴ included as **Appendix G-2**. Implementation of the proposed project would substantially increase impervious surfaces on the site with street, access drives, paved parking areas, and building footprints. Landscaped slopes, undeveloped open space, and landscaped areas around buildings would be incorporated into the proposed project to reduce the overall amount of impervious surface area. To accommodate the increase in stormwater flows generated by the proposed project, the project would enhance and improve the three existing DMAs (DMAs A, C, and D). As detailed in the WQMP, the Hydrology Report, Figure 3-4, Proposed Tentative Parcel Map No. 38256, and Figure 3-8, Proposed Conceptual Utility Systems Map, proposed on-site storm drain improvements consist of the following:

- **DMA A:** Storm runoff for this DMA would be managed by two storm drain lines, one retention chamber gallery, and two water quality/sediment removal structures. Each of the main storm drain (SD) lines (SD Line A and SD Line A1) would convey flows into chamber gallery “A.” Designed as a water quality treatment facility, the chamber gallery would capture and infiltrate stormwater volumes for a 100-year, 3-hour storm event. Two pretreatment structures would be installed upstream of the chamber gallery. These devices would focus on removing fine sediment and reducing potential contaminants accumulating within the chamber gallery. Excess flows from the chamber gallery would be discharged into SD Line E via a 24-inch high-density polyethylene (HDPE) storm pipe that would connect downstream to the proposed storm drain line within First Industrial Way.
 - **SD Line A:** In the northwest portion of Parcel 1, SD Line A is planned to convey storm flows that are generated from rooftop runoff, paved surfaces, and the landscaped areas. The length of the SD Line A mainline would be approximately 1,700 linear feet and would vary in size from 24-inch to 48-inch HDPE. A minimum of five drainage inlets are planned to collect storm flows in these areas. Stormwater collected by the inlets would be transported to the chamber gallery in conduits made of HDPE. The laterals vary in size from 12-inch to 24-inch HDPE, with an approximate length of 250 feet.
 - **SD Line A1:** In the northeast portion of Parcel 1, SD Line A1 is planned to convey storm flows that are generated from rooftop runoff, paved surfaces, and landscaped areas. The length of the SD Line A1 mainline would be approximately 700 linear feet and would vary in size from 18-inch to 36-inch HDPE. A minimum of six drainage inlets are planned to collect storm flows. Stormwater collected by the inlets would be transported to the

³³ Stantec. *Project Specific Preliminary Water Quality Management Plan for First Hathaway Logistics Center*. Original Date Prepared: November 18, 2021, Revision Dates: September 2022, March 2023, and July 2023.

³⁴ Stantec. *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center, Banning California*. June 22, 2023.



chamber galley in a lateral made of HDPE. The laterals vary in size from 12-inch to 24-inch HDPE, with an approximate length of 500 feet.

- **DMA C (East Parking Area and Southeast Portion of Parcel 1, Together with Parcel 2 [the Downstream Remote Trailer Parking Lot]):** Storm runoff for this drainage area is managed by two storm drain lines, an at-grade retention basin, and an underground retention chamber gallery. Designed as water quality treatment facilities, the retention basin and chamber gallery would capture and infiltrate storm volumes for a 100-year, 3-hour storm event. A pretreatment structure would be installed upstream of the chamber gallery. This device would focus on removing fine sediment and reducing potential contaminants. Excess flows from the retention basin would discharge into an existing outlet structure to the south of the project boundary.
 - **SD Line C:** Located on the south side of the building, SD Line C would collect flows from a large portion of the building and the south parking lot. It would cross under the roadbed of Nicolet Street, into Parcel 2, and discharge via a split-flow structure into both the retention basin and underground chambers. The length of this HDPE line would be approximately 1,700-feet, and the size would vary from 18 inches to 48 inches. A minimum of five drainage inlets and two catch basins are planned to collect storm flows. The runoff would be conveyed by storm drain laterals into the mainline. The laterals vary in size from 12-inch to 24-inch HDPE. The total length of the laterals would be approximately 200 feet.
 - **SD Line C1:** On the east side of the proposed warehouse, SD Line C1 would collect flows from the parking area and a smaller portion of the building. The length of this HDPE line would be approximately 1,100 feet, and the size would vary from 18 inches to 30 inches. In the south parking area, Line C1 would form a junction with Line C, and Line C would route the flows as described above. A minimum of six drainage inlets are planned to collect storm flows. The runoff would be conveyed by storm drain laterals into the mainline. The laterals vary in size from 12-inch to 24-inch HDPE. The total length of the laterals would be approximately 250 feet.
- **DMA D (West Parking Area and Southwest Portion of Parcel 1, Together with Parcel 3 [the 4-Acre Parcel South of Nicolet Street]):** Storm runoff for this drainage area would be managed by a single storm drain line, an at-grade retention basin, and an underground retention chamber gallery. Designed as water quality treatment facilities, the retention basin and chamber gallery would capture and infiltrate storm volumes for a 100-year, 3-hour storm event. A pretreatment structure would be installed upstream of the chamber gallery. This device would focus on removing fine sediment and reducing potential contaminants. Excess flow from the retention basin would discharge into a proposed outlet structure on the south side of the retention basin.
 - **SD Line D** Located on the west side of the building, SD Line D would collect flows from the west parking area and a small portion of the building. It would cross under the roadbed of Nicolet Street, into Parcel 3, and discharge the underground chambers. Storm volumes exceeding the capacity of the chamber gallery would flow into a retention basin. The



length of this HDPE line would be approximately 1,700 feet, and the size would vary from 18-inch to 42-inch HDPE. A minimum of 16 drainage inlets are planned to collect storm flows. The runoff would be conveyed by storm drain laterals into the mainline. The laterals vary in size from 12-inch to 30-inch HDPE. The total length of the laterals would be approximately 900 feet.

Proposed off-site improvements consist of the following:

- **Perimeter Earthen Channel:** An earthen channel is proposed on the north side of Wilson Street, along the project northern frontage, to intercept off-site flows. This channel would have a 20-foot bottom width and a height of 4 feet. The channel is designed as a trapezoid for a length of 2,150 feet.
- **SD Line E (Proposed Wilson Avenue/Proposed First Industrial Way):** Storm drain infrastructure includes the construction of 2,700 linear feet of new reinforced concrete pipe (RCP). The RCP sizes would range from 24 inches to 48 inches in diameter. Within proposed First Industrial Way, some portions of the existing 48-inch RCP would be removed and reconstructed. Other improvements include the following inlet riser pipes (five each) with 24-inch RCP laterals and catch basins (three each) with 24-inch RCP laterals. The total length of the laterals is estimated to be 450 feet.
- **SD LINE F (Proposed Nicolet Street/Proposed First Industrial Way):** A total of 1,700 linear feet of existing RCP will remain. The existing RCP sizes vary from 24 inches to 30 inches in diameter. Infrastructure improvements include the removal and reconstruction of two catch basins and approximately 60 linear feet of 24-inch RCP laterals.

The drainage system would route the runoff from the proposed impervious surfaces to the on-site stormwater basins for treatment and peak flow mitigation for their respective tributaries via RCP facilities. Per City of Banning Ordinance #1415, the proposed project is required to retain 100 percent of a 100-year, 3-hour storm event, as codified in **RCM HYD-4**. As such, the proposed project would incorporate adequate storm drain infrastructure to prevent exceeding the capacity of existing facilities.

As detailed in Section 4.10, Hydrology and Water Quality, of this EIR, the peak discharge of stormwater generated by the proposed project would not adversely affect the capacity of downstream networks. Therefore, impacts to stormwater infrastructure would be **less than significant**, and mitigation is not required.

Electricity Infrastructure. An existing aboveground electrical distribution line and poles run north and south along Hathaway Street from just south of Jacinto View Road and continuing north to Wilson Street. The existing aboveground electrical line and poles would be required to be undergrounded. The undergrounding requirements would include underground conversion of all overhead utilities at the intersections of Hathaway Street and Wilson Street and terminating primary conduits at an existing pad-mounted switchgear located at the southwest corner of Hathaway Street and George Street. The underground conversion would also require street crossings at Jacinto View, Nicolet Street, and George Street. A minimum of two primary circuits would be required to serve the



proposed project, and the point of primary utility connection would be at Hathaway Street. Rule 20 underground communications would be a condition of the proposed project. Utility distribution would extend from Hathaway Street east along both proposed Nicolet Street and proposed Wilson Street to proposed First Industrial Way and would consist of underground infrastructure for the BEU 69-kilovolt (kV)/34.5 kV and 12.47kV voltages and fiber-optic communication. The infrastructure installed would be adequate to support the safe delivery of power to the proposed project. Additionally, streetlights would be required as part of the proposed roadway improvements along the project site perimeter.

The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the BEU to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action (refer to Figure 3-6 in Section 3.0, Project Description). Development of the future substation would be subject to environmental review at the time it is proposed.

Construction. Construction would require energy for the manufacture and transportation of building materials, preparation of the site for grading activities, utility installation, paving, and building construction and architectural coating. Energy required for these activities would be supplied either through petroleum fuels (e.g., diesel and gasoline for on-site generation) or the extension of power to the project site from existing electrical systems. Short-term construction activities would occur over an approximate 18-month period and include temporary, portable on-site office space and a range of electrical construction equipment that would require electricity to operate. Due to the limited duration (estimated at 18 months) and phased nature of construction, the amount of electricity required is not anticipated to exceed existing distribution capacity in this part of the city, and construction activities are not expected to require new, unplanned, or physically altered electrical transmission or distribution facilities. Therefore, electricity demand during construction of the proposed project would be **less than significant**, and mitigation is not required.

Operation. As the project site is currently vacant, no electricity is consumed on the site. Operation of proposed project would result in an increased demand for electricity on the project site. As described in Section 4.6, Energy, of this EIR, the estimated potential increased electricity demand associated with the proposed project is 7,683,419 kilowatt-hours per year (kWh/yr) (7.68 GWh). According to the CEC, total electricity consumption in the BEU service area in 2022 was 151.548 GWh (8.48 GWh for the industrial sector).³⁵ Therefore, electric demand associated with the proposed project would be less than 5.1 percent of the BEU's service area total electricity demand. The estimated increase in electricity demand associated with the proposed project would represent a very small fraction of the electricity demand in Riverside County with incorporation of Title 24 requirements and CALGreen features detailed in Section 4.3, Air Quality; Section 4.6, Energy; and Section 4.8, Greenhouse Gas Emissions, of this EIR.

Service providers utilize projected demand forecasts to provide an adequate supply or plan for surplus in the service area. The infrastructure that would be constructed in connection with the proposed project is either already planned for by the City or needed for planned growth as

³⁵ California Energy Commission (CEC). Electricity Consumption by Entity. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed October 2023).



described in the City's General Plan. The project does not require off-site construction or extension of infrastructure that was not already considered, planned, or approved by the City, and the BEU continually monitors electricity demand to ensure adequate supply and infrastructure to maintain reliable service.

The extension of electrical infrastructure to/through the project site (including the designation of a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the BEU to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action) would conform to applicable design, construction, and maintenance requirements established by the BEU. Therefore, although the proposed project would result in a net increase in the demand for electricity, implementation of the proposed project would not result in the construction of new electric infrastructure beyond what has already been planned for in the BEU's regional forecasts and included in the analytical framework of this EIR. As such, electricity demand for the proposed project would be **less than significant**, and mitigation is not required.

Natural Gas Infrastructure. As detailed Figure 3-8, Proposed Conceptual Utility Systems Map, a 30-inch high-pressure natural gas pipeline crosses the northern portion of the project site along the proposed alignment of Wilson Street, connecting to a SoCalGas pipeline on Hathaway Street from distribution facilities. Also, in 2022/2023, SoCalGas Company conducted operations and maintenance on existing facilities in the northwest corner of the project site. SoCalGas graded portions of the northern site boundary and built an above-ground water basin used to test pressure of the existing 30-inch gas main that parallels the Wilson Street corridor along the northern site boundary. Natural gas infrastructure would be extended through the project site as necessary. The project applicant would be responsible for construction of all on-site natural gas infrastructure improvements.

Construction. Short-term construction activities would not result in demand for natural gas since construction activities/equipment would not require accessing existing natural gas facilities/infrastructure. Therefore, construction activities would not impact natural gas services, and the proposed project would not require new or physically altered gas transmission facilities. **No impact** related to natural gas demand would occur during construction of the proposed project, and mitigation is not required.

Operation. As the project site is currently vacant, no natural gas is consumed on the site. Operation of the proposed project would result in increased demand for natural gas. As described in Section 4.6, Energy, of this EIR, the estimated potential increased natural gas demand associated with the proposed project is 27,124,683 thousand British thermal units per year (kBtu/yr) or 271,247 therms. According to the CEC, total natural gas consumption in the SoCalGas service area in 2022 was 5,026.46 million therms (1,605.78 million therms for the industrial sector).³⁶ Therefore, natural gas demand associated with the proposed project would be less than 0.0054 percent of the SoCalGas total natural gas demand. The estimated increase in natural gas demand associated with the proposed project would represent a very small fraction of the natural gas demand in the SoCalGas service territory with incorporation of Title 24 requirements and

³⁶ California Energy Commission (CEC). Gas Consumption by Entity. 2016. Website: <https://ecdms.energy.ca.gov/gasbyutil.aspx> (accessed September 2023).



CALGreen features detailed in Section 4.3, Air Quality; Section 4.6, Energy; and Section 4.8, Greenhouse Gas Emissions, of this EIR.

Service providers utilize projected demand forecasts to provide an adequate supply or plan for surplus in the service area. As discussed in Section 4.6, Energy, it is anticipated that SoCalGas would be able to meet the natural gas demand in its service area through 2035. Because the proposed project would only represent a small fraction of natural gas demand in the SoCalGas service territory, the proposed project would implement Title 24 and CALGreen requirements, and there would be sufficient natural gas supplies available, natural gas demand for the proposed project would be **less than significant**, and mitigation is not required.

Telecommunication Facilities. Construction and operation impacts of the proposed project related to telecommunication facilities are discussed below.

Construction. As shown in Figure 3-8, Proposed Conceptual Utility Systems Map, telephone, cable, and internet services are located along the perimeter of the project site along Hathaway Street and the proposed alignment of Wilson Street. A 10-foot fiber optic utility easement within the First Hathaway site extends to the east and west for a total of 16,000 linear feet. On the project site, conduit and handholes and vaults have been installed. The trenching for this unrelated work was backfilled in early 2024, and this work has been completed. Internal to the project site, the proposed project would be responsible for constructing adequate telecommunications facility extensions to the existing telecommunications facilities along Hathaway Street and the proposed alignment of Wilson Street. Additionally, cable box locations would be carefully planned and coordinated with utility providers and the landscape architect to be unobtrusive and screened from public view where possible. The construction and expansion of these facilities would occur on the project site during preparation and earthwork phases and are not expected to impact any telephone, cable, or internet services off site that serve the surrounding areas. Additionally, telecommunications facilities are generally installed concurrently with electric utility expansions, and impacts associated with such expansion of electric infrastructure are already considered above for electricity. Therefore, impacts associated with the relocation or construction of new or expanded telecommunications facilities would be **less than significant**, and mitigation is not required.

Operation. As stated above, telecommunications facilities (e.g., telephone, cable, and internet services) are currently available along the perimeter of the project site and would be extended on site to provide service to the proposed project. Operation of the proposed project would not require the expansion or construction of new telecommunications facilities off site to provide service to the proposed project. Therefore, impacts related to telecommunications facilities during operation of the proposed project would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: RCM UTL-1, prescribed below, requires payment of current Wastewater Facilities and Water Facilities DIFs for industrial uses. This compliance measure is codified through existing regulations that are applicable to the proposed project and are



considered in the analysis of potential impacts related to utilities and service systems. The City considers this requirement to be mandatory; therefore, it is not a mitigation measure.

RCM UTL-1: Wastewater and Water Facilities Development Impact Fees. Prior to the issuance of grading permits by the City of Banning (City), the most current Wastewater Facilities and Water Facilities Development Impact Fees (DIFs) for 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 DIFs are paid.

Level of Significance After Mitigation: RCM UTL-1 requires payment of current Wastewater Facilities and Water Facilities DIFs. With implementation of RCM UTL-1, the proposed project would support the City in ongoing review, maintenance, and expansion (as needed) of utilities and services systems as build out of the General Plan occurs. However, increased demand on utilities as a result of the proposed project would not result in the relocation or construction of new or expanded utility infrastructure, the construction or relocation of which could cause significant environmental effects. Impacts would remain less than significant, and mitigation is not required.

4.19.6.2 Adequate Water Supplies

Threshold 4.19.2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Construction and operation impacts of the proposed project related to adequate water supplies are discussed below.

Construction. As described in the WSA,³⁷ construction of the proposed project would require water for dust suppression activities and other general construction activities. It is assumed that during construction, water would be provided from existing fire hydrants on Hathaway Street in compliance with all applicable City procedures. Using the EPA's *Guidance for Dust Control Permit*, estimated construction water demand for the proposed project is 92 acre-feet.³⁸ As discussed further below, the proposed project's estimated construction water demand represents a nominal fraction of the City's projected water surplus. Therefore, the proposed project would have sufficient water supplies available during construction. Impacts to water supplies during construction would be **less than significant**, and mitigation is not required.

Operation. The WSA³⁹ provides analysis in determining if the City would maintain adequate water supplies to serve the proposed project during normal, dry, and multiple-dry-year scenarios. The projected water demands in the City's 2020 UWMP were determined based on population growth projections from the Southern California Association of Governments, a City demand factor of 222 gallons per capita per day (GPCD) for 2025 with a 1 percent passive saving for future years, and the

³⁷ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA.* January 30, 2023.

³⁸ Ibid. Table 7, Estimated Construction Water Demand. Page 13.

³⁹ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA.* January 30, 2023.



proportion of actual historical water use by commercial and industrial properties.⁴⁰ Because the City has not established unit water demand factors (WDFs) for each land use category, this analysis uses the WDFs from the City of Banning *2018 Integrated Master Plan (IMP) Final Report*.⁴¹

As shown above in Table 4.19.D, the proposed project would demand approximately 734 acre-feet of water annually.⁴² According to the WSA,⁴³ the City's projected water surplus in 2025 with the project is expected to be 49,559 acre-feet of water per year for a multiple dry year scenario. The increase in potable water demand as a result of implementation of the proposed project (734 acre-feet/year) would represent a small portion (1.48 percent⁴⁴) of the City's projected surplus water supply in 2025 under the worst-case scenario. **Table 4.19.F: Normal Year/Single Dry Year/Multiple Dry Year Comparison with Project Build Out** shows the City's and the project's water demand and surplus water supply between 2025 and 2045 for normal and single-dry-year scenarios.

As shown in Table 4.19.F, there would be surplus water available between 2025 and 2040 with build out of the City, as well as with implementation of the proposed project. Because the potable water demand associated with the proposed project would only represent 1.48 percent of the surplus water supply in the City's service area in 2025 under the worst-case scenario (Year 5 of the Multiple-Dry-Year Scenario), the proposed project would not necessitate new or expanded water facilities, and the WWUD would be able to accommodate the increased demand for potable water. Therefore, the WWUD would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be **less than significant**, and mitigation is not required.

⁴⁰ West & Associates and John Robinson Consulting, Inc. *2020 Urban Water Management Plan, City of Banning, CA*. 2021. Website: http://www.banning.ca.us/DocumentCenter/View/8877/Final-Draft-Revised-2020-UWMP---Banning_May-2021?bidId= (accessed September 6, 2022).

⁴¹ City of Banning. *2018 Integrated Master Plan Final Report (revision 1.2)*. March 2018. Website: <http://banning.ca.us/DocumentCenter/View/5666/Final-Banning-Integrated-Master-Plan-revision-11> (accessed October 21, 2021).

⁴² The estimated demand during construction is 92 acre-feet. Using an industrial demand factor, estimated water demand during operation would be 79 acre-feet per year; therefore, use of the commercial water demand of 734 acre-feet per year during operation represents a conservative, worst case water demand condition.

⁴³ Stantec. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. Table 15 and page 20. January 30, 2023.

⁴⁴ $734 \text{ acre-feet per year} \div 49,559 \text{ acre-feet per year} * 100 = 1.48 \text{ percent}$.



**Table 4.19.F Normal Year/Single Dry Year/Multiple Dry Year Comparison
 with Project Build Out**

Water Supply/Use (acre-feet/year)	2025	2030	2035	2040	2045
Normal- Year Scenario					
Anticipated City Supply	56,358	52,388	44,066	33,124	21,098
Anticipated City Demand	9,507	10,701	11,751	12,670	13,467
Available Leftover Supply Capacity without Project	46,851	41,687	32,315	20,454	7,631
Project Demand	734	734	734	734	734
Available Leftover Supply Capacity with Project	46,117	40,953	31,581	19,720	6,897
Single-Dry-Year Scenario					
Anticipated City Supply	56,344	52,360	43,744	32,068	18,528
Anticipated City Demand	9,969	11,226	12,362	13,332	14,135
Available Leftover Supply Capacity without Project	46,375	41,134	31,382	18,736	4,393
Project Demand	734	734	734	734	734
Available Leftover Supply Capacity with Project	45,641	40,400	30,648	18,002	3,659
Multiple-Dry-Year Scenario					
Anticipated City Supply	59,179	51,449	42,932	30,390	15,573
Anticipated City Demand	9,684	10,911	11,995	12,946	13,732
Available Leftover Supply Capacity without Project	49,495	40,538	30,937	17,444	1,841
Project Demand	734	734	734	734	734
Available Leftover Supply Capacity with Project	48,761	39,804	30,203	16,710	1,107

Source: Stantec, Inc., *Water Supply Assessment, First Hathaway Logistics*, Tables 8 and 13 through 19. Pages 13, and 18 through 24. January 2023.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain **less than significant**, and mitigation is not required.

4.19.6.3 Adequate Wastewater Treatment Capacity

Threshold 4.19.3: *Would the 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 projected demand in addition to the provider's existing commitments?*

Construction and operation impacts of the proposed project related to adequate wastewater treatment capacity are discussed below.

Construction. As discussed above, sanitary services during construction would be provided by portable restroom facilities, which would be serviced at appropriate intervals by licensed vendors that would transport waste off site for treatment and disposal at the WRF located near Charles Street and Scott Street, approximately 0.75 mile south of the project site, or another approved wastewater sanitation facility. Due to the limited duration of construction, generation of wastewater during construction would be nominal. Impacts would be **less than significant**, and mitigation is not required.



Operation. As discussed above, implementation of the proposed project would increase wastewater generation above and beyond what is currently being generated on the vacant project site. The Banning WRF has a daily intake capacity of 3.5 million gallons of wastewater⁴⁵ and is currently operating at an intake of 2.0 million gallons of wastewater per day.⁴⁶ As such, the Banning WRF is currently operating at 57.1 percent of its daily intake capacity. Table 4.19.E, Project Wastewater Generation, shows that the proposed project is estimated to generate 71,145 gallons per day of wastewater. The estimated increase in wastewater associated with operation of the proposed project would represent 4.7 percent of the Banning WRF’s remaining daily intake capacity. The increase in wastewater generated by the proposed project is anticipated to be accommodated within the existing design capacity of the Banning WRF, which currently accepts 57.1 percent of its capacity. Therefore, implementation of the project would not cause the WRF to exceed its daily intake capacity. New or expanded wastewater treatment facilities or services are not required. Impacts would therefore be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain **less than significant**, and mitigation is not required.

4.19.6.4 Adequate Landfill Capacity

Threshold 4.19.4: Would the 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?

Solid waste collection is a “demand-responsive” service, and current service levels can be expanded and funded through user fees. Solid waste generated by the proposed on-site uses would be collected and processed by Waste Management, after which nonrecyclable material would be sent to one of three facilities in Riverside County: Badlands Sanitary Landfill, El Sobrante Landfill, and Lamb Canyon Sanitary Landfill. The daily throughputs and remaining capacities at each landfill are as follows:

⁴⁵ Montrose Environmental. *City of Banning Wastewater Treatment Plant Capacity and Condition Assessment Evaluation*. March 2020. Website: <https://banningca.gov/DocumentCenter/View/7855/3-WWTP-Condition-Assessment> (accessed September 20, 2022).

⁴⁶ California Regional Water Quality Control Board. *Waste Discharge Requirements for City of Banning, Wastewater Treatment Plant Banning-Riverside Order R7-2016-0015*. December 2015. Website: https://www.waterboards.ca.gov/rwqcb7/board_decisions/adopted_orders/orders/2016/0015banning.pdf (accessed September 2022).



- Badlands Sanitary Landfill has a daily throughput of 5,000 tons and a remaining capacity of 7,800,000 cubic yards.⁴⁷
- El Sobrante Landfill has a daily throughput of 16,054 tons and a remaining capacity of 143,977,170 cubic yards.⁴⁸
- Lamb Canyon Sanitary Landfill has a daily throughput of 5,000 tons and a remaining capacity of 19,242,950 cubic yards.⁴⁹

As summarized above in Table 4.19.C, these three landfills combined have a maximum permit capacity of 331,891,513 cubic yards of solid waste, a remaining capacity of 171,020,120 cubic yards of solid waste, and a daily maximum permitted throughput of 26,054 tons of solid waste. The City strives to meet the 75 percent diversion of solid waste to landfills goal set forth by the State of California. Construction and operation impacts of the proposed project related to the generation of solid waste are discussed below.

Construction. Although the project site is mostly vacant, solid waste generation due to demolition of one existing cinder block structure (approximately 4,700 square feet) and a paved area (approximately 237,700 square feet) associated with the remnant Orco Block and Hardware Company facility would occur. Additionally, construction of the proposed project would have the potential to generate solid waste that would either be recycled or disposed of at one of the local three landfills serving the City. In addition, construction waste would be subject to Part 11 of the Title 24 Building Energy Efficiency Standards (also referred to as CALGreen), which requires a minimum of 65 percent of construction waste, including organic plant matter, to be diverted from landfills for reuse and/or recycling. Solid waste generated during construction of the proposed project would represent a nominal fraction of the daily maximum combined intake of the three landfills serving the project site. Therefore, the three landfills serving the project site would have sufficient permitted capacity to accommodate the proposed project's solid waste disposal needs during construction. Impacts would be **less than significant**, and mitigation is not required.

Operation. Once operational, the proposed project would generate more solid waste than what is being generated under existing conditions. **Table 4.19.G: Projected Project Solid Waste Generation** shows the projected amount of solid waste that the proposed project would generate daily.

⁴⁷ California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Badlands Sanitary Landfill*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367> (accessed November 15, 2022).

⁴⁸ California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: El Sobrante Landfill*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402> (accessed August 30, 2022).

⁴⁹ California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Lamb Canyon Sanitary Landfill*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2246?siteID=2368> (accessed August 30, 2022).



Table 4.19.G: Projected Project Solid Waste Generation

Land Use	Quantity	Generation Rates	Total Solid Waste Generated per Day (pounds/ton)
Industrial	1,420,722 square feet	5 pounds/1,000 square feet/day	7,104/3.55
Total	--	--	7,104/3.55

Source: California Department of Resources Recycling and Recovery (CalRecycle). Estimated Solid Waste Generation Rates. Website: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed October 2023).

Based on solid waste generation rates gathered from CalRecycle, the proposed project is estimated to generate 7,104 pounds of solid waste per day, or 3.55 tons of solid waste per day, once operational. This represents 0.0136 percent of the daily maximum combined permitted throughput of the three landfills serving the project site. It should be noted that this represents a worst-case scenario, and the project would implement an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses during project operation.⁵⁰ This would exceed the State’s diversion rate goal of 75 percent under AB 341. The proposed project would therefore be served by three landfills with sufficient permitted capacity to accommodate its solid waste disposal needs. Therefore, the proposed project would result in a **less than significant** impact related to solid waste and landfill facilities, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain **less than significant**, and mitigation is not required.

4.19.6.5 Compliance with Solid Waste Regulations

Threshold 4.19.5: Would the project comply with federal, state, and local management and reduction statutes and regulations to solid waste?

AB 939 changed the focus of solid waste management from landfill to diversion strategies such as source reduction, recycling, and composting. The purpose of the diversion strategies is to reduce dependence on landfills for solid waste disposal. AB 939 established mandatory diversion goals of 25 percent by 1995 and 50 percent by 2000. CalRecycle tracks and monitors solid waste generation rates on a per-capita basis. Per-capita solid waste generation rates and total annual solid waste disposal volumes for the City of Banning between 2015 and 2021 are shown in **Table 4.19.H: Solid Waste Generation Rates in Banning**, below. It should be noted that more recent data have not yet been made available. Construction and operation impacts of the proposed project related to compliance with solid waste regulations are discussed below.

⁵⁰ Refer to Section 4.8.6.1 of this EIR.



Table 4.19.H: Solid Waste Generation Rates in Banning

Year	Waste Generation Rates (pounds/person/day)		Total Disposal Tonnage (tons/year)
	Per Resident	Per Employee	
2015	4.70	28.10	25,885.74
2016	4.80	27.70	26,815.70
2017	4.50	25.30	25,649.55
2018	4.40	22.60	24,688.01
2019	4.60	23.70	26,203.51
2020	4.80	26.30	27,868.59
2021	5.60	30.70	31,032.60

Source: California Department of Resources Recycling and Recovery (CalRecycle). Countywide, Regionwide, and Statewide Jurisdiction Diversion/Disposal Progress Report, Riverside County – Banning, 2015 through 2020. Website: <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal> (accessed October 2023).

Construction. Solid waste generated during construction of the proposed project would comply with the Riverside County DWR’s adopted CIWMP, which was prepared in accordance with AB 939 for jurisdictions within Riverside County (including the City of Banning). Additionally, construction waste would be subject to Part 11 of the Title 24 Building Energy Efficiency Standards (also referred to as CALGreen), which requires a minimum of 65 percent of construction waste, including organic plant matter, to be diverted from landfills for reuse and/or recycling. The proposed project must comply with the City’s waste disposal requirements as well as CALGreen, and, as such, would not conflict with any federal, State, or local regulations related to solid waste. Impacts during construction would be **less than significant**, and mitigation is not required.

Operation. The City has complied with State requirements to reduce the volume of solid waste through recycling and reuse of solid waste. The City’s per-capita disposal rate satisfies the latest (2021) target established by CalRecycle of 31.5 pounds/person/day for employees.⁵¹ The proposed project would implement an industrial recycling program that provides 80 percent diversion of waste for the industrial land uses during project operation.⁵² This would exceed the State’s diversion rate goal of 75 percent under AB 341. Assuming a solid waste diversion rate of 80 percent per day, approximately 5,683.2 pounds of solid waste would be diverted for recycling and 1,420.8 pounds (or 0.71 tons)⁵³ of solid waste would be transported to area landfills daily (259.15 tons per year). The proposed project would add an estimated 948 to 1,380 new jobs (depending on the building occupants[s]); therefore, with a daily waste generation rate of 1,420.8 pounds per day for up to 1,380 employees, the proposed project employee disposal rate would decrease to 1.03 pounds/person/day.

⁵¹ California Department of Resources Recycling and Recovery (CalRecycle). Countywide, Regionwide, and Statewide Jurisdiction Diversion/Disposal Progress Report, Riverside County – Banning, 2015 through 2020, Website: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/slcp/capacityplanning/recycling/JurisdictionDiversionDetail?year=2021&jurisdictionID=34> (accessed June 21, 2022).

⁵² Refer to Section 4.8.6.1 of this EIR.

⁵³ 7,104 pounds of solid waste per day * 0.80 = 5,683.2 pounds of solid waste diverted for recycling per day.



Therefore, the proposed project would comply with federal, State, and local statutes and regulations related to solid waste. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: No regulatory compliance measures or mitigation measures are required.

Level of Significance After Mitigation: Impacts would remain **less than significant**, and mitigation is not required.

4.19.7 Cumulative Impacts

The City of Banning *2018 Integrated Master Plan (IMP) Final Report*⁵⁴ identified the share of improvements needed to serve existing development and the share needed to serve new development. The Capital Improvement Plan (CIP) is the foundation of the City's long-range capital investment and financial planning. The CIP establishes a specific list of projects to be completed for capital replacements and improvements. The City's DIF Update Study identifies the wastewater and water facilities and improvements allotted to new development and establishes the fees imposed on new development to fund public water and wastewater systems. The City imposes fees on new development for capital facilities in the form of a DIF for Wastewater Facilities, and Water Facilities. Banning Municipal Code Chapters 15.068.060 and 15.068.070 identify the process for how the DIF is administered for required wastewater and water improvements in the city.

4.19.7.1 Water Supply Services

The cumulative area for water supply-related issues is the city of Banning and portions of unincorporated Riverside County lands located southwesterly of the city limits. Existing and future development within the UWMP service area would demand additional quantities of water. The adopted UWMP projects population within the city of Banning service area to increase to 66,400 persons by the year 2045. In its projections of future population, the UWMP identified a number of large residential master plans (e.g., Butterfield-Pardee Homes Specific Plan, Rancho San Gorgonio Specific Plan) which, combined, anticipate the development of more than 5,400 residential units, additional schools, and commercial uses. Increases in population, square footage, and intensity of uses would contribute to increases in the overall regional water demand. The anticipated conversion of water-intensive uses and the implementation of existing water conservation measures and recycling programs would reduce the need for increased water supply.

As discussed above in Section 4.19.3.1, the UWMP includes some amount of imported SWP water in the future. The City is a participant in the SWP through the SGPWA. The quantity of SWP deliveries can vary from year-to-year, depending on water availability, and has been declining in recent years.⁵⁵

⁵⁴ Carollo. *2018 Integrated Master Plan Final Report, Version 1.2*. March 2018.

⁵⁵ West & Associates and John Robinson Consulting, Inc. *City of Banning 2020 Urban Water Management Plan. SWP Deliveries to SGPWA (2003 to 2015) and Purchases of SWP water from SGPWA*. Tables 3.1 and 3.2, and Pages 3-8 and 3-10. Website: http://www.banning.ca.us/DocumentCenter/View/8877/Final-Draft-Revised-2020-UWMP---Banning_May-2021?bidId= (accessed February 13, 2023).



The amount of imported water available to the City for groundwater recharge is dependent on SGPWA's available supply from the SWP. According to the water supply contract between the DWR and the SGPWA, the SGPWA's maximum annual entitlement from the SWP is 17,300 acre-feet per year. Under shortage conditions, the SGPWA could limit volumes by implementing its Water Shortage Contingency Plan. However, although the City purchases imported water, this water is used solely for recharge of the Beaumont Basin. None of the water purchased is supplied directly to the City's customers.

As outlined in its UWMP, the City uses a mix of sources in its current and planned water supply, taking into account projected growth for the region. Based on the UWMP, the City of Banning has sufficient water supplies for projected growth through 2045 in wet, dry, and multiple dry years. As the UWMP anticipates growth in population and development through 2045, and because sufficient supplies of water have been identified to serve this forecast growth, it is reasonable that cumulative development consistent with the growth anticipated in the UWMP would not lead to a cumulatively considerable impact on water supply. As with the proposed project, cumulative development would connect to the City's water supply and distribution system per the conditions and requirements (including payment of fees) established by the City. The implementation of project-specific conditions and payment of required fees would ensure adequate and appropriate conveyance infrastructure and adequate treatment capacity is maintained throughout the water system. Consequently, cumulative impacts associated with water supply or infrastructure facilities within Banning would be considered **less than significant**, and mitigation is not required.

4.19.7.2 Wastewater Facilities

The cumulative area for wastewater-related issues is the city of Banning under the Banning WRF. The Banning WRF includes 115 miles of gravity sewer mains, 5 miles of force mains, and 4 sewer lift stations within the city. Cumulative population increases and development within the area serviced by the WRF would increase the overall demand for wastewater treatment service. The WRF has a daily intake capacity of 3.5 million gallons of wastewater and is currently operating at an intake of 2.0 million gallons of wastewater per day.⁵⁶ Any proposed changes to capacity of the WRF or any facility maintained by WRF are reviewed throughout the year by the City of Banning.

For all new development within the WRF service area, impact fees are allocated to assist in the financing of any future collection and disposal facilities and any future sewer treatment plant facilities. Cumulative development would not exceed the capacity of the wastewater treatment system because the WRF is currently being expanded and would be expanded in the future as growth occurs. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to the need for wastewater facilities. As with the project, cumulative development would connect to City's wastewater conveyance and treatment system per the conditions and requirements (including payment of fees) established by the City. The implementation of project-specific conditions and payment of required fees would ensure adequate and appropriate conveyance infrastructure and adequate treatment capacity is maintained throughout the water

⁵⁶ Email communication between Chris Graham, LSA, and Arturo Vela, City of Banning Director of Public Works Public Works Department. December 3, 2021.



system. Consequently, cumulative impacts associated with wastewater facilities within Banning would be considered **less than significant**, and mitigation is not required.

4.19.7.3 Stormwater Drainage Facilities

Cumulatively, development within the watershed will result in an increase in impervious surfaces in addition to changes in land use and associated pollutant runoff characteristics. Increased impervious surfaces are likely to alter existing hydrology and increase potential pollutant loads. However, all future development in Banning and throughout the Colorado River Basin RWQCB will be required to comply with the requirements of the NPDES permit program. Continued growth is anticipated to occur in the city and surrounding areas, and all new development and significant redevelopment will be required to minimize its individual impacts to stormwater drainage and pollutant transport through implementation of Best Management Practices (BMPs).

The drainage system for the proposed project will be designed so that peak flows from post-development runoff are captured by landscape features and BMPs such as infiltration basins and then treated prior their discharge into storm drains and water bodies. Similar requirements will be placed on all other development in the vicinity of the project site by the City of Banning. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to the need for new stormwater drainage facilities. Consequently, cumulative impacts associated with stormwater drainage facilities within Banning would be considered **less than significant**, and mitigation is not required.

Solid Waste. AB 341 mandates the reduction of solid waste disposal in landfills. The City's waste hauler will use a variety of county landfills in the area. With planned expansion activities of landfills in the project vicinity and projected growth rates contained in the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through at least 2051 (refer to **Table 4.19.C: Riverside County Waste Management Department Landfills**). Therefore, development according to the City's General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to the need for new solid waste facilities. Consequently, cumulative impacts associated with solid waste within Banning would be considered **less than significant**, and mitigation is not required.

4.19.7.4 Energy Facilities

Operation of the uses on the project site would result in increased demand for electricity and natural gas. According to the CEC, total electricity consumption in the BEU service area in 2022 was 151.548 GWh (8.48 GWh for the industrial sector).⁵⁷ Similarly, SoCalGas has sufficient supply in excess for core and noncore demand for its service area through 2035.⁵⁸ Therefore, energy demand associated with

⁵⁷ California Energy Commission (CEC). Electricity Consumption by Entity. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed October 2023).

⁵⁸ The California Gas and Electrical Utilities. *2022 California Gas Report*. Southern California Gas Company Annual Gas Supply and Requirements, Estimated Years 2022-2035. Table 32, Table 33, and Pages 185–186. Website: https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf (accessed February 10, 2023).



the project would be a very small percentage of the total energy demand from these suppliers. Additionally, the project and all future projects would be required to incorporate Title 24 requirements and CALGreen features to further reduce energy demand. Because the project would only represent a small fraction of energy demand in the city of Banning and all future projects would need to meet the same requirements, there would be sufficient energy available. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to the need for new energy facilities. As such, cumulative impacts associated with energy facilities for the project would be **less than significant**, and mitigation is not required.



This page intentionally left blank



4.20 WILDFIRE

This section provides a discussion of the existing topography and vegetative cover setting related to potential wildland fire hazards and an analysis of the First Hathaway Logistics Project's (proposed project) potential wildfire impacts. This section also summarizes information provided in the *Fire Protection Plan, First Hathaway Logistics Project* (Fire Protection Plan)¹ and *Wildfire Evacuation Plan, First Hathaway Logistics Project* (Wildfire Evacuation Plan).² These reports are included as **Appendix J-1** and **Appendix J-2** of this Environmental Impact Report (EIR). This section incorporates data from the Environmental Hazards Element of the City of Banning (City) General Plan,³ a review of existing resources, technical data, and applicable laws, regulations, and guidelines.

4.20.1 Scoping

Potential impacts related to wildfire were not identified during the public scoping meeting held on May 19, 2022, for the proposed project. The City received no comments in response to the Notice of Preparation (NOP) issued between April 22 and May 22, 2022, concerning the proposed project's potential impacts related to wildfire. For copies of the NOP comment letters, refer to **Appendix A** of this EIR.

4.20.2 Methodology

In October 2022, the State of California Office of the Attorney General released the *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act*,⁴ (2022 Wildfire Guidance), which provides best practices for analyzing and mitigating impacts of development projects under the California Environmental Quality Act (CEQA) from risks of wildfire, including a project's impacts on wildfire ignition risk, emergency access, and evacuation.

According to the 2022 Wildfire Guidance, projects in high-wildfire-risk areas should consider the following when evaluating whether a project has the potential to impact emergency response and/or evacuation plans:

- Capacity of the roadways to accommodate project and community evacuation and simultaneous emergency access;
- Project impacts on evacuation timing;
- Need for alternative evacuation plans;
- Project impacts on existing evacuation plans; and

¹ Dudek. *Fire Protection Plan First Hathaway Logistics Project, County of Riverside*. March 2024.

² Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. April 2024.

³ City of Banning. *City of Banning General Plan, Chapter V Environmental Hazards*. January 31, 2006.

⁴ State of California, Office of the Attorney General. *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act*. October 2022.



- Adequacy of emergency access, including the project's proximity to existing fire services and the capacity of the existing services.

The proposed project's impacts on emergency response and/or evacuation plans during project construction and operation are evaluated below based on the considerations above. To assess the impacts of the proposed project with respect to wildfire, a Fire Protection Plan was prepared for the project site. The Fire Protection Plan was prepared in accordance with applicable portions of Riverside County Fire Department (RCFD) Fire Prevention Standards, the fire authority with jurisdiction over the project site, and Riverside County Ordinances No. 460 and No. 787.10. The proposed project would also be consistent with the 2022 edition of the California Building Code (CBC); the 2022 edition of the California Fire Code (CFC); Chapter 49; or another applicable code as adopted and amended by RCFD and the City of Banning at the time of construction. Additionally, the RCFD references Fire Prevention Standards for informational purposes in clarifying and interpreting provisions of the CFC, National Fire Protection Association (NFPA), and California Public Resources Code (PRC). The proposed project would also be required to comply with Chapter 7A of the CBC, which focuses primarily on preventing ember penetration into buildings, a leading cause of structure loss from wildfires.

A field assessment of the project site was conducted on April 19, 2023, to confirm/acquire project site information, document existing project site conditions, and determine potential actions for addressing the protection of the proposed project's structures. Field tasks that were completed for analytical purposes included:

- Vegetation estimates and mapping refinements;
- Fuel load analysis;
- Topographic features documentation;
- Photograph documentation;
- Confirmation/verification of hazard assumptions; and
- Ingress/egress documentation.

Field observations were utilized to augment existing digital project site data in generating the fire behavior models and formulating the recommendations presented in the Fire Protection Plan. The modeling software package BehavePlus (version 6) was used to evaluate fire behavior variables and predict flame lengths, intensities, and spread rates objectively for three different scenarios, which consider the most likely to occur and worst-case scenarios. Modeling scenario locations were identified and fuel models selected based on the project site characteristics, topography, fuels, weather patterns, and the design and layout of the proposed project. Three fire behavior modeling runs were identified, including Scenario 1 from the northeast, Scenario 2 from the east, and Scenario 3 from the south, for both existing and modified (post-project) conditions.⁵

4.20.3 Existing Environmental Setting

The following section discusses the characteristics, local climate, and fire history within and surrounding the project site. The project site is similar concerning topography, vegetative cover, and proximity to adjacent residential areas, available access, and planned use. The following sections

⁵ Dudek. *Fire Protection Plan First Hathaway Logistics Project, County of Riverside*. Figure 4. March 2024.



discuss the characteristics of the project site on a regional scale. The intent of evaluating conditions at this macro-scale is to provide a better understanding of the regional fire environment, which is not constrained by property boundary delineations.

4.20.3.1 Fire Environment

Fire environments are dynamic systems and include many types of environmental factors and characteristics. Fires can occur in any environment where conditions are conducive to ignition and fire movement. Areas of naturally vegetated open space typically comprise conditions that may be favorable to wildfire spread. The three major components of fire environment are topography, climate, and vegetation (fuels). The state of each of these components and their interactions with each other determines the potential characteristics and behavior of a fire at any given moment.

It is important to note that wildland fire may transition to urban fire if structures are receptive to ignition. Structure ignition depends on a variety of factors and can be prevented through a layered system of protective features, including fire-resistive landscapes adjacent to structure(s), application of known ignition-resistive materials and methods, and suitable infrastructure for firefighting purposes. Understanding the existing wildland vegetation and urban fuel conditions on and adjacent to the project site is necessary to understand the potential for fire within and around the project site.

The proposed project is located in a wildland-urban interface (WUI) setting and in an area statutorily designated as a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area (LRA). **Figure 4.20-1, CAL FIRE Hazard Severity Zone**, shows the location of the project site in a VHFHSZ pursuant to California Department of Forestry and Fire Protection (CAL FIRE) mapping.

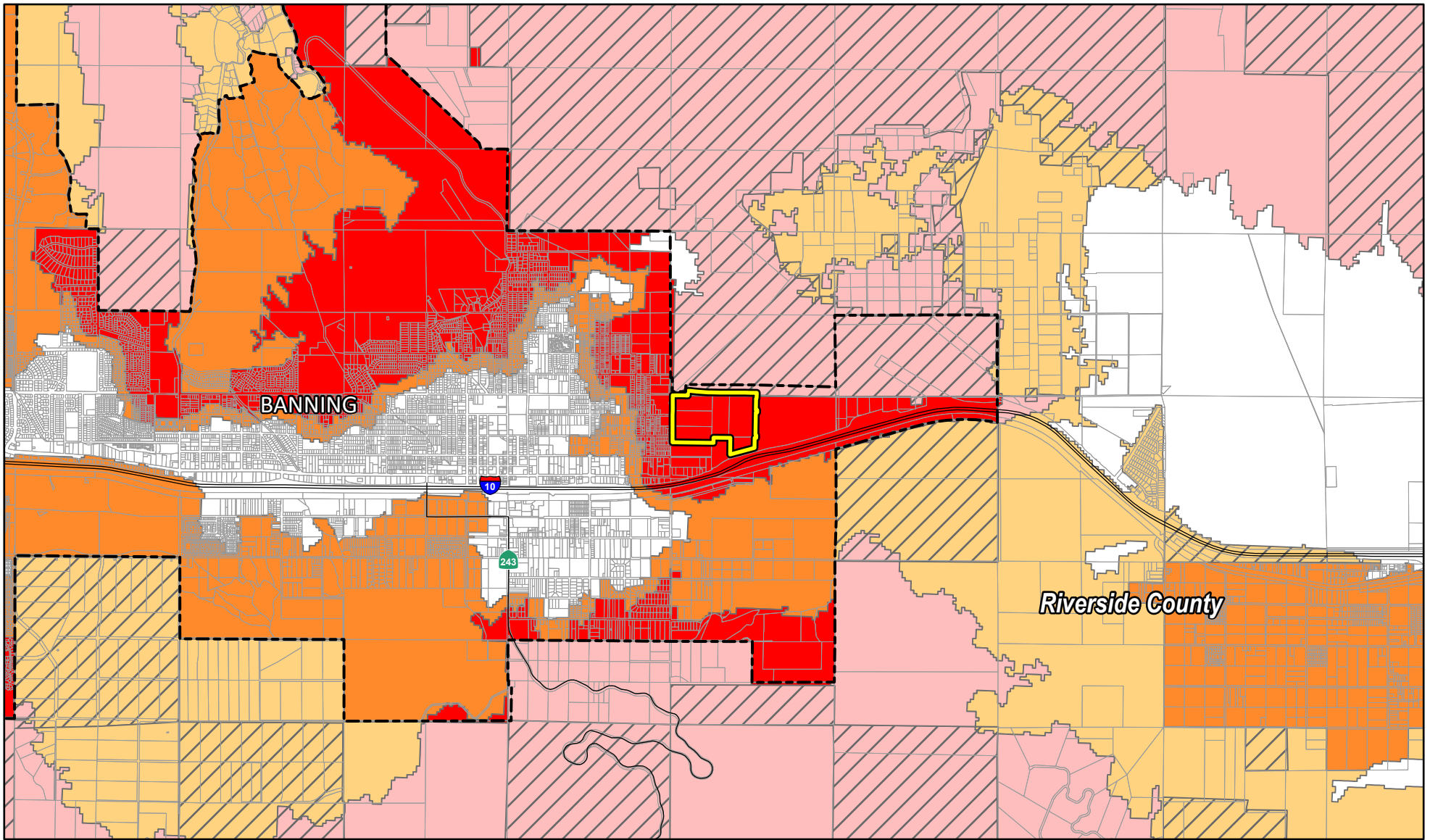
4.20.3.2 Climate

Throughout southern California, and specifically at the project site, climate has a large influence on fire risk. The climate of the city of Banning is typical of a Mediterranean area, with warm, dry summers and cold, wet winters. Annual temperatures in the project site vicinity average around 61 degrees Fahrenheit (°F) and reach up to 100 °F. Precipitation averages less than 16 inches and typically occurs between December and March. The prevailing wind is an onshore flow between 7 and 11 miles per hour (mph) from the Pacific Ocean.

Fires can be an issue during the summer and fall, before the rainy period, especially during dry Santa Ana wind events. The seasonal Santa Ana winds can be particularly strong in the project area as warm and dry air is channeled through the San Geronio Pass from the dry, desert land to the east. Although Santa Ana events can occur any time of the year, they generally occur during the autumn months, although the last few years have resulted in spring (April–May) and summer events as well. Santa Ana winds may gust up to 75 mph or higher. This phenomenon markedly increases the wildfire danger and intensity in the project area by drying out and preheating vegetation (fuel moisture of less than 5 percent for 1-hour fuels is possible) as well as accelerating oxygen supply and thereby creating conditions conducive to the burning of fuels that otherwise might not burn under cooler, moister conditions.



This page intentionally left blank



LSA



0 2000 4000
FEET

- Project Site
- City Boundary
- Local Responsibility Area
 - High
 - Very High
- State Responsibility Area
 - High
 - Very High
- Federal Responsibility Area
 - High
 - Very High

FIGURE 4.20-1

*First Hathaway Logistics Project
CalFire Hazard Severity Zones*

SOURCE: Dudek (2023), CalFire (2023)
J:\FRT2102\GIS\Pro\First Hathaway Logistics Project.aprx (9/17/2023)



This page intentionally left blank



4.20.3.3 Site Topography

Topography influences fire risk by affecting fire spread rates. Typically, steep terrain results in faster fire spread upslope and slower fire spread downslope in the absence of wind. Flat terrain tends to have little effect on fire spread, resulting in fires that are driven by wind.

The project site is primarily flat with a slight downhill slope averaging 1.9 percent from the Morongo Band of Mission Indians (Morongo) Reservation to the north to Interstate (I) 10 to the south. The open area to the east and the residential area to the west both follow this slight natural slope. The slight north-to-south slope continues for about 1.25 miles to the north before transitioning into the foothills that lead to San Geronio and the mountain communities of the San Bernardino National Forest. The elevations on the project site range from approximately 2,319 feet above mean sea level (amsl) in the northwest portion of the project site to approximately 2,216 feet amsl in the southeast portion of the project site.

4.20.3.4 Site Fuels (Vegetation)

The project site and surrounding areas primarily support sage scrub plant community, nonnative grasslands, and disturbed habitat. Most of the area adjacent to the project site is vegetated with sage scrub interspersed with grasses. The vegetation cover types were assigned corresponding fuel models for use during project site fire behavior modeling.

4.20.3.5 Fire History

Fire history is an important component in analyzing wildfire susceptibility. Fire history data provide valuable information regarding fire spread, fire frequency, most vulnerable areas, and significant ignition sources, among others. In turn, this understanding of why fires occur in an area and how they typically spread can then be used for pre-planning and designing defensible communities.

Fire history for the project site and surrounding area was determined by referencing the Fire and Resources Assessment Program (FRAP) database.⁶ The FRAP summarizes fire perimeter data that dates to the late 1800s but is incomplete due to the fact that it only includes fires over 10 acres and has incomplete perimeter data, especially for the first half of the 20th century.⁷ However, the data does provide a summary of recorded fires, can be used to show whether large fires have occurred in the project area, and indicates whether large fires may be possible in the future. In its FRAP database, CAL FIRE has recorded 98 fires since 1900 that have burned within 5 miles of the project area. Since 1900, there have been no recorded fires that have burned onto a portion of the project site. Based on an analysis of the FRAP fire history data set, specifically the years in which the fires burned, the average interval between wildfires in the area (including areas up to roughly 5 miles from the project site) was calculated to be 6 months, with intervals ranging between 0 and 6 years. Based on this analysis, it is expected that wildfire that could impact the project site may occur, if weather conditions coincide, roughly every year, with the realistic possibility of shorter or longer interval occurrences as observed in the fire history records. Figure 4.20-2, Project Site Vicinity Fire History Map, shows the fire history within 5 miles of the project site since 1900.

⁶ Dudek. *Fire Protection Plan First Hathaway Logistics Project*. Page 13. May 2023.

⁷ Ibid. Page 11.



This page intentionally left blank

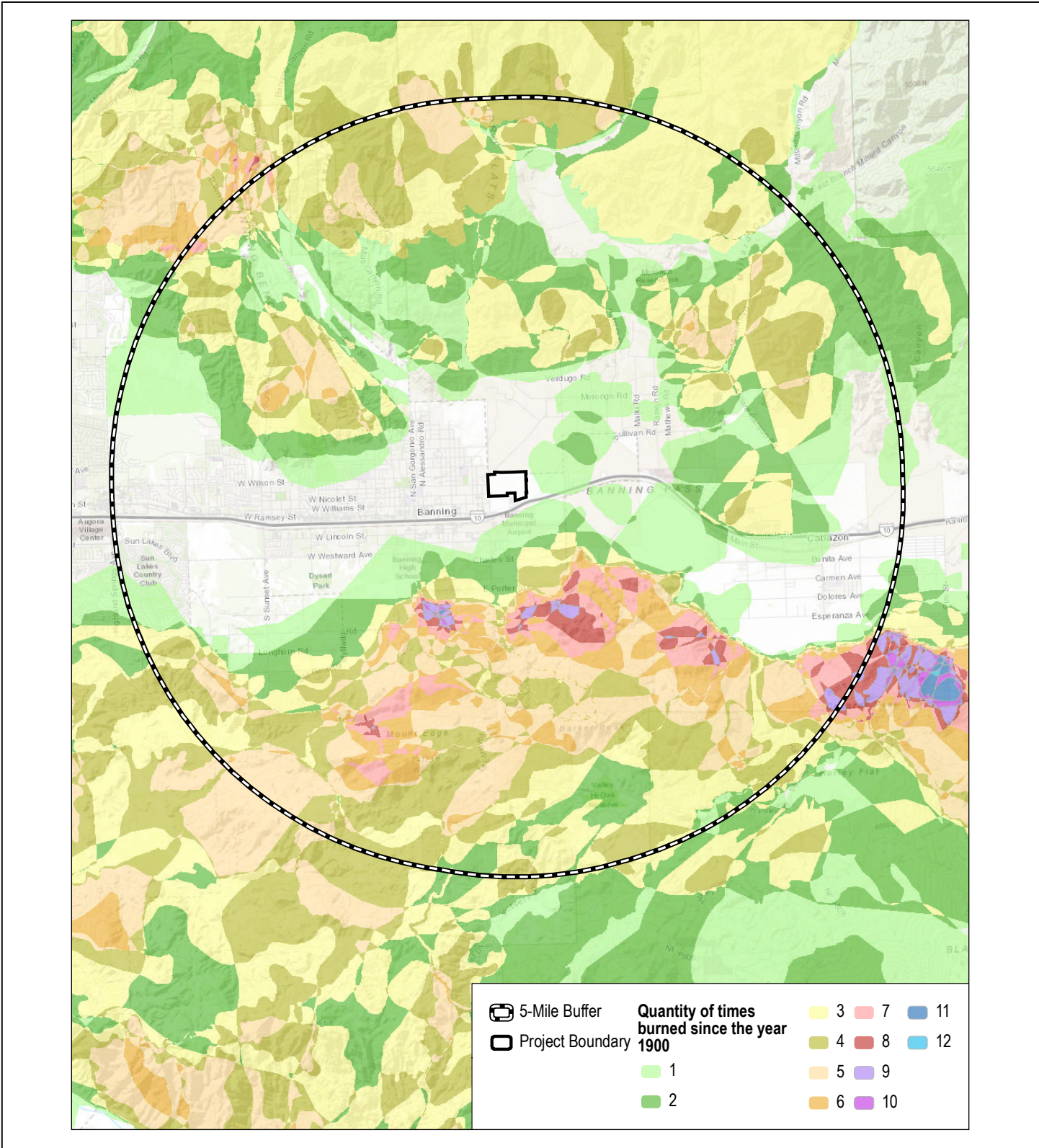
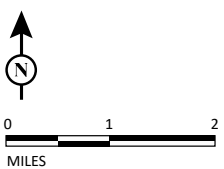


FIGURE 4.20-2

LSA



SOURCE: Dudek (Base Map- ESRI Mapping Service; Fire Data-Calfire 2021)

I:\FRT2102\G\Fire_Hist_Map.ai (10/3/2023)

First Hathaway Logistics Project
 Project Site Vicinity Fire History Map



This page intentionally left blank



4.20.4 Regulatory Setting

The following describes federal, State, regional, and local (e.g., City) regulations applicable to the proposed project related to wildfire.

4.20.4.1 Federal Regulations

The following federal regulation would be applicable to the proposed project.

National Incident Management System. The National Incident Management System (NIMS) provides a systematic, proactive approach to guide government agencies, nongovernmental organizations, and the private sector to work together to prevent, report, recover from, and mitigate the effects of fire incidents, regardless of cause, size, location, or complexity, to reduce the loss of life and property as well as harm to the environment. The City participates in NIMS, which improves its ability to prepare for and respond to potential incidents and hazard scenarios.

4.20.4.2 State Regulations

The following State regulations would be applicable to the proposed project.

CAL FIRE and Resources Assessment Program. CAL FIRE publishes maps that predict the threat of fire for each county within the State. LRAs, State Responsibility Areas (SRAs), and Federal Responsibility Areas (FRAs) are classified as either VHFHSZ or non-VHFHSZ based on factors such as fuel availability, topography, fire history, and climate. The 2018 *Strategic Fire Plan for California* was prepared by CAL FIRE to provide guidelines and objectives to account for associated fire impacts.⁸ In addition, CAL FIRE has adopted a “Ready, Set, Go!” stance on evacuation:⁹

- **“READY” – Preparing for the Fire Threat:** Take personal responsibility and prepare long before the threat of a wildfire so you and your home are ready when a wildfire occurs. Employees should assemble an emergency kit for their car. Confirm you are registered for Reverse 911, Nixle and Alert RivCo. Make sure all employees understand the plan, procedures and escape routes.
- **“SET” – Situational Awareness When a Fire Starts:** If a wildfire occurs and there is potential for it to threaten your property and surrounding communities, be ready to evacuate. Stay aware of the latest news from local media and your local fire department for updated information on the fire. If you are uncomfortable, leave the area.
- **“GO!” – Leave Early!** Leaving early, well before a wildfire is threatening your property, provides you with the least delay and results in a situation where, if a majority of neighboring developments also leave early, firefighters are now able to better maneuver, protect and defend structures, evacuate other occupants who couldn’t leave early, and focus on citizen safety.

⁸ State of California Board of Forestry and Fire Protection and California Department of Forestry and Fire Protection. *2018 Strategic Fire Plan for California*. August 22, 2018.

⁹ California Department of Forestry and Fire Protection. *Ready, Set, Go!* Website: <https://readyforwildfire.org/prepare-for-wildfire/> (accessed April 2024).



California Fire Code (CFC). Chapter 8.16.010 of the Banning Municipal Code adopts the CFC, which is updated every 3 years. The CFC includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations, distribution, and spacing. Several fire safety requirements include the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California State Hazard Mitigation Plan. The purpose of the State Hazard Mitigation Plan (SHMP) is to significantly reduce deaths, injuries, and other losses attributed to natural and human-caused hazards in California. The SHMP provides guidance for hazard mitigation activities, emphasizing partnerships among local, State, and federal agencies as well as the private sector.

California Government Code. California Government Code §51178 defines VHFHSZs and designates lands considered by the State to be a very high fire hazard. California Government Code §51189 directs the Office of the State Fire Marshal to create building standards for wildland fire resistance. The code includes measures that increase the likelihood of a structure withstanding intrusion by fire (e.g., building design and construction requirements that use fire-resistant building materials) and provides protection of structure projections (e.g., porches, decks, balconies, and eaves) and structure openings (e.g., attics, eave vents, and windows).

California Public Resources Code (PRC). The State's Fire Safe Regulations are set forth in PRC §4290, which includes the establishment of SRAs. PRC §4291 sets forth defensible space requirements, which are applicable to anyone that "... owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush covered lands, grass-covered lands, or land that is covered with flammable material" (§4291(a)).

Assembly Bill 337. Per Assembly Bill (AB) 337, local fire prevention authorities and CAL FIRE are required to identify VHFHSZ in LRAs. Standards related to brush clearance and the use of fire-resistant materials in FHSZ are also established.

California Code of Regulations Title 8: Industrial Relations. In accordance with CCR Title 8 §1270 and §6773 (Fire Prevention, and Fire Protection and Fire Equipment), the California Occupational Safety and Health Administration (Cal/OSHA) establishes fire suppression service standards. The standards range from fire hose size requirements to the design of emergency access roads.

California Code of Regulations Title 14: Natural Resources. Division 1.5 (Department of Forestry and Fire Protection), Title 14 of the CCR establishes a variety of wildfire preparedness, prevention, and response regulations.

California Code of Regulations Title 19: Public Safety. Title 19 of the CCR establishes a variety of emergency fire response, fire prevention, and construction and construction materials standards.

California Code of Regulations Title 24: California Building Standards Code. The CFC is set forth in Part 9 of the Building Standards Code. The CFC, which is preassembled with the International Fire



Code by the International Code Council (ICC), contains fire-safety building standards referenced in other parts of Title 24.

California Health and Safety Code §13000 et seq. and California Building Code. State fire regulations are set forth in §13000 et seq. of the California Health and Safety Code, which is divided into “Fires and Fire Protection” and “Buildings Used by the Public.” The regulations provide for the enforcement of the CBC and mandate the abatement of fire hazards. The California Health and Safety Code establishes broadly applicable regulations, such as standards for buildings and fire protection devices, in addition to regulations for specific land uses, such as childcare facilities and high-rise structures.

California Health and Safety Code Division 11: Explosives. Division 11 of the California Health and Safety Code establishes regulations related to a variety of explosive substances and devices, including high explosives and fireworks. Section 12000 et seq. establishes regulations related to explosives and explosive devices, including permitting, handling, storage, and transport (in quantities greater than 1,000 pounds).

California Building Code, Chapter 7A. Chapter 7A applies to building materials, systems, and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area. This section of the CBC establishes minimum standards for features such as fire retardant-treated wood and wood shingles, surface treatment protection, ignition-resistant construction, roof coverings and gutters, vents, exterior walls and coverings, exterior porch ceilings, underfloor protection, exterior windows, skylights, and doors, decking, and accessory structures.

Executive Order N-04-19. On January 9, 2019, Governor Newsom announced Executive Order (EO) N-04-19, which requires State agencies to identify innovative and sustainable solutions to address the State’s wildfire crisis, such as upgraded fire detection technology.

Executive Order N-05-19. On January 9, 2019, Governor Newsom also announced EO N-05-19, which requires CAL FIRE and other State agencies to compile policy and regulatory recommendations concerning wildfire mitigation, emphasizing environmental sustainability and public health. EO N-05-19 requires the incorporation of socioeconomic analysis when conducting risk management of wildfires and mandates that agencies identify geographic areas with populations that are more vulnerable to the impacts of wildfires.

4.20.4.3 Regional Regulations

The following regional regulation would be applicable to the proposed project.

Riverside County Emergency Management Department Local Hazard Mitigation Plan. The plan aims to reduce the impact of a disaster by identifying hazards and developing ways to decrease their impact. Risk assessments rate hazards with the greatest potential impact to the community. In addition, long-term prevention or protection steps are developed to lessen the impact of the hazard. This plan creates awareness of hazards, threats, and vulnerabilities within the community, and paves a path forward for jurisdictions to prepare for local and regional disasters. The 2018 Local Hazard



Mitigation Plan is the most current, and the County of Riverside (County) is updating the plan for compliance with the Disaster Mitigation Act of 2000.¹⁰

4.20.4.4 Local Regulations

The following local regulations would be applicable to the proposed project.

City of Banning General Plan Wildland Fire Hazards Element. The Wildland Fire Hazards Element of the Banning General Plan addresses potential wildland fire hazards within the community through discussion, analysis, and setting forth goals, policies, and programs. The foremost goal of this element is to protect the general health, safety, and welfare of Banning from potential fires and associated hazards. The following goals, policies, and programs related to wildfires would be applicable to the build out of the project site:

- **Goal:** Protect human life, land, and property from the effects of wildland fire hazards.
 - **Policy 1:** The City shall establish and maintain an information database containing maps and other information which describe fire hazard severity zones, fire threat zone, and other wildfire hazards occurring within the City boundaries, sphere-of-influence and planning area.
 - **Program 1.A:** Consult and coordinate with surrounding communities, the State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, Riverside County Fire Department, other applicable State and federal agencies to establish, improve, and routinely update the database.
 - **Program 1.B:** The City shall make available copies of the Fire Severity Map and discourage development within areas so designated or require detailed mitigation measures that reduce potential hazards to insignificant levels.
 - **Program 1.C:** Prepare an information handout to be distributed to developers, property owners, and other appropriate parties, which describes the need for and design of fire safe developments.
 - **Program 1.D:** Establish and maintain a program by which all potentially hazardous structures, which pose a threat due to inadequate fire hazard construction are identified, inventoried, and retrofitted with fire retardant materials. Program shall include informational handouts describing appropriate methods of retrofitting and possible sources of funding to facilitate the rehabilitation of such structures.
 - **Policy 2:** Ongoing coordination between the Banning Fire Department, Beaumont Fire Department, the Riverside County Fire Department, the California Department of Forestry, the Morongo Band of Mission Indians and the U.S. Forest Service in fire prevention programs.

¹⁰ Riverside County Emergency Management Department. Local Hazard Mitigation Plan. Website: <https://rivcoemd.org/LHMP> (accessed July 13, 2021).



- **Program 2.A:** Cooperate with all neighboring agencies in order to identify opportunities for fuel breaks in very high hazard severity zones and to ensure that fire breaks are provided where necessary and appropriate.
- **Program 2.B:** Development proposals shall be transmitted to the Police Department and the City Fire Marshal, and input shall be incorporated into project design or conditions of approval, as appropriate.
- **Program 2.C:** The Police and Fire Departments shall closely coordinate and cooperate with the City and County emergency preparedness teams and shall assure the most effective disaster response practical.
- **Program 2.D:** Contact and establish working relationships and strategies with Banning Heights Mutual Water Company, High Valley Water District, public utilities, and other appropriate agencies to strengthen or relocate utility facilities and take other appropriate measures to safeguard major utility distribution systems to the greatest extent practical.
- **Program 2.E:** Encourage and cooperate with Caltrans and the railroad to reduce hazardous fuel loads (vegetation) near bridges, roadways, rail lines and State highways, which may be subject to closure during major wildland fire events.
- **Program 2.F:** The public will be educated regarding disaster prevention and emergency responses including evacuation procedures.
- **Policy 3:** Continue to identify wildfire hazard areas, and to enforce special standards for construction in wildland fire hazard areas.
 - **Program 3.A:** New and substantially remodeled structures or developments shall incorporate wildfire prevention design techniques, such as the use of “defensible space,” fire retardant sidings, optimal site planning and building orientation, landscaping orientation, and other design approaches to reduce wildfire hazards.
 - **Program 3.B:** Require that adequate emergency vehicle access and evacuation routes be available with approval of any new development.
 - **Program 3.C:** The City shall adopt standard requirements for all development proposals in High Fire Hazard Areas, including requirements for the preparation of Fire Protection Plans prior to the approval of Tentative Tract Maps, Tentative Parcel Maps, or other land use permits.
- **Policy 4:** The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.
 - **Program 4.A:** Coordinate with Banning Heights Mutual Water Company, High Valley Water District, and other agencies responsible for supplying water to the region to assure



sufficient water supplies and pressures are available to provide adequate fire flows for all existing and proposed development.

- **Program 4.B:** Special on-site fire protection measures may be required on well vegetated, hilly areas with slopes of 10 percent or greater, with possible access problems, and/or a lack of sufficient water and/or water pressure. Such measures shall be specified during project review.

City of Banning Emergency Operations Plan. The City of Banning *Emergency Operations Plan* addresses the planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting the city of Banning.¹¹ The *Emergency Operations Plan* is designed to establish the framework for implementation of the California Standardized Emergency Management System (SEMS) for the City of Banning, which is located within the Riverside County Operational Area (OA) and Mutual Aid Region VI as defined by the Governor's Office of Emergency Services (OES). By extension, the OES also implements the NIMS, which is being integrated into SEMS at the Governor's directive (EO S-2-05). The OES is intended to facilitate multi-agency and multi-jurisdictional coordination, particularly among the City of Banning and the County of Riverside, special districts, and State agencies, in emergency operations. The *Emergency Operations Plan* is operational in design.¹²

4.20.5 Thresholds of Significance

Significance determinations utilized in this section are from Section XXI of Appendix G of the *CEQA Guidelines*. The proposed project would result in a significant impact with respect to wildfires if is located in or near SRAs or lands classified as VHFHSZs, and it would:

- Threshold 4.20-1: Substantially impair an adopted emergency response plan or emergency evacuation plan;**
- Threshold 4.20-2: 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;**
- Threshold 4.20-3: 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; or**
- Threshold 4.20-4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.**

¹¹ City of Banning. *City of Banning Emergency Operations Plan, Part 1-Basic Plan*. July 2007. Revised December 2012. Website: <http://banning.ca.us/DocumentCenter/View/2776/Banning-EOP---Final-Part-1---Rev-1212?bidId=> (accessed July 13, 2021).

¹² Ibid.



4.20.6 Project Impact Analysis

Potential impacts of the proposed project related to wildfire are discussed below pursuant to the thresholds established in Section 4.20.5, above. As previously described, the project site is in a WUI setting and within an area statutorily designated as a VHFHSZ within an LRA.

4.20.6.1 Impair an Emergency Plan

Threshold 4.20-1: Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Police protection services within the city are provided by the Banning Police Department, and fire protection services are provided through a contractual agreement with the RCFD, which in turn contracts with CAL FIRE. According to the City's General Plan Emergency Preparedness Element,¹³ Banning does not have established evacuation routes for major emergencies. Depending on the location and extent of an emergency, major surface streets would be utilized to route traffic through the city onto I-10 to exit the region.¹⁴ Hathaway Street would provide primary access to the project site and has been identified as the primary evacuation route to be utilized to route traffic from the project site and then west onto East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street.

The City adopted an *Emergency Operations Plan* in July 2007 (updated in 2012) that provides guidance for residents, city emergency responders, and businesses in the event a manmade or natural emergency occurs within or threatens the city.¹⁵ A Wildfire Evacuation Plan has been prepared for the proposed project that identifies appropriate evacuation methods/procedures in the event of a wildfire on or adjacent to the project site.¹⁶ The Wildfire Evacuation Plan is included as **Appendix J-2** of this EIR.

According to the 2022 Wildfire Guidance, projects in high-wildfire-risk areas should consider the following when considering whether a project has the potential to impact emergency response and/or evacuation plans:¹⁷

- Capacity of the roadways to accommodate project and community evacuation and simultaneous emergency access;
- Project impacts on evacuation timing;

¹³ City of Banning. *City of Banning General Plan, Chapter VI Public Services and Facilities, Emergency Preparedness Element*. Pages VI-45. April 19, 2006.

¹⁴ Ibid.

¹⁵ City of Banning. *City of Banning Emergency Operations Plan, Part 1-Basic Plan*. July 2007. Revised December 2012. Website: <http://banning.ca.us/DocumentCenter/View/2776/Banning-EOP---Final-Part-1---Rev-1212?bidId=> (accessed July 13, 2021)

¹⁶ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. April 2024.

¹⁷ State of California, Office of the Attorney General. *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act*. October 2022.



- Need for alternative evacuation plans;
- Project impacts on existing evacuation plans; and
- Adequacy of emergency access, including the project's proximity to existing fire services and the capacity of the existing services.

The proposed project's impacts on emergency response and/or evacuation plans during project construction and operation are evaluated below based on the considerations above.

Construction. The following analysis addresses potential impacts to emergency response and/or evacuation plans from wildfire during project construction.

Capacity of the Roadways to Accommodate Project and Community Evacuation and Simultaneous Emergency Access. Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four roadways could provide egress from the project site during an emergency. Vehicles leaving the project site would be routed onto Hathaway Street and directed west toward more urban areas, where existing thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street exist to evacuate in the westward direction from the site because there are no public access roadways east of the project site. Evacuees would be assumed to have reached a safe location once they arrived at North Alessandro Street (approximately 0.89 mile west of the project site). During a large wildfire moving from north to south or east to west, it is most likely that evacuations would be ultimately directed to I-10, depending on the fire location and movement. Construction of the proposed project includes improvements to the west side of Hathaway Street, which may require partial lane closures and temporarily reduce roadway capacity, increase congestion, and impact traffic flows and/or emergency access during a community evacuation. The proposed project would also establish half-width improvements to Wilson Street and First Industrial Way, as well as full-width improvements to Nicolet Street along their respective project site frontages.

To maintain traffic flows, to the greatest extent practicable during construction, the Construction Contractor would be required to prepare and implement a Transportation Management Plan (TMP) (**Regulatory Compliance Measure [RCM] TRA-2**), to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook*¹⁸ and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. With implementation of **RCM TRA-2**, construction of the proposed project, including temporary lane closures along Hathaway Street, would not substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access.

¹⁸ California Inter-Utility Coordinating Committee. *California Temporary Traffic Control Handbook, 7th Edition*. May 2018.



Project Impacts on Evacuation Timing. Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four roadways could provide egress from the project site during an emergency. Again, traffic would be routed onto Hathaway Street and directed west toward existing public corridors, as there are no public access roadways east of the project site. It is assumed that traffic in the project area would utilize local thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street to evacuate in the westward direction. Evacuees would be assumed to have reached a safe location once they arrived at North Alessandro Street. During a large wildfire moving from the north or south or east to west, it is most likely that evacuations would be ultimately directed to I-10, depending on the fire location and movement. As discussed above, project construction may require partial lane closures along Hathaway Street, which would slow traffic flow along Hathaway Street and therefore increase evacuation timing. However, as discussed above, the construction contractor would be required to prepare and implement a TMP (**RCM TRA-2**) to maintain traffic flow along Hathaway Street during both normal and emergency traffic operations. Therefore, with implementation of **RCM TRA-2**, construction of the proposed project would not substantially increase evacuation timing.

Need for Alternative Evacuation Plans. Construction workers would utilize Hathaway Street as the primary evacuation route during an emergency. However, evacuation routes used during emergencies are dependent on the location and extent of the emergency. East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street, all of which intersect with Hathaway Street, could likely be utilized in the event the project area needed to evacuate during an emergency. The project-specific Wildfire Evacuation Plan includes a detailed emergency evaluation plan outlining the details of who, what, when, and how during emergency evacuations. Implementation of the Wildfire Evacuation Plan, as codified in **RCM FIRE-1**, would ensure that construction activities do not impact existing evacuation plans, which would reduce the need for alternative evacuation plans.

Project Impacts on Existing Evacuation Plans. As discussed above, Hathaway Street would provide primary access to the project site and has been identified as the primary evacuation route to be utilized to route traffic from the project site and then west onto East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street. Construction of the proposed project may require temporary lane closures on Hathaway Street, which would impact this evacuation route by slowing traffic flow along Hathaway Street. However, as described in detail above, implementation of **RCM TRA-2** would ensure that construction of the proposed project would not substantially impair Hathaway Street's capacity to accommodate project and evacuation traffic or substantially increase evacuation timing. Additionally, as discussed above, the proposed project would be required to implement the Wildfire Evacuation Plan, as codified in **RCM FIRE-1**, which would ensure that construction of the proposed project would not substantially impact existing evacuation plans in the city.

Adequacy of Emergency Access, Including the Project's Proximity to Existing Fire Services and the Capacity of the Existing Services. Construction of the project's off-site improvements along Hathaway Street may require partial lane closures, which could temporarily impair emergency



access into the project site or within the project vicinity. However, as discussed above, the construction contractor would be required to prepare and implement a TMP (**RCM TRA-2**) to be reviewed and approved by City staff. The TMP would be prepared consistent with the recommendations of the *California Temporary Traffic Control Handbook* and would include provisions to maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction.

As discussed in Section 4.15, Public Services, the City of Banning contracts with the RCFD for fire protection services. Two RCFD fire stations service Banning: Fire Station 89 (approximately 1 mile from the project site), which covers East Banning and is located at 172 North Murray Street in Banning, and Fire Station 20 (approximately 5.2 miles from the project site), which covers West Banning and is located at 1550 East 6th Street in Beaumont. Fire Station 89 can respond to the project site in approximately 2.69 minutes, and Fire Station 20 can respond to the project site in approximately 10.17 minutes.¹⁹ In accordance with the RCFD's Fiscal Year 2017-2018 Service Alternatives Report, dated March 7, 2017, the project site would be classified as "Heavy Urban," with a 5-minute first-in fire engine response time recommendation.²⁰ Given the location of the project site relative to Fire Station 89 and the current response times, the RCFD would be able to respond to an emergency at the project site or in the project vicinity within the RCFD's 5-minute response time goal. Additionally, during emergency evacuation conditions, as under normal circumstances, vehicles would be required to yield to emergency vehicles in accordance with California Vehicle Code 21806(A)(1). In the event that Hathaway Street is being used as a major evacuation route during an emergency while construction activities are ongoing, implementation of **RCM TRA-2** would ensure that the RCFD's response time to the project site or project vicinity would not be significantly increased.

In addition, the City also maintains a "mutual aid" agreement with the Morongo Fire Department, which allows for the services of the Morongo Fire Department to assist the City and RCFD during major emergencies. The nearest Morongo Fire Department station is Station #1, 2.86 miles from the project site at 11581 Potrero Road. Station 1 is staffed 24/7 with eight career firefighters who have several apparatus available for use based on emergency call type, including two Type 1 engines, a brush engine, a ladder truck, a Type 6 engine, and two ambulances. Accordingly, the RCFD would have adequate capacity to serve the project site if there were an emergency during construction activities. Therefore, construction of the proposed project would not result in inadequate emergency access or impact the capacity of emergency responders to provide emergency services to the project site.

Operation. The following analysis addresses potential impacts to emergency response and/or evacuation plans from wildfire during project operation.

Capacity of the Roadways to Accommodate Project and Community Evacuation and Simultaneous Emergency Access. Hathaway Street would provide primary access to the project site, with additional access from Wilson Street (to the north of the project site), First Industrial Way (to the east of the project site), and Nicolet Street (to the south of the project site). All four

¹⁹ Dudek. *Fire Protection Plan, First Hathaway Logistics Project, County of Riverside*. Table 2. March 2024.

²⁰ Ibid. Page 32.



roadways could provide egress from the project site during an emergency. Traffic would be routed onto Hathaway Street and directed west toward more urban areas, where existing thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street exist to evacuate in the westward direction from the site because there are no public access roadways east of the project site. Evacuees would be assumed to have reached a safe location once they arrived at North Alessandro Street. It is most likely that evacuations would be ultimately directed to I-10, depending on the nature of the emergency, in order to evacuate the region.

As described in the Wildfire Evacuation Plan, the project roads and adjacent circulation system would be able to effectively accommodate average daily trips generated by the proposed project.²¹ However, as evidenced by mass evacuations in Riverside and elsewhere, even when roadways are designed to meet fire code requirements, it may not be possible to move large numbers of persons at the same time as road infrastructure is not designed to accommodate a short-notice, mass evacuation.

As discussed in Section 4.17, Transportation, of this EIR, while adverse level of service effects were identified at one study intersection under Opening Year conditions and at two intersections under the Cumulative Condition, the proposed project would be responsible for paying the Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) and the City's Development Impact Fee (DIF). The proposed project would construct various street improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street, as well as construct three additional roadways along the northern, eastern, and southern perimeters of the site and dedicate right-of-way to the City for public use. All roadways within the project site would be developed in accordance with applicable City and RCFD ordinances and codes related to emergency access standards, including those in the RCFD Fire Code and the 2022 CFC. Compliance with applicable ordinances and codes would ensure adequate access to, from, and within the project site for emergency vehicles during operation of the proposed project.

As discussed in the Wildfire Evacuation Plan, a maximum of 555 vehicles are estimated to evacuate the project site at any given time during an emergency.²² As described above, vehicles from the project site would be routed onto Hathaway Street and directed west toward more urban areas where corridors for evacuation exist. It is assumed that traffic in the project area would utilize local thoroughfares like East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street to evacuate in the westward direction since no public roadways exist east of the project site. Evacuees would be assumed to have reached a safe location once they arrived at North Alessandro Street.

Evacuations would be prioritized based on vulnerability and, therefore, managed to move smaller populations in a successive phasing in order to minimize traffic surges. Populated areas would be evacuated in phases based on proximity to the emergency and risk levels. It is anticipated that evacuations of the project area would likely include the relocation of resident populations that are closest to the location of the emergency, along with employees and visitors of the project

²¹ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 20. April 2024.

²² Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Table 2. April 2024.



first, and then additional populations based on exposure to the emergency in successive fashion rather than mass-evacuating the entire Banning area. The purpose of a phased evacuation is to reduce congestion and transportation demand on designated evacuation routes by controlling access to evacuation routes in stages and sections and to prioritize the evacuation of specific populations that are in proximity to immediate danger. Under a phased evacuation approach, the evacuation time would decrease, and evacuation of the project site would result in minimal impacts to the surrounding communities. The proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations. As specified in **RCM FIRE -1**, the proposed project would be required to implement the project-specific Wildfire Evacuation Plan, detailing evacuation options for the project in the event of a wildfire emergency. With implementation of **RCM FIRE-1**, the proposed project would not substantially impair the capacity of Hathaway Street or roadways adjacent to the project site to accommodate project and community evacuation and simultaneous emergency access, nor would the project substantially impact existing evacuation plans in the city.

Project Impacts on Evacuation Timing. There are no established thresholds for determining whether evacuation times are safe. Appendix G of the CEQA Guidelines establishes thresholds of significance for evacuation using public safety, not evacuation time, as the guiding consideration for evaluating impacts related to emergency evacuation as follows: A project's impact on evacuation is significant if the project would significantly impair or physically interfere with implementation of an adopted emergency response or evacuation plan. The 2022 Wildfire Guidance suggests that jurisdictions set benchmarks of significance based on past successful evacuations or on those from communities in similar situations.²³ Recent research on wildfire evacuation from communities subject to the recent Creek Fire, Rye Fire, Skirball Fire, and Thomas Fire indicates evacuation times ranged from under 30 minutes to over 10 hours, with the average evacuation time for the Creek Fire calculated to be 3 hours and 40 minutes and involving 115,000 people, while the average evacuation time for the Thomas Fire calculated to be 4 hours and 25 minutes and impacting 104,607 individuals.²⁴

It is estimated that the conservatively calculated minimum amount of time needed to move the existing and project populations to urbanized and/or designated evacuation areas may require approximately up to 1 hour and 32 minutes.²⁵ All modeled evacuation scenarios for the proposed project are based on conservative scenarios where all resident populations are at home, the project is at maximum occupancy, and simulations are based on mass evacuations of the project vicinity. However, technological advancements and improved evacuation strategies learned from prior wildfire evacuation events have resulted in evacuations that are more strategic and targeted than in the past by evacuating smaller areas at highest risk and phasing evacuation traffic so that it flows more evenly and minimizes the surges that may slow an evacuation. Therefore, mass evacuation scenarios where large populations are all directed to leave simultaneously, resulting

²³ State of California, Office of the Attorney General. *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act*. October 2022.

²⁴ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 25. April 2024.

²⁵ Ibid. Page 33.



in traffic delays, are thereby avoided, and those populations most at risk are able to evacuate safely.

Under existing plus project conditions, the maximum potential increased evacuation time occurring with the project would be 9 minutes for the area to the north of the project site.²⁶ No change in evacuation time would be experienced in the areas south and east of the project site, and up to 1 minute of potential increased evacuation time could be experienced in the area west of Hathaway Street.²⁷

Under cumulative plus project conditions, no change in evacuation time would be experienced in the area south of the project site, up to 7 minutes of potential increased evacuation time could be experienced in the area north of the project site, and up to 1 minute of potential increased evacuation time could be experienced in the area east of the project site.²⁸ The area east of the project site would experience the greatest increase in evacuation times, at approximately 21 minutes.²⁹ However, this scenario assumes that the future Cottonwood Road interchange would not exist,³⁰ and the only roadway access to evacuate would be westbound along Wilson Street and Nicolet Street. The 1- to 9-minute potential evacuation time increases in the existing plus project condition, and the 1 to 21 minutes potential increase in evacuation time in the cumulative plus project condition are considered minimal and would not result in excessive evacuation times for existing occupants in the project vicinity.³¹

Although the amount of time needed to evacuate the project site and vicinity would vary by the type of incident, the number of evacuation routes utilized, the amount of mobilization time taken by residents, actual areas at risk, and other factors, a strategic and targeted evacuation methodology is expected to be implemented in order to minimize the size of the area being evacuated by using a phased approach, which would likely reduce evacuation time below the above evacuation time estimates. Accordingly, roadway capacity would remain adequate to undertake safe and effective evacuations with development of the project.³²

Need for Alternative Evacuation Plans. The proposed project would conform to ignition-resistant building codes codified in Chapter 7A of the CBC, would be constructed of ignition-resistant materials, would include fire-safe fuel breaks and Fuel Modification Zones (FMZs), and would be defensible and designed to require minimal firefighting resources for protection. These features would provide emergency managers with options during wildfire-related evacuations and would enable the warehouse building to be used as a contingency sheltering option in the unlikely scenario that evacuation is considered infeasible or the less safe option.

²⁶ Ibid. Page 24.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ The City is currently in the early stages of planning for the future Cottonwood Road interchange, but there are no funding sources identified for construction at this time.

³¹ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 24. April 2024.

³² Ibid. Page 27.



As specified in **RCM FIRE-1**, the proposed project would be required to implement the project-specific Wildfire Evacuation Plan detailing evacuation options for the project in the event of a wildfire emergency. Furthermore, as described above, the proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations and help reduce the need for alternative evacuation routes. Therefore, the proposed project would not contribute to the need for alternative evacuation plans.

Project Impacts on Existing Evacuation Plans. As discussed above, Hathaway Street would provide primary access to the project site and has been identified as the primary evacuation route to be utilized to route traffic from the project site and then west onto East Ramsey Street, East Williams Street, East Nicolet Street, East George Street, and East Hoffer Street.

The proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations. An essential component of emergency evacuation plans is public preparedness in the event of an emergency in order to ensure effective implementation. As specified in **RCM FIRE-1**, the proposed project would be required to implement the project-specific Wildfire Evacuation Plan detailing evacuation options for the project in the event of a wildfire emergency. With implementation of **RCM FIRE-1**, the proposed project would not substantially impact existing evacuation plans in the city.

Adequacy of Emergency Access, Including the Project's Proximity to Existing Fire Services and the Capacity of the Existing Services. The proposed project would provide general and emergency access to the project site via Hathaway Street. The main entrance to the project site would be from Hathaway Street via a 62-foot-wide truck/automobile driveway that would be constructed opposite George Street. The main driveway entrance off Hathaway Street would be signed for passenger vehicles only and accessed via a deceleration lane proposed between Nicolet Street and George Street that would connect to an 800-foot-long on-site 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 and four additional 26-foot-wide automobile driveways would be constructed along Nicolet Street along the project site's southern frontage. In addition, the proposed project would construct various street improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street as well as construct three additional roadways along the northern, eastern, and southern perimeters of the site and dedicate right-of-way to the City for public use. All roadways and structures associated with the proposed project would be constructed in accordance with City and RCFD emergency access standards. Development on the site would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and within the project site for emergency vehicles. Additionally, water availability, fire water flow, and hydrant placement throughout the proposed project would be reviewed and verified by the RCFD to ensure compliance with local and State codes.

As is the case during construction, the RCFD would be able to respond to an emergency at the project site or in the project vicinity within its 5-minute response time goal given the location of



the project site relative to Fire Station 89 and the current response times. Additionally, during emergency evacuation conditions, as under normal circumstances, vehicles would be required to yield to emergency vehicles in accordance with California Vehicle Code 21806(A)(1). Therefore, even if Hathaway Street were being used as a primary evacuation route by project occupants and the surrounding community and was more congested than during normal traffic operations, the RCFD's response time to the project site or vicinity would not be significantly increased, and the proposed project would not substantially impair emergency access to the project site or vicinity given the project site's proximity to existing fire services.

The approximately 84-acre project site is currently undeveloped and sparsely vegetated with sage scrub. However, development of the proposed project would result in a site consisting of approximately 70 percent impervious surface areas³³ and an ignition-resistant warehouse structure. The pervious surface area (approximately 30 percent) on the project site (e.g., irrigated and managed landscaping) would be located adjacent to low-flammability parking lots, roadways, and structures, thereby limiting ignition potential. The design of the proposed project would reduce the project's potential contribution to the spread of emergencies from wildfire and reduce the demand on the RCFD for emergency wildfire services compared to existing conditions. Furthermore, as discussed in Section 4.15, Public Services, of this EIR, RCFD Stations 89 and 20, with "mutual aid" support from the Morongo Fire Department, would provide fire response to the proposed project.

As detailed in **RCM TRA-2**, the proposed project must maintain traffic flow along Hathaway Street, safe access into and out of the project site, and emergency access to the project site and adjacent areas during construction. As detailed in **RCM FIRE-1**, the proposed project would be required to implement and adhere to the Wildfire Evacuation Plan, which conforms to City and RCFD standards and which, when implemented, would facilitate effective emergency response and operation. Furthermore, the project would include **RCM PUB-1** and **RCM PUB-2**, detailed in Section 4.15, Public Services, which require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. Therefore, construction and operation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency

³³ Stantec Consulting, Inc. *Project Specific Preliminary Water Quality Management Plan, First Hathaway Logistics Center*. Page 4-1. November 18, 2021. Revised September 2022, March 2023, and July 2023.



access. Additionally, **RCM FIRE-1**, prescribed below, requires the proposed project to adhere to the project-specific Fire Protection Plan and Wildfire Evacuation Plan. These compliance measures are codified through existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to wildfire. The City considers these requirements to be mandatory; therefore, they are not mitigation measures.

RCM FIRE-1: The proposed project shall adhere to the site-specific Fire Protection Plan and Wildfire Evacuation Plan and implement the specific measures in both documents. The following measures shall be implemented to reduce impacts associated with wildfires:

1. Project building will be constructed of ignition-resistant construction materials that resist 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 California Building Code Chapter 7A and State Fire Marshal Standard 12-7A-5, Ignition-Resistant Materials and include automatic fire sprinkler systems based on the latest adopted Building and Fire Codes for occupancy types.
2. Fuel Modification will be provided as needed around the perimeter of the project site as required by the Riverside County Fire Department (RCFD) and will be a minimum of 100 feet wide. At least 100 feet is provided between the perimeter of the structure and the property line, allowing this minimum 100-foot fuel modification to be obtainable on property owned by the owners of the structure. Further, all portions of the 100-foot perimeter are either paved or landscaped, and any landscaping will comply with the applicable fuel modification zone.
3. If the square footage or footprint of a proposed building has been modified from that described in this Fire Protection Plan, the applicant shall submit, and the RCFD shall have approved, the revised Fire Protection Plan, consistent with Item 2, above.
4. Landscape plantings will not utilize prohibited plants that have been found to be highly flammable.
5. Fire apparatus access roads (i.e., public and private streets) will be provided throughout the development and will vary in width and configuration but will all provide at least the minimum required unobstructed travel lanes, lengths, turnouts, turnarounds, and clearances required by applicable codes. Primary access and internal circulation will comply with the requirements of the RCFD.
6. Buildings will be equipped with automatic commercial fire sprinkler systems meeting RCFD's requirements.



7. The project shall demonstrate provision of water capacity and delivery to ensure a reliable water source for operations and during emergencies, which may require extended fire flow.
8. Should future iterations of the project's site plan result in buildings that do not achieve a minimum of 100 feet of defensible space, then alternative materials and methods may be proposed to provide the functional equivalency of a full 100 feet of defensible space. Alternative materials and methods will be to the satisfaction of the RCFD and may include structural hardening enhancements or landscape features, like noncombustible walls.

The following measures shall be the responsibility of the property owners but may be delegated to the property manager or assigned to the tenant through an approved lease. Annual maintenance shall occur before May 1 of each year and be inspected by RCFD or an approved third party.

1. Ongoing maintenance of all fuel modification will be managed by the owner, the owner's property management company, or another approved entity at least annually or as needed.
2. The property owner or property management company will provide the business owner/tenant informational brochures at time of occupancy, which will include an outreach and educational role to ensure the fire safety measures detailed in this Fire Protection Plan have been implemented and prepare development-wide "Ready, Set, Go!" plans.

Level of Significance After Mitigation: As prescribed in Section 4.17, Transportation, of this EIR, **RCM TRA-2** requires the construction contractor to implement a TMP to manage temporary lane closures along Hathaway Street so as not to substantially impair this roadway's capacity to accommodate project and community evacuation and simultaneous emergency access. **RCM FIRE-1** specifies measures to reduce wildfire risks and details evacuation options for project occupants in the event of an emergency. With implementation of **RCM TRA-2**, **RCM FIRE-1**, **RCM PUB-1**, and **RCM PUB-2**, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would remain **less than significant**, and mitigation is not required.

4.20.6.2 Exacerbate Wildfire Risks Due to Slope, Prevailing Winds, and Other Factors

Threshold 4.20-2: Would the 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?

Wildfire behavior is largely driven by topography, fuel, climatic conditions, and weather (such as low humidity and high winds). Project placement on the landscape relative to fire history, topography, and wind patterns, combined with project design and project density, influences its potential risk of loss, injury, or death involving wildfires. Typically, steep terrain results in faster fire spread upslope and slower fire spread downslope in the absence of wind. During summer and fall, before the rainy



period, there is an increased threat of fire in Banning, especially during dry Santa Ana wind events, which can be particularly strong in the project area as warm and dry air is channeled through the mountains. The Santa Ana winds dry out and preheat vegetation and accelerate oxygen supply, thereby enabling the burning of fuels that otherwise might not burn under cooler, moister conditions.

Additionally, fire spread and structure loss are more likely to occur in low- to intermediate-density developments because there are more people present to ignite a fire (as compared to undeveloped land) and the development is not concentrated enough (as compared to high-density developments) to disrupt fire spread by removing or substantially fragmenting wildland vegetation. By contrast, if a project site includes physical features that could prevent or slow the spread of fire, such as combustion-resistant structures and facilities, the design of the development may provide fuel breaks that would reduce the potential for a fire to occur or spread.

Under existing conditions, wildfires may potentially occur within undeveloped portions of the project site or in open space adjacent to the north, south, and east of the project site. The types of potential ignition sources that currently exist in the project area include vehicles, residential neighborhoods, gas-powered landscaping equipment, and powerlines, as well as arson. Because the project area is subject to Santa Ana winds, high temperatures, and undeveloped and vegetated open space, physical conditions would present a challenge to firefighters trying to protect the surrounding communities.

Although San Gorgonio Mountain and the mountain communities of the San Bernardino National Forest are located north of the project site, the project site itself is not immediately adjacent to any foothills, canyons, or densely vegetated areas. The project site and vicinity within approximately 1.25 miles from the project site) is relatively flat with a slight downhill slope averaging 1.9 percent from the Morongo Reservation to the north to I-10 to the south.

The project-specific Fire Protection Plan addresses water supply/availability, fire water flow, hydrant placement, defensible space, building ignition and fire resistance, and fire protection systems, among other pertinent fire protection criteria.³⁴ The project site is surrounded by residential development to the west (west of Hathaway Street), and undeveloped land supporting a combination of sage scrub and Catclaw Alluvial Fan Scrub vegetation occurs immediately adjacent to the north, east, and south of the project site.^{35,36} Development of the proposed project would result in a project site that is made up of approximately 70 percent impervious surface areas³⁷ and an ignition-resistant warehouse structure. The pervious surface area (approximately 30 percent) on the project site (e.g., irrigated and managed landscaping) would be located adjacent to low-flammability parking lots, roadways, and structures, thereby limiting ignition potential. According to the 2022 Wildfire Guidance and the Fire Protection Plan, the proposed project is the type of dense and consolidated site design that reduces

³⁴ Dudek. *Fire Protection Plan, First Hathaway Logistics Project County of Riverside*. March 2024.

³⁵ Ibid. Page 12.

³⁶ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 9. June 10, 2022.

³⁷ Stantec Consulting, Inc. *Project Specific Preliminary Water Quality Management Plan, First Hathaway Logistics Center*. Page 4-1. November 18, 2021. Revised September 2022, March 2023, and July 2023.



wildfire risk based on its ability to provide for evacuations and contingency on-site shelter within the proposed warehouse facility.³⁸

The proposed project would conform to ignition-resistant building codes codified in Chapter 7A of the CBC and, therefore, would be constructed of ignition-resistant materials, would include fire-safe fuel breaks and FMZs, and would be defensible and designed to require minimal firefighting resources for protection. The proposed structure would be “fire-hardened” and would be required to comply with applicable CBC, CFC, RCFD, and Banning Municipal Code regulations to increase the structure’s resistance to fire. Fire-hardening means taking precautions, as described above, to reduce a structure’s susceptibility to burning in a wildfire. These features would provide emergency managers options during evacuations and would enable the warehouse building to be used as a contingency sheltering option in the unlikely scenario that evacuation is considered infeasible or the less safe option. Additionally, these features would create a buffer between open space areas to the north, east, and south that feature sources of ignition and the existing residential uses west of Hathaway Street. Furthermore, the proposed project’s internal waterlines would supply sufficient fire flows and pressure to meet the demands for required on-site fire hydrants and interior fire sprinkler systems for the proposed warehouse facility.³⁹ The improved connectivity of water lines and installation of fire hydrants along fire access roadways and adjacent to the proposed warehouse would aid in fire suppression, compared to existing conditions on the project site, in the unlikely event of a wildfire.

As prescribed in Section 4.15, Public Services, **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. As specified above in **RCM FIRE-1**, the proposed project would be required to implement the project-specific Fire Protection Plan and Wildfire Evacuation Plan detailing the ignition-resistant construction of the proposed warehouse, FMZs, defensible space, and evacuation options for the project in the event of a wildfire emergency. The Fire Protection Plan would be subject to review and approval by the RCFD and would be provided to all project employees and would be posted in areas visible to occupants of the warehouse building. Furthermore, as described above, the proposed project would complete roadway improvements along Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street, which would improve access around the project site during emergency evacuations and enhance ignition-resistant potential of the site and surroundings. Therefore, with implementation of **RCM FIRE-1**, impacts related to exacerbating wildfire risks due to slope, prevailing winds, or other factors would be **less than significant**. No mitigation measures are required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Implementation of **RCM PUB-1**, **RCM PUB-2**, and **RCM FIRE-1** as identified above.

Level of Significance After Mitigation: **RCM FIRE-1** is prescribed to ensure that the proposed project implements and adheres to the project-specific Fire Protection Plan and the Wildfire Evacuation Plan.

³⁸ Dudek. *Fire Protection Plan, First Hathaway Logistics Project County of Riverside*. Page 49. March 2024.

³⁹ Stantec Consulting, Inc. *First Hathaway Logistics Potable Water System Analysis*. Pages 4.6 and 4.7. November 18, 2021.



With implementation of **RCM FIRE-1**, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, or other factors. Impacts would remain less than significant and mitigation is not required.

4.20.6.3 Exacerbate Wildfire Risks Due to the Installation or Maintenance of Infrastructure

Threshold 4.20-3: Would the 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?

Utility and infrastructure improvements included as part of the proposed project are discussed in Chapter 3.0, Project Description, and analyzed in Section 4.19, Utilities and Service Systems, of this EIR.

Potable, recycled water (if available to the project), and wastewater infrastructure would be installed on the project site and would connect to existing infrastructure in surrounding roads. As discussed in Section 4.19, Utilities and Service Systems, all existing overhead utilities/power lines surrounding the project site would be undergrounded as part of the proposed project. Two primary circuits would be required to serve the project site, with the primary point of interconnection occurring from Hathaway Street. Utility distribution would extend from Hathaway Street east along both Nicolet Street and Wilson Street to First Industrial Way and would consist of underground infrastructure for the proposed voltages and fiber-optic communication.⁴⁰

Although utilities, including water facilities, sewer facilities, storm drain lines, and power lines, would be installed and/or extended throughout the project site, these improvements would be underground and would not exacerbate fire risk. Project design and implementation of utility improvements would be reviewed and approved by the City's Public Works Department as part of the proposed project's approval process to ensure the proposed project is compliant with all applicable fire codes, design standards, and regulations. The temporary physical impacts associated with the construction of project-related utility and infrastructure improvements are part of the footprint of the proposed project and are therefore addressed in the environmental analysis for each topical analysis provided within this EIR.

As previously discussed, the project site is in a VHFHSZ in an LRA. BEU developed a Wildfire Mitigation Plan that describes the range of activities BEU is taking to mitigate the threat of powerline-ignited wildfire, including various programs, policies, and procedures.⁴¹ The plan is subject to direct supervision by the Banning City Council, is implemented by the BEU Electric Utility Director, and

⁴⁰ The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the BEU to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action (refer to Figure 3-6 in Section 3.0, Project Description). Development of the future substation would be subject to environmental review at the time it is proposed.

⁴¹ Banning Electric Utility. *Wildfire Mitigation Plan*. August 2023.



complies with the requirements of Public Utilities Code Section 8387.⁴² According to the Wildfire Mitigation Plan, the project site is identified as a Tier 2 fire hazard area.⁴³

BEU follows all appropriate design, construction, operation, and maintenance requirements to reduce the risk of fire from equipment malfunctions. According to the Wildfire Mitigation Plan, programs such as vegetation management, increased inspections, operational awareness, technological upgrades, public safety, and notification have all been identified to reduce the risks of wildfires stemming from the electric system. In addition, BEU's coordination with other departments, such as Southern California Edison (SCE) and the City's Water and Wastewater Department, is an essential component in wildfire mitigation. The involvement with SCE is necessary due to SCE's transmission and distribution lines traversing the project area, while the involvement with water department is important due to the combined nature of water and electric service. BEU and SCE are developing protocols for inspecting and energizing SCE lines that have tripped or been purposely de-energized during red flag periods. BEU is aiming to have these protocols addressed with the comprehensive review of the Wildfire Mitigation Program that will be included with the 2024 Wildfire Mitigation Plan update.⁴⁴

The proposed project includes irrigated managed landscaping consistent with the applicable FMZ requirements specified in the Fire Protection Plan. Therefore, vegetation on the project site has a low likelihood of being a fire source. The internal roads, roadways along the project perimeter, and parking areas would also reduce fire risk. Furthermore, the project site would be developed in accordance with applicable CBC, CFC, and Banning Municipal Code regulations and the Fire Protection Plan, including requiring all on-site structures to be "fire-hardened." Fire-hardening means taking precautions to reduce a structure's susceptibility to burning in a wildfire. Examples of actions that are taken to fire-harden structures include constructing buildings with fire-resistant materials (e.g., concrete buildings and metal roofs) and clearing vegetation around the buildings and/or boundary of the project site to create a defensible space. Implementation of these project features not only minimizes or prevents wildfire from transitioning onto the project site but also minimizes or prevents on-site fires from transitioning into adjacent wildlands. Implementation of **RCM PUB-1** and **RCM PUB-2**, as prescribed in Section 4.15, Public Services, require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. **RCM FIRE-1** requires compliance with existing codes and regulations and implementation of the Project Features detailed in the Fire Protection Plan for new development in fire hazard areas. These RCMs would ensure all public infrastructure is designed, constructed, and operated to reduce the fire risk at the project site and vicinity. Therefore, the proposed project would not require the installation or maintenance of infrastructure (e.g., roads, fuel breaks, emergency water sources, powerlines, or other utilities) that would exacerbate fire risk or result in temporary or ongoing impacts to the environment. Impacts would be **less than significant**, and mitigation is not required.

⁴² BEU presents an update of this plan by way of Public Hearing before the Banning City Council on an annual basis, and BEU conducts an internal audit of the plan as it is updated each year. (See Banning Electric Utility. *Wildfire Mitigation Plan*. Page 38. August 2023.)

⁴³ Banning Electric Utility. *Wildfire Mitigation Plan*. Page 10. August 2023.

⁴⁴ *Ibid.* Page 17.



Level of Significance Prior to Mitigation: Less than Significant Impact.

Regulatory Compliance Measures and Mitigation Measures: Implementation of **RCM PUB-1**, **RCM PUB-2**, and **RCM FIRE-1** as identified above.

Level of Significance After Mitigation: **RCM PUB-1** and **RCM PUB-2** require implementation of fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects. **RCM FIRE-1** is prescribed to ensure that the proposed project implements and adheres to the project-specific Fire Protection Plan and Wildfire Evacuation Plan. With implementation of **RCM PUB-1**, **RCM PUB-2**, and **RCM FIRE-1**, the proposed project would not require the installation or maintenance of infrastructure that would exacerbate fire risk or result in temporary or ongoing impacts to the environment. Impacts would remain less than significant, and mitigation is not required.

4.20.6.4 Expose People or Structures to Significant Post-Fire Risks

Threshold 4.20-4: Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

After a wildfire passes through an area, post-fire hazards can occur based on conditions of the topography and susceptibility to flooding. Post-fire landslide hazards include fast-moving, highly destructive debris flows that can occur in the years immediately after wildfires in response to high-intensity rainfall events, and those flows that are generated over longer time periods accompanied by root decay and loss of soil strength.⁴⁵ Post-fire debris flows are specifically hazardous because they can occur with little warning, can exert great impulsive loads on objects in their paths, and can strip vegetation, block drainage ways, damage structures, and endanger human life.⁴⁶ Wildfires also have the potential to destabilize preexisting deep-seated landslides over long time periods.⁴⁷

Landslides. According to the Fire Protection Plan, the project site is primarily flat with a slight downhill slope averaging 1.9 percent from the Morongo Reservation to the north to I-10 to the south. The topography surrounding the project site is also primarily flat and follows the slight natural slope of the project site. According to the California Department of Conservation, no landslides have been inventoried on or adjacent to the project site.⁴⁸ The Geotechnical Investigation prepared for the proposed project confirmed that no evidence of landslides or deep-seated slope instability was noted during the site investigation.⁴⁹ Implementation of the measures provided in the Geotechnical Investigation (**RCM GEO-1**), as detailed in Section 4.7, Geology and Soils, of this EIR, specific to post-

⁴⁵ United States Geological Survey. *Natural Hazards*. "What Should I Know about Wildfires and Debris Flows?" Website: https://www.usgs.gov/faqs/what-should-i-know-about-wildfires-and-debris-flows?qt-news_science_products=0#qt-news_science_products (accessed July 14, 2021).

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ California Department of Conservation. Landslide Inventory. Website: <https://maps.conservation.ca.gov/cgs/lsi/app/> (accessed July 14, 2021).

⁴⁹ Southern California Geotechnical. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. February 4, 2022.



construction slope stability would reduce vulnerability of post-fire landslide conditions if a wildfire were to spread to the project site. As described above, the proposed project would be required to comply with the measures of the approved Fire Protection Plan (**RCM FIRE-1**).

In the event that a wildfire should spread to the project site, it would not expose any on-site slopes to erosion and potential failure. As discussed above, the project site does not contain any steep slopes that are prone to landslide. The proposed project would not expose people or structures to significant risks, including downslope landslides, as a result of runoff, post-fire slope instability, or drainage changes. There would be a **less than significant** impact to project site occupants or nearby residents or workers related to post-wildfire landslide risks, and no mitigation would be required.

Flooding and Drainage. According to FEMA, the project site is located on Flood Insurance Rate Map (FIRM) Panel 06065C0836G (effective August 28, 2008) and is designated as Zone X (an Area of Minimal Flood Hazard).⁵⁰ The project site is not located within a Special Flood Hazard Area. There are no natural or artificial drainages on or adjacent to the project site.

The proposed project would be required to adhere to the Fire Protection Plan approved by the City and RCFD. Compliance with the Fire Protection Plan and implementation of **RCM PUB-1**, requiring fire protection measures to ensure adequate first responder access and capacity of hydrants, would reduce the likelihood of urban conflagration⁵¹ on the project site in the unlikely event of a wildfire. In addition, according to the *Preliminary Hydrology Report*, with implementation of the proposed drainage system, adequate flood protection would be provided for a 100-year storm event. Existing drainage flow patterns would be maintained, and infiltration facilities would effectively retain the 100-year, 3-hour volume generated from the project site. Low Impact Development principles would be implemented to recreate natural flow characteristics and promote natural movement of stormwater runoff on the project site.

In the event that a wildfire should spread to the project site, it is not expected that the proposed project would contribute any additional runoff or sedimentation to adjacent parcels or downstream drainages. This is due to the lack of steep slopes prone to landslide or erosion on the project site, and the fact that the drainage improvements would remain intact after a major wildfire, allowing them to continue to reduce the potential for flooding conditions in downstream storm drain facilities. Therefore, downslope or downstream flooding as a result of runoff, post-fire slope instability, or drainage changes are unlikely to expose occupants or structures on the project site to significant risks. Impacts to on-site occupants related to post-wildfire flooding risks would be **less than significant**, and mitigation is not required.

Level of Significance Prior to Mitigation: Less than Significant Impact.

⁵⁰ Federal Emergency Management Administration (FEMA). Flood Insurance Rate Map (FIRM), Panel 06065C0836G, Website: https://msc.fema.gov/portal/search?AddressQuery=Banning#searchresults_anchor (accessed June 12, 2023).

⁵¹ Urban conflagration is an extensive urban wildfire that destroys land or property.



Regulatory Compliance Measures and Mitigation Measures: Implementation of **RCM FIRE-1**, as identified above, **RCM GEO-1**, as prescribed in Section 4.7, Geology and Soils, and **RCM PUB-1**, as prescribed in Section 4.15, Public Services, of this EIR.

Level of Significance After Mitigation: **RCM GEO-1** is prescribed to reduce vulnerability of post-fire landslide conditions if a wildfire were to spread to the project site. **RCM FIRE-1** is prescribed to ensure that the proposed project implements and adheres to the project-specific Fire Protection Plan and Wildfire Evacuation Plan. **RCM PUB-1** is prescribed to ensure implementation of fire protection measures, including adequate first responder access and capacity of hydrants. With implementation of **RCM GEO-1**, **RCM FIRE-1**, and **RCM PUB-1**, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Impacts would remain less than significant, and mitigation is not required.

4.20.7 Cumulative Impacts

The purpose of this section is to evaluate any additional incremental impact that the proposed project is likely to cause over and above the combined impacts of recently approved and proposed projects in the city and its sphere of influence. As defined in the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and reasonably foreseeable projects within the cumulative study area for wildfire.

As stated in Section 4.20.6, the project-specific Fire Protection Plan addresses water supply/availability, fire water flow, hydrant placement, defensible space, building ignition and fire resistance, and fire protection systems, among other pertinent fire protection criteria. Regardless of fire authority responsibility, a number of cumulative projects may be located in designated fire hazard severity zones or within a WUI. Any such project approved and developed within fire hazard severity zones would be required to comply with applicable provisions of the CFC, including provisions related to development within fire hazard zones and the WUI. Additionally, adherence to appropriate provisions of the CBC and City requirements related to the type, method, and manner of construction and the establishment and maintenance of fuel management zones would reduce the site-specific wildfire impacts of each cumulative project. Upon compliance with existing regulations, impacts would not be cumulatively considerable.

During construction and operation of the proposed project, adequate access for emergency vehicles would be required to be maintained. The improvements to Wilson Street, First Industrial Way, Nicolet Street, and Hathaway Street would improve circulation within and around the site by providing additional and/or widened streets that could be used for emergency access and evacuation. Similarly, cumulative development would be required to accommodate emergency access along and/or through their respective sites. It is reasonable that any such roadway improvements would conform to established emergency access requirements established by the City and RCFD, applicable provisions of the 2022 CFC and CBC, and/or other necessary fire authority requirements.

As stated in Section 4.20.6, it is estimated that the conservatively calculated minimum amount of time needed to move the existing and project populations to urbanized and/or designated evacuation



areas may require approximately up to 1 hour and 32 minutes.⁵² Under cumulative plus project conditions, no change in evacuation time would be experienced in the area south of the project site, up to 7 minutes of potential increased evacuation time could be experienced in the area north of the project site, and up to 1 minute of potential increased evacuation time could be experienced in the area east of the project site.⁵³ The area east of the project site would experience the greatest increase in evacuation times, at approximately 21 minutes.⁵⁴ However, this scenario assumes that the future Cottonwood Road interchange would not exist,⁵⁵ and the only roadway access to evacuate would be westbound along Wilson Street and Nicolet Street. The 1 to 21 minutes potential increase in evacuation time in the cumulative plus project condition is considered minimal and would not result in excessive evacuation times for existing occupants in the project vicinity.⁵⁶

Again, a strategic and targeted evacuation methodology is expected to be implemented in order to minimize the size of the area being evacuated by using a phased approach, which would likely reduce evacuation time below the above evacuation time estimates. Accordingly, roadway capacity would remain adequate to undertake safe and effective evacuations with development of the project in conjunction with past, present, and reasonably foreseeable projects.⁵⁷

Implementation of the proposed project, when considered along with the impacts of past, present, and reasonably foreseeable projects in the city of Banning, would not result in a significant cumulative impact related to wildfire. The proposed project and cumulative projects are required to adhere to City, County, State, and federal regulations designed to reduce and/or avoid impacts related to wildfire, including flooding hazards and landslides after a wildfire event. With compliance with these regulations, prescribed through **RCM GEO-1** to reduce vulnerability of post-fire landslide conditions if a wildfire were to spread to the project site, **RCM FIRE-1** to ensure that the proposed project implements and adheres to the project-specific Fire Protection Plan and Wildfire Evacuation Plan, **RCM TRA-2** to maintain traffic flow during both normal and emergency traffic operations, and **RCM PUB-1** and **RCM PUB-2** to implement fire protection measures to ensure adequate first responder access and capacity of hydrants along with payment of current Fire Protection Facilities DIFs for commercial and industrial development projects, cumulative impacts related to wildfire would remain **less than significant**. The proposed project would not have a cumulatively considerable impact to the environment from wildfire hazards.

⁵² Ibid. Page 33.

⁵³ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 24. April 2024.

⁵⁴ Ibid.

⁵⁵ The City is currently in the early stages of planning for the future Cottonwood Road interchange, but there are no funding sources identified for construction at this time.

⁵⁶ Dudek. *Wildfire Evacuation Plan, First Hathaway Logistics*. Page 24. April 2024.

⁵⁷ Ibid. Page 27.



This page intentionally left blank



5.0 OTHER CEQA CONSIDERATIONS

Section 15126 of the *California Environmental Quality Act (CEQA) Guidelines* requires that all aspects of a project be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. The Environmental Impact Report (EIR) must identify the significant environmental effects that cannot be avoided (see analysis of specific environmental issues in **Chapter 4.0**), the growth-inducing impact of the proposed project (see Section 5.3, below), and alternatives to a proposed project (see **Chapter 6.0**), in addition to any mitigation measures proposed to minimize the significant effects of a proposed project.

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

As required by Section 15126(b) of the *CEQA Guidelines*, even with implementation of the mitigation measures identified in **Chapter 4.0**, **Table 5.A: Significant Environmental Effects That Cannot Be Avoided** identifies the significant unavoidable impacts anticipated to result from the First Hathaway Logistics Project (proposed project). *[Note: This section will be verified/updated as needed and cross-checked with the Alternatives chapter prior to City submittal]*

Table 5.A: Significant Environmental Effects That Cannot Be Avoided

Topic/Section	Impact	Significance Determination	Details of Impact
Air Quality (4.3.6.1)	Implementation of the proposed project would conflict with implementation of the applicable air quality plan.	Significant and Unavoidable	Implementation of the project would not be consistent with the South Coast Air Quality Management District (SCAQMD) 2022 Air Quality Management Plan (AQMP) because operation of the project would exceed established SCAQMD thresholds for maximum daily emissions of criteria pollutants despite the incorporation of operational practices and design features cited in Mitigation Measure (MM) AQ-1 .
Air Quality (4.3.6.2)	Implementation of the project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.	Significant and Unavoidable	Emissions associated with operation of the project would exceed established SCAQMD thresholds. Despite the incorporation of operational practices and design features cited in MM AQ-1 , operation of the project would result in significant and unavoidable impacts for nitrogen oxides (NO _x).
Air Quality 4.3.7	Operation of the project would result in a cumulative exceedance of SCAQMD emission thresholds.	Significant and Unavoidable	The project's long-term operational emissions would exceed SCAQMD's criteria pollutant thresholds for NO _x . SCAQMD's operational emissions thresholds are designed to accomplish regional emissions goals. Although MM AQ-1 would reduce emissions to the extent feasible, project emissions would remain significant and unavoidable. Therefore, the project's operations would result in a significant and



Table 5.A: Significant Environmental Effects That Cannot Be Avoided

Topic/Section	Impact	Significance Determination	Details of Impact
			unavoidable cumulative increase in long-term regional emissions.
Greenhouse Gas Emissions (4.8.6.1)	Implementation of the project would generate GHG emissions that may have a significant impact on the environment.	Significant and Unavoidable	Project-related greenhouse gas (GHG) emissions would exceed the City of Banning’s (City) 3,000 metric ton (MT) carbon dioxide equivalent (CO ₂ e) per year threshold. While the implementation of MM GHG-1 through MM GHG-3 would reduce GHG emissions, the majority of the GHG emissions (74 percent of unmitigated and mitigated emissions) are associated with mobile sources. No additional feasible measures are available that would further reduce GHG emissions because emissions of motor vehicles are controlled by State and federal standards and the City has no control over these standards.
Greenhouse Gas Emissions (4.8.6.2)	Implementation of the project would conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emission of GHGs.	Significant and Unavoidable	The project would not conflict with local, regional, and statewide plans, policies, programs, and regulations that have been adopted for the purpose of reducing GHG emissions. Despite this consistency, the project’s long-term operational activities would generate GHG emissions that exceed the City’s threshold of 3,000 MTCO ₂ e per year despite implementing project design features and all feasible mitigation. Thus, the project may impede various plans’ long-term GHG reduction goals (e.g., for 2030 and 2050), and a significant and unavoidable impact would occur.
Greenhouse Gas Emissions (4.8.7)	Operation of the project would result in a cumulatively considerable exceedance of GHG emission thresholds.	Significant and Unavoidable	Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own; however, because project-related CO ₂ e emissions would exceed the scaled SCAQMD thresholds even with mitigation, the proposed project would have a significant contribution to cumulatively considerable GHG emission impacts.
Noise and Vibration (4.13.6.1)	Implementation of the project would generate a substantial temporary increase in ambient noise levels in the project vicinity in excess of standards established in the local General Plan or noise ordinance.	Significant and Unavoidable	Construction of roadway and infrastructure improvements would expose the closest residential buildings to an interior construction noise level of 71.7 a-weighted decibels (dBA) equivalent continuous sound level (L _{eq}) and would exceed the City’s construction noise standard of 55 dBA for more than 15 minutes per hour. Although Regulatory Compliance Measure (RCM) N-1 limiting the hours of construction to between 7:00 am and 6:00 pm would be implemented during construction of the proposed project, construction noise impacts associated with the roadway and infrastructure improvements would be significant and unavoidable because existing driveway access from the sensitive residential uses onto Hathaway Street precludes implementation of temporary noise barriers to attenuate noise levels



Table 5.A: Significant Environmental Effects That Cannot Be Avoided

Topic/Section	Impact	Significance Determination	Details of Impact
			generated from construction activities along Hathaway Street.
Transportation (4.17.6.2)	Implementation of the project would conflict with <i>CEQA Guidelines</i> Section 15064.3, subdivision (b).	Significant and Unavoidable	A significant impact to vehicle miles traveled (VMT) would occur since the proposed project would result in project-generated VMT per employee that exceeds the City's significance threshold of 30.42. The proposed project's VMT per employee would be 33.6, 10.5 percent above the average VMT per employee for the region; therefore, the proposed project would not meet the City's VMT significance threshold of "no net increase in VMT per employee." Although Transportation Demand Measures would be implemented pursuant to MM TRA-1 , because the proposed warehouse end-user is speculative, the effectiveness of MM TRA-1 cannot be quantified with certainty and may not reduce VMT per employee to 30.42 or less.
Transportation (4.17.7)	Implementation of the project would have a cumulatively considerable effect due to conflict with <i>CEQA Guidelines</i> Section 15064.3, subdivision (b).	Significant and Unavoidable	VMT impacts at the project level would also be considered cumulatively significant. Because implementation of the Transportation Demand Strategies identified in MM TRA-1 cannot guarantee VMT reductions and the proposed project VMT per employee would still exceed the average VMT per employee for the Western Riverside County Council of Governments (WRCOG) region, the proposed project impacts from VMT would be cumulatively considerable and significant. No additional mitigation is feasible to reduce the impact further.

Source: LSA. Draft Environmental Impact Report for the First Hathaway Industrial Project, State Clearinghouse Number 2022040441. Chapter 4. December 2023.

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

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

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources described below would be degraded or destroyed in such a



way that there would be little possibility of restoring them. The project would commit the site to the uses detailed in **Chapter 3.0**. Through the lifetime of any industrial use constructed, the project site would be unavailable for other uses.

5.1.1 Energy Resources

The project site is currently vacant and substantially disturbed from prior occupation and rough grading. A materials and equipment staging yard operated by the California Department of Transportation (Caltrans) is located adjacent to the south. Natural resources in the form of construction materials and fuels would be utilized in the construction of the project, and energy resources in the form of electricity and natural gas would be used during its long-term operation; however, their use is not expected to have a negative impact on the availability of these resources. Although the exact year/model of vehicles used by construction employees cannot be accurately predicted, in general, updated Corporate Average Fuel Economy (CAFE) regulations have established fuel efficiency standards for model years 2024 through 2026, requiring an industrywide fleet average of approximately 49 miles per gallon (mpg) for passenger cars and light trucks in model year 2026. The updated standards require fuel efficiency increases of 8 percent annually for model years 2024 and 2025, and 10 percent annually for model year 2026. As fuel efficiencies are increased over time, operation of the project would utilize a vehicle mix that proportionally reduces the amount of fuel used.

As detailed in **Table 4.6.B**, the estimated annual energy use required by the project includes:

- **Electricity:** 7,683,419 kilowatt-hours [kWH] (or 7.683 gigawatt-hours [gWH]);
- **Natural Gas:** 27,124,683 thousand British Thermal Units (kBTU);
- **Gasoline:** 842,678 gallons; and
- **Diesel:** 746,154 gallons.

According to the California Energy Commission (CEC), total electricity consumption in the Banning Electric Utility (BEU) service area in 2022 was 151.548 GWh (8.48 GWh for the industrial sector)¹; however, the BEU has included the energy usage by the large residential developments in its future planning, which has enabled it to enter into long-term contracts for the purchase of renewable sources of electricity as required by State law.² Annual electrical demand is forecast to reach near 170.000 GWh by 2034 within the BEU service area. The project's electricity demand represents approximately 5.3 and 4.5 percent, respectively, of the BEU's current and future electrical demand and would represent approximately 0.04 percent of the annual electricity consumption in Riverside County.

¹ California Energy Commission (CEC). Electricity Consumption by Entity. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed October 2023).

² Long-term forecasts included in the City's 2015 Power Supply Integrated Resource Plan (IRP) recognize growth in electrical demand from the Rancho San Gorgonio project and the Butterfield – Pardee Home projects, which envision the development of 3,385 and 4,862 residential units, respectively. The anticipated growth in electrical demand in the IRP anticipated that up to 200 homes each year would be built from 2020 through the end of the project period (2034). It was also assumed there would be additional commercial development to support the increased population.



Since January 1, 2023, projects that apply for building permits must comply with the 2022 Energy Code. Senate Bill (SB) 100 raised California’s Renewable Portfolio Standard (RPS) requirement targets to 50 percent renewable by December 31, 2026, and 60 percent by December 31, 2030, and requires all the State’s electricity to be from carbon-free resources by 2045. The 2022 Energy Code establishes specifications related to electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, requires solar roofs on multifamily residential units of three stories or less, and strengthens ventilation standards. SB 100 requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030. Based on its mix of generation sources, the BEU’s current energy portfolio is currently 75 percent renewable. While changes in generation sources are expected to decrease the RPS to 70 percent in 2027, this satisfies RPS targets for 2030 mandated under SB 100.

Although SB 100 does not define “zero-carbon resources” and the State had no legal definition prior to the bill becoming law, it is generally accepted that natural gas is not a “zero-carbon resource.” As California moves to a “zero-carbon future,” it is reasonable that reductions in natural gas use will occur as utilities move from using this resource to using zero-carbon and/or renewable resources. Furthermore, to achieve the intended goals of SB 100, policies that may limit the installation of natural-gas appliances (i.e., water heaters, stoves/ovens, and furnaces) will increasingly reduce the overall demand for natural gas in Banning and statewide. Although the project would increase energy demand, the trend toward a “zero-carbon” goal through electrification, the City’s increasing use of renewable sources in its electricity portfolio, and implementation of applicable energy efficiency standard features during and post-development would ensure the project would not significantly impact the availability of energy resources. Electricity in the city is increasingly provided by renewable sources, and the proposed project would be required to implement applicable energy efficiency standard/features. As a result, operation of the proposed project would not result in significant irretrievable loss of nonrenewable fuels or impact the availability of these energy resources for future generations or for other uses for the life of the project.³

5.1.2 Agricultural Resources

The project site was partially developed and operated by the Orco Block and Hardscape Company with industrial buildings, which appear to have been built in or around 1981, and staging yards for equipment and materials. The majority of these were demolished and removed from the site between 2011 and 2012. According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), the majority of the project site (approximately 78.4 acres) is considered Grazing Land (G), and the remaining approximately 16.46 acres are Urban and Built-Up Land (U).⁴ Properties to the north and east are designated Grazing Land (G), and properties to the north and west are designated Urban and Built-Up Land (U). No agricultural production has occurred on the site,

³ Please refer to Section 4.6, Energy, of this EIR for a discussion of nonrenewable vehicle fuel usage.

⁴ California Department of Conservation, Division of Land Resource Protection. Table A-25, Riverside County 2016–2018 Land Use Conversion. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx> (accessed June 2023).



nor is the site designated as farmland by the State or the City; therefore, no permanent and irreversible conversion of agricultural land would occur.

5.1.3 Mineral Resources

The project site is designated Mineral Resource Zone (MRZ) 2 where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. Although the State Mining and Geology Board maps the project site as Sector G-1, which indicates that the site contains regionally significant Portland-cement concrete (PCC) grade aggregate resources,⁵ there are no records that indicate the project site was previously used as a mineral resource recovery site or as a site occupied by mines. Additionally, the City's General Plan does not designate the project site as within a land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. Within Sector G-1,⁶ approximately 470.6 acres remains open for mineral extraction, including the Banning Quarry, operated by Robertson's Ready Mix, which is mined for rock, sand, and base materials used for concrete and construction (0.4 mile north of the project site). Over 22,200 acres of land with identified PCC-grade aggregate resources remains in the San Bernardino Production-Consumption Region. Although the project would preclude any future mineral extraction on the site, the loss of the site represents 0.43 percent of total remaining areas designated for PCC-grade aggregate in the San Bernardino Production-Consumption Region. Nevertheless, the City's General Plan does not designate the project site with a mineral resource land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. Therefore, implementation of the proposed project is not likely to permanently and irreversibly preclude future recovery of significant mineral resources, if any, on the project site.

5.1.4 Biological Resources

According to the *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*,⁷ approximately 78.8 acres of site has been graded and/or disturbed from grading operations that occurred between 2011-2013. The plant community within graded areas is comprised of erodium spp., deer weed (*Lotus scoparius*), Russian thistle (*Salsola tragus*) and prickly lettuce (*Lactuca serriola*), all of which are non-native species. The remaining 16.24 acres of the site are disturbed, consisting of the paved western frontage, the warehouse structure and parking area, and the graded roads and surrounding infrastructure. No native vegetation was observed within the limits of the site.

The project site is within the boundaries of the Western Riverside Multiple-Species Habitat Conservation Plan (MSHCP) but is not within any MSHCP Criteria Cells, Cell Groups, or Cores. The project site is located within a Special Linkage Area that contributes to assembly of a portion of the

⁵ California Geological Survey (CGS). *2008 Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California*. Website: https://filerequest.conservation.ca.gov/?q=SR_206 (accessed August 2022).

⁶ Ibid.

⁷ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. June 2022.



San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage.⁸ The site is disturbed, has previously been graded, and is not situated between areas of natural habitat. The site is bound by residential uses to the west and Interstate 10 (I-10) and the Union Pacific Railroad (UPRR) to the south; therefore, the site is surrounded by urban uses. The project site is not located within a recognized United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or City wildlife corridor and does not support habitat that would be required in a wildlife corridor.⁹

The Multiple Species Habitat Conservation Plan (MSHCP) provides the mechanism for the regional conservation of habitat in western Riverside County. Because it is a permittee under the MSHCP, the City has adopted its Local Development Mitigation Fee (LDMF).¹⁰ This fee is based on the Nexus Fee Study Update¹¹ prepared for the Regional Conservation Authority (RCA). The *2020 Nexus Study* has estimated the increased fee level that would be required to provide sufficient revenues to support full implementation of the MSHCP, including required land acquisition.¹² In its resolution adopting the updated fees, the City has resolved, “the cost of funding proper mitigation of natural ecosystems and biological resources impact by development within the City and the region are apportioned relative to the type and extent of development within the City.”¹³ Further, the City has determined that there is a “reasonable relationship between the fee’s use and the types of development for which the fee is charged.”¹⁴

The conversion of the site to developed uses has been previously considered by the City through its designation of the site for Business Park development in its General Plan. Implementation of the proposed project would result in the removal of existing vegetation, modification of topography, and subsequent construction of an industrial warehouse building and supporting infrastructure that represents a permanent and irreversible change in the nature of on-site biological resources. 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, and existing underground utilities and stormwater infrastructure installed as part of the previously-

⁸ The City is required to determine if project(s) within this linkage project would 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. Please refer to the discussion of this issue provided in Section 4.4 (Biological Resources) of this EIR.

⁹ BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. Page 12. June 2022.

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

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

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

¹³ City of Banning. *Resolution 2021-32*. May 25, 2021.

¹⁴ *Ibid.*



approved (but not constructed) Banning Business Park Project.¹⁵ Additionally, the site is not located within or adjacent to an area planned for conservation under the MSHCP. The MSHCP provides the mechanism for the regional conservation of habitat in western Riverside County. As required under the MSHCP, the City has adopted its LDMF, establishing a per-acre cost for industrial development¹⁶ that supports implementation of the MSHCP, including required land acquisition. Considering that conservation of biological resources is comprehensively addressed on a regional level under the MSHCP, and in tandem with the site-specific mitigation identified in **Section 4.4, Biological Resources**, of this EIR, the permanent and irreversible changes to the natural condition of the project site are less than significant.

5.1.5 Hazards and Hazardous Materials

Industrial uses operated on the site may include the use and disposal of hazardous waste along with limited use of pesticide and herbicides for landscape maintenance. Vehicles accessing the uses on site would contain oil and fuel to power their engines, which could have the potential to result in minor releases of such substances through drips or leaks in parking areas. Transport truck traffic to and from the site may also contribute to minor releases of oil and fuel in the loading dock areas in addition to the parking areas. The proposed warehouse use is not anticipated to generate or use major hazardous materials, or create unusually high quantities of hazardous waste, and it would be required to prepare a Hazardous Materials Business Plan (as appropriate). Because no such hazards currently exist on site, development of the site as proposed would extend the potential for accidental hazardous material release/upset through the lifetime of the project but would not constitute a significant impact.

5.2 GROWTH-INDUCING IMPACTS

Pursuant to Sections 15126(d) and 15126.2(e) of the *CEQA Guidelines*, an EIR must discuss the ways in which a proposed project could foster economic or population growth, the construction of additional housing (either directly or indirectly) in the surrounding environment, or remove obstacles to population growth. Growth-inducing effects are not to be viewed as necessarily beneficial, detrimental, or of little significance to the environment. This discussion is included in this EIR to provide additional information on ways in which this project could contribute to significant changes in the environment beyond the direct consequences of developing the project established in earlier chapters in the EIR. To address this issue, potential growth-inducing effects are assessed by determining if the project would: (1) remove obstacles to population growth through the construction or extension of major otherwise unplanned-for infrastructure facilities that do not presently exist in the project area (e.g., a major expansion of roadway infrastructure); (2) foster economic growth, thereby requiring the construction of new facilities, which could cause significant environmental effects that could significantly affect the environment; or (3) include project characteristics that may

¹⁵ The Banning Business Park Project (State Clearinghouse Number 2009031073) was approved as Tentative Parcel Map (TPM) No. 36056 on July 13, 2010, by the City of Banning and conditioned with general mitigation measures to be implemented during project development. Initial grading activities and utility trenching/installation occurred on the site prior to cancelation of the approved development by the developer.

¹⁶ Effective May 25, 2021, the LDMF for industrial development is \$16,358/acre.



encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

5.2.1 Remove Obstacles to or Otherwise Foster Growth (Construction or Extension of Infrastructure)

The City has completed improving Hathaway Street and Ramsey Street in proximity to the project site. This City-sponsored project resulted in widening of Hathaway Street to the ultimate full width per the General Plan standard for a Major Highway (four lanes) from Williams Street southbound to Ramsey Street. Additionally, the City widened Ramsey Street to the ultimate full width per the General Plan standard for a Major Highway (four 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 Ramsey Street include new curb, gutter, sidewalk, parkway landscaping, and street trees consistent with City standards and regulations.¹⁷

As detailed in Section 3.4.4 of this EIR, the project includes the full-width construction of Nicolet Street and a portion of Wilson Street¹⁸ and half-width construction of Hathaway Street and First Industrial Way¹⁹ to provide access along the north, east, and south perimeters of the site, respectively. The half-width improvements to Hathaway Street (north of the previously referenced City-sponsored Hathaway Street improvements) would occur along the western project frontage.

Gas, electric, telecommunications, water, sewer, and storm drain facilities currently exist along Hathaway Street and through the project site (refer to Figure 3-8, Proposed Conceptual Utility Systems Map). Gas service is provided by Southern California Gas Company. Electric service is provided by the City of Banning Electric Utility along Hathaway Street. Southern California Edison has overhead facilities along the proposed Nicolet Street alignment. Water and sewer services are provided by the City Water and Wastewater Utilities Department. Stormwater management is administered by the Riverside County Flood Control District and City of Banning Public Works Department.

The existing distribution circuit on Hathaway Street, beginning just south of East Jacinto View Road and continuing north to Wilson Street, would be relocated underground in the same alignment as currently configured. The underground requirements would include underground conversion of all overhead utilities at this intersection and terminating primary conduits at an existing pad-mounted switchgear located at the southwest corner of Hathaway Street and George Street. The underground

¹⁷ A 10-foot fiber optic utility easement within the project site continues to the east and west for a total of 16,000 linear feet. As part of an unrelated action, T-Mobile installed conduit, handholes, and vaults within their easement through the project site. The trenching for this unrelated work was backfilled in early 2024. Also, in 2022/2023, Southern California Gas Company conducted operations and maintenance on existing facilities in the northwest corner of the project site. The Southern California Gas Company graded portions of the northern site boundary and built an above-ground water basin used to test pressure of the existing 30" gas main that parallels the Wilson Street corridor along the northern site boundary.

¹⁸ Full-width construction of Wilson Street includes the first 489 feet east of the Hathaway Street centerline. From that point, the project includes construction and dedication of Wilson Street to ultimate 55-foot half-width per the General Plan standard for an Arterial Highway.

¹⁹ First Industrial Way includes construction of half-width plus 10 feet past centerline.



conversion would also require street crossings at East Jacinto View Road, Nicolet Street, and George Street. A minimum of two primary circuits would be required to serve the proposed warehouse, and the point of primary utility connection would be at Hathaway Street. Utility distribution would extend underground from Hathaway Street east along both Nicolet Street and Wilson Street to First Industrial Way and would consist of underground infrastructure for the utility's 69-kilovolt (kV)/34.5kV and 12.47 kV voltages and fiber-optic communication.²⁰

The project is designed collect wastewater flows from the warehouse building into a proposed on-site 8-inch sewer main, which would be located along the south, west, and east sides of the proposed warehouse building. The proposed collection mains on the west and east sides of the building are designed to service the proposed office space locations at the northwest and northeast corners of the building. All three mains would connect downstream into an existing 8-inch sewer main within Nicolet Street, which was installed in 2010 as part of a previous industrial project that was not completed. This existing sewer main within Nicolet Street flows downstream to the east to a location at the northwest corner of First Industrial Way and Nicolet Street. This is a low point of the project site and the location of a proposed sewer lift station that would pump the wastewater within an existing 4-inch force main previously constructed within Nicolet Street. The wastewater flow in this force main would be pumped westerly, upstream, within Nicolet Street, to an existing 8-inch gravity public sewer main within Hathaway Street. This existing gravity public sewer main within Hathaway Street flows downstream, in a southerly direction, and crosses I-10 to ultimately end up at the City of Banning Wastewater Treatment Plant located near Charles Street and Scott Street (refer to Figure 3-8 in Section 3.0, Project Description, for the Conceptual Utility Systems Map for the project).

These proposed infrastructure improvements would connect to existing infrastructure surrounding the project site and would be accepted as part of the public domain. The goal of the City's General Plan is to provide sufficient and appropriately located public facilities to serve the needs of the City's residents, businesses, and visitors. In addition, the City has a detailed Integrated Master Plan (2018), development impact fee program, and other plans²¹ that together establish and plan for the infrastructure needs for the City and provide funds for capital improvements as projects are developed. The infrastructure that would be constructed in connection with the proposed project is either already planned for by the City or needed for planned growth as described in the City's General Plan and the aforementioned plans. The project does not require off-site construction or extension of infrastructure that was not already considered and approved by the City. For example, the stated roadway improvements would be constructed along the project perimeter to provide access to the site and are planned to conform to adopted City General Plan Circulation Element standards and accommodate the existing and future development already envisioned by the General Plan.²² Therefore, the improvement and/or installation of these roadways would not promote or facilitate growth not previously forecast by the City and would not expand the scope or change the designations of those roadways beyond those previously identified by the City. Similarly, although the project will

²⁰ The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action.

²¹ These plans have been previously cited, summarized, and incorporated by reference in Section 2.5 of this EIR.

²² City of Banning. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.



underground certain existing utility lines within and along the perimeter of the site, it will not extend electrical utility lines in other areas. The installation of utilities is to connect the project site with existing utilities abutting the site. Furthermore, wet utility facilities (e.g., water and wastewater) required for the project would connect to existing City systems pursuant to the future needs identified in the Integrated Master Plan (IMP)²³ and developed pursuant to the City's Capital Improvement Program (CIP) and would not extend infrastructure or promote growth (directly or indirectly) beyond that already accounted for by the City.

5.2.2 Foster Economic Growth

In its existing condition, the project site is vacant and substantially disturbed from previous site activities, including the operation of the Orco Block and Hardscape Company.²⁴ The site does not currently generate substantial tax revenue for the City. Upon implementation of the project, up to 1,420,722 square feet of warehouse distribution facility use would be developed, and the project is anticipated to provide between 948 and 1,380 jobs. The proposed improvements would substantially increase the assessed value of the site and satisfy a primary project objective to "develop land uses that provide the City with positive revenues compared to public service costs."

In addition to the long-term employment that the project would provide at build out, workers would be employed during the anticipated 18 months required for construction of the proposed warehouse and associated site improvements. Construction workers are anticipated to be drawn from the existing regional work force, and construction of the proposed project would not be growth inducing from an employment standpoint. As described above, the proposed project would generate new permanent employment opportunities. Therefore, the project would foster and facilitate economic growth as anticipated by the City through its "Business Park" designation of the site.

5.2.3 Involve Characteristics That May Encourage and Facilitate Other Activities That Could Significantly Affect the Environment

As detailed in Section 4.14, Population and Housing, of this EIR, the project is anticipated to provide between 948 and 1,380 jobs. Regardless of the range in project employment growth, the project is consistent with the potential growth envisioned under the City's General Plan Business Park land use designation, which deems appropriate the development (by right) of "light industrial manufacturing and office/warehouse buildings."²⁵ It is anticipated that new employment opportunities created by the project would be filled by persons already living in the city or nearby jurisdictions. Growth under

²³ The IMP evaluates the performance and condition of the City's potable water, wastewater, and recycled water systems under existing and future conditions through year 2040. The IMP informs the City during the development and update(s) of its CIP and identifies, plans, and develops the system of water, wastewater, and recycled water system facilities necessary to serve current customers and support anticipated growth through 2040. The IMP can be accessed online at the following location: <http://www.ci.banning.ca.us/DocumentCenter/View/10541/2018-Integrated-Master-Plan>.

²⁴ Industrial buildings associated with the Orco Block and Hardscape Company were demolished and removed from the site between 2011 and 2012, with the exception of one building still located in the west-central area of the site.

²⁵ City of Banning General Plan. Chapter III, Community Development, Land Use Element. Pages III-7 and III-8. Adopted January 2006.



the proposed project is therefore consistent with the applicable land use plans, which have anticipated increases in demand for goods and services as a result of planned growth.

As stated in Section 4.15, Public Services, of this EIR, the City's Development Impact Fee (DIF) Study identifies existing and future service population (residents plus workers) and existing and planned public facilities based on an estimated number of residents, dwelling units, employees, and building square feet in Banning, both in 2018 and in 2040.²⁶ The base-year estimates of residents and dwelling units are derived from the California Department of Finance. Future resident and dwelling units are based on draft growth figures from the Southern California Association of Governments (SCAG) Integrated Growth Forecast from the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy. Because the DIF program has already accounted for the 2040 forecasted population/dwellings in the city, and because the project is consistent with existing General Plan land use designation, it is reasonable to anticipate that the fees established in the current DIF program appropriately address any proportional increase in public services and infrastructure resulting from development of the project. The City may use these fees to pay for the debt service on the existing facilities or for the construction or purchase of buildings, equipment, and land that are part of the system of public services to serve new development.

The infrastructure facilities described above are either sized specifically for the proposed project or already planned for by the City in its General Plan or in connection with other approved projects. The project does not require construction of new community services facilities to serve it. Because the jobs created by the project would serve to improve the jobs-housing balance by creating job opportunities in Banning, the proposed project would not induce substantial unplanned population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). Accordingly, the project would not facilitate unplanned growth that could significantly affect the environment.

²⁶ Willdan Financial Services. *City of Banning, Development Impact Fee Update Study*. August 2019.



6.0 ALTERNATIVES

In accordance with the California Environmental Quality Act (CEQA) and the *CEQA Guidelines* (Section 15126.6), an Environmental Impact Report (EIR) must describe a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the project’s basic objectives while avoiding or substantially lessening any of the significantly adverse environmental effects of the project and evaluate the comparable merits of the alternatives. An EIR does not need to consider every conceivable alternative to a project; rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives that are infeasible.

As an EIR identifies ways to mitigate or avoid significant effects that a project may have on the environment, the discussion of alternatives should focus on alternatives to the project or its location that are capable of avoiding or substantially lessening significant effects of the project. The EIR needs to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project, the significant effects of the alternative should be discussed but in less detail than the significant effects of the project. The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. CEQA states that an EIR should not consider alternatives “whose effect cannot be ascertained and whose implementation is remote and speculative.”

In selecting project alternatives for analysis, the alternatives must be feasible. *CEQA Guidelines* Section 15126.6(f)(1) indicates that among the factors that may be considered when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site.

This chapter begins with an overview of the First Hathaway Logistics Project (proposed project) and its significant and unavoidable effects, followed by a summary of the proposed project alternatives considered for evaluation, including those potential alternatives that were considered but rejected from further analysis. Each alternative selected for analysis is then fully described and evaluated for potential environmental effects as compared to the proposed project. The chapter concludes with identification of the environmentally superior alternative. **Table 6.C, Proposed Project and Project Alternatives Impact Comparison**, provided at the end of this chapter, provides a comparison summary of the proposed project impacts to each of the identified alternatives fully evaluated in this chapter.

6.1 OVERVIEW OF PROPOSED PROJECT AND ALTERNATIVES

This section provides an overview of the proposed project and the project objectives, followed by a summary of the significant and unavoidable impacts identified for the proposed project. Refer to Chapter 3.0 for a complete description of the proposed project and Chapters 4.0 and 5.0 for a complete discussion of the environmental impacts that would occur with project implementation.



6.1.1 Project Summary

As described in detail in **Chapter 3.0, Project Description**, the project site is situated in the eastern portion of Banning on 94.86 gross acres. The project applicant (First Industrial Realty Trust, Inc.) seeks to entitle and permit the development of the project site with an approximately 1,420,722 square-foot warehouse distribution building with truck docks, trailer parking, passenger vehicle parking, landscaping, and associated improvements. Requested project entitlements include Design Review, Tentative Parcel Map, and other discretionary and ministerial approvals, permits, and actions by the City of Banning (City) (e.g., grading permit, off-site street and utility permits, and building permit). Individual project components are summarized below.

- **Tentative Parcel Map No. 38256.** The proposed project site currently consists of six parcels. A Tentative Parcel Map is proposed (refer to Figure 3-4 in Chapter 3 of this DEIR) to consolidate the 94.86-acre project site into three parcels for the proposed warehouse building with employee/visitor and trailer parking on 72.89 acres, additional trailer parking on 7.22 acres, additional passenger vehicle parking on 4.01 acres, and public roadways to facilitate access to the site and adjacent properties dedicated on approximately 10.74 acres.
- **Building Program and Use.** The proposed project would include the construction of an approximately 1,420,722-square-foot warehouse distribution building, 40,000 square feet of which would consist of two-story office space and a mezzanine. The office spaces would be located in the corners of the building, with warehouse use concentrated in the center. The proposed warehouse building would be designed and constructed to Leadership in Energy and Environmental Design (LEED) Silver standards under the United States Green Building Council.

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. As such, the project applicant has requested approval for the future warehouse to operate 24 hours per day/7 days per week depending on business/operational needs. Accordingly, the analysis in this EIR assumes this level of activity.

- **Landscaping.** Approximately 20.64 acres of the 94.86-acre project site would be landscaped. A combination of drought-tolerant plant material, including evergreen and deciduous trees, low shrubs, and masses of groundcovers, would be installed throughout the project site to create a cohesive and inviting environment for employees/visitors, pedestrians, and passing motorists. Prominent landscape focal points would be installed at street corners, along roadways, at building entrances, and in passenger vehicle parking lots. Landscaping would include accent trees, shrubs, and groundcover 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 would incorporate standard streetscape landscaping along project roadways and would include a variety of standard “interfaces” that would provide buffering between the on-site industrial uses and adjacent off-site uses. All landscaped areas would be equipped with a permanent, automatic, underground irrigation system conforming to City requirements and State Model Water Efficient Landscape Ordinance Assembly Bill (AB) 1881. The irrigation system would constitute a drip design to apply water slowly, allowing plants to be deep soaked and to reduce runoff.



- **Circulation and Parking.** The main entrance to the project site would be from Hathaway Street via a 62-foot-wide automobile driveway that would be constructed opposite George Street to create a two-way stop intersection while Hathaway Street would remain a through street. Hathaway Street would be improved along the site frontage with a new 250-foot-long combination bus stop and deceleration lane south of the proposed driveway to facilitate mass transit and unobstructed vehicle access at this location. The project would result in the construction of three additional roadways along the northern, eastern, and southern perimeters of the site and dedication of right-of-way (ROW) to the City for public use.
- **Drainage.** Earthen stormwater catch basins and related facilities were installed on the project site in 2011 for the previously-approved industrial warehouse development. These existing facilities would be utilized and modified as necessary as part of the proposed project and updated with new site-specific storm water facilities. The project site would be divided into three drainage areas (Drainage Areas A, C, and D) and would include on-site drainage improvements to convey and capture flows generated by the placement of new impervious structures and pavement. Refer to Section 3.4.5 in Chapter 3.0, Project Description, for detailed descriptions of each drainage area and the proposed improvements. Additionally, Hathaway Street, Wilson Street, First Industrial Way, and Nicolet Street would be improved with curb and gutter for the capture of stormwater flows in accordance with the City's National Pollutant Discharge Elimination System (NPDES) storm water permit. The proposed project would include low impact development (LID) best management practices (BMPs) for Source Control, Pollution Prevention, Site Design, LID Implementation, and Structural Treatment Control. BMPs would 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 stormwater runoff volume or time of concentration does not exceed pre-development stormwater runoff in accordance with the NPDES Permit.
- **Utilities.** Gas, electric, telecommunications, water, sewer, and storm drain facilities currently exist along Hathaway Street and throughout the project site. 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.

Two primary circuits would be required to serve the project site, with the primary point of interconnection to occur from Hathaway Street. Utility distribution would extend from Hathaway Street east along both Nicolet Street and Wilson Street to First Industrial Way and would consist of underground infrastructure for the proposed 69-kilovolt (kV)/34.5kV and 12.47kV voltages and fiber-optic communication. The project applicant has designated a portion of the site at the southeast corner of Hathaway Street and Nicolet Street for the Banning Electric Utility to develop a 34.5 kV/12.47 kV step-down power transformation substation in the future under a separate action.



6.1.2 Project Objectives

The following objectives have been identified for the proposed project relative to the planning and CEQA processes:

- Provide industrial warehousing consistent with the General Plan land use and zoning designation and that helps fulfill the unmet demands of businesses located in the city and county;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;
- Provide perimeter street improvements (including Hathaway Street [Major Highway]) facilitating area vehicle circulation and identify capital improvements for water, sewer, drainage, and water quality that serve planned land uses within and adjacent to project site;
- Provide a variety of new employment opportunities for the residents of Banning and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area's proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity of municipal services;
- Cluster industrial warehouse uses relatively close to access points of the State highway system to reduce traffic congestion on surface streets and to reduce local air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with positive revenues compared to public service costs;
- Establish a unified thematic concept for the project site through design elements such as architecture, theme walls, and landscaping using a long-range comprehensive planning approach; and
- Create a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment while minimizing the demand for water resources.

6.1.3 Significant and Unavoidable Impacts

The intent of an alternatives analysis is to avoid or substantially lessen the significant and unavoidable impacts identified for the proposed project, which are identified in **Table 6.A, Significant and Unavoidable Project Impacts**, below. Refer to **Chapter 4.0** for additional discussion.



Table 6.A: Significant and Unavoidable Project Impacts

Topic/EIR Section	Impact	Significance Determination	Details of Impact
Air Quality (4.3.6.1)	The project would conflict with the South Coast Air Quality Management District (SCAQMD) 2022 Air Quality Management Plan (AQMP).	Significant and Unavoidable	Implementation of the project would not be consistent with the South Coast Air Quality Management District (SCAQMD) 2022 Air Quality Management Plan (AQMP) because operation of the project would exceed established SCAQMD thresholds for maximum daily emissions of criteria pollutants despite the incorporation of operational practices and design features cited in Mitigation Measure (MM) AQ-1 .
Air Quality (4.3.6.2)	Implementation of the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.	Significant and Unavoidable	Emissions associated with operation of the proposed project would exceed established SCAQMD thresholds. Despite the incorporation of Mitigation Measure (MM) AQ-1 , operation of the proposed project would result in significant and unavoidable impacts for daily emissions for nitrogen oxides (NOx).
Air Quality (4.3.7)	Implementation of the proposed project would have a cumulatively considerable impact to air quality.	Significant and Unavoidable	The project's long-term operational emissions would exceed SCAQMD's criteria pollutant thresholds for NOx. SCAQMD's operational emissions thresholds are designed to accomplish regional emissions goals. Although MM AQ-1 would reduce emissions to the extent feasible, project emissions would remain significant and unavoidable. Therefore, the project's operations would result in a significant and unavoidable cumulative increase in long-term regional emissions.
Greenhouse Gas Emissions (4.8.6.1)	Implementation of the proposed project would generate greenhouse gas (GHG) emissions that may have a significant impact on the environment.	Significant and Unavoidable	Project-related greenhouse gas (GHG) emissions would exceed the City of Banning's (City) 3,000 metric tons (MT) of carbon dioxide equivalent (CO ₂ e) per year threshold. While the implementation of MM AQ-1 and MMs GHG-1 through GHG-3 would significantly reduce GHG emissions, the majority of the GHG emissions (74 percent of unmitigated and mitigated emissions) are associated with nonconstruction-related mobile sources. No additional feasible measures are available that would further reduce GHG emissions because emissions of motor vehicles are controlled by State and federal standards and the City has no control over these standards.



Table 6.A: Significant and Unavoidable Project Impacts

Topic/EIR Section	Impact	Significance Determination	Details of Impact
Greenhouse Gas Emissions (4.8.6.2)	The project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050).	Significant and Unavoidable	The project would not conflict with local, regional, and statewide plans, policies, programs, and regulations that have been adopted for the purpose of reducing GHG emissions. Despite this consistency, the project's long-term operational activities would generate GHG emissions that exceed the City of Banning's (City) threshold of 3,000 MT CO ₂ e per year despite implementing project design features and all feasible mitigation. Thus, the project may impede various plans' long-term GHG reduction goals (e.g., for 2030 and 2050), and a significant and unavoidable impact would occur.
Greenhouse Gas Emissions (4.8.7)	The project would result in a cumulatively considerable impact from GHG emissions.	Significant and Unavoidable	Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own; however, because project-related CO ₂ e emissions would exceed the scaled SCAQMD thresholds even with mitigation, the proposed project would have a significant contribution to cumulatively considerable GHG emission impacts. Impacts would be significant and unavoidable.
Noise and Vibration (4.13.6.1)	Implementation of the proposed project would generate a significant temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance.	Significant and Unavoidable	Construction of roadway and infrastructure improvements would expose the closest residential buildings to an interior construction noise level of 71.7 A-weighted decibels (dBA) equivalent continuous sound level (L _{eq}), and would exceed the City's construction noise standard of 55 dBA for more than 15 minutes per hour. Although Regulatory Compliance Measure (RCM) N-1 limiting the hours of construction to between 7:00 am and 6:00 pm would be implemented during construction of the proposed project, construction noise impacts would be significant and unavoidable because mitigation measures, such as temporary existing driveway access from the sensitive residential uses onto Hathaway Street precludes implementation of temporary noise barriers to attenuate noise levels generate from construction activities along Hathaway Street.



Table 6.A: Significant and Unavoidable Project Impacts

Topic/EIR Section	Impact	Significance Determination	Details of Impact
Transportation (4.17.6.2)	The proposed project would conflict or be inconsistent with <i>California Environmental Quality Act (CEQA) Guidelines</i> Section 15064.3, subdivision (b).	Significant and Unavoidable	A significant impact to vehicle miles traveled (VMT) would occur if the proposed project would result in project-generated VMT per employee that exceeds the City's significance threshold of 30.42. The proposed project's VMT per employee would be 33.6; 10.5 percent above the average VMT per employee for the region. Therefore, the proposed project would not meet the City's VMT significance threshold of "no net increase in VMT per employee." While Transportation Demand Measures would be implemented pursuant to Mitigation Measure TRA-1, because the proposed warehouse end-user is speculative, the specific effectiveness of MM TRA-1 cannot be quantified with certainty and, therefore, may not reduce VMT per employee to 30.42 or less.
Transportation (4.17.7)	The project would result in a cumulatively considerable impact from inconsistency with <i>CEQA Guidelines</i> Section 15064.3, subdivision (b).	Significant and Unavoidable	VMT impacts at the project level would also be considered cumulatively significant. Because implementation of the Transportation Demand Strategies identified in MM TRA-1 cannot guarantee VMT reductions and the proposed project's VMT per employee would still exceed the average VMT per employee for the Western Riverside Council of Governments region, the proposed project's impacts from VMT would be cumulatively considerable and significant. No additional mitigation is feasible to reduce the impact further.

Source: Environmental Impact Report Sections 4.3, Air Quality; 4.8, Greenhouse Gas Emissions; 4.13, Noise and Vibration; and 4.17, Transportation.

6.1.4 Summary of Project Alternatives

The purpose of this discussion of alternatives to the proposed project is to enable decision makers to consider how alternatives of the proposed project may reduce or avoid the proposed project's impact on the physical environment. As appropriate, the analysis in this chapter provides either a quantitative or qualitative evaluation of the environmental impacts that could be associated with each alternative and compares those potential impacts to those identified for the proposed project as described in **Chapters 4.0 and 5.0** of this EIR. **Table 6.C** summarizes the impacts of the proposed project and compares those impacts to those that would be associated with each 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 proposed project's potentially significant impacts, the following two alternatives to the proposed project were selected for analysis:

- **Alternative 1: No Project/No Build.** This alternative assumes that the project site would remain in its current, vacant condition. Refer to Section 6.3 for a complete description and evaluation of this alternative.
- **Alternative 2: Modified Site Plan/Reduced Intensity Alternative.** This alternative assumes that the eastern portion of the project site would be developed with one warehouse building totaling 1,207,614 square feet (0.33 floor area ratio [FAR]). This represents a reduction in development of 213,108 square feet, or approximately 15 percent, compared to the proposed project. Refer to Section 6.4 for a complete description and evaluation of this alternative.

The two alternatives identified above are discussed in greater detail in Sections 6.3 and 6.4, below. The purpose of this discussion of alternatives is to enable decision makers to consider how alternatives to the proposed project may substantially lessen or avoid the proposed project's impacts on the physical environment.

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 6.2, below.

6.2 ALTERNATIVES CONSIDERED BUT NOT SELECTED FOR FURTHER ANALYSIS

In accordance with Section 15126.6(c) of the *CEQA Guidelines*, an EIR should identify alternatives considered for analysis but rejected as infeasible and briefly explain the reasons for their elimination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR is failure to meet most of the basic project objectives, infeasibility, or inability to avoid or substantially reduce significant environmental impacts. Alternatives that have been initially considered and rejected as infeasible include the following, which have been rejected, as detailed below, either because they would create new or more severe impacts compared to the proposed project, are repetitive of other alternatives, would not meet the project objectives and requirements, or are otherwise considered infeasible.

6.2.1 Off-Site Alternative

Regarding alternative locations, per CEQA,¹ the first step is to determine whether any of the significant effects identified for the proposed project (see **Table 6.C**) would be avoided or substantially lessened. Only locations that would avoid or substantially lessen any of the significant effects need be

¹ *CEQA Guidelines* Section 15126.6(f)(2).



considered. Reasons for determining that no feasible alternative locations exist must be disclosed in the EIR.

Generally, any development of the size and type proposed by the proposed project would have substantially the same environmental effect regardless of where it was located in the city. The project site consists of 94.86 contiguous acres under a single ownership. Based on review of the current and proposed development in Banning, the project applicant does not control any alternative developable site of comparable size within the city. The Banning Commerce Center Project, located north of Interstate (I) 10, east of Hathaway Street, is currently under review by the City and unavailable as an alternative site. Property east of the project site and west of Malki Road is controlled by the Morongo Band of Mission Indians (Morongo) and is not available as an alternative site. The Banning Distribution Project is slated for development on property south of I-10 and north of Banning Municipal Airport. Undeveloped areas located between Banning Municipal Airport and the City's wastewater treatment facility are not appropriately sized to accommodate the proposed project and are occupied by smaller industrial and residential uses that would require relocation. Land farther south is constrained by Smith Creek, rural residential uses, and the foothills of the San Jacinto Mountains. Other large, currently undeveloped properties are entitled with Specific Plans envisioning the development of residential and commercial uses; therefore, these sites are not available as an alternative site. Due to the size of the project site, the current ownership of other properties, current or pending entitlements, and/or site constraints, no alternative site is available to accommodate the proposed project; therefore, this potential alternative was rejected from further consideration in this EIR.

6.2.2 General Plan Amendment Alternative

The project site could be developed with other uses that are not currently permitted within the Business Park (BP) land use designation, such as Highway Serving Commercial (HSC), Residential, or Open Space uses. Development of these uses on the project site would require a General Plan Amendment and Zone Change to change the current land use and zoning designation of the project site, as discussed further below. Changing the land use and zoning designation of the project site would not be consistent with the City's long-range vision for appropriate uses on the project site.

6.2.2.1 Highway Serving Commercial Use

With approval of a General Plan Amendment and Zone Change, the project site could be developed with an HSC use. The HSC land use designation "allows land uses geared toward the Interstate 10 traveler, including restaurants (fast food and sit down), hotels and motels, auto related retail, repair and services, including gas stations, convenience stores and similar uses." Development of the project site with HSC uses would meet the criteria of the HSC land use designation given the project site's proximity and access to I-10. Additionally, the HSC use would provide commercial amenities to City residents, including residents who live immediately west of the project site. The HSC use would also provide more local jobs and positive revenues for the City. However, an HSC alternative would not meet several of the project objectives specific to an industrial warehouse development; would increase the number of vehicle trips generated, thereby increasing transportation impacts; and, due to an increase in the number of vehicle trips generated, would not reduce air quality and greenhouse gas (GHG) impacts when compared to the proposed project. Therefore, this potential alternative was rejected from further consideration in this EIR.



6.2.2.2 Residential Use

With approval of a General Plan Amendment and Zone Change, the project site could be developed with residential uses. Development of the project site with residential uses would help to balance the City's available housing supply with the growing housing demand resulting from population growth in Banning and the region. Residential uses on the project site could be designed to accommodate larger families or senior populations, both of which are needed in the city. When compared to the proposed project, this alternative would reduce noise impacts and could potentially reduce aesthetic impacts. However, because residential uses would increase the number of vehicle trips to and from the project site and would increase water and energy demand when compared to industrial uses, this alternative would likely increase air quality impacts, GHG emissions, transportation impacts, and impacts related to water and energy demand when compared to the proposed project. This alternative would not meet the project objectives and would not meet the City's goal of attracting economic investment to Banning through the development of industrial uses, which are a vital source of revenue and local jobs for the City. Additionally, the project site is one of the few undeveloped properties in Banning with contiguous parcels under single ownership, near I-10, and large enough to accommodate a substantial industrial development, such as the proposed project. Therefore, this potential alternative was rejected from further consideration in this EIR.

6.2.2.3 Open Space Use

With approval of a General Plan Amendment and Zone Change, the project site could be developed with Open Space uses. Currently, there are eight parks in the city totaling approximately 200 acres. Gilman Ranch and Museum is the only "regional" park in Banning and consists of a wagon museum, a blacksmith shop, and other historical buildings on 126 acres. The remaining 7 parks within the city range from 0.20 to 20 acres. Therefore, development of the 94.86-acre project site with a large sports park or regional park with passive and active uses would increase the City's inventory of high-quality, public parkland. This alternative would also reduce several potential environmental impacts of the proposed project, including air quality impacts, GHG emissions impacts, aesthetic impacts, transportation impacts, and, potentially, noise impacts. However, this alternative would not meet any of the project objectives and would not meet the City's goal of attracting economic investment or generating positive revenue. Therefore, this potential alternative was rejected from further consideration in this EIR.

6.2.3 Mixed Use (Residential/Commercial, Warehouse, and Professional Offices) Alternative

The project site has a General Plan land use and a zoning designation of BP. Under the current BP land use and zoning designation, the project site could be developed with a mix of uses, including residential/commercial, warehouse, and/or professional office, subject to approval of Conditional Use Permits as necessary. For the purposes of evaluating this potential alternative, it was assumed that the eastern portion of the project site could be developed with one warehouse building totaling 1,207,614 square feet on approximately 60 acres (0.46 FAR), the southwestern portion of the project site could be developed with 213,108 square feet of professional office space on approximately 10 acres (0.49 FAR), and the northwestern portion of the project site could be developed with mixed uses, such as multifamily residential/commercial uses (e.g., apartments above restaurant/retail uses) on approximately 12 acres (the applicant/City would have to determine the dwelling units per acre for residential or FAR for commercial in a mixed-use development on this portion of the site). While



such an alternative would meet some of the project objectives by providing local jobs and positive revenues for the City, it would not meet the City's goal of attracting economic investment to Banning through the development of industrial uses, which are a vital source of revenue and local jobs for the City. This alternative would reduce diesel truck emissions by reducing the size of the proposed warehouse building but may increase GHG emissions through the generation of more vehicle trips to and from the project site as a result of including residential/commercial and office uses on the project site. Therefore, with an increase in vehicle trips, air quality impacts and GHG emissions would likely remain significant impacts. Additionally, by including residential/commercial uses on the project site, this alternative would increase water and energy demand and increase VMT, which could result in a significant VMT impact. Because this alternative would not meet most of the project objectives and would not substantially reduce potentially significant impacts associated with the proposed project, it was rejected from further consideration in this EIR.

6.3 NO PROJECT/NO BUILD ALTERNATIVE (ALTERNATIVE 1)

The following provides a description of the No Project/No Build Alternative and its anticipated environmental impacts. The emphasis of the analysis is on comparing the anticipated environmental impacts of the No Project/No Build Alternative to the environmental impacts associated with the proposed project. The discussion includes a determination of whether or not the No Project/No Build Alternative would reduce, eliminate, or create new significant environmental impacts and would or would not meet the objectives of the proposed project.

6.3.1 Alternative 1 Characteristics

The No Project/No Build Alternative assumes that the 94.86-acre project site would remain in its current, undeveloped condition. No new building, improvements, or ground disturbance would occur. The proposed legislative and discretionary actions (e.g., Tentative Parcel Map, Design Review) would not be required.

6.3.2 Analysis of No Project/No Build Alternative

The potential impacts associated with the No Project/No Build Alternative are described below. As discussed, the No Project/No Build Alternative would avoid the significant impacts associated with the proposed project and no mitigation measures would be required; however, none of the project objectives would be achieved.

6.3.2.1 Aesthetics

Under this alternative, no development would occur on the project site. Views to and through the project site would not be affected by topographic alterations, the removal of vegetation, or the installation of buildings, signage, or project landscaping, and views would remain unchanged. While impacts associated with the proposed project under each CEQA threshold of significance were determined to be less than significant, in the absence of any development, **no impact** to the current aesthetic condition would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.



6.3.2.2 Agriculture and Forestry Resources

Under this alternative, the project site would remain undeveloped. According to the California Department of Conservation Farmland Mapping and Monitoring Program, the project site and adjacent properties are designated as Grazing Land and Urban and Built-Up Land. There is no indication that either the project site or adjacent properties are currently or have recently been used as Grazing Land. In the absence of any development, **no impact** related to agriculture and forestry resources would occur under this alternative. The level of impact associated with this issue would remain the same under the No Project/No Build Alternative compared to the proposed project.

6.3.2.3 Air Quality

In the absence of development, pollutants emitted during construction and operation of the proposed project would not occur. The South Coast Air Basin (SCAB) is currently designated nonattainment for the federal and State standards for ozone (O₃) and particulate matter less than 2.5 microns in diameter (PM_{2.5}). In addition, the SCAB is in nonattainment for the particulate matter less than 10 microns in diameter (PM₁₀) standard. Under this alternative, the significant and unavoidable impacts related to the proposed project's cumulatively considerable increase in criteria pollutants for which the SCAB is in nonattainment and the exceedance of the South Coast Air Quality Management District's (SCAQMD) significance criteria for daily emissions of nitrogen oxides (NO_x), would not occur. In the absence of any development, **no impact** related to air quality would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.4 Biological Resources

Under this alternative, the project site would remain undeveloped. The topography of the project site, existing vegetative cover, and on-site habitat would be maintained in its current condition. While the proposed project includes mitigation to reduce impacts related to biological resources to a less than significant level, in the absence of any development, **no impact** to on-site biological resources would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.5 Cultural Resources

Under this alternative, the project site would remain undeveloped. As no disturbance of existing topography would occur, there is no potential for impacts to previously identified or any as-of-yet undiscovered cultural materials that may exist at the project site. While the proposed project includes mitigation to reduce impacts related to cultural resources to a less than significant level, in the absence of any development, **no impact** to on-site cultural resources would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.6 Energy

In the absence of on-site development, there would be no short-term (construction) or long-term (operation) increase in the demand for energy resources. Therefore, **no impact** related to energy resources would occur under this alternative. While the energy resource impacts of the proposed



project were determined to be less than significant, the level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.7 Geology and Soils

The geologic, soil/erosion, and paleontological resource impacts associated with the proposed project would be reduced through compliance with standard regulatory conditions/requirements and/or mitigation measures to less than significant, or would have no impact without such measures for each threshold of significance. As the project site would remain undeveloped under this alternative, **no impact** or increased potential for damage to structures/facilities or injury to persons resulting from geologic conditions or seismic/seismic-related events would occur. Furthermore, in the absence of any modification to existing topography, the potential for disturbance to any potential paleontological resource that may be located on site would not occur. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.8 Greenhouse Gas Emissions

As previously stated, no construction or operational activities would occur on site, and no mobile or stationary sources of GHG emissions would be generated under this alternative. Additionally, the undeveloped project site would not generate any vehicle trips that may contribute emissions into the air basin. As no GHGs would be emitted under this alternative, the proposed project's significant and unavoidable impacts would be eliminated and **no impact** would occur. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.9 Hazards and Hazardous Materials

For a discussion of fire hazards related to this alternative, please refer to Section 6.3.2.20. Under this alternative, no construction or operational activities would occur. In the absence of development, no hazards or hazardous materials would be introduced to the project site, no safety hazard related to an airport land use plan would be introduced to the project site, and there would be no interference with an adopted emergency response plan or emergency evacuation plan. Therefore, **no impact** would occur. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.10 Hydrology and Water Quality

Under this alternative, the project site would remain undeveloped. On-site drainages would be maintained in their current condition and no changes in the pattern or volume of current flows would occur. In the absence of a building footprint or paved surfaces, no change in surface permeability or increased chance of polluted runoff would occur. While the proposed project would include measures to reduce impacts related to local hydrology and water quality to below a significant level, retention of the project site in its undeveloped condition would result in **no impact**. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.



6.3.2.11 Land Use and Planning

Under this alternative, the project site would remain undeveloped. Similar to the proposed project, under this alternative, the project site would retain the existing BP land use and zoning designation. However, under this alternative, no additional roadways would be constructed. Therefore, in the absence of development, **no impact** would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.12 Mineral Resources

In the absence of any development, **no impact** related to mineral resources or extraction would occur under this alternative. While the mineral resources impacts of the proposed project were determined to be less than significant, the level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.13 Noise and Vibration

Under this alternative, the absence of construction activity would eliminate construction noise. Although regulatory compliance measures would be implemented during construction of the proposed project, construction noise impacts would be significant and unavoidable because mitigation measures such as temporary construction barriers are not feasible due to driveway access onto Hathaway Street. The elimination of construction activity under this alternative would eliminate this significant and unavoidable impact. This alternative would not result in any vehicle trips to and from the project site and, therefore, would reduce traffic noise impacts from project-related traffic on off-site sensitive receptors. Additionally, the stationary noise sources associated with proposed industrial uses would be eliminated, reducing the ambient noise levels. As this alternative would not add noise to the existing noise environment, **no impact** would occur. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.14 Land Use and Planning

Under this alternative, the project site would remain undeveloped. In the absence of development, no temporary or permanent increase in population related to new employment opportunities would occur. Generally, the City maintains more housing than available employment opportunities; absent the proposed project's potential 1,380 new jobs, the construction and operation of other large residential projects in Banning may exacerbate the existing job-housing imbalance. However, compared to the proposed project, there would be **no impact** under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.15 Public Services

In the absence of any development on the project site, no increase in the demand for police, fire protection, school, park, or other government services and/or the need for new public service facilities would occur and no development impact fees (DIFs) would be required. While impacts to public services were determined to be less than significant for the proposed project with the payment of



DIFs, compared to the proposed project, there would be **no impact** under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.16 Recreation

Under this alternative, the project site would remain undeveloped. In the absence of development, no temporary or permanent increase in population related to new employment opportunities would occur. Therefore, no increased demand on or for park or recreation facilities would occur under this alternative and **no impact** is anticipated. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.17 Transportation

Under this alternative, the project site would remain undeveloped. This alternative would not result in an increase in daily traffic volumes on local or regional roadways; therefore, traffic operations at intersections and on roadway segments would not be altered. In the absence of development, the potential 1,380 new job opportunities resulting from implementation of the proposed project would not occur, which may cause persons to travel farther for employment. While the significant VMT impact directly created through the implementation of the proposed project would not occur under this alternative, it is unknown if the absence of these jobs would indirectly contribute to a regional increase in VMT. Nonetheless, compared to the proposed project, the VMT impacts associated with this alternative are likely to be reduced and there would be **no impact** on transportation. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.18 Tribal Cultural Resources

Under this alternative, the project site would remain undeveloped. As no disturbance of existing topography would occur, there is no potential for impact to previously identified or any as-of-yet undiscovered tribal cultural materials that may exist. While the proposed project includes mitigation to reduce tribal cultural resource impacts to a less than significant level, in the absence of any on-site disturbance, **no impact** to on-site tribal cultural resources would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.19 Utilities and Service Systems

In the absence of any development on the project site, no increase in demand for water or increased generation of wastewater or solid waste would occur under this alternative. No change in the capacity or functioning of the existing public utility systems would occur and, therefore, **no impact** on utilities and service systems would occur under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

6.3.2.20 Wildfire

As no structures would be developed under this alternative, the retention of the project site in its current condition would eliminate the wildland fire hazard to any on-site structure or person.



Additionally, the elimination of structures and human activity in the wildland-urban interface area may contribute to a reduced potential for human-induced ignition events. While impacts related to wildfire were determined to be less than significant for the proposed project, compared to the proposed project, there would be **no impact** under this alternative. The level of impact associated with this issue would be reduced under the No Project/No Build Alternative compared to the proposed project.

The proposed project would require implementation of the project-specific Fire Protection Plan (FPP), which includes the establishment and maintenance of Fuel Management Zones. As stated in the FPP, "...When fire protection is implemented at the parcel level and leverages ignition-resistant building materials, infrastructure improvements, and landscape design, the wildfire risk can be significantly reduced in the surrounding environment. When wildfire is planned for and incorporated into the building design, such as with the project, it can not only withstand wildfire, but prevent it. This prevention benefits the project and the surrounding areas by reducing the landscape level fire risk. Further, given the project's multi-scaled approach to fire protection, it is unlikely that the project would be a significant source of ignitions and result in increased off-site impacts related to wildfire... ." In the absence of fire protection afforded by the proposed project, and with existing ignition sources retained on the project site, it is possible areas prone to wildland fires would extend closer to residential areas (e.g., west of First Hathaway Street). Although it is reasonable that current fire protection requirements and fire service providers would continue to provide an appropriate level of service to existing uses in the project area, compared to the proposed project, there is a potential that fire hazards under this alternative may be increased, although compliance with current fire protection standards/practices required by the City (e.g., clearance of flammable vegetation) would ensure no new or greater wildland fire hazard would result from retention of the existing conditions.

6.3.3 Summary of No Project/No Build Alternative (Alternative 1)

While this alternative would eliminate the significant and unavoidable impacts associated with the proposed project, as well as those impacts determined to be less than significant, it would not meet any of the project objectives. Since the project site would remain undeveloped and vacant, this alternative would not: (1) realize the City's industrial goal, policies, and programs to strengthen its economic base; (2) increase employment opportunities in Banning through the development of high-quality industrial developments, which are dependent on the limited supply of land available for these developments; (3) attract economic investment; or (4) help fulfill the unmet demands of businesses located in the city and county. Additionally, this alternative would neither satisfy stated project objectives nor be consistent with City goals.

The existing land use and zoning designation for the site anticipates the development of the site with business park uses, which include industrial development. Industrial development provides a significant source of local and regional jobs in the city. The project site was rough-graded in 2011 for a previously approved industrial warehouse development that was not constructed due to changes in market demand. Additionally, due to the limited amount of land available for industrial development in the San Geronio Pass region, Banning continues to attract developers seeking to build industrial land uses in the city. Therefore, it is unlikely that the project site would remain vacant in perpetuity.



6.4 MODIFIED SITE PLAN/REDUCED INTENSITY ALTERNATIVE

The following provides a description of the Modified Site Plan/Reduced Intensity Alternative and its anticipated environmental impacts. The purpose of the Modified Site Plan/Reduced Intensity Alternative is to reduce vehicular trips, which are the primary source of project-related air quality, GHG, and transportation impacts.

The emphasis of the analysis is on comparing the anticipated environmental impacts of the Modified Site Plan/Reduced Intensity Alternative to the environmental impacts associated with the proposed project. The discussion includes a determination of whether or not the Modified Site Plan/Reduced Intensity Alternative would reduce, eliminate, or create new significant environmental impacts and would or would not meet the objectives of the proposed project.

6.4.1 Modified Site Plan/Reduced Intensity Alternative Characteristics

The Modified Site Plan/Reduced Intensity Alternative assumes that the eastern portion of the project site would be developed with one warehouse building totaling 1,207,614 square feet (0.33 FAR). This represents a reduction in development of 213,108 square feet, or approximately 15 percent, compared to the proposed project. It is assumed that the warehouse building would have a similar configuration as the proposed project and other components of the proposed project related to access, landscaping, infrastructure, and other amenities would remain the same. Roadway and infrastructure improvements identified for the proposed project would also remain the same under this alternative.

6.4.2 Analysis of Modified Site Plan/Reduced Intensity Alternative (Alternative 2)

The potential impacts associated with the Modified Site Plan/Reduced Intensity Alternative are described below. As discussed, the Modified Site Plan/Reduced Intensity Alternative would develop the same use as the proposed project on the same project site. As such, it can be assumed that construction methods, equipment, and activities would be similar for both the proposed project and this alternative. It can also be assumed that alterations to topography and vegetation on the site would be similar for both developments. The same regulations, ordinances, standards, and policies applicable to the proposed project would also be applicable to this alternative.

6.4.2.1 Aesthetics

Similar to the proposed project, development of the Modified Site Plan/Reduced Intensity Alternative would alter the existing visual condition of the project site through the introduction of development on previously vacant, undeveloped land, although at reduced intensity and likely overall reduced site coverage and building massing. The Modified Site Plan/Reduced Intensity Alternative would comply with the City's General Plan goals and policies regarding aesthetics and would be consistent with the Business Park uses envisioned in the City's General Plan. The design guidelines and landscaping plan would also ensure the project site is developed with consistent visual characteristics of the surrounding uses. The architectural design and landscaping of the warehouse building would be the same as the proposed project. It is expected that the overall visual appearance under this alternative would be similar to the proposed project and would not represent a significant impact. As with the proposed project, the development associated with this alternative would comply with the City's



Municipal Code lighting guidelines, which also comply with the County of Riverside’s Ordinance 655 addressing nighttime light pollution. While the intensity and overall building massing would likely be reduced, due to the substantial similarity in the location, design, and type of use, it is reasonable this alternative would have generally similar impacts on the existing visual character of the project site, scenic views, scenic resources, and lighting.

As the development envisioned under this alternative would occur in essentially the same location, pattern, and extent as that of the proposed project, it is reasonable to conclude that impacts related to the aesthetic condition and visual resources would be similarly **less than significant** and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.2 Agriculture and Forestry Resources

As this alternative would develop the same site as the proposed project, impacts to agricultural and forestry resources would be similar to those resulting from the proposed project. Consistent with the proposed project, **no impact** related to agriculture and forestry resources would occur under this alternative. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.3 Air Quality

The Modified Site Plan/Reduced Intensity Alternative would develop a reduced size warehouse building on the same site as the proposed project. As previously stated, it is assumed that roadway and infrastructure improvements identified for the proposed project would remain the same under Modified Site Plan/Reduced Intensity Alternative and construction activities for the proposed project, and this alternative would be similar.

The Modified Site Plan/Reduced Intensity Alternative would result in an approximately 15 percent reduction in development compared to the proposed project, which would proportionally correlate with a reduction in the amount of pollutants emitted during construction and operation of this alternative. As described in Section 4.3, the SCAB is currently designated nonattainment for the federal and State standards for O₃, PM_{2.5}, and PM₁₀. Consistent with the proposed project, construction of the Modified Site Plan/Reduced Intensity Alternative would not exceed the SCAQMD’s thresholds and impacts would be **less than significant**. No mitigation measures are required.

Similar to the proposed project, operation of the Modified Site Plan/Reduced Intensity Alternative would not exceed the significance criteria for daily volatile organic compounds (VOCs), carbon monoxide (CO), sulfur oxides (SO_x), PM₁₀, and PM_{2.5} emissions. The Modified Site Plan/Reduced Intensity Alternative would reduce the amount of pollutants emitted during operation. For example, daily emissions of NO_x would be reduced to 53 pounds/day (compared to 63 pounds/day without implementation of mitigation and 61 pounds/day with implementation of mitigation for the proposed project), which is below the SCAQMD’s significance threshold of 55 pounds/day. Refer to **Appendix B-3** for California Emission Estimator Model (CalEEMod) modeling outputs under the Modified Site Plan/Reduced Intensity Alternative. Similar to the proposed project, implementation of **Mitigation Measure (MM) AQ-1** would still be required to reduce NO_x pollutant emissions from the project to the extent feasible; however, emissions would be below the SCAQMD significance thresholds.



Therefore, operation of the Modified Site Plan/Reduced Intensity Alternative would result in a **less than significant** impact related to a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard.

Consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would result in **less than significant** impacts related to CO hot spots, odors, and health risk impacts during operation, and no mitigation measures are required.

The level of impact associated with this issue would be reduced under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project and the significant unavoidable project impact would be eliminated.

6.4.2.4 Biological Resources

The Modified Site Plan/Reduced Intensity Alternative would develop a warehouse building on the same site as the proposed project and would result in similar alterations to the project site topography and vegetation. Therefore, similar to the proposed project, development of the Modified Site Plan/Reduced Intensity Alternative would result in potentially significant impacts to burrowing owl and burrowing owl habitat, as well as bird species protected under the Migratory Bird Treaty Act (MBTA). Consistent with the proposed project, implementation of **MM BIO-1 and MM BIO-2** would ensure compliance with BMPs, applicable policies, and Multiple Species Habitat Conservation Plan (MSHCP) guidelines to protect special-status species during construction and operation and reduce impacts related to biological resources to a **less than significant** level under the Modified Site Plan/Reduced Intensity Alternative. Consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would not result in impacts to riparian habitat, sensitive natural communities, or wetlands. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.5 Cultural Resources

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project and would result in similar alterations to the project site topography. Therefore, consistent with the proposed project, construction of this alternative has the potential to significantly impact unidentified historic and archaeological resources during ground-disturbing activities. With implementation of **MM CUL-1 through MM CUL-8**, potentially significant impacts to historical and archaeological resources during project construction would be reduced to **less than significant**. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.6 Energy Resources

Implementation of the Modified Site Plan/Reduced Intensity Alternative assumes that the eastern portion of the project site would be developed with one warehouse building totaling 1,207,614 square feet. This represents a reduction in development of 213,108 square feet, or approximately 15 percent, compared to the proposed project. Therefore, implementation of this alternative would result in lower energy demand during construction and operation compared to the proposed project because



of the reduced construction activity and level of development. Consistent with the proposed project, this alternative would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy during construction or operation, and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Therefore, consistent with the proposed project, energy impacts would be **less than significant**, and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.7 Geology and Soils

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project and, therefore, would result in the same potential impacts related to geology and soils and seismic hazards as the proposed project. Consistent with the proposed project, compliance with the design parameters and recommendations of the site-specific Geotechnical Investigation would be required as a condition of the grading and/or building permit as specified in **Regulatory Compliance Measure (RCM) GEO-1** under this alternative. With implementation of the regulatory compliance measure, impacts resulting from strong seismic ground shaking, seismic-related ground failure, liquefaction, landslide, unstable slopes, expansive soils, and soil collapse would be **less than significant**, and no mitigation measures are required. Assuming the maximum depth of excavation during construction of this alternative would be similar to the proposed project, this alternative has the potential to significantly impact nonrenewable paleontological resources. Consistent with the proposed project, implementation of **MM GEO-1** would ensure that paleontological resources, if encountered during project construction of this alternative, would be retrieved for future scientific study and protection, thereby reducing potential impacts to paleontological resources to **less than significant**. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.8 Greenhouse Gas Emissions

Implementation of the Modified Site Plan/Reduced Intensity Alternative would result in a reduction in development of 213,108 square feet, or approximately 15 percent, compared to the proposed project. Therefore, implementation of this alternative would result in lower energy demand during construction compared to the proposed project because of the reduction in development. This alternative would also result in reduced emissions from all operational GHG sources because the emissions from each source would vary in direct proportion to the building size. Total operational emissions (which include energy, mobile, solid waste, and water consumption sources) for this alternative would be approximately 15,327 metric tons of carbon dioxide equivalent per year (MTCO₂e/yr) (compared to 17,974 MTCO₂e/yr with the proposed project). Therefore, the Modified Site Plan/Reduced Intensity Alternative would have lower GHG emission impacts compared to the proposed project. However, GHG emissions under this alternative, even with implementation of **MM GHG-1 through MM GHG-3 and MM AQ-1**, would still exceed the 3,000 MTCO₂e/yr threshold of significance used for the proposed project. Consistent with the proposed project, the impact would be cumulatively **significant and unavoidable**. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.



6.4.2.9 Hazards and Hazardous Materials

The Modified Site Plan/Reduced Intensity Alternative would develop a warehouse building similar to the proposed project only reduced in size on the same project site and would therefore result in similar potential impacts related to hazards and hazardous materials as the proposed project. Land uses that would occur on site under the Modified Site Plan/Reduced Intensity Alternative would have a similar potential to handle and store hazardous materials as the proposed project and would result in similar impacts related to the routine transport, use, or disposal of hazardous materials or accidental release of hazardous materials during construction and operation. With implementation of **RCM WQ-1**, **RCM WQ-2**, and **RCM HAZ-1**, potential impacts from the transport, use, storage, and disposal of hazardous materials or accidental release of hazardous materials would be **less than significant** for both the Modified Site Plan/Reduced Intensity Alternative and the proposed project. Because the Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project, located approximately 0.3 mile north of Banning Municipal Airport, both would be required to implement **MM HAZ-1 through MM HAZ-7** to ensure consistency with the Riverside County Airport Land Use Commission and reduce potentially significant impacts related to airport hazards for people residing or working on the project site to **less than significant**. Consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would also be required to implement **RCM TRA-1 and RCM FIRE-1** to ensure that impacts related to emergency response/evacuation and wildfire would be **less than significant**. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.10 Hydrology and Water Quality

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project and would result in similar alterations to the project site topography. Therefore, this alternative would result in similar impacts related to hydrology and water quality as the proposed project. Similar to the proposed project, development under this alternative would increase the amount of stormwater runoff due to the increase in the amount of impervious surface area. Although this alternative would result in an approximately 15 percent reduction in development compared to the proposed project, which would proportionally correlate with a reduction in the amount of impervious surface area compared to the proposed project, with implementation of **RCM WQ-1 through RCM WQ-4**, including the application of BMPs and other regulatory permits and requirements, impacts to hydrology and water quality for both the proposed project and the Modified Site Plan/Reduced Intensity Alternative would be **less than significant**. Consistent with the proposed project, impacts related to project inundation and conflict with or obstruction of a water quality control plan or sustainable groundwater management plan would be **less than significant**, and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.11 Land Use and Planning

Similar to the proposed project, the Modified Site Plan/Reduced Intensity Alternative would result in the development of a warehouse building. Consistent with the proposed project, under this alternative, the project site would be developed in compliance with the applicable standards and guidelines established for the existing BP land use and zoning designation and would not result in



significant land use impacts. The development of the reduced intensity warehouse building would be consistent with the relevant goals and policies of the City's General Plan. Similar to the proposed project, this alternative would result in **less than significant** impacts related to land use and planning, and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.12 Mineral Resources

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project. Although the project site is designated as an area where significant mineral deposits are present, there are no records that indicate the project site was previously used as a mineral resource recovery site or as a site occupied by mines. Furthermore, the City's General Plan does not designate the project site as within a land use designation that allows for mineral extraction, nor does the City designate the project site as an area held in reserve for future mining activities. Mineral extraction would result in incompatible uses within the site's existing BP zoning. Therefore, consistent with the proposed project, implementation of the Modified Site Plan/Reduced Intensity Alternative would result in **less than significant** impacts with respect to mineral resources and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.13 Noise and Vibration

The Modified Site Plan/Reduced Intensity Alternative would also develop a warehouse building on the same site as the proposed project; therefore, despite the decrease in development under this alternative, noise- and vibration-generating construction activities for both projects would be similar. Consistent with the proposed project, construction vibration impacts during construction of the Modified Site Plan/Reduced Intensity Alternative would be **less than significant**, and no mitigation measures are required. As previously stated, it is assumed that roadway and infrastructure improvements identified for the proposed project would remain the same under Modified Site Plan/Reduced Intensity Alternative. As described in Section 4.13, construction of the proposed roadway and infrastructure improvements would exceed the City's construction noise standard of 55 A-weighted decibels (dBA) for more than 15 minutes per hour. Because there is driveway access onto Hathaway Street, it is not feasible to attenuate noise levels generated from the construction of Hathaway Street and infrastructure improvements with temporary construction barriers. Therefore, although regulatory compliance measures would be implemented during construction of the proposed project and the Modified Site Plan/Reduced Intensity Alternative, construction noise impacts would be **significant and unavoidable** because mitigation measures such as temporary construction barriers are not feasible.

As previously identified, the Modified Site Plan/Reduced Intensity Alternative would generate fewer project-generated trips than the proposed project (approximately 2,223 daily trips compared to 2,615 daily trips with the proposed project). The reduction in daily trips under this alternative would reduce project-related traffic noise levels. However, because the projected increase in traffic noise from the proposed project would be less than 3 dBA, which would not be perceptible to the human ear in an outdoor environment, traffic noise impacts from project-related traffic on off-site sensitive receptors would be less than significant. Therefore, while slightly reduced compared to the proposed project,



noise impacts associated with operation of the Modified Site Plan/Reduced Intensity Alternative would be **less than significant** and no mitigation measures are required.

The project site, while located 0.3 mile north of Banning Municipal Airport, is outside of the 55 Community Noise Equivalent Level (CNEL) airport noise contour. Therefore, consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would not expose people residing or working in the project area to excessive noise levels, and **no impact** would occur.

The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.14 Population and Housing

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project. Because the project site is vacant with no occupied structures, implementation of this alternative would not require the demolition of existing housing and would not displace an existing population residing on the project site. Similar to the proposed project, construction of the Modified Site Plan/Reduced Intensity Alternative would provide short-term construction jobs as well as long-term employment opportunities. Reduction in total development under the Modified Site Plan/Reduced Intensity Alternative would result in fewer long-term employment opportunities (up to 1,172 employees² compared to up to 1,380 employees³ with the proposed project). However, consistent with the proposed project, it is anticipated that the majority of the employment opportunities offered by this alternative would be filled by existing Banning residents or existing Riverside County residents who already have housing within the city or county and would likely not relocate as a result of employment. Therefore, consistent with the proposed project, construction and operation of this alternative would result in a **less than significant** impact associated with inducing substantial population growth or demand for housing through increased employment. Similar to the proposed project, development of the Modified Site Plan/Reduced Intensity Alternative would require the extension of existing utility infrastructure and roadway and street improvements. However, these improvements are not expected to indirectly or directly induce substantial unplanned population growth within the city; impacts would be **less than significant** and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.15 Public Services

Under the Modified Site Plan/Reduced Intensity Alternative, development on the project site would be reduced by approximately 15 percent. This would result in a corresponding reduction in the demands placed on public services, including fire protection and law enforcement services. Consistent with the proposed project, implementation of **RCM TRA-1**, **RCM PUB-1**, and **RCM FIRE-1** during construction of the Modified Site Plan/Reduced Intensity Alternative would ensure that potential

² 1,207,614 square feet of proposed building space ÷ 1,030 square feet per employee for Light Industrial land uses = 1,172.441 employees.

³ 1,420,722 square feet of proposed building space ÷ 1,500 square feet per employee for Heavy Industrial land uses = 947.148 employees. 1,420,722 square feet of proposed building space ÷ 1,030 square feet per employee for Light Industrial land uses = 1,379.342 employees.



impacts related to fire and police protection, emergency medical services, and emergency access would be **less than significant**, and no mitigation measures are required. Furthermore, implementation of **RCM PUB-2, RCM PUB-3, and RCM PUB-4**, requiring payment of DIFs to the City that would contribute to the fair-share funding for Riverside County Fire Department (RCFD) improvements, Banning Police Department (BPD) improvements, and Banning Unified School District (BUSD) improvements would reduce potential impacts related to RCFD, BPD, and BUSD and its schools to **less than significant**. Consistent with the proposed project, implementation of the Modified Site Plan/Reduced Intensity Alternative would result in **less than significant** impacts related to parks and other public facilities such as libraries, and no mitigation measures are required.

Therefore, while slightly reduced compared to the proposed project, impacts associated with public services under the Modified Site Plan/Reduced Intensity Alternative would be **less than significant**, and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.16 Recreation

The Modified Site Plan/Reduced Intensity Alternative consists of development of a warehouse building on the same site as the proposed project. No recreational facilities are proposed as part of the proposed project or this alternative. Similar to the proposed project, the Modified Site Plan/Reduced Intensity Alternative would not include the development of residential units and would therefore not directly add to the existing population of the city. The Modified Site Plan/Reduced Intensity Alternative would, however, increase employment opportunities in Banning, albeit fewer than the proposed project. Consistent with the proposed project, jobs created by this alternative are anticipated to be filled primarily by existing Banning residents or residents in nearby municipalities in Riverside County. Therefore, it is expected that existing city residents and county residents already use park and recreation facilities within the city and county. Consistent with the proposed project, payment of DIFs would contribute to funding for park and recreation facilities in Banning. Because the Modified Site Plan/Reduced Intensity Alternative is not anticipated to notably increase the number of residents in the city, it would not generate an increased need for use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of facilities would occur or be accelerated. Consistent with the proposed project, impacts would be **less than significant** and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.17 Transportation

The Modified Site Plan/Reduced Intensity Alternative would develop a smaller warehouse building (1,207,614 square feet, which is 213,108 square feet less than the proposed project) on the same site as the proposed project. As previously stated, it is assumed that roadway and infrastructure improvements identified for the proposed project would remain the same under the Modified Site Plan/Reduced Intensity Alternative and would be constructed consistent with City standards and regulations. Consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would not conflict with applicable programs, plans, ordinances, or policies addressing the circulation system; would not create hazards through design; and would not result in inadequate



emergency access with implementation of **RCM TRA-1**. Consistent with the proposed project, these impacts under this alternative would remain **less than significant** and no mitigation measures are required.

Similar to the proposed project, the Modified Site Plan/Reduced Intensity Alternative would not satisfy any of the screening criteria identified in the City's VMT Guidelines. Both the proposed project and this alternative are consistent with the General Plan land use designation for the site; therefore, the City's guidelines state that the threshold of significance is "no net change in VMT per employee."⁴ Applying the trip generation calculations for the proposed project (as presented in Table 1, *Project Trip Generation Summary*, in the *Local Transportation Analysis*),⁵ the Modified Site Plan/Reduced Intensity Alternative would result in a net reduction in average daily trips (ADT) generated compared to the proposed project. This alternative would result in approximately 2,223 ADT compared to 2,615 ADT with the proposed project. Although the Modified Site Plan/Reduced Intensity Alternative would reduce development on the site by approximately 15 percent compared to the proposed project and would reduce ADT generated compared to the proposed project, because the land use would remain the same, the average VMT per employee would be the same for both the proposed project and this alternative. Therefore, the VMT per employee for the proposed project and this alternative would be 33.6, which is 10.5 percent above the average VMT per employee for the region. Consistent with the proposed project, a potentially significant VMT impact would result from development of this alternative. While implementation of **MM TRA-1** would reduce VMT generated by this alternative, the specific effectiveness of MM TRA-1 cannot be quantified with certainty and therefore may not reduce VMT per employee to 30.42 or less. The VMT impact would remain **significant and unavoidable**. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.18 Tribal Cultural Resources

The Modified Site Plan/Reduced Intensity Alternative would develop the same site as the proposed project and would result in similar alterations to the project site topography. Therefore, consistent with the proposed project, construction of this alternative has the potential to significantly impact unidentified tribal cultural resources during ground-disturbing activities. With implementation of **MM CUL-1 through MM CUL-8**, potentially significant impacts to tribal cultural resources that are (1) 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), and/or (2) determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 would be reduced to a **less than significant** level. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.19 Utilities and Service Systems

Under the Modified Site Plan/Reduced Intensity Alternative, development would be reduced by approximately 15 percent. This would result in a corresponding reduction in the demands placed on utilities and service systems, including water, wastewater, stormwater, electricity, natural gas, and

⁴ Stantec. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. Page 5. March 13, 2023.

⁵ Stantec. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.



telecommunication infrastructure. As required by the City of all development that connects to the City's potable water supply and wastewater infrastructure system, Water and Wastewater Facilities DIFs, as required by **RCM UTL-1**, would be required to be paid to the City prior to grading permit issuance by the City on the project site. Therefore, while slightly reduced compared to the proposed project, impacts to utilities and service systems resulting from development of the Modified Site Plan/Reduced Intensity Alternative would remain **less than significant** and no mitigation measures are required.

As described in Section 4.19, the proposed project would have sufficient water supplies available to serve its needs and reasonably foreseeable future development during normal, dry, and multiple dry years. The Modified Site Plan/Reduced Intensity Alternative's reduction in development would result in a corresponding reduction in water demand compared to the proposed project. Therefore, it can be assumed that this alternative would also have sufficient water supplies available to serve its needs. Similarly, as described in Section 4.19, the proposed project, once operational, is estimated to generate approximately 179,250 gallons of wastewater per day, which represents 8.9 percent of the Banning Wastewater Reclamation Facility's (WRF) remaining daily intake capacity. The Modified Site Plan/Reduced Intensity Alternative's reduction in development would result in a corresponding reduction in generation of wastewater flows compared to the proposed project. Therefore, it can be assumed that the WRF would continue to operate below its daily intake capacity with existing wastewater flows and wastewater flows generated by this alternative. Finally, as described in Section 4.19, the project site is served by three landfills with sufficient permitted capacity to accommodate the proposed project. The Modified Site Plan/Reduced Intensity Alternative's reduction in development would result in a corresponding reduction in the generation of solid waste compared to the proposed project. Therefore, it can be assumed that these landfills serving the project site would have sufficient permitted capacity to accommodate solid waste generated by this alternative. Furthermore, both the proposed project and the Modified Site Plan/Reduced Intensity Alternative would comply with federal, State, and local statutes and regulations related to solid waste. Therefore, consistent with the proposed project, impacts associated with water supplies, wastewater flows, solid waste, and landfill facilities would remain **less than significant** and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.2.20 Wildfire

The Modified Site Plan/Reduced Intensity Alternative would develop a smaller warehouse building on the same site as the proposed project and would result in similar alterations to the project site topography. As previously stated, it is assumed that roadway and infrastructure improvements identified for the proposed project would remain the same under the Modified Site Plan/Reduced Intensity Alternative and would be constructed consistent with City standards and regulations. Consistent with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would comply with applicable California Building Code, California Fire Code, Banning Fire Department regulations, and City Municipal Code regulations and would include ignition-resistant materials, fire-safe fuel breaks, and fuel modification zones. As with the proposed project, the Modified Site Plan/Reduced Intensity Alternative would implement **RCM TRA-1**, **RCM FIRE-1**, and **RCM GEO-1** to reduce potential impacts related to emergency access and evacuation and post-fire landslide conditions. Consistent with the proposed project, the Modified Site Plan/Reduced Intensity



Alternative would result in **less than significant** impacts related to wildfire and no mitigation measures are required. The level of impact associated with this issue would remain the same under the Modified Site Plan/Reduced Intensity Alternative compared to the proposed project.

6.4.3 Summary of Modified Site Plan/Reduced Intensity Alternative

As discussed above, this alternative would result in an approximately 15 percent reduction in development, which would proportionally correlate with a reduction in project-generated trips, emission of air pollutants and GHGs during construction and operation, consumption of energy and utilities during construction and operation, construction and operational noise, and demand on public services and providers during operation when compared to the proposed project. Although reduced, these reductions would be insufficient to reduce impacts to below established thresholds and impacts related to GHGs, noise, and VMT would remain significant and unavoidable. However, the Modified Site Plan/Reduced Intensity Alternative would reduce daily operational emissions of NO_x to below the significance threshold for this pollutant, thereby eliminating a significant and unavoidable impact identified for the proposed project.

Development under this alternative would result in earth disturbance, removal of existing vegetation, and alteration of the project site topography similar to what is planned under the proposed project. With adherence to standard City codes, regulations, standards, and/or project-specific mitigation, it is reasonable that land-based impacts (agricultural, biological, cultural, geology and soils, hazards, hydrology and water quality, mineral resources, tribal cultural resources, wildfire, etc.) would have impacts similar to those associated with development of the proposed project. Incremental reductions in the demand for public services and utilities would occur, although payment of required DIFs and adherence to the connection requirements mandated by the City and utility providers would, like the proposed project, ensure impacts related to the provision of public services and facilities remain less than significant. Similarly, impacts related to energy, population and housing, and recreation would remain less than significant under this alternative, and a similar suite of land use entitlements would be required to develop either this alternative or the proposed project. Therefore, the level of potential impacts resulting from development of the Modified Site Plan/Reduced Intensity Alternative would remain the same compared to the proposed project.

Due to the similarity in the development type, design, use, and location to the proposed project, this alternative satisfies the primary project objectives. However, because development under this alternative would be reduced by approximately 15 percent, this alternative would not satisfy the project objectives to the same degree as the proposed project. Furthermore, the benefits of new employment opportunities, positive revenues to the City, etc., would not be realized to the same extent under this alternative compared to the proposed project due to the reduced development size.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The following discussion compares the impacts of each alternative with the impacts of the proposed project. **Table 6.C, Proposed Project and Project Alternatives Impact Comparison**, compares the impacts of the alternatives with those of the proposed project and identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the proposed project; or (3) a similar impact as the proposed project. While the No Project/No Build Alternative would avoid the



environmental impacts associated with the proposed project and would negate the need for mitigation, due to the limited amount land available for industrial development in the San Gorgonio Pass region, the City continues to attract developers seeking to build industrial land uses in Banning, and it is not reasonable to expect the project site would remain vacant in perpetuity. Furthermore, the No Project/No Build Alternative would not achieve any of the project objectives. The comparison of how the alternatives would achieve the project objectives is provided in **Table 6.B: Project Alternatives' Ability to Meet the Project Objectives**.

CEQA Guidelines Section 15126.6(e)(2) states that "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." As detailed in **Table 6.C**, the Modified Site Plan/Reduced Intensity Alternative would reduce ADT and overall generation of GHGs, although the reductions would be insufficient to reduce the emissions to below established thresholds and GHG impacts would remain significant and unavoidable. Furthermore, this alternative would not reduce impacts associated with noise or VMT, and these impacts would remain significant and unavoidable. However, this alternative would reduce daily operational emissions of NO_x to below the significance threshold, thereby eliminating a significant and unavoidable impact identified for the proposed project. Therefore, the Modified Site Plan/Reduced Intensity Alternative would contribute less to the significant and unavoidable GHG impacts than the proposed project and would eliminate significant and unavoidable air quality impacts identified for the proposed project. Overall impacts associated with the development of the Modified Site Plan/Reduced Intensity Alternative would be slightly less than the impacts identified for the proposed project.

The Modified Site Plan/Reduced Intensity Alternative would result in the development of a warehouse building consistent with the land use designation for the project site and, therefore, would satisfy all of the project objectives. However, because development under the Modified Site Plan/Reduced Intensity Alternative would be reduced by approximately 15 percent, this alternative would not satisfy the project objectives to the same degree as the proposed project. Furthermore, the benefits of new employment opportunities, positive revenues to the City, etc., would not be realized to the same extent under this alternative compared to the proposed project due to the reduced development size.



Table 6.B: Project Alternatives’ Ability to Meet the Project Objectives

Project Objectives	Proposed Project	Alternative 1: No Project/No Build	Alternative 2: Modified Site Plan/Reduced Intensity
Provide industrial warehousing that is consistent with the General Plan land use and zoning designation and helps fulfill the unmet demands of businesses located in the city and county.	Yes	No	Yes
Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses.	Yes	No	Yes
Provide perimeter street improvements, including to Hathaway Street (major highway), facilitating area vehicle circulation and identify capital improvements for water, sewer, drainage, and water quality that serve planned land uses within and adjacent to the project site.	Yes	No	Yes
Provide a variety of new employment opportunities for the residents of Banning and surrounding communities.	Yes	No	Yes
Encourage warehouse distribution services that take advantage of the area’s proximity to various freeways and transportation corridors.	Yes	No	Yes
Encourage new development consistent with the capacity of municipal services.	Yes	No	Yes
Cluster industrial warehouse uses relatively close to access points of the State highway system to reduce traffic congestion on surface streets and reduce local air pollutant emissions from vehicle sources.	Yes	No	Yes
Develop land uses that provide the City with positive revenues compared to public service costs.	Yes	No	Yes
Establish a unified thematic concept for the project site through design elements such as architecture, theme walls, and landscaping using a long-range comprehensive planning approach.	Yes	No	Yes
Create a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment while minimizing the demand for water resources.	Yes	No	Yes

Source: LSA. *Draft Environmental Impact Report for the First Hathaway Industrial Project, State Clearinghouse Number 2022040441.* Chapter 4. May 2024.



This page intentionally left blank



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
4.1: Aesthetics			
Threshold 4.1.1: Would the project have a substantial adverse effect on a scenic vista?	LTS	NI	~S
Threshold 4.1.2: Would the project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway?	NI	NI	~S
Threshold 4.1.3: In nonurbanized areas, 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 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?	LTS	NI	~S
Threshold 4.1.4: Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	LTS	NI	~S
4.2: Agriculture and Forestry Resources			
Threshold 4.2.1: Would the 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?	NI	NI	~S
Threshold 4.2.2: Conflict with existing zoning for agricultural use or a Williamson Act contract?	NI	NI	~S
Threshold 4.2.3: 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))?	NI	NI	~S
Threshold 4.2.4: Result in the loss of forest land or conversion of forest land to non-forest use?	NI	NI	~S
Threshold 4.2.5: 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?	NI	NI	~S
4.3: Air Quality			
Threshold 4.3.1: Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?	SU	NI	LTS
Threshold 4.3.2: Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard?	SU	NI	LTS
Threshold 4.3.3: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?	LTS	NI	~S
Threshold 4.3.4: Would the proposed project create objectionable odors affecting a substantial number of people?	LTS	NI	~S
4.4: Biological Resources			
Threshold 4.4.1: Would the 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 the U.S. Fish and Wildlife Service.	LTS/M	NI	~S
Threshold 4.4.2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.	NI	NI	~S



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
Threshold 4.4.3: Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	LTS	NI	~S
Threshold 4.4.4: 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.	LTS	NI	~S
Threshold 4.4.5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	NI	NI	~S
Threshold 4.4.6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	LTS/M	NI	~S
4.5: Cultural Resources			
Threshold 4.5.1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.	LTS/M	NI	~S
Threshold 4.5.2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.	LTS/M	NI	~S
Threshold 4.5.3: Disturb any human remains, including those interred outside of dedicated cemeteries.	LTS	NI	~S
4.6: Energy			
Threshold 4.6.1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation	LTS	NI	~S
Threshold 4.6.2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency	LTS	NI	~S
4.7: Geology and Soils			
Threshold 4.7.1: Would the 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 or based on other substantial evidence of known fault? (Refer to Division of Mines and Geology Special Publication 42) (ii) Strong seismic ground shaking? (iii) Seismic-related ground failure, including liquefaction? (iv) Landslides?	LTS	NI	~S
Threshold 4.7.2: Result in substantial soil erosion or the loss of topsoil?	LTS	NI	~S
Threshold 4.7.3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse?	LTS	NI	~S
Threshold 4.7.4: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?	LTS	NI	~S
Threshold 4.7.5: 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?	NI	NI	~S
Threshold 4.7.6: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	LTS/M	NI	~S
4.8: Greenhouse Gas Emissions			
Threshold 4.8.1: Would the project generate GHG emissions either directly or indirectly that may have a significant impact on the environment?	SU	NI	~S



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
Threshold 4.8.2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	SU	NI	~S
4.9: Hazards and Hazardous Materials			
Threshold 4.9.1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	LTS	NI	~S
Threshold 4.9.2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	LTS	NI	~S
Threshold 4.9.3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	LTS	NI	~S
Threshold 4.9.4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.	LTS	NI	~S
Threshold 4.9.5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	LTS/M	NI	~S
Threshold 4.9.6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	NI	~S
Threshold 4.9.7: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.	LTS/M	NI	~S
4.10: Hydrology and Water Quality			
Threshold 4.10.1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	LTS	NI	~S
Threshold 4.10.2: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LTS	NI	~S
Threshold 4.10.3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river 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 that would result in flooding on or off site; (iii) Create or contribute runoff water that 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.	LTS	NI	~S
Threshold 4.10.4: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.	LTS	NI	~S
Threshold 4.10.5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	LTS	NI	~S
4.11: Land Use and Planning			
Threshold 4.11.1: Physically divide an established community.	LTS	NI	~S



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
Threshold 4.11.2: 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.	LTS	NI	~S
4.12: Mineral Resources			
Threshold 4.12.1: Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State.	LTS	NI	~S
Threshold 4.12.2: 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.	LTS	NI	~S
4.13: Noise and Vibration			
Threshold 4.13.1: The generation of a substantial temporary or permanent increase (defined as an increase of 3 dBA or more) 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.	SU	NI	~S
Threshold 4.13.2: The generation of excessive groundborne vibration or groundborne noise levels.	LTS	NI	~S
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, exposure of people residing or working in the project area to excessive noise levels.	NI	NI	~S
4.14: Population and Housing			
Threshold 4.14.1: 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).	LTS	NI	~S
Threshold 4.14.2: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	NI	NI	~S
4.15: Public Services			
Threshold 4.15.1: 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?	LTS	NI	~S
Threshold 4.15.2: 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?	LTS	NI	~S
Threshold 4.15.3: 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?	LTS	NI	~S



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
Threshold 4.15.4: 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?	LTS	NI	~S
Threshold 4.15.5: 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?	LTS	NI	~S
4.16: Recreation			
Threshold 4.16.1: 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.	LTS	NI	~S
Threshold 4.16.2: Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	LTS	NI	~S
4.17: Transportation			
Threshold 4.17.1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities?	LTS	NI	~S
Threshold 4.17.2: Conflict or be inconsistent with <i>CEQA Guidelines</i> section 15064.3, subdivision (b).	SU	NI	~S
Threshold 4.17.3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	LTS	NI	~S
Threshold 4.17.4: Result in inadequate emergency access?	LTS	NI	~S
4.18: Tribal Cultural Resources			
Threshold 4.18.1: 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).	LTS/M	NI	~S
Threshold 4.18.2: 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.	LTS/M	NI	~S



Table 6.C: Proposed Project and Project Alternatives Impact Comparison

Environmental Impacts	Proposed Project (Without/With Mitigation)	No Project/No Build Alternative (Without/With Mitigation)	Modified Site Plan/Reduced Intensity Alternative (Without/With Mitigation)
4.19: Utilities and Service Systems			
Threshold 4.19.1: 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?	LTS	NI	~S
Threshold 4.19.2: Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	LTS	NI	~S
Threshold 4.19.3: 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 projected demand in addition to the provider's existing commitments?	LTS	NI	~S
Threshold 4.19.4: 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?	LTS	NI	~S
Threshold 4.19.5: Conflict with federal, state, and local management and reduction statutes and regulations related to solid waste?	LTS	NI	~S
4.20: Wildfire			
Threshold 4.20.1: Substantially impair an adopted emergency response plan or emergency evacuation plan.	LTS	NI	~S
Threshold 4.20.2: 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.	LTS	NI	~S
Threshold 4.20.3: 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.	LTS	NI	~S
Threshold 4.20.4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	LTS	NI	~S

Source: Compiled by LSA Associates, Inc. (2023).

~S = Similar to proposed project

<S = Incrementally less than proposed project

>S = Incrementally greater than proposed project

LTS = Less than Significant

NI = No Impact

S = Significant

SU = Significant and Unavoidable

LTS/M = Less Than Significant with Mitigation



7.0 LIST OF PREPARERS

First Industrial Realty Trust (Applicant) contracted a team of consultants to prepare this Environmental Impact Report (EIR) and supporting technical reports and appendices under the direction of the California Environmental Quality Act (CEQA) Lead Agency, the City of Banning. The individuals listed below were responsible for drafting and reviewing this EIR and its supporting technical reports and appendices.

Name	City/Organization	Role
Adam Rush, MA, AICP	City of Banning	Community Development Director
Mark de Manincor	City of Banning	Contract Planner
Nate Smith, PE	City of Banning	Deputy Director of Public Works/City Engineer
Michael Goodwin	First Industrial Realty Trust	Director of Development
Paul Loubet	First Industrial Realty Trust	Entitlement Officer
John A. Ramirez	Rutan & Tucker, LLP	Attorney
Stephen Crevoiserat, PE	Stantec Consulting, Ltd.	Principal, Community Development
Vince Delgado Jr.	Stantec Consulting, Ltd.	Project Manager
Cathy Lawrence, PE	Stantec Consulting, Ltd.	Project Manager
Daryl Zerfass, PE, PTP	Stantec Consulting, Ltd.	Principal, Transportation
Stephanie Soldo	Stantec Consulting, Ltd.	Project Manager
Tama Snow	Stantec Consulting, Ltd.	Project Manager
Autumn Glaeser	Stantec Consulting, Ltd.	Project Manager
Theresa Wallace, AICP	LSA Associates, Inc.	Principal in Charge
Dionisios Glentis	LSA Associates, Inc.	Associate, Project Manager
Edward Heming	LSA Associates, Inc.	Principal, Environmental Planning
Pam Reading	LSA Associates, Inc.	Principal, Environmental Planning
Laurel Frakes	LSA Associates, Inc.	Associate, Senior Environmental Planner
Carl Winter	LSA Associates, Inc.	Senior Environmental Planner
Matthew Wiswell	LSA Associates, Inc.	Senior Environmental Planner
Amy Fischer	LSA Associates, Inc.	Principal, Air Quality and Energy Specialist
Cara Carlucci	LSA Associates, Inc.	Associate, Senior Air Quality Specialist
Ron Brugger	LSA Associates, Inc.	Senior Air Quality Specialist
John T. Stephens	LSA Associates, Inc.	Principal, Noise Specialist
Jason Lui	LSA Associates, Inc.	Associate, Senior Noise Specialist
John Ko	LSA Associates, Inc.	Principal, Biological Resources
Stanley Spencer, Ph.D.	LSA Associates, Inc.	Associate, Biological Resources
Sarah Rieboldt, Ph.D.	LSA Associates, Inc.	Associate, Principal Paleontologist
Jennette Bosseler	LSA Associates, Inc.	Associate, Technical Editor
Stephanie Powers	LSA Associates, Inc.	Word Processor
Michael K. Jefferson	BLUE Consulting Group	Senior Biologist
Brian Smith, BA, MA	Brian F. Smith and Associates, Inc.	Owner/Principal Investigator
Todd A. Wirths, MS	Brian F. Smith and Associates, Inc.	Senior Paleontologist
David Brunzell, MA, RPA	BCR Consulting, LLC	Principal Investigator/Archaeologist
Ricardo Frias, RCE 91772	Southern California Geotechnical, Inc.	Project Engineer
Robert G. Trazo, GE 2655	Southern California Geotechnical, Inc.	Principal Engineer
Daniel Weis, R.E.H.S.	Weis Environmental, LLC	Environmental Manager
Glenn Burks, Ph.D., PE	Group Delta Consultants, Inc.	Director of Environmental Services
Michael Givens, Ph.D., PE, GE, PG	Group Delta Consultants, Inc.	Associate Engineer



Name	City/Organization	Role
Laura Botzong	Group Delta Consultants, Inc.	Project Manager
Michael Huff	Dudek	Discipline Director – Urban Forestry and Fire Protection



8.0 REFERENCES

- Banning Police Department (BPD) (including Animal Control, Code Enforcement, Dispatch, Investigations, Patrol, Property & Evidence, and Records Divisions). Website: <https://www.ci.banning.ca.us/558/Divisions> (accessed September 7, 2023).
- Banning Unified School District (BUSD). *Banning Unified School District. Fee Justification Report for New Residential and Commercial/Industrial Development*. Page 21. Website: <https://4.files.edl.io/fe8c/03/25/21/165359-bd3c13be-80e9-402e-a2aa-861ab8a653eb.pdf> (accessed September 2023).
- _____. *Developer Fee Justification Study for Residential & Commercial/Industrial Development*. May 2023. Website: https://core-docs.s3.amazonaws.com/documents/asset/uploaded_file/4017/BUSD/3259274/Banning_Unified_School_District_DFJS__2022_REV_06.14.2023.pdf (accessed July 12, 2023).
- Banning Electric Utility (BEU). 2022. Website: www.ci.banning.ca.us/57/Banning-Electric-Utility. (accessed September 2023).
- _____. *Wildfire Mitigation Plan*. August 2023.
- Beaumont Cherry Valley Recreation and Park District. *Bogart Regional Park*. 2021. Website: <https://www.bcvparks.com/more-information> (accessed August 5, 2021).
- BLUE Consulting Group. *Biological Assessment Letter Report for the First Hathaway Redevelopment Project, City of Banning*. June 2022. Revised April 2024.
- Brian F. Smith and Associates, Inc. *Paleontological Assessment for the First Hathaway Project, City of Banning, County of Riverside*. April 2024.
- _____. *Cultural Resources Study for the First Hathaway Project, City of Banning, Riverside County*. Revised April 2024.
- Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.
- C&S Engineers. *Banning Municipal Airport, Airport Master Plan Update*. 2007.
- California Air Resources Board (CARB). *Fact Sheet – California’s Plan to Reduce Diesel Particulate Matter Emissions*. October 2000. Website: www.arb.ca.gov/diesel/factsheets/rpfactsheet.pdf (accessed November 2022).



- _____. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Prepared by the Stationary Source Division and Mobile Source Control Division. Website: www.arb.ca.gov/diesel/documents/rrpFinal.pdf (accessed November 2022).
- _____. *Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook)*. April 2005.
- _____. *Low-Emission Vehicle Greenhouse Gas Program*. 2012. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/lev-program/low-emission-vehicle-greenhouse-gas> (accessed October 25, 2023).
- _____. *Short-Lived Climate Pollutant Reduction Strategy*. March 2017. Website: https://ww2.arb.ca.gov/sites/default/files/2020-07/final_SLCP_strategy.pdf (accessed June 2023).
- _____. *California's 2017 Climate Change Scoping Plan*. November 2017. Website: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf (accessed September 2023).
- _____. *Truck and Bus Regulation Compliance Requirement Overview*. June 18, 2019. Website: www.arb.ca.gov/msprog/onrdiesel/documents/fsregsum.pdf (accessed June 2023).
- _____. *Inhalable Particulate Matter and Health (PM_{2.5} and PM₁₀)*. 2020. Website: ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health (accessed November 2022).
- _____. *SCAG 2020 SCS CARB Acceptance of GHG Quantification Determination*. 2020. Website: <https://ww2.arb.ca.gov/sites/default/files/2021-02/SCAG%202020%20SCS%20CARB%20Acceptance%20of%20GHG%20Quantification%20Determination%20Executive%20Order.pdf> (accessed September 2023).
- _____. *2020 Mobile Source Strategy*. October 2021. Website: www.arb.ca.gov/sites/default/files/2021-12/2020_Mobile_Source_Strategy.pdf (accessed January 2023).
- _____. *California Greenhouse Gas Emissions for 2000 to 2020, Trends of Emissions and Other Indicators Report*. 2022. Website: https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf (accessed June 2023).
- _____. *GHGs Descriptions & Sources in California*. 2022. Website: ww2.arb.ca.gov/ghg-descriptions-sources (accessed June 2023).
- _____. *2022 Scoping Plan for Achieving Carbon Neutrality*. 2022.
- _____. *CARB Tractor-Trailer Greenhouse Gas Regulation*. Website: www.arb.ca.gov/our-work/programs/ttghg (accessed January 2023).



- _____. MSEI - Modeling Tools, Emissions Factor Model, Version 2021 (EMFAC2021). Website: www.arb.ca.gov/our-work/programs/mobile-source-emissions-inventory/msei-modeling-tools (accessed June 2023).
- _____. Overview: Diesel Exhaust & Health. Website: www.arb.ca.gov/resources/overview-diesel-exhaust-and-health (accessed June 2023).
- _____. Speciation Profiles Used in ARB Modeling. Website: www.arb.ca.gov/ei/speciate/speciate.htm (accessed June 2023).
- California Department of Conservation. *A Guide to the Farmland Mapping and Monitoring Program*. 2004. Website: https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/Archive/fmmp_guide_2004.pdf (accessed May 19, 2023).
- _____. Fault Activity Map of California. 2015. Website: <https://maps.conservation.ca.gov/cgs/fam/> (accessed January 2023).
- _____. California Williamson Act Enrollment Finder. 2022. Website: <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed May 2023).
- _____. Landslide Inventory. Website: <https://maps.conservation.ca.gov/cgs/lis/app/> (accessed July 14, 2021).
- California Department of Conservation, California Geological Survey. *Minerals*. Website: <https://www.conservation.ca.gov/cgs/minerals> (accessed August 2022).
- California Department of Conservation, Division of Land Resource Protection. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx> (accessed June 2023).
- _____. Farmland Mapping and Monitoring Program. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx> (accessed June 2023).
- California Department of Conservation, Division of Mine Reclamation. *Statutes and Regulations*. January 2022.
- California Department of Education. *Data Quest, 2020–2021 Enrollment by Grade Banning Unified Report*. Website: <https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=3366985&aggllevel=district&year=2020-21> (accessed September 2023).
- California Department of Finance (DOF). *E-5 Population and Housing Estimates for Cities Counties, and the State January 2021–2023 with 2020 Benchmark*. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed September 2023).



California Department of Fish and Wildlife (CDFW). Special Animals List. Periodic publication. Sacramento, CA. October 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline> (accessed October 2023).

California Department of Forestry and Fire Protection (CAL FIRE). Fire Hazard Severity Zone viewer. 2023. Website: <https://egis.fire.ca.gov/FHSZ/> (accessed June 1, 2023).

California Department of Forestry and Fire Protection (CAL FIRE), Fire and Resource Assessment Program, *California's Forests and Rangelands 2017 Assessment*. Website: <https://frap.fire.ca.gov/media/3180/assessment2017.pdf> (accessed May 20, 2022).

California Department of Forestry and Fire Protection. *Ready, Set, Go!* Website: <https://readyforwildfire.org/prepare-for-wildfire/> (accessed April 2024).

California Department of Health Services. *Guidelines for the Preparation and Content of the Noise Element of the General Plan*. 1990.

California Department of Resources Recycling and Recovery (CalRecycle). *Countywide, Regionwide, and Statewide Jurisdiction Diversion/Disposal Progress Report, Riverside County – Banning, 2015 through 2020*. Website: <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal> (accessed October 2023).

_____. Estimated Solid Waste Generation Rates. Website: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed October 2023).

_____. Facility/Site Summary Details: Badlands Sanitary Landfill. Website: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367> (accessed November 15, 2022).

_____. Facility/Site Summary Details: El Sobrante Landfill. Website: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402> (accessed August 30, 2022).

_____. Facility/Site Summary Details: Lamb Canyon Sanitary Landfill. Website: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2246?siteID=2368> (accessed August 30, 2022).

California Department of Transportation (Caltrans). *Guide for the Preparation of Traffic Impact Studies*. December 2002.

_____. Scenic Highway Guidelines. 2008. Website: <https://dot.ca.gov/-/media/dot-media/programs/design/documents/scenic-hwy-guidelines-04-12-2012.pdf> (accessed November 11, 2020).

_____. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September 2013.

_____. *List of Eligible and Officially Designated State Scenic Highways*. 2019. Website: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed January 10, 2023).



_____. *Vehicle Miles Traveled-Focused Transportation Impact Study Guide*. May 2020.

California Department of Water Resources. *DWR Announces Increase to Anticipated State Water Project Allocation for 2024*. Published February 21, 2024. Website: <https://water.ca.gov/News/News-Releases/2024/Feb-24/DWR-Announces-Increase-to-Anticipated-State-Water-Project-Allocation-for-2024> (accessed April 21, 2024).

California Energy Commission (CEC). *Medium and Heavy-Duty Truck Prices and Fuel Economy 2013–2026*. 2015. Website: efiling.energy.ca.gov/getdocument.aspx?tn=206180 (accessed June 2023).

_____. *Gas Consumption by Entity*. 2016. Website: <https://ecdms.energy.ca.gov/gasbyutil.aspx> (accessed September 2023).

_____. *Supply and Demand of Natural Gas in California*. 2020. Website: https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california_ (accessed June 2023).

_____. *2020 Total System Electric Generation*. 2022. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation> (accessed June 2023).

_____. *Gas Consumption by County*. 2022. Website: <http://www.ecdms.energy.ca.gov/gasbycounty.aspx> (accessed September 2023).

_____. *2023 Integrated Energy Policy Report*. Docket Number: 23-IEPR-01. 2023.

_____. *Electricity Consumption by County*. 2023. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed August 31, 2023).

_____. *Electricity Consumption by Entity*. 2023. Website: www.ecdms.energy.ca.gov/elecbyutil.aspx (accessed August 31, 2023).

California Environmental Protection Agency (CalEPA) Office of Environmental Health Hazard Assessment (OEHHA). *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments*. March 2015. Website: <https://oehha.ca.gov/air/air-toxics-hot-spots> (accessed June 2023).

The California Gas and Electrical Utilities. *2022 California Gas Report*. Southern California Gas Company Annual Gas Supply and Requirements, Estimated Years 2022-2035. Website: https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf (accessed February 10, 2023).

California Geological Survey (CGS). *2008 Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San*



Bernardino and Riverside Counties, California. Website: https://filerequest.conservation.ca.gov/?q=SR_206 (accessed August 2022).

California Inter-Utility Coordinating Committee. *California Temporary Traffic Control Handbook, 7th Edition*. May 2018.

California Legislative Information. Fish and Game Code of California. 2021. Website: <http://leginfo.ca.gov/faces/codesTOCSelected.xhtml?tocCode=FGC&tocTitle=+Fish+and+Game+Code+-+FGC> (accessed October 2023).

California Regional Water Quality Control Board (RWQCB). *Order No. R7-2013-011, NPDES No. CAS617002*. June 20, 2013. Website: https://www.waterboards.ca.gov/coloradriver/board_decisions/adopted_orders/orders/2013/0011cv_ms4.pdf (accessed November 9, 2022).

_____. *Waste Discharge Requirements for City of Banning, Wastewater Treatment Plant Banning-Riverside Order R7-2016-0015*. December 2015. Website: https://www.waterboards.ca.gov/rwqcb7/board_decisions/adopted_orders/orders/2016/0015banning.pdf (accessed September 2022).

California State Water Resources Control Board (SWRCB). *2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305 (b) Report)*. Website: https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html (accessed March 2, 2023).

_____. California Regional Water Quality Control Board, Colorado River Basin. *Water Quality Control Plan for the Colorado River Basin Region*. January 8, 2019.

_____. *NPDES 2022 Construction Stormwater General Permit, Order No. 2022-0057-DWQ, NPDES No. CAS000002*. https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction/general_permit_reissuance.html. Effected September 1, 2023 (accessed September 15, 2023).

Carollo Engineers. *City of Banning Integrated Master Plan*. March 2018. Revision 1.2, October 2018.

City of Banning. *General Plan*. Adopted January 31, 2006.

_____. *Banning Parks and Recreation Master Plan*. 2010.

_____. *Emergency Operations Plan*. July 2007; revised December 2012.

_____. *Rancho San Gorgonio Specific Plan EIR, Draft EIR Chapter 5.13 Public Services*. June 2016.

_____. *Resolution No. 2005-91 Commercial Vehicle Routes*. October 23, 2018.

_____. *Resolution No. 2021-32*. May 25, 2021.



- _____. *Housing Element, 2021-2029*. Adopted October 2021.
- _____. *Banning City TV, Government Access Television*. Website: <http://banning.ca.us/139/Government-Access-TV-Channels> (accessed August 4, 2023).
- _____. *Code of Ordinances, Title 5 – Business Licenses and Regulations, Chapter 5.60 – Surface Mining and Reclamation, Section 5.60.170*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT5BULIRE_CH5.60SUMIRE_5.60.170MIREPR (accessed July 2023).
- _____. *Code of Ordinances, Title 15 – Buildings and Construction, Chapter 15.68 – Development Impact Fees, Section 15.668.050*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.68DEIMFE_15.68.050PAPAFADIMFE (accessed July 2022).
- _____. *Code of Ordinances, Title 17 – Zoning, Division II. – Land Use Districts, Chapter 17.20 – Open Space Districts, Section 17.20.010(B)(2)*. Website: https://library.municode.com/ca/banning/codes/code_of_ordinances?nodeId=TIT17ZO_DIVIIAUSDI_CH17.20OPSPDI (accessed July 12, 2023).
- _____. City of Banning Parks and Recreation. 2021. Website: <http://banning.ca.us/97/Parks-Recreation> (accessed August 2022).
- _____. *General Plan & Amendments*. Website: <http://banning.ca.us/468/General-Plan-Amendments> (accessed September 2023).
- _____. *Municipal Water and Sewer Service*. Website: <http://www.banning.ca.us/96/Municipal-WaterSewer-Utilities> (accessed July 13, 2023).
- _____. *Typical Divided Street Sections, Standard No. ST-100*. 2012 Edition.
- _____. *Typical Divided Street Sections, Standard No. ST-101.1*. 2012 Edition.
- _____. *Zoning Code*. Website: <http://banning.ca.us/74/Zoning-Code> (accessed September 2023).
- County of Riverside. *County of Riverside Environmental Impact Report No. 521, Section 4.14 Mineral Resources*. February 2015.
- _____. County of Riverside General Plan. December 8, 2015.
- _____. *Hazardous Materials*. Department of Environmental Health. 2023. Website: <https://rivcoeh.org/hazardous-materials> (accessed August 10, 2023).
- _____. *Draft Program EIR No. 521*. Website: https://planning.rctlma.org/Portals/14/genplan/general_plan_2015/DEIR%20521/DEIR%20No.%20521.pdf (accessed August 2022)



- _____. *Final Official Election Results Consolidated General Election November 8, 2022*. Registrar of Voters. Website: https://www.voteinfo.net/Elections/20221108/docs/ElectionSummaryReportRPT_mhtml.htm (accessed November 22, 2022).
- _____. *Riverside County General Plan, The Pass Area Plan*. Table 2, Statistical Summary of Pass Area Plan. Website: <https://planning.rctlma.org/sites/g/files/alnop416/files/migrated/Portals-14-genplan-GPA-2022-Compiled-PAP-4-2022-rev-20220523.pdf> (accessed July 2023).
- _____. Riverside County Mapping Portal. Riverside County Spatial Data. Website: <https://gisopendata-countyofriverside.opendata.arcgis.com/datasets/b9cec1f09eb044daac78bff1a26f906b/explore?location=33.958900%2C-116.803899%2C12.99> (accessed October 2, 2023).
- Data USA. Banning, CA. Website: datausa.io/profile/geo/banning-ca#tmap_ind_num_emp (accessed July 2022).
- Dudek & Associates, Inc. *Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)*. Approved June 17, 2003.
- _____. *Fire Protection Plan, First Hathaway Logistics Project, County of Riverside*. March 2024.
- _____. *Wildfire Evacuation Plan, First Hathaway Logistics*. April 2024.
- Email communication between Chris Graham, LSA, and Arturo Vela, City of Banning Director of Public Works Public Works Department, December 3, 2021.
- Email communication between Kevin Lee, District Director Banning Library, and Tulsi Mistry, Assistant Environmental Planner, LSA, March 8, 2022.
- Email communication with Arturo Vela, City of Banning Department of Public Works, September 6, 2023.
- Federal Aviation Administration, Southwest Regional Office. *Aeronautical Study No. 2022-AWP-10883-OE*. July 5, 2022. Extension of the effective period of the determination issued January 10, 2024.
- Federal Emergency Management Agency (FEMA). *Flood Insurance Rate Map (FIRM), Map No. 06065C0816G*. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.04267821289032,33.8542142909214,-116.71034178710954,33.99665275843608> (accessed April 11, 2022).
- Federal Highway Administration (FHWA). *Highway Traffic Noise Prediction Model, FHWA RD 77-108*. 1977.
- _____. *Highway Construction Noise Handbook. Roadway Construction Noise Model, FHWA HEP-06-015. DOT-VNTSC-FHWA-06-02. NTIS No. PB2006-109012*. August 2006.



- _____. *FHWA Highway Traffic Noise: Analysis and Abatement Guidance, FHWA HEP-10-025*. December 2011. https://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf (accessed May 2023).
- Federal Railroad Administration (FRA). *Train Crossing Searchable Database. Office of Safety Analysis*. <http://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Xingqryloc.aspx> (accessed March 2023).
- Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123*. September 2018. Website: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed May 2023).
- Fehr & Peers. *WRCOG SB 743 Implementation Pathway Document Package*. March 2019.
- Group Delta Consultants, Inc. *Environmental Due Diligence Review, First Hathaway, Banning, California*. October 7, 2021.
- Hernandez, H. *Record Gazette*. November 11, 2022.
- Intergovernmental Panel on Climate Change. *Sixth Assessment Report*. 2021.
- Integrated Data and Analysis Branch Division of Statewide Integrated Water Management. *Water Management Planning Tool*. Website: <https://gis.water.ca.gov/app/boundaries/> (accessed January 24, 2023).
- Iowa Environmental Mesonet. *Windrows*. 2021. Website: https://mesonet.agron.iastate.edu/sites/windrose.phtml?—network=CA_—ASOS&station=LGB. (accessed June 2023).
- Lange, Fredrick W. 2009. *Cultural Resources Assessment, Banning Business Park, City of Banning, Riverside County, California*. LSA Project OSI0801 (Riverside Office).
- _____. *Phase II Archaeological Testing, Banning Business Park, City of Banning, Riverside County, California*. LSA Project OSI0801 (Riverside Office).
- LSA. *Operational Noise Impact Analysis for Richmond Wholesale Meat Distribution Center*. May 2016.
- _____. *City of Banning VMT Analysis Implementation Guidelines*. Adopted October 2021.
- _____. *Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis, City of Banning, Riverside County, California*. Adopted October 2021.
- _____. *Health Risk Assessment for the First Hathaway Logistics Warehouse Project*. April 2024.
- _____. *Noise and Vibration Impact Analysis Memorandum for the First Hathaway Logistics Warehouse Project in the City of Banning, California*. May 2023.



_____. *Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum for the proposed First Hathaway Logistics Warehouse Project in Banning, California*. April 2024.

Montrose Environmental. *City of Banning Wastewater Treatment Plant Capacity and Condition Assessment Evaluation*. March 2020. Website: <https://banningca.gov/DocumentCenter/View/7855/3-WWTP-Condition-Assessment> (accessed September 20, 2022).

Morongo Band of Mission Indians (Morongo). *Revisions and Additions requested for Cultural Resources Study for the First Hathaway Project, City of Banning, County of Riverside, APNs 532-110-001 to -003 and -008 to -010*, June 2022. June 7, 2023.

National Fire Protection Association (NFPA). *NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*. 2020.

Office of Environmental Health Hazard Assessment (OEHHA). *Health Effects of Diesel Exhaust*. May 21, 2001. Website: oehha.ca.gov/air/health-effects-diesel-exhaust (accessed June 2023).

Propper, Ralph, et al. Ambient and Emission Trends of Toxic Air Contaminants in California. *American Chemical Society: Environmental Science & Technology*. 2015. Website: pubs.acs.org/doi/full/10.1021/acs.est.5b02766 (accessed November 2022).

Provost & Pritchard Consulting Group, Intera Geoscience and Engineering Solutions, and San Gorgonio Pass Subbasin Groundwater Sustainability Agency. *San Gorgonio Pass Subbasin Groundwater Sustainability Plan*. January 2022. Website: https://www.sgpgsas.org/wp-content/uploads/2022/01/Final_SGPGSP_1230_2021-web.pdf (accessed January 24, 2023).

RJM Design Group, Inc. City of Banning Parks and Recreation Master Plan. 2010.

Riverside County Agricultural Commissioner's Office. *Riverside County Agricultural Production Report 2021*. Website: <https://rivcoawm.org/resources/publications-databases> (accessed June 2023).

Riverside County Airport Land Use Commission (ALUC). *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document*. Chapter 2, Countywide Policies and Chapter 3, FV. Banning Municipal Airport. October 14, 2004; amended January 2012.

_____. *Airport Land Use Commission (ALUC) Development Review – Director's Determination*. File No.: ZAP1047BA22. July 11, 2022.

Riverside County Department of Waste Resources. 2023. Website: <https://www.rcwaste.org/disposal/hours> (accessed October 2023).

Riverside County Emergency Management Department. Local Hazard Mitigation Plan. Website: <https://rivcoemd.org/LHMP> (accessed July 13, 2021).



Riverside County Flood Control and Water Conservation District (RCFCWCD). *Hydrology Manual*. April 1978.

_____. *Banning Master Drainage Plan*. 1994.

_____. *Riverside County Whitewater River Region Stormwater Quality Best Management Practice Design Handbook for Low Impact Development*. June 2014.

Riverside County Parks. Gilman Historic Ranch and Wagon Museum. 2021. Website: <https://www.rivcoparks.org/gilman-ranch-wagon> (accessed February 15, 2021).

Riverside County Transportation and Land Management Agency. *Western Riverside County Multiple Species Habitat Conservation Plan*. 2004. Website: <https://rctlma.org/western-riverside-county-multiple-species-habitat-conservation-plan-mshcp-1> (accessed October 2023).

San Gorgonio Pass Subbasin Groundwater Sustainability Agency. *Governance*. Website: <https://www.sgpgsas.org/governance/#:~:text=in%20their%20efforts-,Groundwater%20Sustainability%20Agencies,three%20GSA's%20for%20the%20subbasin> (accessed January 24, 2023).

South Coast Air Quality Management District (SCAQMD). *CEQA Air Quality Handbook*. 1993. Website: [http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)) (accessed June 2023).

_____. *Mobile Source Toxics Analysis*. 2002. Website: www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis (accessed January 2023).

_____. *Final Localized Significance Threshold Methodology*. July 2008. Website: www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-1st-methodology-document.pdf (August 2023).

_____. *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*. 2008.

_____. *Final 2016 Air Quality Management Plan*. March 2016.

_____. *AB2588 and Rule 1402 Supplemental Guidelines*. July 2018. Website: www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588supplementalguidelines.pdf (accessed June 2023).

_____. *2022 Air Quality Management Plan*. Adopted December 2, 2022.

_____. *Air Quality Significance Thresholds*. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf> (accessed November 2022).

Southern California Association of Governments (SCAG). *Final 2008 Regional Comprehensive Plan*. Adopted October 2008.



- _____. *Connect SoCal, The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*. Adopted September 3, 2020.
- Southern California Association of Governments (SCAG) Intergovernmental Review (IGR). Website: <https://scag.ca.gov/igr> (accessed June 2023).
- Southern California Gas Company (SoCalGas). About SoCalGas. 2020. Website: <https://www3.socalgas.com/about-us/company-profile> (accessed June 2023).
- _____. *Company Profile*. 2023. Website: <https://www.socalgas.com/about-us/company-profile#:~:text=For%20more%20than%2015%20years,fueling%20new%20possibilities%20in%20California>(accessed September 2023).
- Southern California Geotechnical. *Geotechnical Investigation, Proposed Commercial/Industrial Development, Hathaway Street, North of Ramsey Street, APNs 532-11-003, -008, -009, -010, Banning, California*. October 25, 2006.
- _____. *Interim Rough Grade Compaction Report, Proposed Banning Business Park, Hathaway Street, North of Ramsey Street, Banning, California*. October 13, 2011.
- _____. *Update of Geotechnical Investigation Report, Proposed Stagecoach Business Park, Hathaway Street, North of Ramsey Street, Banning, California*. March 15, 2018.
- _____. *Geotechnical Investigation, Proposed Banning Industrial Park, NEC Hathaway Street and Nicolet Street, Banning, California*. February 4, 2022.
- Spencer, W.D., P. Beier, K. Penrod, K. Winters, C. Paulman, H. Rustigian-Romsos, J. Strittholt, M. Parisi, and A. Pettler. 2010. *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California*. Prepared for California Department of Transportation, California Department of Fish and Game, and Federal Highways Administration.
- Stantec Consulting, Ltd. *First Hathaway Logistics Potable Water System Analysis*. Pages 4.6 and 4.7. November 18, 2021.
- _____. *Project Specific Preliminary Water Quality Management Plan, First Hathaway Logistics Center*. November 18, 2021; revised September 2022, March 2023, and July 2023.
- _____. *Traffic Study Scope of Work for First Hathaway Logistics*. December 8, 2021
- _____. *Water Supply Assessment, First Hathaway Logistics, Banning, CA*. January 30, 2023.
- _____. *First Hathaway Logistics Center, VMT Assessment, City of Banning*. March 13, 2023.
- _____. *First Hathaway Logistics Center, Local Transportation Analysis, City of Banning*. March 14, 2023.



_____. *Preliminary Hydrology Report, Tentative Parcel Map No. 38256, First Hathaway Logistics Center, Banning California.* June 22, 2023.

State of California. *California Groundwater Bulletin 118, Hydrologic Region Colorado River, Coachella Valley Groundwater Basin, San Gorgonio Pass Subbasin.* Website: https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/7_021_04_SanGorgonioPassSubbasin.pdf (accessed April 11, 2022).

State of California Board of Forestry and Fire Protection and California Department of Forestry & Fire Protection. *2018 Strategic Fire Plan for California.* August 22, 2018.

State of California, Employment Development Department. *Labor Force and Unemployment Rate for Cities and Census Designated Places.* Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

State of California, Employment Development Department, Labor Market Information Division. *Monthly Labor Force Data for Cities and Census Designated Places.* July 2023. Website: <https://labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html> (accessed September 2023).

State of California, Governor's Office of Planning and Research (OPR). *Technical Advisory on Evaluating Transportation Impacts in CEQA.* December 2018.

State of California, Office of the Attorney General. *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act.* October 2022.

State of California, State Allocation Board. *Office of Public School Construction, School Facility Program Handbook.* April 2007.

Tang, Bai "Tom," Michael Hogan, Josh Smallwood, and Terri Jacquemain. *Cultural Resources Technical Report City of Banning General Plan.* Unpublished report on file at the Eastern Information Center at the University of California at Riverside, Riverside, California. 2004.

Terra Nova Planning & Research, Inc. *City of Banning Comprehensive General Plan, Draft Subsequent Environmental Impact Report.* June 2005.

_____. *Final Environmental Impact Report (SCH# 2005011039) for the City of Banning Comprehensive General Plan and Zoning Ordinance.* January 18, 2006.

United Nations Framework Convention on Climate Change. GHG Data from UNFCCC. 2022. Website: https://di.unfccc.int/time_series (accessed June 2023).



- United States Census Bureau. *2017–2021 American Community Survey 2021 5-Year Estimate Table S0101*. Website: https://data.census.gov/table?q=S0101&g=050XX00US06065_160XX00US0603820&y=2021&tid=ACSST5Y2021.S0101 (accessed September 2023).
- _____. *QuickFacts, Banning city, California, Population Estimates, July 1, 2022 (V2022)*. Website: <https://www.census.gov/quickfacts/fact/table/banningcitycalifornia/PST045222> (accessed July 2023).
- _____. Riverside-San Bernardino, CA Urbanized Area No. 75340. Website: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340_000.pdf (accessed January 31, 2023).
- United States Department of Energy. 2007. “Energy Independence & Security Act of 2007.” Website: <https://www.afdc.energy.gov/laws/eisa> (accessed June 2023).
- United States Department of Transportation (USDOT). “Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles.” Website: <https://www.bts.dot.gov/bts/bts/content/average-fuel-efficiency-us-light-duty-vehicles> (accessed June 2023).
- United States Energy Information Administration (EIA). *Electricity Explained*. 2020. Website: <https://www.eia.gov/energyexplained/electricity/> (accessed June 2023).
- _____. *Natural Gas Explained – Use of Natural Gas*. 2020. Website: https://www.eia.gov/energyexplained/index.php?page=natural_gas_use (accessed June 2023).
- _____. *California State Profile and Energy Estimates, Data*. 2022. Website: www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=CA (accessed September 2023).
- United States Environmental Protection Agency. *AERMOD Modeling System*. Website: www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models (accessed June 2023).
- United States Environmental Protection Agency (EPA). *Black Carbon, Basic Information*. February 14, 2017. Website: 19january2017snapshot.epa.gov/www3/airquality/blackcarbon/basic.html (accessed June 2023).
- _____. *Criteria Air Pollutants*. October 2017. Website: www.epa.gov/criteria-air-pollutants (accessed November 2022).
- _____. *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2019*. 2021. Website: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2019> (accessed June 2023).



_____. Learn About Impacts of Diesel Exhaust and the Diesel Emissions Reduction Act (DERA). Website: www.epa.gov/dera/learn-about-impacts-diesel-exhaust-and-diesel-emissions-reduction-act-dera (accessed June 2023).

United States Fish and Wildlife Service (USFWS). *A Guide to the Laws and Treaties of the United States for Protecting Migratory Birds*. 2021. Website: <https://www.fws.gov/program/migratory-birds/what-we-do> (accessed October 2023).

United States Geological Survey (USGS). *Natural Hazards*. "What Should I Know about Wildfires and Debris Flows?" Website: https://www.usgs.gov/faqs/what-should-i-know-about-wildfires-and-debris-flows?qt-news_science_products=0#qt-news_science_products (accessed July 14, 2021).

Weis Environmental, LLC. *Phase I Environmental Site Assessment, First Hathaway, Banning, California*. March 26, 2021. Revised April 13, 2024.

_____. *Phase II Environmental Site Assessment, First Hathaway, Banning, California 92220*. May 26, 2021. Revised April 13, 2024.

West & Associates Engineering, Inc. and John Robinson Consulting, Inc. *2020 Urban Water Management Plan, City of Banning, CA*. May 2021.

Western Regional Climate Center. Recent Climate in the West. Website: <http://www.wrcc.dri.edu>, (accessed June 2023).

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

_____. *MSHCP Fees*. July 1, 2023. Website: <https://www.wrc-rca.org/development-applications/permits-and-fees/> (accessed October 2023).

White House Office of the Press Secretary. *FACT SHEET: President Obama to Designate New National Monuments in the California Desert*. February 12, 2016. Website: <https://obamawhitehouse.archives.gov/the-press-office/2016/02/12/fact-sheet-president-obama-designate-new-national-monuments-california> (accessed July 2023).

Willdan Engineering. *City of Banning General Plan Land Use & Zoning*. June 14, 2021. Website: <http://banning.ca.us/74/Zoning-Code> (accessed June 17, 2023).

Willdan Financial Services. *City of Banning Development Impact Fee Update Study*. August 7, 2019.



This page intentionally left blank