Brown Strauss Industrial Project
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
Design Review No. DR 23-7008

Prepared for

City of Banning
Community Development Department • Planning Division
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ACRONYMNS

Acronym	Definition
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
APZ	Accident Potential Zone
ALUC	Airport Land Use Commission
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Banning
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRBRWQCB	Colorado River Basin Regional Water Quality Control Board
CRHR	California Register of Historic Resources
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
EPA	Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
ITE	Institute of Transportation Engineers
LID	Low Impact Design

LOS	Level of Service
LST	Localized Significance Threshold
mgd	Millions of Gallons per Day
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
MSHCP	Western Riverside Multiple Species Habitat Conservation Plan
MTCO2e	Metric Tons Carbon Dioxide Equivalent
MWD	Metropolitan Water District
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
PM-2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM-10	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RWQCB	Regional Water Quality Control Board
SGMA	Sustainability Groundwater Management Act
SF	Square Feet
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SLF	Sacred Lands File
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
TRU	Transport Refrigeration Units
TUMF	Transportation Uniform Mitigation Fee
UWMP	Urban Water Management Plan

1 INTRODUCTION

Brown Strauss, Inc. (Applicant) proposes to develop a steel distribution facility consisting of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, an outdoor storage yard, and associated parking and landscaping (Proposed Project). The Proposed Project would be constructed on three vacant parcels which will be consolidated into one parcel. The Proposed Project Site is situated on north side of W Lincoln Street, south of Redlands Freeway (I-10) and Union Pacific Railroad Corridor, west of South 8th street, East of South 22nd Street, and specifically within Assessor's Parcel Numbers (APNs 540-180-020, 540-180-022, and 540- 180-026) and is known as site address, 1219 and 1431 W. Lincoln Street.

The Proposed Project is subject to the approval of the following entitlements:

- Approval of General Plan Amendment No. 23-2502 and Zone Change No. 3502 (GPA 23-2502 and ZC 3502) to rezone 1431 W. Lincoln Street to Industrial for consistency with other lots within the Project Site;
- Approval of Design Review No. 23-7008 (DR 23-7008) to construct a 46,904 square feet steel distribution facility with an outdoor storage yard and associated parking and landscaping on 14.92 acres of land consisting of three parcels;
- Approval of Tentative Parcel Map No. 23-4002 (TPM 23-4002) to merge together three lots and provide right-of-way dedication along W. Lincoln Street;
- Approval of Parking Adjustment – Proposal for an alternative parking rate for a distribution facility.

The Proposed Project is a project under the California Environmental Quality Act (Public Resource Code § 21000 et seq.: "CEQA"). The primary purpose of CEQA is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision-making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid any significant environmental impacts resulting from the implementation of projects subject to CEQA.

Pursuant to Section 15367 of the Guidelines for Implementation of the California Environmental Quality Act ("State CEQA Guidelines"), the City of Banning (City) is the lead agency for the Proposed Project. The lead agency is the public agency that has the principal responsibility for conducting or approving a project. The City, as the lead agency for the Proposed Project, is responsible for preparing environmental documentation in accordance with CEQA to determine if approval of the discretionary actions requested and subsequent development and operation of the Proposed Project would have a significant impact on the environment.

1.1 California Environmental Quality Act Compliance

In accordance with CEQA, this Initial Study has been prepared to analyze and determine any potential significant impacts upon the environment that would result from construction and implementation of the Proposed Project. In accordance with State CEQA Guidelines Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

A Lead Agency may prepare a Mitigated Negative Declaration for a project that is subject to CEQA when an Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (Public Resources Code Section 21064.5).

This Initial Study has been prepared for the Proposed Project, in conformance with Section 15070(b) of the State CEQA Guidelines. The purpose of the Initial Study is to identify potentially significant impacts associated with the construction and operation of the Proposed Project and incorporate mitigation measures into the Proposed Project as necessary to eliminate the potentially significant effects of the Proposed Project or to reduce the effects to a less than significant level.

1.2 Content and Format of the Initial Study

This Initial Study is based on an Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level.

The Initial Study is organized as follows:

- **Section 1 – Introduction.** This section introduces the scope of the Proposed Project and the City's role in the project, as well as a brief summary of findings.
- **Section 2 – Project Summary and Environmental Determination.** This section summarizes the Proposed Project and actions to be undertaken by the City. This section also provides the determination of the environmental document to be approved by the City.

- **Section 3 – Project Description.** This section details the Proposed Project components and general environmental setting.
- **Section 4 – Environmental Impacts**. This section contains the Environmental Checklist Form (Form), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form is based on the current State CEQA Guidelines Appendix G Environmental Checklist Form and it evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. The form requires an analysis in 20 subject categories as well as Mandatory Findings of Significance.
- **Section 5 – List of Preparers.** This section summarizes the professionals who contributed to the preparation of this report and its technical appendices.
- **Section 6 – References.** This section identifies the references used in the preparation of this Initial Study.

1.3 Initial Study Summary of Findings

Based on the analysis in Section 4, there were no environmental factors that could potentially affect ("Potentially Significant") the environment. Mitigation measures were identified to reduce some impacts to Less Than Significant. Therefore, the determination, based on the Initial Study, is that a **Mitigated Negative Declaration** would be prepared.

1.4 Documents Incorporated by Reference

The following reports and/or studies are applicable to development of the Project Site and are hereby incorporated by reference:

- *City of Banning General Plan,* City of Banning, adopted on January 31, 2006 (GP). (Available at http://www.banning.ca.us/DocumentCenter/View/660/GP-Table-of-Contents?bidId=)
- *Final Environmental Impact Report, SCH No. 2005011039, for the City of Banning Comprehensive General Plan and Zoning Ordinance,* City of Banning, certified January 31, 2006 (GP EIR). (Available at http://www.banning.ca.us/DocumentCenter/View/778/GP-FEIR?bidId=)
- *General Plan Circulation Element Amendment*, City of Banning, adopted March 26, 2013. (Available at http://www.banning.ca.us/DocumentCenter/View/4418/Circulation-Element-Amendment---Resolution-No-2013-34?bidId=)
- *Final Environmental Impact Report, SCH No. 2012011008, City of Banning Circulation Element General Plan Amendment*, City of Banning, certified March 26, 2013. (Available at Part I http://www.banning.ca.us/DocumentCenter/View/1118/3-Draft-EIR?bidId= and Part II http://www.banning.ca.us/DocumentCenter/View/2260/Response-to-Comments?bidId=)

1.5 Contact Person

Any questions about the preparation of the Initial Study, its assumptions, or its conclusions should be referred to the following:

Attn: Emery Papp, Senior Planner
City of Banning
Community Development Services - Planning Division
99 E. Ramsey Street
Banning, CA 92220
Phone: 951.922.3152
Email: epapp@banningca.gov

2 PROJECT SUMMARY AND ENVIRONMENTAL DETERMINATION

2.1 Project Summary

1. Project Title: Brown Strauss Industrial Project - DR No. 23-7008

2. Lead Agency Name: City of Banning

Address Community Development Department - Planning Division
99 E. Ramsey Street
Banning, CA 92220

3. Contact Person: Emery Papp, Senior Planner
epapp@banningca.gov
951.922.3152

4. Project Location: North side of W. Lincoln Street,
South of the I-10 Freeway
East of S. 16th Street, West of S. 8th Street
Site Acres: 14.92 gross acres/14.27 net acres
Site Addresses: 1219 W. Lincoln Street and 1431 W. Lincoln Street
Topographic Quad (USGS 7.5"): *Beaumont*
Topographic Quad Coordinates: T3 South, R1 East, Section 9
Latitude: 33.9224°N, Longitude: 116.8909°W
APNs: 540-180-020, 540-180-022, 540-180-026

5. Project Sponsor's Name: Brown Strauss, Inc.

Address 2495 Uravan Street
Aurora, CO 80011

6. General Plan Designation: General Commercial and Industrial

7. Zoning Designation: General Commercial and Industrial

8. Description of Project:

Development of three parcels located at 1219 and 1431 W. Lincoln Street (APNs 540-180-020, 540-180-022, and 540- 180-026) with a steel distribution facility. The Proposed Project consists of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, outdoor storage yard, and associated parking, landscaping, and

road improvements. The warehouse will be utilized to store structural tube, structural channel, and structural angle. The outdoor storage yard would be utilized to store wide flange beam and structural tube. Products inside the warehouse are moved via overhead cranes and products in the outdoor storage yard are moved using forklifts. Access to the site via a rail spur from the adjacent Union Pacific Railroad line is also incorporated into the site plan and analyzed in the MND.

9. Surrounding Land Uses:

Surrounding land uses are identified in **Table 1** - **Surrounding Land Use**. The Project Site is currently vacant.

Table 1 - Surrounding Land Use

Direction	Land Use Description
North	I-10 Freeway and Union Pacific Railroad
East	Multi-tenant industrial warehouses and offices
South	W. Lincoln Avenue, industrial uses, and nonconforming residential uses
West	Vacant land and Industrial warehouse

10. Other Public Agencies Whose Approval is Required:

The following discretionary approvals are required for the Proposed Project:

Federal Agencies:

- There are no federal agencies in which discretionary approvals are required.

State Agencies:

- California Public Utilities Commission:
  - Approval of rail spur connection to adjacent Union Pacific Railroad line.

Local Agencies:

- City of Banning:
  - Adopt CEQA compliance documents;
  - Approval of General Plan Amendment No. 23-2502 and Zone Change No. 3502 (GPA 23-2502 and ZC 3502) to rezone 1431 W. Lincoln Street to Industrial for consistency with other lots within the Project Site
  - Approval of Design Review No. 23-7008 (DR 23-7008) to construct a 46,904 square feet steel distribution facility with an outdoor storage yard and associated parking and landscaping on 14.92 acres of land consisting of three parcels
  - Approval of Tentative Parcel Map No. 23-4002 (TPM 23-4002) to merge three lots and provide right-of-way dedication along W. Lincoln Street

- Approval of Parking Adjustment – Proposal for an alternative parking rate for a distribution facility
- Approvals from Banning Electric Utility, Water, and Wastewater divisions for provision of city owned utilities and hookups.

- Colorado River Basin Regional Water Quality Control Board:
  - Approval of a National Pollutant Discharge Elimination System (NPDES) permit to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.

11. California Native American Consultation:

On August 3, 2023 the City of Banning notified tribal entity representatives of the Proposed Project and the 30-day timeframe in which to request consultation in accordance with AB52 and SB18. Of the tribes contacted, the following responses were received:

- Luz Salazar, Cultural Resources Analyst, Agua Caliente Band of Cahuilla Indians. Consultation is ongoing.
- Bernadette Ann Brierty, Tribal Historic Preservation Officer, Morongo Band of Mission Indians. Consultation is ongoing.

2.2 Organization of Environmental Analysis

This Initial Study is based on an Environmental Checklist Form (Checklist), as suggested in Section 15063(d)(3) of the State CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Checklist evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level.

Section 4 provides a discussion of the potential environmental impacts of the Proposed Project. The evaluation of environmental impacts follows the questions provided in the Checklist provided Appendix G to the State CEQA Guidelines.

2.3 Evaluation of Environmental Impacts

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Once the Lead Agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant.

"Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." Mitigation measures are identified and explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).

Earlier analyses may be used where, pursuant to the Program EIR or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (Section 15063[c][3][D]. In this case, a brief discussion should identify the following:

a) Earlier analyses were used where they are available for review.

b) Which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and whether such effects were addressed by mitigation measures based on the earlier analysis.

c) The mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project for effects that are "Less than Significant with Mitigation Measures Incorporated".

References and citations have been incorporated into the checklist references to identify information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document, where appropriate, include a reference to the page or pages where the statement is substantiated.

Source listings and other sources used, or individuals contacted are cited in the discussion.

The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question.

b) The mitigation measure identified, if any, to reduce the impact to less than significant.

2.4 Environmental Factors Potentially Affected

Based on the analysis in Section 4, the Proposed Project could potentially affect ("Potentially Significant") the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor and identifies where mitigation measures would be necessary to reduce all impacts to less than significant levels.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology and Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

2.5 Determination

On the basis of this initial evaluation, the following finding is made:

	The proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	Although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
	The proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	The proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature Date

Name Title

3 PROJECT DESCRIPTION

3.1 Background

Based on review of the historical information, the Project Site consisted of undeveloped land from as early as 1901, followed by agricultural land activities from at least 1938 until sometime between 1953 and 1961. By 1961, the central and eastern portions of the site appeared graded, and another homestead/dwelling and apparent trailers/containers were visible. By 1989, the homestead/dwelling on the eastern portion of the site appeared to have been removed, followed by the apparent removal of the remaining homestead/dwelling on the western portion of the site, by 1990. Based on the 2002 aerial photograph, apparent containers/trailers were visible throughout the site. By 2006, the containers/trailers appeared to have been removed. Based on the 2012 aerial photograph, an apparent water tank and small animal enclosure were visible on the southwestern portion of the site. In addition, an apparent container/trailer was visible in the 2016 aerial photograph. Both structures have since been removed.

The Proposed Project is designed to accommodate relocation of the existing Brown Strauss Steel distribution facility in the City of Fontana. The existing facility, located at 14970 Jurupa Avenue, operates on a 23-acre site with no warehouse and a small storage shed only. Though the Project Site is smaller than the Fontana site, Brown Strauss anticipates that the more efficient layout of the Banning facility, including the warehouse, will allow for staffing levels to remain the same or be reduced after the relocation is complete.

Project Site Setting

The Proposed Project would be constructed on three vacant parcels (APNs 540-180-020, 540-180-022, and 540- 180-026) which will be consolidated into one parcel. Parcel No. 540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The Industrial zone allows for a variety of uses such as manufacturing, research and development, warehouse and distribution, and accessory retail uses. The Project Site is located on the north side of W. Lincoln Street between S. 8th Street and S. 16th Street (**Figure** 1 – *Regional Vicinity* and **Figure 2** – *Site Location – Aerial View*). The Project Site is approximately 14.92 gross acres and is currently unimproved land located within an area developed with industrial and non-conforming rural residential land uses. It is bounded by the Union Pacific railroad track to the north, industrial warehouses to the east, a mix of currently vacant and non-conforming rural residential parcels to the south across W Lincoln Street, and a vacant land to the west.

The Project Site is within the Beaumont United States Geological Survey (USGS) 7.5- Minute Topographic Quadrangle Map (USGS 1984) - Section 9, of Township 3 South and Range 1 East.

Major roadways in the surrounding area include the I-10 (Redlands Freeway) to the north and SR 243 to the east. Per forthcoming updates to the City of Banning General Plan Circulation Element, W. Lincoln Street is an approved truck route, with access to I-10 to be taken from S. 8th Street to the east and S. 22nd Street to the west.

Site Zoning

The Project Site is split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540- 180-020 and -026) zoning and General Plan designations (**Figure 3 –** *Existing General Plan Designation/Zoning Map*). Parcel No. 540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site (**Figure 4 –** *Proposed General Plan Designation/Zoning Map*). The Industrial zone allows for a variety of uses such as manufacturing, research and development, warehouse and distribution, and accessory retail uses. The (I) zone correlates with the "Industrial" General Plan Land Use designation. (City of Banning, January 31, 2006).

3.2 Project Characteristics

The Proposed Project includes the following:

Site Plan: The Proposed Project would involve the construction of a steel distribution facility consisting of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, outdoor storage yard, and associated parking and landscaping with an approximately 1.5-acre street dedication (**Figure 5** – *Site Plan*). The Proposed Project would be constructed on three vacant parcels totaling approximately 14.92 acres which will be consolidated into one parcel. The proposed building is located on the southwest side of the site and the rest of the site would be utilized as outdoor storage. The warehouse and employee parking lot would be utilized to store structural tube, structural channel and structural angle. The outdoor storage yard would be utilized to store wide flange beam and structural tube. Products inside the warehouse are moved via overhead cranes and products in the outdoor storage yard are moved using forklifts. A rail spur connection to the adjacent Union Pacific Corridor is proposed on the north of the site for the deliveries and a loading/unloading area is proposed to be located on the north of the warehouse. Vehicular access to the Project Site would be provided via four driveway access points off of W. Lincoln Street consisting of two one-way gated driveways at opposite ends of the Project Site for truck and fire safety access, with circulation from west to east only, a one-way driveway directly into and through the warehouse from north to south only; and a two-way dedicated driveway into the employee parking lot for passenger vehicles only.

The lot coverage would be 7.6 percent where a maximum of 60 percent is allowed. The Project Site Plan is designed with building setbacks as required by City code. The building would be a maximum height of 36'-4". The Proposed Project provides 64,504 square feet of landscaping where none is required.

Off-Site Improvements: Off-site improvements would occur on the northern and southern Project Site boundaries. Street improvements include curb, gutter and pavement along W. Lincoln Street. Improvements along W. Lincoln Street would include an approximately 1.5-acre street dedication and the construction of a 7-foot-wide parkway, a 5-foot-wide sidewalk, and relocation of existing utility transmission lines to accommodate widening of the street consistent with the City's Street Improvement Plan. Four driveways would be provided along

W. Lincoln Street for vehicular access including two one-way driveways at opposite ends of the Project Site for truck and fire safety access, a one-way driveway, and a two-way driveway for access to employee parking lot. Off-site improvements on the northern Project Boundary includes the construction of a rail spur to the property off of the adjacent UP rail line to allow for inbound deliveries via rail.

Parking: The Project Site contains a total of 34 parking spaces, which include two handicapped accessible spaces and two clean air vehicle spaces. Though distribution is a permitted use in the Industrial zone (Banning Municipal Code, Table 17.12.020) there is no corresponding parking rate in the municipal code. Based on the most similar uses in the Banning Municipal Code parking table 17.28.040B, 53 parking spaces are required. However, the applicant proposes an alternative parking rate for the distribution facility based on the specific operational characteristics of the proposed facility. The new parking ratio is proposed based on the maximum number of staff on site at any given time, two shift scheduling, and no retail sales on-site. Based on the analysis provided in the parking adjustment justification the applicant proposes the parking requirements to be reduced from 53 to 34 parking spaces to match the anticipated staffing needs of the proposed steel distribution facility.

Landscaping and Hardscape: Landscaping is designed around the north, south and west side of the property as well as along the driveways. The facility will provide approximately 64,504 SF of landscaped area (approximately 10.4 percent of the net lot area), where none is required (**Figure 6** – *Landscape Plan*). W. Lincoln Street frontage will be lined with a mix of African Sumac and Swan Hill Olive trees. Drought tolerant low shrubs are planned along W. Lincoln Street and driveways. Along the west and north property boundary, Acacia Redolens ground cover is provided. The westerly driveway is lined with *Acacia stenophylia*. No landscaping is planned for the east property boundary.

Architecture: The warehouse and office building will be constructed utilizing an insulated metal panel system, which provides for an enhanced "granitstone" finish on street facing elevations that appears similar to traditional tilt-up concrete construction. (**Figure 7** – *Building Elevations and* **Figure 8** – *Floor Plan*). The color scheme of the building is a variety of neutral earth tones with shades of blue which are consistent with the surrounding area and are reflective of the Brown Strauss company branded color scheme. Natural lighting will be provided using traditional windows in the office space and clear polycarbonate insulated panels on the warehouse. The Proposed Project design complies with the requirements of the Commercial and Industrial Development Design Guidelines in the Banning Municipal Code.

Site Lighting: Site lighting will consist of 20- to 35-foot tall light standards that will be pointed downward at the storage yard and along the edges of the building. Additional building mounted light fixtures will be used near building entrances. Refer to **Figure 9** – *Photometric Plan* for lighting details.

Stormwater Management: The Water Quality Management Plan (**Appendix F** – *Preliminary Project Specific Water Quality Management Plan*, Joseph E. Bonadiman & Associates, Inc, March 8, 2023, Revised October 2023) identifies stormwater management for post construction

building operations. The existing on-site project area is generally flat, sloping to the southeast. The site is generally covered with native grass and weeds. The site sheet flows to the southeast discharging along W. Lincoln Street, where flow continues to the east. To the north of the Project Site is the Union Pacific railroad, consisting of a limited drainage tributary with elevated tracks on earthen berms, running east/west. Flows originating along the south of the Union Pacific railroad berms are carried to the east via existing earthen swales within the railroad right-of-way. Therefore, there are no significant offsite flows impacting the site.

The proposed project will provide a retention/detention system sized to retain 2.2472 acre feet (af) of storm water while detaining an additional 0.7168 af of storm water. This will provide retention of the calculated developed conditions 100-year, 3-hour volume per City of Banning requirements and will provide adequate volume to mitigate developed flow rates to less than the existing condition flows rates, up to and including the 100-year, 24-hour event, with the exception of the 5-year, 24-hour storm. It should be noted that mitigation of the 5-year, 24-hour storm is not feasible due to the extremely low flow rate of the exiting condition.

Construction of the Proposed Project will also require the developer to prepare a Stormwater Pollution Prevention Plan (SWPPP) as the Project Site is more than 1 acre in size.

Utilities and Services: Water and sewer services would be served by the City of Banning Public Works - Utilities Department and Wastewater Division, electrical service is readily available in the vicinity through Banning Electric Utility (BEU), and natural gas is available through Southern California Gas Company.

3.2.1 Construction Timing

Construction is anticipated to occur in one phase, beginning in the second half of 2024, lasting approximately twelve months, with operations anticipated to begin in the second quarter of 2025. Initial site improvements include grading and underground infrastructure followed by building construction, paving, and landscape activities. The grading quantities are anticipated to balance on site and little to no import or export of fill material is anticipated. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks.

Construction activities include the following:

Site Grading and Underground Utility Construction: Grading is expected to last approximately one month. Site activities include placement of underground water, sewer and other utilities underground throughout the Project Site, and off-site, to service the structures. Typical equipment includes excavators and trenchers. The Project Site is relatively level with minimal surface gradients, and soil balancing is anticipated. Grading will be limited to cuts and fills in order to accomplish the desired site elevations. This does not include the removal and re-compaction of foundation bearing soil within the building envelope. However, due to the presence of compressible surface and near surface soil identified during geotechnical

exploration, some overexcavation and re-compaction are recommended, however, on-site soils are anticipated to be utilized for the Project.

Building Construction and Architectural Coating: Construction of the one 42,510 SF warehouse and associated offices and sheds is expected to occur over six months. The construction method is a metal panel building system. Typical equipment includes welders, delivery trucks, and cranes for lifting. Should a crane be utilized, the Property Owner/Developer and its construction contractor would comply with all local, State, and federal regulations, including but not limited to the FAA Section 77.13 for construction/alteration near airports. The type of equipment will be evaluated, and all permits obtained as necessary prior to construction. All portions of the building will be complete including installation of rollup doors and painting.

Final Site Paving and Landscaping: This activity is anticipated to occur over one month. All parking areas will be paved, and landscaping placed per the design. All architectural and parking lot lighting will also be installed.

Rail Spur: The site plan has been designed to accommodate a rail spur connection to the adjacent Union Pacific Railroad corridor. Discussions between the Applicant, Union Pacific, and the California Public Utilities Commission are ongoing, and may result in the rail spur being constructed as a later phase of development due to the permitting timeline for this improvement. As such, the site plan is designed so as to allow the Project Site to fully accommodate the Proposed Project operations without the rail spur if needed.

3.2.2 Best Management Practices During Construction

The following best management practices would be incorporated into the Proposed Project's construction specifications to identity how the Proposed Project would conform to Federal, State, and Local regulations:

- Construction Water Quality Control: Construction projects that disturb 1 acre of land or more are required to obtain coverage under the NPDES General Permit for Construction Activities (General Construction Permit), which requires the applicant to file a notice of intent (NOI) to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes an overview of the Best Management Practices (BMPs) that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. The Project Site is more than 1 acre therefore, the developer is required to provide an SWPPP. The SWPPP will also address post-construction measures for water quality protection.
- Water Quality Management Plan: The project will be required to retain Urban Runoff onsite in conformance with local ordinance (See Table 6 of Appendix F, "Local Land use Authorities Requiring Onsite Retention of Stormwater").

3.3 Project Operations

Brown Strauss, Inc. (dba Brown Strauss Steel) is a leading structural steel service provider, with ten locations in the Western US. Brown Strauss has 260 employees and is 100% employee owned through an ESOP (Employee Stock Ownership Plan). The Proposed Project is designed to accommodate relocation of the existing Brown Strauss Steel distribution facility in the City of Fontana. The existing facility, located at 14970 Jurupa Avenue, operates on a 23-acre site with no warehouse and a small storage shed only. Though the Project Site is smaller than the Fontana site, Brown Strauss anticipates that the more efficient layout of the Banning facility, including the warehouse, will allow for staffing levels to remain the same or be reduced after the relocation is complete. The primary products stocked and sold by Brown Strauss are wide flange beam and structural tube, that together account for over 90% of sales.

The Applicant proposes to develop a steel distribution facility consisting of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, and an outdoor storage yard. Brown Strauss is primarily a distributor, buying structural steel products in bulk quantities from the steel mills and selling the same products in smaller quantities to steel fabricators. The Applicant receives structural steel products via flatbed trucks and rail. The Applicant is currently in discussions with Union Pacific (UP) to add a rail spur to the property off of the adjacent UP rail line to allow for inbound deliveries via rail. The proposed operation does not include a steel mill or foundry. The only manufacturing activity to be performed on-site is to cut products to length within the enclosed saw sheds on the north side of the building. Less than 10% of customer orders are cut to length.

The warehouse would be utilized to store structural tube, structural channel and structural angle. The outdoor storage yard would be utilized to store wide flange beam and structural tube. Products inside the warehouse are moved via overhead cranes and products in the outdoor storage yard are moved using forklifts. Outbound shipments to customers are typically via flatbed trucks, either company owned or common carriers. No truck bays are utilized by Brown Strauss and the trucks would be loaded/unloaded either to the north of the warehouse or inside of the warehouse. No direct sales are made to the public, therefore no retail customers will be on site.

The facility will have approximately 34 employees split between two shifts daily. Anticipated operating hours are from 5:00 am to 11:30 pm. Based on the two-shift schedule, there are never more than 21 employees on-site at any given time during the course of the workday, inclusive of office staff and site crew. Site crew work within the warehouse and outdoor storage yard. Office staff includes three management staff who manage on-site operations and the processing of paperwork for product deliveries. The same shift schedule is utilized at all Brown Strauss Steel facilities, and these particular staffing levels will be maintained after the relocation to City of Banning. Based on the specific operational characteristics of Brown Strauss, adjusted parking ratio, 34 parking spaces are provided in the proposed parking lot.

3.4 Project Approvals

The following approvals and permits are required from the City of Banning to implement the Proposed Project:

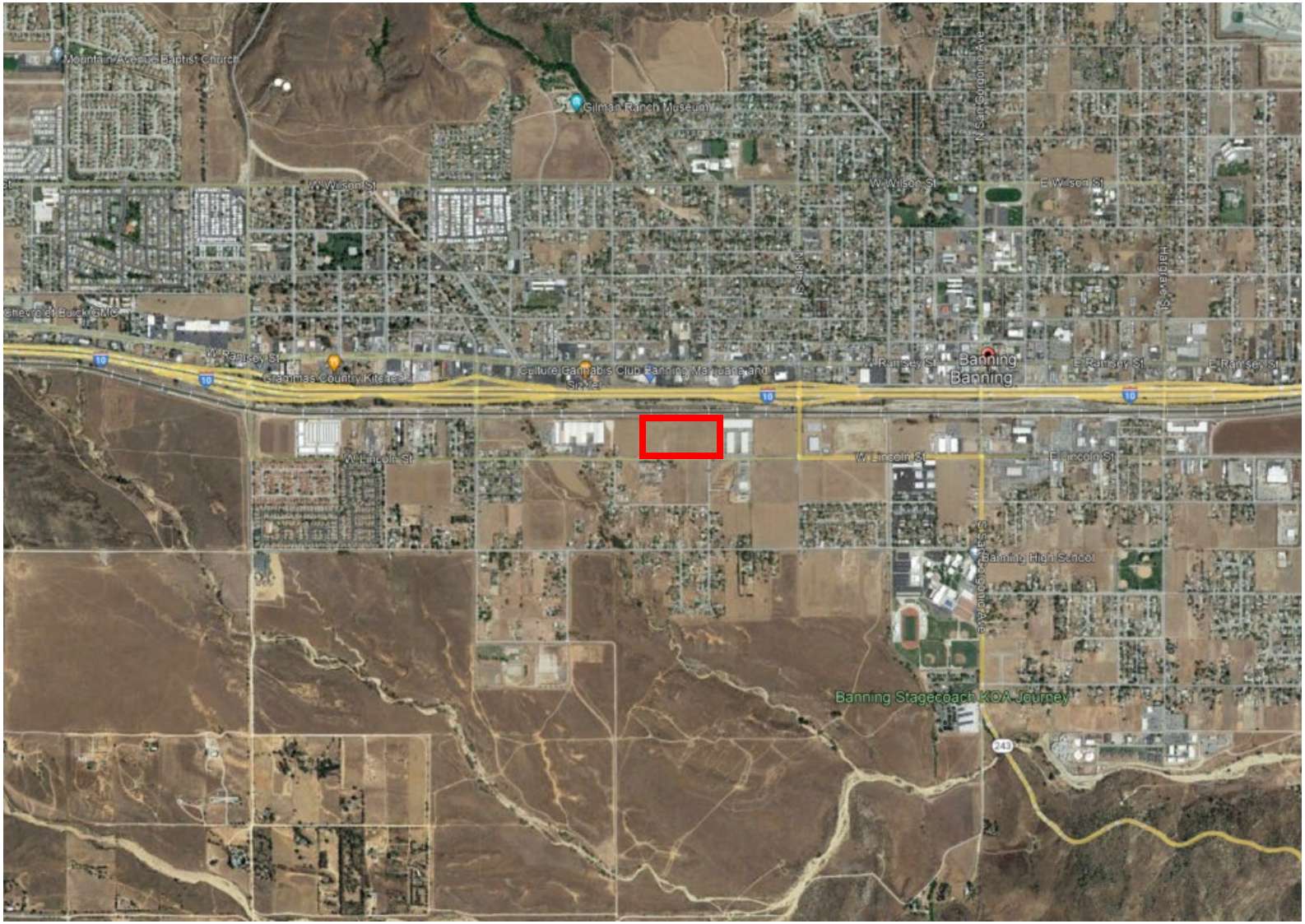
- Adopt Mitigated Negative Declaration (MND) with the determination that the MND has been prepared in compliance with the requirements of CEQA;
- Approval of General Plan Amendment No. 23-2502 and Zone Change No. 3502 (GPA 23-2502 and ZC 3502) to rezone 1431 W. Lincoln Street to Industrial for consistency with other lots within the Project Site
- Approval of Design Review No. 23-7008 (DR 23-7008) to construct a 46,904 square feet steel distribution facility with an outdoor storage yard and associated parking and landscaping on 14.92 acres of land consisting of three parcels
- Approval of Tentative Parcel Map No. 23-4002 (TPM 23-4002) to merge together three lots and provide right-of-way dedication along W. Lincoln Street
- Approval of Parking Adjustment – Proposal for an alternative parking rate for a distribution facility

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the Proposed Project include:

- Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate post-construction runoff flows.

Approvals and permits that may be required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- Approval of water and sewer improvement plans by the City of Banning Public Works-Utilities Department.
- Approval of the rail spur by the California Public Utilities Commission.



N

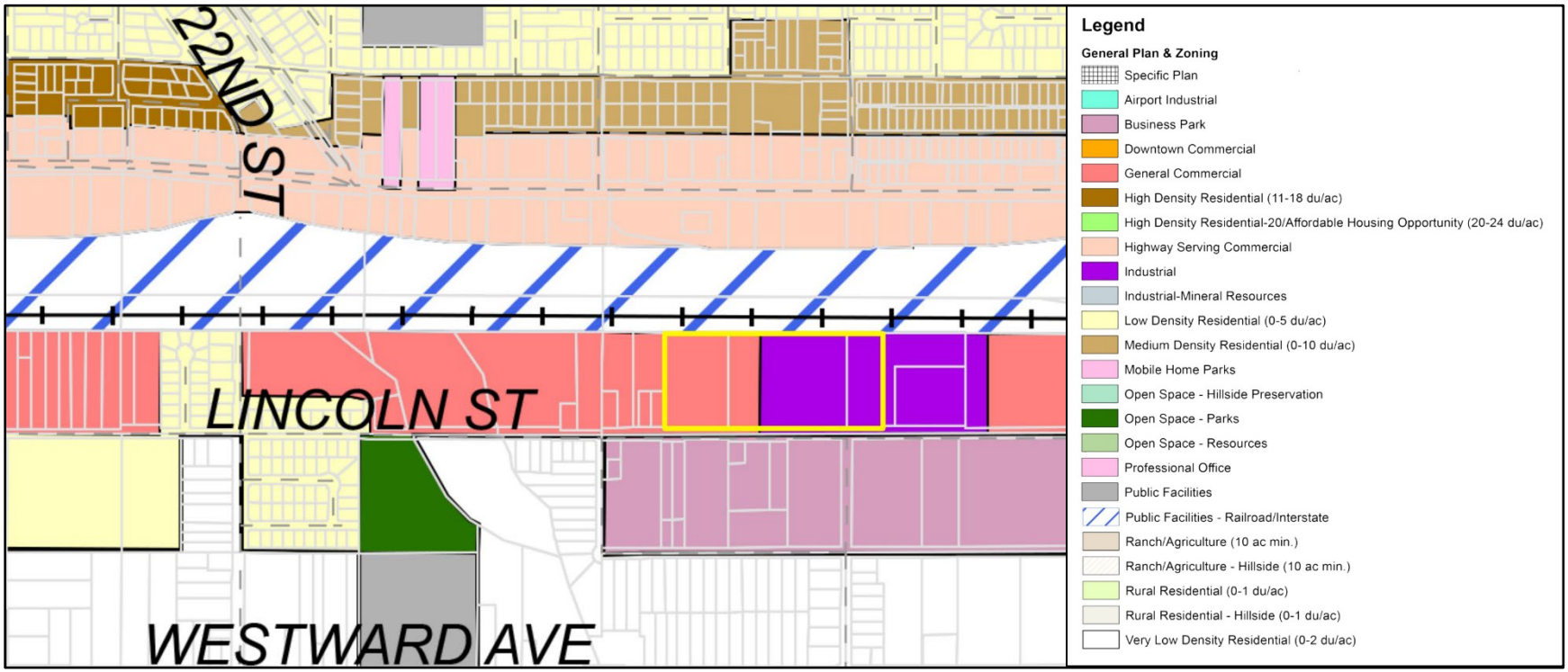
Project Location (Not to Scale)

Figure 1: Regional Vicinity Map

Source: *Google Maps*

Figure 2: Site Location – Aerial View

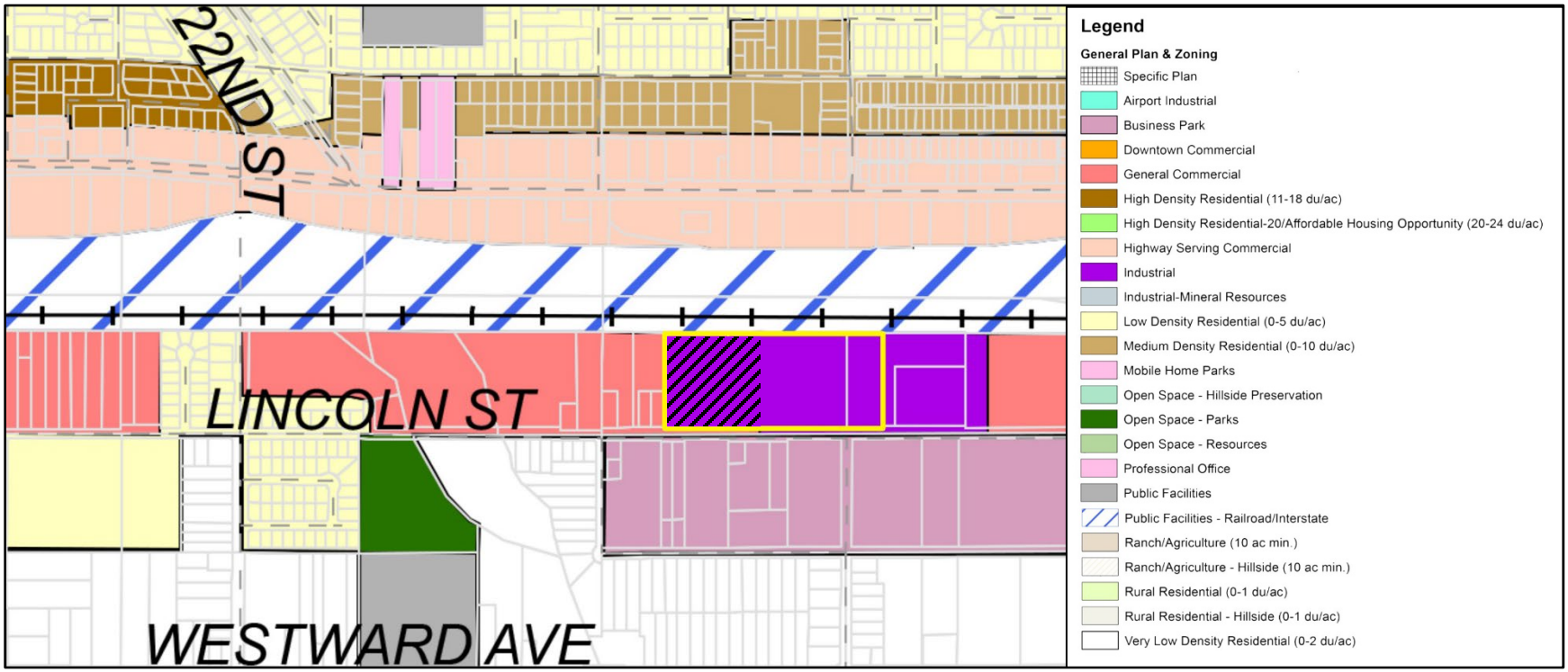
Source: *Google Earth*



Not to Scale

Figure 3: Existing General Plan Designation/Zoning

Source: *City of Banning/Sagecrest*



PROJECT SITE Area of Proposed Zone Change to Industrial

Not to Scale

Figure 4: Proposed General Plan Designation/Zoning

Source: *City of Banning/Sagecrest*

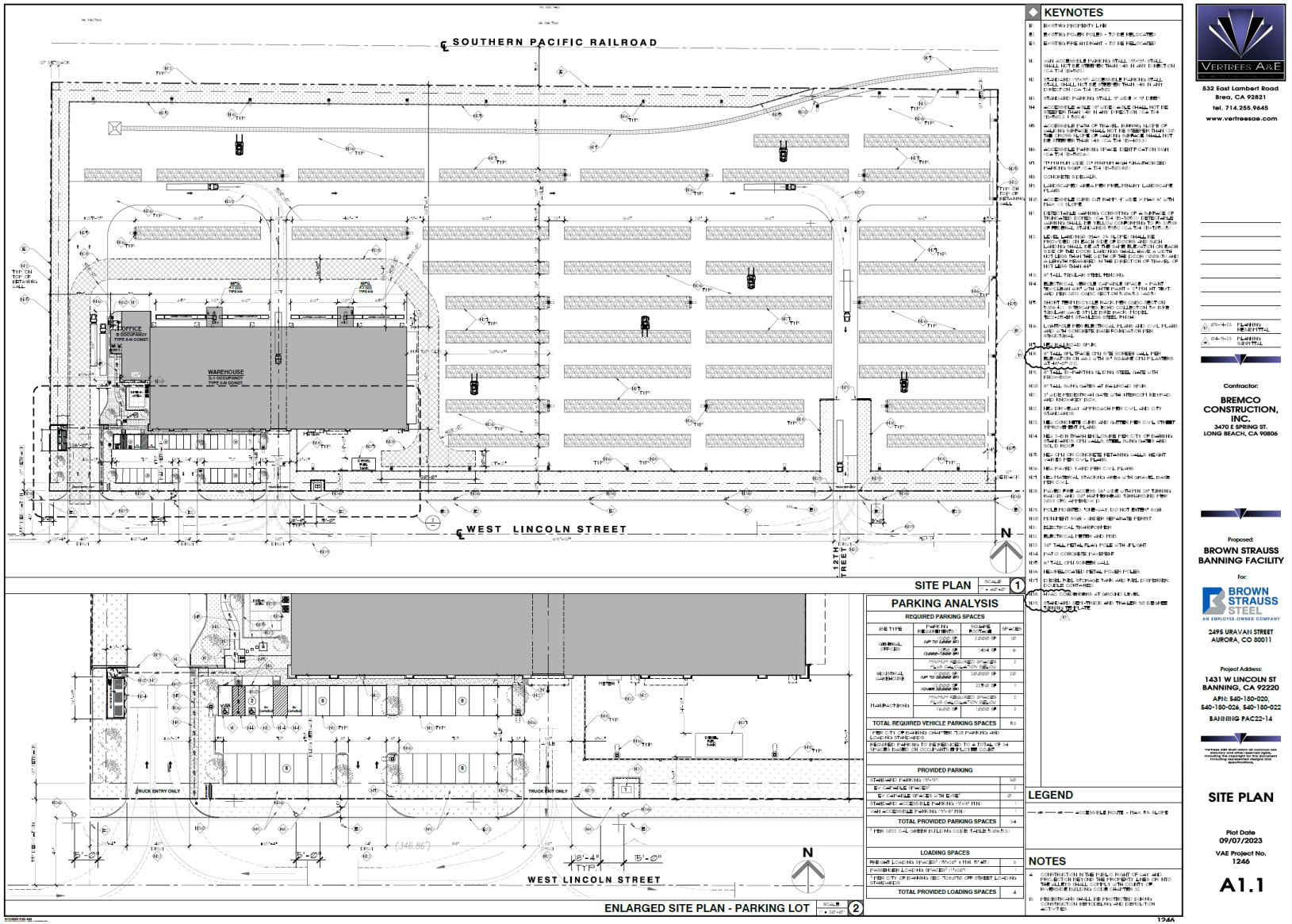
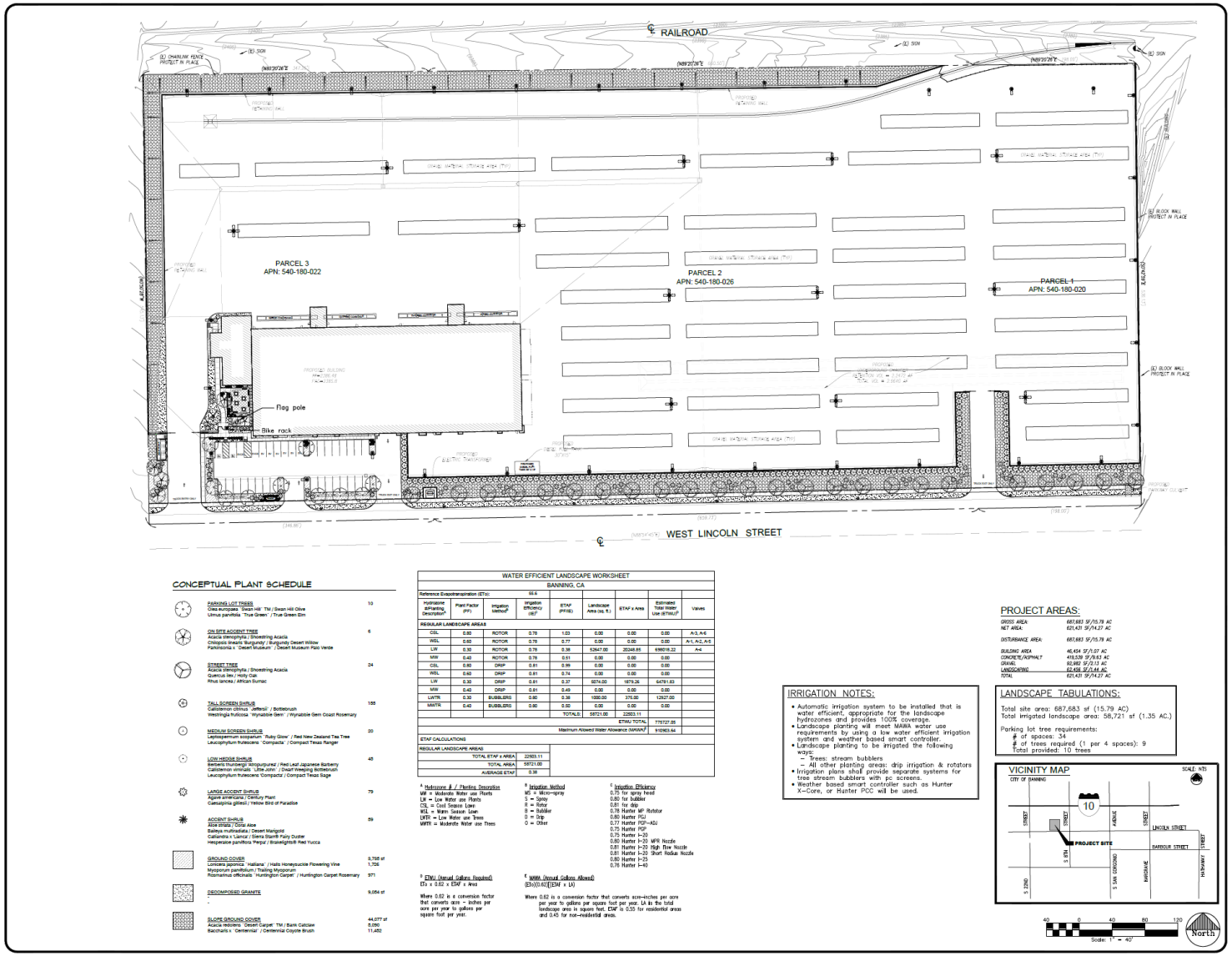


Figure 5: Site Plan
Source: Vertrees A&E



CONCEPTUAL PLANT SCHEDULE

PARKING LOT TREES Olea europaea 'Swan Hill' TM / Swan Hill Olive Ulmus parvifolia 'True Green' / True Green Elm		10
ON SITE ACCENT TREE Acacia stenophylla / Shoestring Acacia Chilopsis linearis 'Burgundy' / Burgundy Desert Willow Parkinsonia x ' Desert Museum ' / Desert Museum Palo Verde		6
STREET TREE Acacia stenophylla / Shoestring Acacia Quercus ilex / Holly Oak Rhus lancea / African Sumac		24
TALL SCREEN SHRUB Callistemon citrinus 'Jeffersii' / Bottlebrush Westringia fruticosa 'Wynabbie Gem' / Wynabbie Gem Coast Rosemary		188
MEDIUM SCREEN SHRUB Leptospermum scoparium 'Ruby Glow' / Red New Zealand Tea Tree Leucophyllum frutescens 'Compacta' / Compact Texas Ranger		20
LOW HEDGE SHRUB Berberis thunbergii 'Atropurpurea' / Red Leaf Japanese Barberry Callistemon viminalis 'Little John' / Dwarf Weeping Bottlebrush Leucophyllum frutescens 'Compacta' / Compact Texas Sage		45
LARGE ACCENT SHRUB Agave americana / Century Plant Carnegiphia gigantea / Yellow Bird of Paradise		79
ACCENT SHRUB Aloe striata / Coral Aloe Baileya multiradiata / Desert Marigold Carlandra x 'Lancor' / Sierra Starr® Fairy Duster Hesperaloe parviflora 'Perpa' / Brakelights® Red Yucca		59
GROUND COVER Lonicera japonica ' Halliana ' / Halls Honeysuckle Flowering Vine Myoporum parvifolium / Trailing Myoporum Rosmarinus officinalis ' Huntington Carpet ' / Huntington Carpet Rosemary		9,798 sf 1,726 971
DECOMPOSED GRANITE -		9,054 sf
SLOPE GROUND COVER Acacia redolens ' Desert Carpet ' TM / Bank Catclaw Baccharis x ' Centennial ' / Centennial Coyote Brush		44,077 sf 8,090 11,482

WATER EFFICIENT LANDSCAPE WORKSHEET
BANNING, CA

Reference Evapotranspiration (ETo): 55.4

Hydrozone #/Planting Description[A]	Plant Factor (PF)	Irrigation Method[B]	Irrigation Efficiency (IE)[C]	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[D]	Valves
REGULAR LANDSCAPE AREAS								
GSL	0.30	ROTOR	0.78	1.23	0.00	0.00	0.00	A-3, A-6
WEL	0.60	ROTOR	0.78	0.77	0.00	0.00	0.00	A-1, A-2, A-5
LW	0.30	ROTOR	0.78	0.38	52647.00	20246.85	698618.22	A-4
MW	0.40	ROTOR	0.78	0.51	0.00	0.00	0.00	
GSL	0.60	DRIP	0.81	0.99	0.00	0.00	0.00	
WSL	0.60	DRIP	0.81	0.74	0.00	0.00	0.00	
LW	0.30	DRIP	0.81	0.37	5074.00	1879.26	64781.83	
MW	0.40	DRIP	0.81	0.49	0.00	0.00	0.00	
LWTR	0.30	BUBBLERS	0.80	0.38	1000.00	376.00	12927.00	
MWTR	0.40	BUBBLERS	0.80	0.50	0.00	0.00	0.00	
				TOTALS:	58721.00	22503.11		
						ETWU TOTAL	776727.05	
					Maximum Allowed Water Allowance (MAWA)[E]		910903.64	

ETAF CALCULATIONS

REGULAR LANDSCAPE AREAS	
TOTAL ETAF x AREA	22503.11
TOTAL AREA	58721.00
AVERAGE ETAF	0.38

[A] Hydrozone # / Planting Description
MW = Moderate Water use Plants
LW = Low Water use Plants
CSL = Cool Season Lawn
WSL = Warm Season Lawn
LWTR = Low Water use Trees
MWTR = Moderate Water use Trees

[B] Irrigation Method
MS = Micro-spray
S = Spray
R = Rotor
B = Bubbler
D = Drip
O = Other

[C] Irrigation Efficiency
0.75 for spray head
0.80 for bubbler
0.81 for drip
0.78 Hunter MP Rotator
0.80 Hunter PGJ
0.77 Hunter PGP-ADJ
0.75 Hunter PGP
0.75 Hunter I-20
0.80 Hunter I-20 MPR Nozzle
0.81 Hunter I-20 High Flow Nozzle
0.81 Hunter I-20 Short Radius Nozzle
0.80 Hunter I-25
0.78 Hunter I-40

[D] ETWU (Annual Gallons Required)
ETo x 0.62 x ETAF x Area

Where 0.62 is a conversion factor that converts acre – inches per acre per year to gallons per square foot per year.

[E] MAWA (Annual Gallons Allowed)
(ETo)(0.62)[(ETAF x LA)

Where 0.62 is a conversion factor that converts acre–inches per acre per year to gallons per square foot per year. LA is the total landscape area in square feet. ETAF is 0.55 for residential areas and 0.45 for non–residential areas.

PROJECT AREAS:

GROSS AREA:	687,683 SF/15.79 AC
NET AREA:	621,431 SF/14.27 AC
DISTURBANCE AREA:	687,683 SF/15.79 AC
BUILDING AREA	46,454 SF/1.07 AC
CONCRETE/ASPHALT	418,539 SF/9.63 AC
GRAVEL	80,982 SF/2.11 AC
LANDSCAPING	62,456 SF/1.44 AC
TOTAL	621,431 SF/14.27 AC

IRRIGATION NOTES:

- Automatic irrigation system to be installed that is water efficient, appropriate for the landscape hydrozones and provides 100% coverage.
- Landscape planting will meet MAWA water use requirements by using a low water efficient irrigation system and weather based smart controller.
- Landscape planting to be irrigated the following ways:
  - Trees: stream bubblers
  - All other planting areas: drip irrigation & rotators
- Irrigation plans shall provide separate systems for tree stream bubblers with pc screens.
- Weather based smart controller such as Hunter X–Core, or Hunter PCC will be used.

LANDSCAPE TABULATIONS:

Total site area: 687,683 sf (15.79 AC)
Total irrigated landscape area: 58,721 sf (1.35 AC.)

Parking lot tree requirements:
# of spaces: 34
# of trees required (1 per 4 spaces): 9
Total provided: 10 trees

VICINITY MAP

SCALE: NTS

40 0 40 80 120
Scale: 1" = 40'
North

REVISIONS | BY

ROYAL OAK DESIGN
Sylvia E. Lyons, Landscape Architect #1549
10200 Alta Loma
Alta Loma, CA 91701
Telephone: (909)244–9867
Email: royaloakdesign@verizon.net

CONCEPTUAL LANDSCAPE PLAN

CONCEPTUAL LANDSCAPE PLAN
BROWN STRAUSS STEEL
1210 & 1421 WEST LINCOLN STREET, BANNING, CA

S.L./J.S.
4/12/2023
1" = 40'
5483
L-1

Figure 5: Landscape Plan
Source: Royal Oak Design

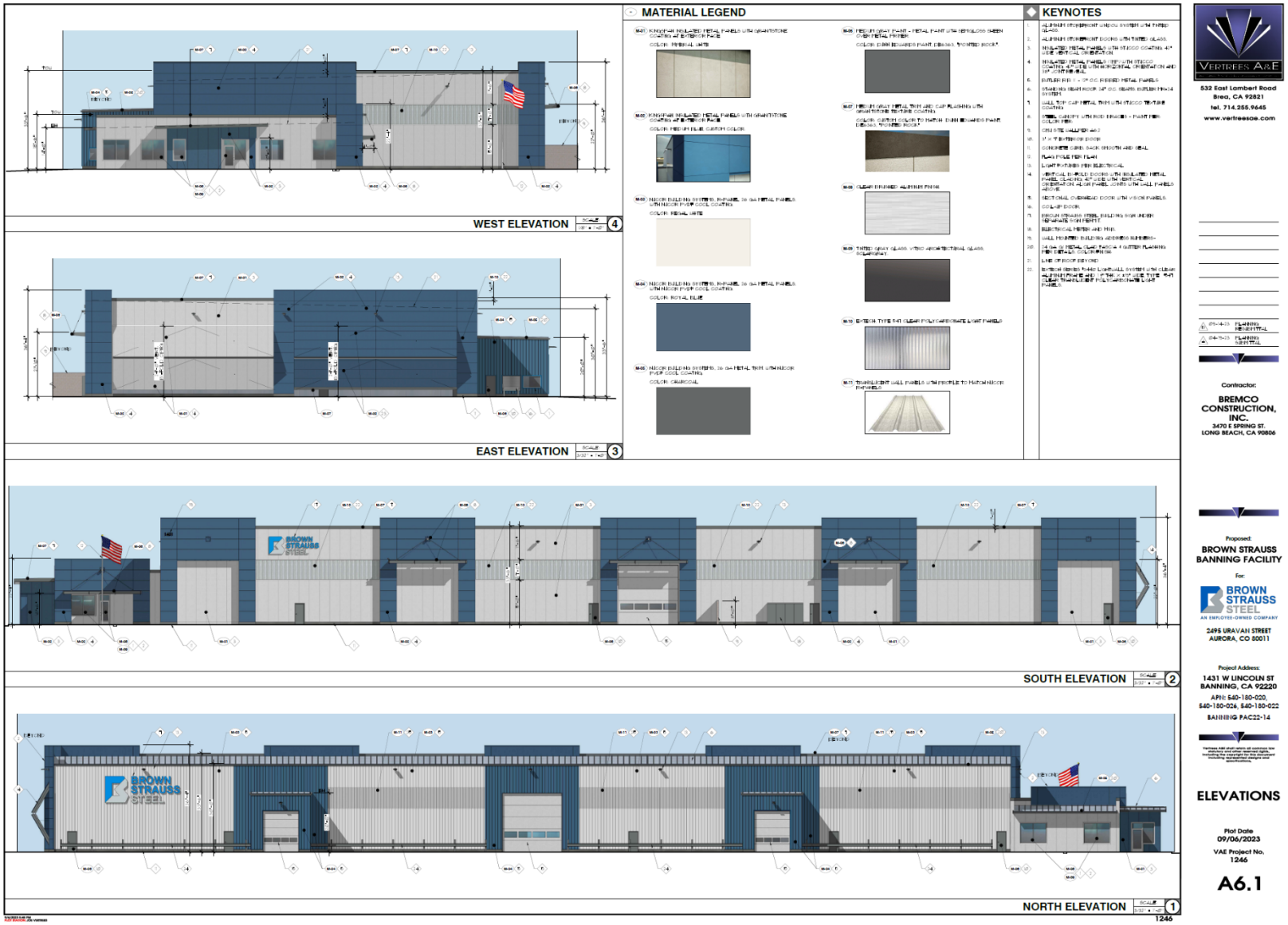
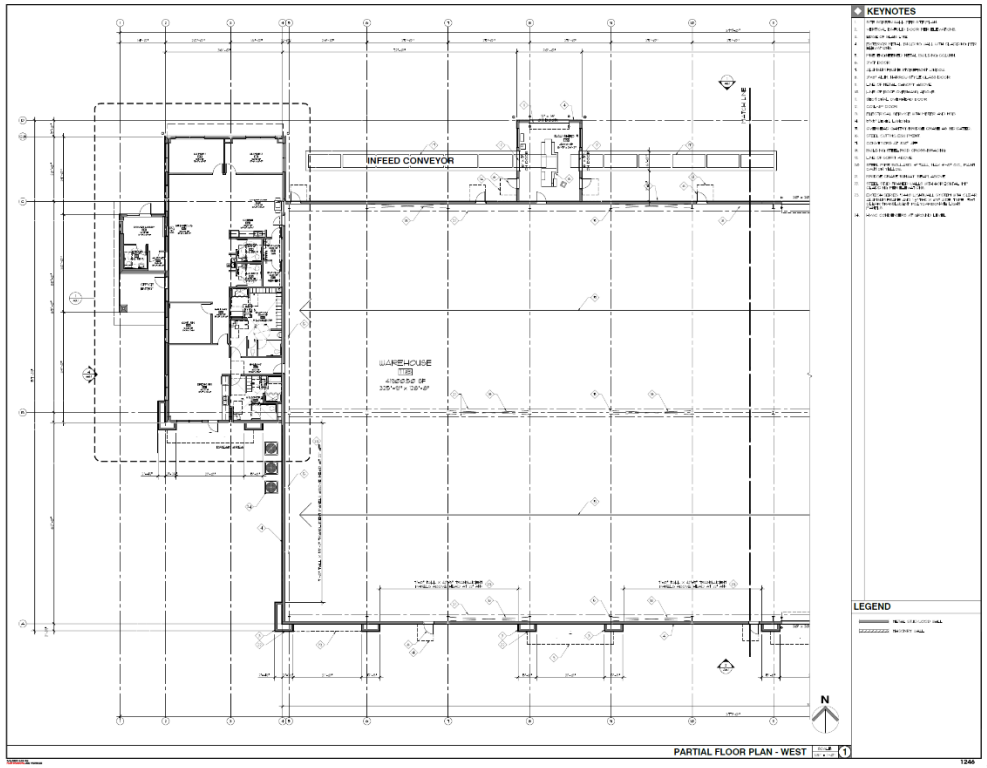


Figure 7: Building Elevations
Source: Vertrees A&E



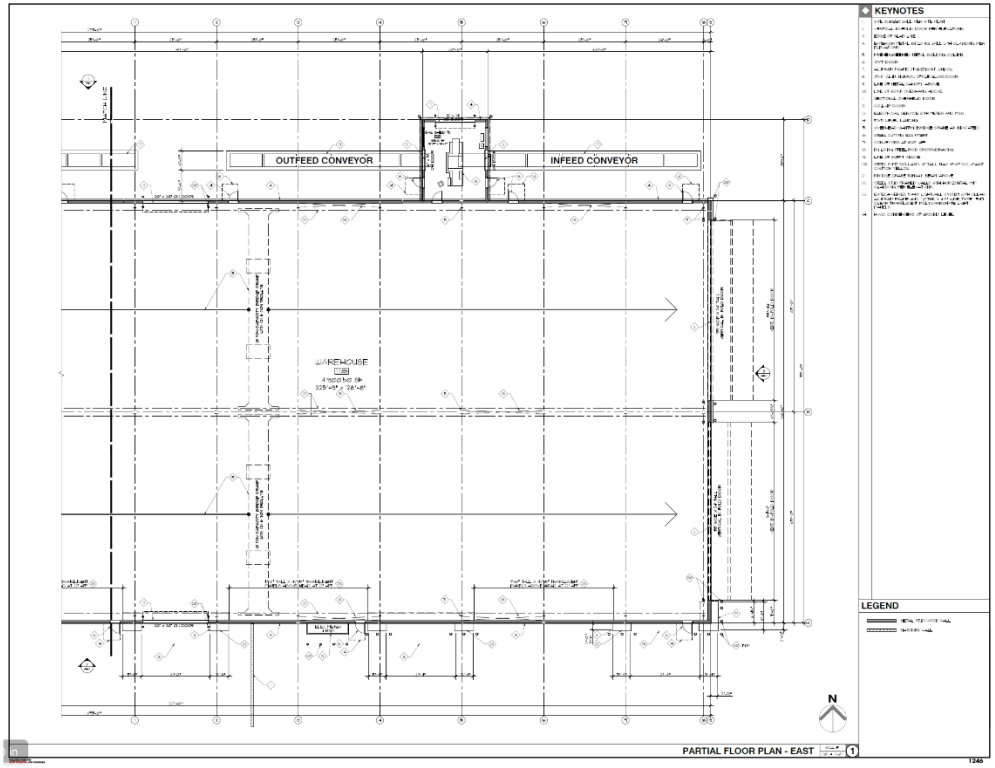


Figure 8: Floor Plan
Source: *Vertrees A&E*

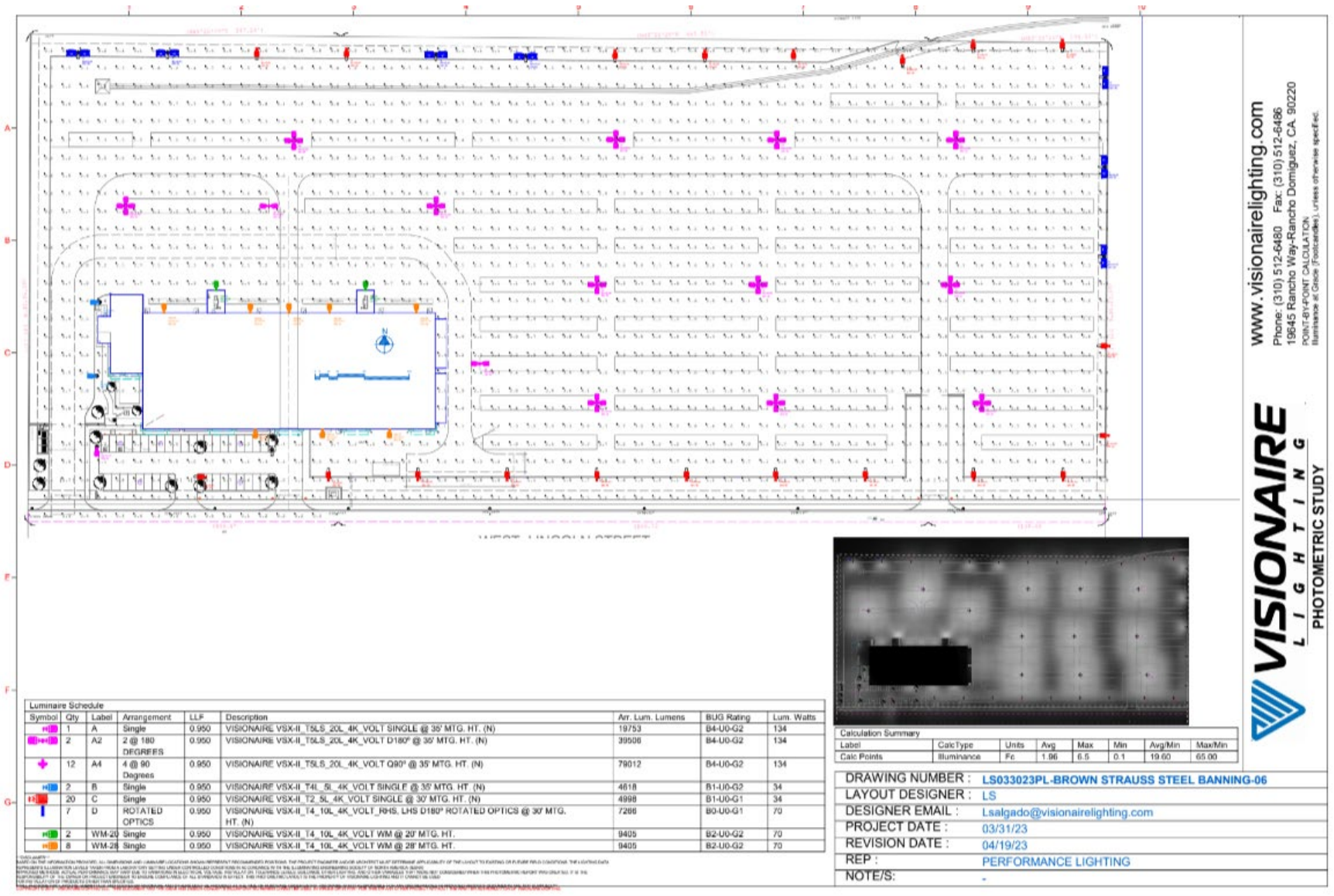


Figure 9: Photometric Plan

Source: *Visionaire Lighting Photometric Study*

4 ENVIRONMENTAL IMPACTS

4.1 Aesthetics

Environmental Setting

The Project Site is located on the north side of W. Lincoln Street between S. 8th Street and S. 16th Street, within a generally rural, residential, and commercial area of Riverside County. The Project Site is approximately 14.92 gross acres and is currently unimproved land located within an area developed with industrial and non-conforming rural residential land uses. The Project Site is currently split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and -026) zoning and General Plan designations. Parcel No. 540-180-022 will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The Industrial zone allows for a variety of uses such as manufacturing, research and development, warehouse and distribution, and accessory retail uses. Surrounding uses consist of Union Pacific railroad track to the north, industrial warehouses to the east, a mix of currently vacant and non-conforming rural residential parcels to the south across W. Lincoln Street, and vacant land to the west.

Regulatory Framework

California Scenic Highways

The Department of Transportation (Caltrans) manages the State Scenic Highway Program. Caltrans provides guidance to local government agencies, community organizations and citizens that are pursuing the official designation of a State Scenic Highway.

In 1963, Senate Bill 1467 (Farr) added Sections 260 through 263 to the Streets and Highways Code. In these statutes the State proclaims intent to:

> "establish the State's responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the State highway system which, together with adjacent scenic corridors, require special conservation treatment." (Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries.)

Existing law provides Caltrans with full possession and control of all State highways. This legislation places the Scenic Highway Program under the stewardship of Caltrans.

The legislation further declares the intent of the State to assign responsibility for the regulation of land use and development along scenic highways to the appropriate State and local governmental agencies. A county highway component was later added to the Scenic Highway Program in Section 154 of the Streets and Highways Code.

Commercial and Industrial Development Design Guidelines

The Banning Municipal Code (BMC) Chapter 17.12, Article III sets forth specific design guidelines for new commercial and industrial development within the city. The Design Guidelines provide a general framework for assessing compatibility of proposed development with the surrounding community, including guidelines for site planning, parking, landscaping, walls and fences, screening, lighting and architecture.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) 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 a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The State CEQA Guidelines do not provide a definition of what constitutes a "scenic vista" or "scenic resource" or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

The City of Banning is located in the San Gorgonio Pass area of Riverside County. The San Gorgonio Pass divides the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. The dominant scenic vista associated with the Project Site are the backdrop of these mountains. The City's General Plan considers the mountain backdrops as significant visual features.

The Project Site does not contain a scenic vista nor are there any designated publicly accessible scenic vistas in the vicinity of the Project Site where the Proposed Project would disrupt the view. Therefore, potential impacts associated with scenic vistas would be less than significant, and no mitigation would be required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. Scenic highways are designated as such because the traverse areas of distinctive natural beauty. According to the Caltrans California State Scenic Highway System Map (Caltrans 2023), State Route 243 south of the Banning city limit is the closest officially designated State Scenic Highway to the Project Site. Additionally, S. 8th street and segments of W. Lincoln Street between S. 8th street and S. San Gorgonio Avenue are eligible to be designated as a State Scenic Highway, although the official designation has not occurred.

The Project Site is not located on a state scenic highway, nor on that portion to W. Lincoln Avenue identified as having potential for future designation as a state scenic highway. Therefore, no impacts associated with scenic resources within a state scenic highway would occur, and no mitigation would be required.

c) 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?

Less than Significant Impact. The Project will not substantially degrade the existing visual character or quality of the site and its surroundings. The Project Site is located in an urbanized area within a mix of Industrial (I) and General Commercial (GC) zoning and Land use designation which will be rezoned to Industrial (I). The Project would replace an unimproved lot with cohesively designed warehouse and outdoor storage. The Proposed Project is consistent with the intended land use for the area, and it is compatible with the surrounding uses. The Proposed Project would change the visual character of the Project Site, which is currently vacant and undeveloped, by adding a warehouse building and outdoor storage. However, the Proposed Project complies with BMC Chapter 17.12, Article III, Commercial and Industrial

Development Design Guidelines, and will be consistent and compatible with existing and proposed industrial development in areas planned for those uses. The height of the proposed building will be 36'-4" where maximum of 50' is allowed. The Proposed Project maintains a 26'-8" landscape buffer along W. Lincoln Street. The facility will provide approximately 64,504 SF of landscaped area (approximately 10.4 percent of the net lot area), where none is required. In addition, the Project would provide right-of-way and develop half width street improvements along the Project's frontage of W. Lincoln Street, including curbs, sidewalks, and parkway. The resulting aesthetic would be more organized and unified compared to the existing conditions. While the Project will markedly change the visual quality of the Project Site, it would not degrade the existing visual character or quality of the site or surroundings. Impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. - The Project Site is vacant and within the Industrial zone (after re-zone), which envisions industrial uses similar to the Proposed Project. The Proposed Project would introduce new sources of nighttime light and glare into the area from improved street lighting and additional security lighting at the Project Site. However, all lighting at the Project Site would be consistent with the requirements in the Banning Municipal Code Section 17.12.170, which includes shielding parking lot lights to confine light spread within the site boundaries.

The Project Site is within Compatibility Zone D of Banning Municipal Airport Compatibility Plan, which sets standards for development that may have an impact on operations of the airport, including lighting. The Proposed Project was reviewed by the Riverside Airport Land Use Commission (ALUC) and received approval as of October 5, 2023 that the project design complies with all Compatibility Plan standards. Therefore, potential impacts associated with light and glare would be less than significant.

Mitigation Measures

No mitigation measures associated with impacts to Aesthetic apply to the Proposed Project.

Conclusion

There will be no impacts of the Proposed Project associated with Aesthetics, and no mitigation would be required.

4.2 Agriculture and Forestry Resources

Environmental Setting

The Project Site is located on the north side of W. Lincoln Street between S. 8th Street and S. 16th Street. The Proposed Project would be constructed on three vacant parcels which will be consolidated into one parcel. The Project Site is currently split between Industrial (I) and General Commercial (GC) and zoning and General Plan designations which will be rezoned to Industrial. The Industrial zone allows for a variety of uses such as manufacturing, research and development, warehouse and distribution, and accessory retail uses.

According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the County of Riverside GIS Map, the Project Site is identified as Other Land (**Figure 10** – *Project Site Agricultural Designation*). FMMP identifies Other Land as vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

On site soils as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) Soil Survey data sets are identified in **Table 2 -** *On-Site Soils Classification* and are depicted on **Figure 11 –** *Soil Map.*

Table 2 - On-Site Soils Classification

Map Unit Symbol	Map Unit Name
HcC	Hanford coarse sandy loam, 2 to 8 percent slopes
RaB2	Ramona sandy loam, 2 to 5 percent slopes, eroded

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) 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?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
c) 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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
) 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?				X

Discussion

a) 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 nonagricultural use?

No Impact. According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the County of Riverside GIS Map, the Project Site is identified as Other Land. FMMP identifies Other Land as vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land. The Project Site is currently split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and -026) zoning and General Plan designations. Because the Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the FMMP, there would be no impact to convert such lands to nonagricultural use, and no mitigation would be required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project Site is currently split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and -026) zoning and General Plan designations, which do not allow for agricultural land uses as a permitted use. Parcel No. 540-180-022 will be rezoned to Industrial. None of the three parcels that make up the Project Site have an active Williamson Act contract in place. Therefore, no impacts associated with existing zoning for agricultural use, or a Williamson Act contract would occur, and no mitigation would be required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The Project Site is currently split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and -026) zoning and General Plan designations and is not zoned as forest land, timberland, or timberland zoned Timberland Production. Parcel No. 540-180-022 will be rezoned to Industrial. Therefore, no impacts associated with forest land or timberland would occur, and no mitigation would be required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project would not result in the loss of forest land or conversion of forest land to non-forest use. The Project Site is not designated as forest land or timberland. The Project Site is relatively flat and covered with native grasses, shrubs and weeds, and does not contain any trees. Therefore, no impacts would occur and no mitigation measures are required.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?

No Impact. The Project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to a non-agricultural use because there are no parcels within the vicinity of the subject property that are designated as Farmland of any kind or used for agricultural purposes. Therefore, no impacts would occur and no mitigation measures are required.

Mitigation Measures

No mitigation measures associated with impacts to Agriculture and Forestry Services apply to the Proposed Project.

Conclusion

There will be no impacts of the Proposed Project associated with Agriculture and Forestry Services, and no mitigation would be required.

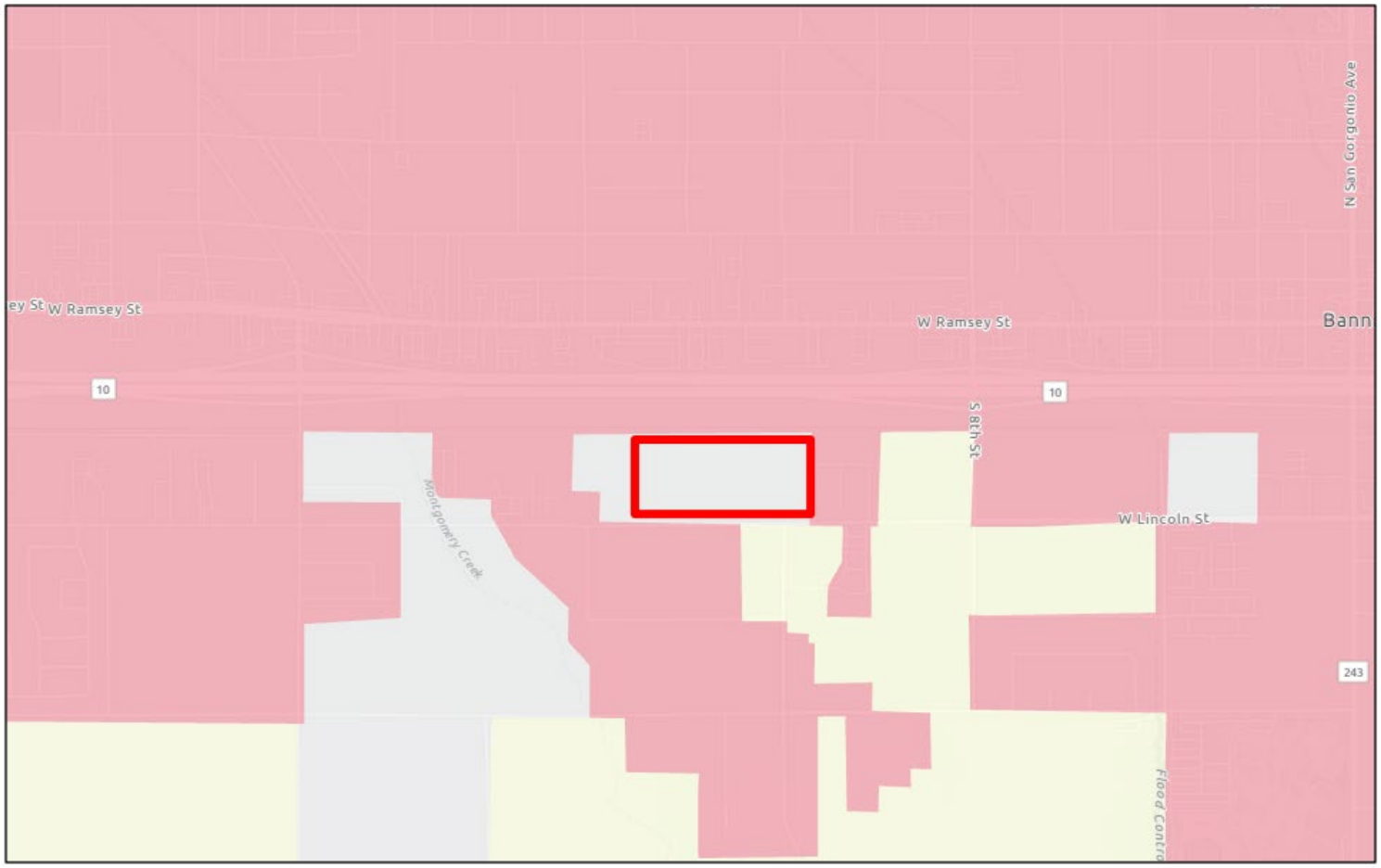


Figure 10: Project Site Agricultural Designation

Source: *California Department of Conversation*

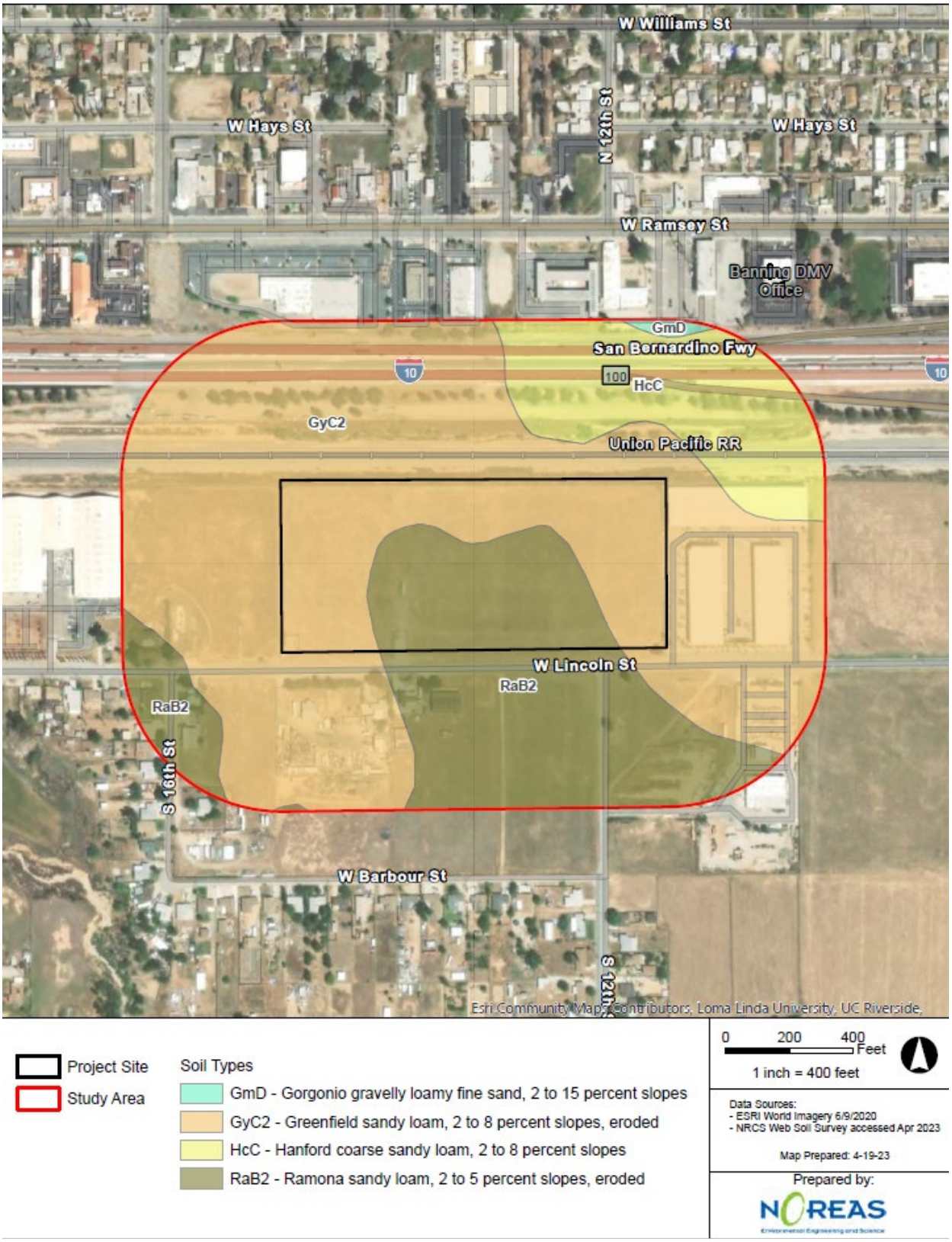


Figure 11: Soils Map

Source: *NOREAS Inc., MSHCP Consistency Analysis*

4.3 Air Quality

Ganddini Group Inc. (Ganddini) performed an Air Quality, Global Climate Change, Health Risk Assessment and Energy Impact Analysis for the Proposed Project to assess potential impacts to air quality (**Appendix A** – *Brown Strauss Industrial Project Air Quality, Global Climate Change, HRA and Energy Impact Analysis*, Ganddini Group, November 29, 2023).

Regulatory Setting

Air pollutants are regulated at the national, state, and regional level. The United States Environmental Protection Agency (EPA) regulates at the national level under the Clean Air Act of 1970. It is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. The California Air Resources Board (CARB), which is a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, establishes emission standards, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan. The South Coast Air Quality Management District (SCAQMD) is responsible for comprehensive air pollution control in the South Coast Air Basin. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources.

There are six common air pollutants, called criteria pollutants, which were identified from the provisions of the Clean Air Act of 1970.

- Ozone (O_3)
- Nitrogen Dioxide (NO_2)
- Carbon Monoxide (CO)
- Sulfur Dioxide (SO_2)
- Lead (Pb)
- Particulate Matter (PM10 and PM2.5)

The EPA and CARB designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered “unclassified.” National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards.

The Project Site is in the City of Banning, which is part of the South Coast Air Basin (SCAB) that includes the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties and all

of Orange County. The SCAQMD's 2022 Air Quality Management Plan (AQMP) assesses the attainment status of the SCAB. 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 emission technologies, when cost-effective and feasible, and low NOx 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 ozone standard. The 2022 AQMP was approved and adopted by CARB on January 26, 2023.

Environmental Setting

The South Coast Air Basin is a 6,600-square-mile coastal plain bounded by the Pacific Ocean to the southwest and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The ambient concentrations of air pollutants are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources.

Atmospheric conditions such as wind speed, wind direction, and air temperature gradients interact with the physical features of the landscape to determine the movement and dispersal of air pollutants. The topography and climate of southern California combine to make the Basin an area of high air pollution potential. The Basin is a coastal plain connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountains around the rest of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific, resulting in a mild climate tempered by cool sea breezes with light average wind speeds.

The usually mild climatological pattern is disrupted occasionally by periods of extremely hot weather, winter storms, or Santa Ana winds. During the summer months, a warm air mass frequently descends over the cool, moist marine layer produced by the interaction between the ocean's surface and the lowest layer of the atmosphere. The warm upper layer forms a cap over the cool marine layer and inhibits the pollutants in the marine layer from dispersing upward. In addition, light winds during the summer further limit ventilation. Furthermore, sunlight triggers the photochemical reactions that produce ozone. The region experiences more days of sunlight than any other major urban area in the nation except Phoenix (SCAQMD, 2007).

The temperature and precipitation levels are for the City of Redlands, the closest monitoring site to the Project Site with data. August is typically the warmest month and December is typically the coolest month. Rainfall in the surrounding area varies considerably in both time and space. Almost all the annual rainfall comes from the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry (Appendix A).

Local Air Quality

The air quality at any site is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout the air basin. Estimates of the existing emissions in the Basin provided in the 2022 AQMP indicate that collectively, mobile sources account for 46 percent of the VOC, 85 percent of the NOx emissions, 89 percent of the CO emissions and 29 percent of directly emitted PM2.5, with another 18 percent of PM2.5 from road dust.

The SCAQMD has divided the South Coast Air Basin into 38 air-monitoring areas with a designated ambient air monitoring station representative of each area. The Project Site is in the Banning Airport Air Monitoring Area (Area 29). The nearest air monitoring station to the Project Site is the Banning Airport Monitoring Station (Banning Station). The Banning Station is located approximately 1.88 miles west of the Project Site at 200 S. Hathaway Street, Banning. However, it should be noted that due to the air monitoring station distance from the Project Site, recorded air pollution levels at the air monitoring station reflect with varying degrees of accuracy, local air quality conditions at the Project Site. The Banning Station data shows that during the past few years, the project area has exceeded the ozone standards (Appendix A, Table 4).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
III. AIR QUALITY:				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The Proposed Project would not conflict with or obstruct implementation of the SCAQMD Air Quality Management Plan (AQMP).

SCAQMD Air Quality Management Plan

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a Proposed Project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the Proposed Project includes the SCAQMD AQMP. This section discusses any potential inconsistencies of the Proposed Project with the AQMP. If the decision-makers determine that the Proposed Project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A Proposed Project should be considered to be consistent with the AQMP

if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

> Criterion 1: Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
>
> Criterion 2: Whether the project will exceed the assumptions in the AQMP in 2022 or increments based on the year of project buildout and phase.

Criterion 1 - Increase in the Frequency or Severity of Violations?

Based on the air quality modeling analysis contained in Appendix A, neither short-term construction impacts, nor long-term operations would result in significant impacts based on the SCAQMD regional and local thresholds of significance.

Therefore, the Proposed Project is not projected to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for Criterion 1.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the Proposed Project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the Proposed Project are based on the same forecasts as the AQMP. The 2020-2045 Regional Transportation/Sustainable Communities Strategy prepared by SCAG (2020) includes chapters on: the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this Project, the City of Banning Land Use Plan defines the assumptions that are represented in the AQMP.

The Project Site has an existing designation of General Commercial (GC) and Industrial (I) in the City's General Plan. The Proposed Project includes a General Plan Amendment and Zone Change from General Commercial (GC) and Industrial (I) to Industrial (I). As the Proposed Project is that of a steel manufacturing and distribution use, it is not currently consistent with the existing land use and zoning designations. However, once the Policy Plan Amendment and Zone Change are approved, the project would be consistent with the general plan and zoning designations. Although the project and Policy Plan Amendment and Zone Change may initially result in an inconsistency with the AQMP on paper, the inconsistency would not necessarily constitute a conflict with the AQMP. Because the parcels in question would be changed from commercial and industrial to just industrial, the project would not be expected to result in population growth beyond that assumed in the AQMP assumptions. The SCAQMD acknowledges that strict consistency with all aspects of the AQMP is not required in order to make a finding of no conflict. Rather, a project is considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The project would

implement contemporary energy-efficient technologies and regulatory/operational programs required per Title 24, CALGreen and City standards. Generally, compliance with SCAQMD emissions reductions and control requirements also act to reduce project air pollutant emissions. In combination, project emissions-reducing design features and regulatory/operational programs are consistent with and support overarching AQMP air pollution reduction strategies. Project support of these strategies promotes timely attainment of AQMP air quality standards and would bring the project into conformance with the AQMP. Therefore, the Proposed Project is not anticipated to exceed the AQMP assumptions for the Project Site and is found to be consistent with the AQMP for the second criterion.

Based on the above, the Proposed Project will not result in an inconsistency with the SCAQMD AQMP. A less than significant impact will occur, and no mitigation will be required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. Air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The nonattainment status of regional pollutants is a result of past and present development, and the SCAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are used to determine whether a project's individual emissions would have a cumulatively considerable contribution to air quality. If a project's emissions exceeded the SCAQMD's significance thresholds, it would be considered to have a cumulatively considerable contribution. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.

The Project Site is in the SCAB, which has been designated by the EPA as a non-attainment area for ozone (O_3) and suspended particulates (PM2.5). Currently, the Basin is in attainment with the ambient air quality standards for carbon monoxide (CO), lead, sulfur dioxide (SO_2), suspended particulate matter (PM10), and nitrogen dioxide (NO2) (Appendix A).

CalEEMod, Version 2022.1.1.20, was used to estimate emissions from construction and operation of the project. The following discussion summarizes the quantitative project-generated construction and operational emissions and impacts that would result from implementation of the project. Detailed assumptions and results of this analysis are provided in Appendix A. Based on the analysis provided in Appendix A, the Proposed Project would result in short-term emissions from construction associated with grading, building construction, paving, and architectural coating. The Proposed Project would also generate operational emissions associated with new vehicle traffic and energy use.

<u>Construction Impacts</u>

Construction activities associated with the Proposed Project would result in emissions of reactive organic gases (ROG), nitrogen oxides (NOx), carbon (CO), sulfur dioxide (SO_2), PM10,

and PM2.5, however, none are above the SCAQMD thresholds, as shown in **Table 3 –** *Construction-Related Regional Pollutant Emissions*. Therefore, potential impacts associated with construction emissions would be less than significant, and no mitigation would be required.

Table 3 – Construction-Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NO_X	CO	SO_2	PM10	PM2.5
Maximum Daily Emissions[1, 2]	33.70	34.40	31.80	0.06	5.30	2.82
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	No	No	No	No	No	No

Notes:
Source: CalEEMod Version 2022.1.1.20.
1. Includes on-site and off-site emissions. On-site grading PM-10 and PM-2.5 emissions show compliance with SCAQMD Rule 403 for fugitive dust.
2. Construction, painting and paving phases may overlap.

Operational Impacts

Operational activities associated with the Proposed Project would result in emissions of ROG, NOx, CO, SO_2, PM10, and PM2.5, however, none are above the SCAQMD thresholds as shown in **Table 4 -** *Regional Operational Pollutant Emissions*.

Table 4 – Regional Operational Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NO_X	CO	SO_2	PM10	PM2.5
Maximum Daily Emissions	3.75	23.90	34.00	0.14	6.16	2.18
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Thresholds?	No	No	No	No	No	No

Notes:
Source: CalEEMod Version 2022.1.1.20; the higher of either summer or winter emissions.

Since the Proposed Project would not introduce any substantial stationary sources of emissions, CO is the benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. No violations of the state and federal CO standards are projected to occur, based on the magnitude of traffic the Proposed Project is anticipated to generate. Operation of the Proposed Project would not result in a cumulatively considerable

net increase for nonattainment of criteria pollutants or ozone precursors. Therefore, potential impacts associated with regional air quality would be less than significant, and no mitigation would be required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Those who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours, such as residences, hospitals, or convalescent facilities (South Coast Air Quality Management District 2008). Commercial and industrial facilities are not included in the definition because employees do not typically remain on-site for 24 hours.

The nearest sensitive receptors to the Project Site include: the existing single-family residential land uses located as close as approximately 75 feet (~23 meters) south of the Project Site (along the southern side of Lincoln Avenue). However, it should be noted that these existing residential uses are non-conforming land uses. The area is designated as Business Park on the City of Banning General Plan and Zoning Map. Other air quality sensitive land uses are located further from the Project Site and would experience lower impacts.

Project-related construction and operational air emissions may have the potential to exceed the State and Federal air quality standards in the vicinity of the Project Site, even though these pollutant emissions would not be significant enough to create a regional impact to the SCAB. In order to assess local air quality impacts the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the Proposed Project-related air emissions. The SCAQMD has also provided Final Localized Significant Threshold Methodology (LST Methodology), June 2003, which details the methodology to analyze local air emission impacts. The Localized Significant Threshold Methodology found that the primary emissions of concern are NO_2, CO, PM10, and PM2.5.

The emission thresholds were calculated based on the Banning Airport source receptor area (SRA) 29 and a disturbance value of two acres per day, to be conservative, at a distance of 25 meters.

Construction

The data provided in **Table 5 –** *Local Construction Emissions at the Nearest Receptors* shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds during construction at the nearest sensitive receptors. Therefore, potential impacts associated with significant exposure of sensitive receptors to substantial pollutant concentrations during construction would be less than significant, and no mitigation would be required.

Table 5 – Local Construction Emissions at the Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	CO	PM10	PM2.5
Grading	34.30	30.20	5.04	2.75
Building Construction	14.40	17.50	0.64	0.59
Paving	7.45	9.98	0.35	0.32
Architectural Coating	0.88	1.14	0.03	0.03
SCAQMD Thresholds[1]	149	1,541	10	6
Exceeds Threshold?	No	No	No	No

Notes:
Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 2 acres, to be conservative, at a distance of 25 m in SRA 29 Banning Airport.

(1) The nearest sensitive receptors are the existing single-family residential land uses located approximately 75 feet (~23 meters) south of the Project Site; therefore, the 25-meter threshold was used.
Note: The project will disturb up to a maximum of 4 acres a day during grading.

Operations

Table 6 shows the on-site emissions from the CalEEMod model that includes natural gas usage, landscape maintenance equipment, and vehicles operating on-site and the calculated emissions thresholds. Per LST methodology, mobile emissions include only on-site sources which equate to approximately 10 percent of the project-related new mobile sources.

Table 6 – Local Operational Emissions at the Nearest Receptors

On-Site Emission Source	On-Site Pollutant Emissions (pounds/day)[1]			
	NOx	CO	PM10	PM2.5
Area Sources[2]	0.02	2.13	0.01	0.01
Energy Usage[3]	0.25	0.21	0.02	0.02
Vehicle Emissions[4]	1.11	1.39	0.55	0.16
Off-Road[5]	12.50	17.70	0.66	0.61
Total Emissions	**13.88**	**21.43**	**1.23**	**0.79**
SCAQMD Thresholds[6]	236	2,817	6	2
Exceeds Threshold?	No	No	No	No

Notes:

1. Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres, to be conservative, in SRA 29.
2. Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
3. Energy usage consists of emissions from on-site natural gas usage.
4. On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
5. On-site operations in the yard include the use of up to 6 diesel forklifts, which are to be in operation during all shift hours (two shifts, 5 AM to 1:30 PM and 3:00 PM to 11:30 PM) or a total of 17 hours a day. To be conservative, the modeling assumed up to 8 diesel forklifts at 17 hours a day. In addition, 1 electric crane is to operate within the warehouse during shift hours.
6. The nearest sensitive receptors are the existing single-family residential land uses located approximately 75 feet (~23 meters) south of the Project Site; therefore, the 25 meter threshold was used.

The data provided in **Table 6** shows that the on-going operations of the Proposed Project would not exceed SCAQMD local operational thresholds of significance. Therefore, the on-going operations of the Proposed Project would create a less than significant operations-related impact to local air quality due to on-site emissions and no mitigation would be required.

CO Hot Spot Emissions

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts.

To determine if the Proposed Project could cause emission levels in excess of the CO standards, a sensitivity analysis is typically conducted to determine the potential for CO "hot spots" at a number of intersections in the general vicinity of the Project Site. Because of reduced speeds and vehicle queuing, "hot spots" potentially can occur at high traffic volume intersections with a Level of Service E or worse.

The Traffic Impact Analysis for the Proposed Project (**Appendix I**) showed that the Proposed Project would generate a maximum of approximately 191 daily vehicle trips. The intersection with the highest traffic volume is located at 8th Street and Lincoln Street and has an AM peak hour volume of 240 vehicles. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the intersection volume falls far short of 100,000 vehicles per day, no CO "hot spot" modeling was performed, and no significant long-term air quality impact is anticipated to local air quality with the on-going use of the Proposed Project.

Health Risk Assessment

The on-going operation of the Proposed Project would generate toxic air contaminant (TAC) emissions from diesel truck and rail emissions created by the on-going operations of the Proposed Project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the

likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer.

The California Air Pollution Control Officers Association (CAPCOA) has developed TAC health risk assessment guidelines to provide consistent, statewide procedures for preparing the health risk assessments required under the Air Toxics "Hot Spots" Act. The most recent Health Risk Assessment for Proposed Land Use Projects, prepared by CAPCOA in July 2009, recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). In addition, new sensitive land uses should also be avoided within 1,000 feet of a major service and maintenance rail yard.

Per the Transportation Study Screening Assessment, the Proposed Project is anticipated to have up to approximately 92 truck trips per day (non-PCE). Therefore, as it is not anticipated to accommodate more than 100 trucks per day, a quantitative health risk assessment for the proposed on-site warehouse uses is not warranted or required. In addition, the number of rail cars anticipated by the Proposed Project was found to be negligible and was not included in the TIA. Per the project applicant, the proposed rail spur at the Project Site is anticipated to have up to three rail cars a week. At three rail cars a week, daily emissions from rail-related emissions would be from a maximum of one rail trip per day and would therefore be negligible. As shown in the operational LST analysis, the PM emissions from the on-site off-road equipment (diesel forklifts) do not exceed any operational LST thresholds and would add a negligible TAC risk to the closest receptors.

Therefore, a quantitative health risk assessment for the proposed on-site rail, truck and forklift activity is not warranted or required as PM exhaust emissions and cancer risk would not exceed SCAQMD MICR threshold of 10 in a million at the closest receptor locations.

Significant TAC impacts from the Project-related operational sources are not anticipated, and no significant long-term operations-related TAC impacts from the Proposed Project to nearby sensitive receptors would occur.

Therefore, potential impacts associated with exposing sensitive receptors to substantial pollutant concentrations from operation of the Proposed Project would be less than significant, and no mitigation would be required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Proposed Project. Diesel exhaust and VOCs would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors.

Established requirements addressing construction equipment operations, and construction material use, storage, and disposal requirements act to minimize odor impacts that may result from construction activities. Moreover, construction-source odor emissions would be temporary, short-term, and intermittent in nature and would not result in persistent impacts that would affect substantial numbers of people. Potential construction-source odor impacts are therefore considered less than significant.

The project does not propose any uses or activities that would result in potentially significant operational-source odor impacts. Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from the intermittent diesel delivery truck emissions and trash storage areas. Due to the distance of the nearest receptors from the Project Site and through compliance with SCAQMD's Rule 402, no significant impact related to odors would occur during the on-going operations of the Proposed Project. Potential operational-source odor impacts are therefore considered less than significant.

Mitigation Measures

No mitigation measures associated with impacts to Air Quality apply to the Proposed Project.

Conclusion

The air quality impacts of the Proposed Project would be less than significant, and no Project-specific mitigation is required.

4.4 Biological Resources

Biological surveys were completed was completed to determine potential impacts to biological services associated with the development of the Proposed Project (**Appendix B-1** – *Brown Strauss Industrial Project, General Biological Resources Assessment,* NOREAS, Inc.*,* July 2023; **Appendix B-2** – *Brown Strauss Industrial Project, Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis*, NOREAS, Inc. July 2023).

Regulatory Setting

Given the urban environment, regulations governing biological resources for this Project include the following:

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711) provides protection for nesting birds that are both residents and migrants whether they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take under federal law. The USFWS, in coordination with the California Department of Fish and Wildlife (CDFW) administers the MBTA. CDFW's authoritative nexus to MBTA is provided in California Fish and Game Code (FGC) Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

Western Riverside Multiple Species Habitat Conservation Plan

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is the applicable habitat conservation plan for western Riverside County. The City of Banning is a signatory to the MSHCP. Section 6 of the MSHCP identifies that all projects must be evaluated for riverine/riparian resources, vernal pools, and specific resources if mapped for Amphibian, Burrowing Owl, Criteria Area Species, Mammals, Narrow Endemic Plants, and Invertebrate.

Environmental Setting

The Project Site consists of 14.92 acres encompassing Assessor's Parcel Numbers (APNs) 540-180-020, 540-180-022 and540-180-026 located on the north side of W. Lincoln Street between S. 8th Street and S. 16th Street, within the Banning United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Map (USGS 1984) - Section 9, of Township 3 South and Range East. (**Figures 2** and **3**).

The Project Site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), within the Pass Area Plan, Badlands Habitat Management Unit. The Project Site is not within the boundaries of any MSHCP established Subunit, Cell Group, Criteria

Cell, Public/Quasi-Public Land, Linkages/Cores, Conserved Lands, or Regional Conservation Authority (RCA) Easements.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) 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				X
d) 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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X		

Discussion

a) Have a substantial adverse effect, either directly or through habitat modification, 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 Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact with Mitigation Incorporated. Based on the literature review and field survey located in **Appendix B-1**, implementation of the Proposed Project will have no significant impacts on Federal or State species known to occur in the general vicinity of the Project Site because it is in an urbanized area, no habitat for sensitive species exist, no sensitive species exist.

The MSHCP shows that the Project Site is not located within any area that requires habitat surveys for criteria area plant species, amphibian, or mammal species. The Project Site is in an area shown for habitat assessments for the following species:

- Narrow Endemic Plants: Marvin's onion (Allium marvinii); and Many-stemmed dudleya (Dudleya multicaulis).
- Burrowing Owl

The biological survey (**Appendix B-1**) identified that suitable habitat was present – albeit low quality, for narrow endemic plant species. However, no special status animals, or narrow endemic pant species were observed within the Project Site during the 2022 and 2023 field survey events. Habitat in the vicinity of the Project consists of developed/disturbed and ruderal land cover types. To that end, the results of the MSHCP narrow endemic plant species surveys imply that there are no special status plants present within the Project Site. No mitigation is required because no MSHCP narrow endemic plant species exist within the Project Site.

The Project Site does, however, support BUOW habitat, although none were found during the surveys conducted (**Appendix B-1**). The Project Site consists of heavily disturbed ruderal vegetation, with no substantial native stands of vegetation. Although the Project has potential to impact lands that could be utilized by Burrowing Owls as habitat – under the appropriate suite of environmental conditions, surveys for the species are negative. Therefore, there is no presumption that the Project would result in the loss of individual Burrowing Owls, or that it would adversely affect local - or regional, populations of them.

Due to the presence of potentially suitable habitat, a 30-day pre-construction survey for Burrowing Owls is warranted prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.). This is an MSHCP requirement, which safeguards that no owls have colonized the Project Site in the days - or weeks, preceding ground-disturbing activities. Procedure for the burrowing owl survey is included as mitigation measure **MM BIO-2**.

b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No Impact. Based on the records search and field review in **Appendix B-1** and **B-2**, there are no drainages on site. The biological resources survey also identified that riverine/riparian resources and vernal pools as defined by the MSHCP were absent from the Project Site. There are no other sensitive natural communities on the Project Site. There are no impacts, and no mitigation would be required.

c) 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 Impact. The Project Site does not contain any drainages or state or federally protected wetlands. Therefore, no impacts associated with wetlands would occur, and no mitigation would be required.

d) Interfere substantially with the movement of any native resident or fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas. The project will not 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, because there are no such corridors or nursery sites within or near the Project Site. Therefore, impacts are less than significant.

Therefore, potential impacts associated with movement of native wildlife would be less than significant, and no mitigation would be required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project Site is located in an urbanized area within a mix of Industrial (I) and General Commercial (GC) zoning and Land use designation which will be rezoned to Industrial (I). The Proposed Project complies with City of Banning General Plan policies or ordinances related to protecting biological resources or trees. Therefore, no conflicts with local policies or ordinances protecting biological resources would occur, and no mitigation would be required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant Impact with Mitigation Incorporated. The Project Site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project

Site is not within the boundaries of any MSHCP established Subunit, Cell Group, Criteria Cell, Public/Quasi-Public Land, Linkages/Cores, Conserved Lands, or Regional Conservation Authority (RCA) Easements. Of the mapped resources, the Project Site only required an evaluation for narrow endemic sensitive plat species and burrowing owl. A biological resource assessment was conducted of the Project Site that included a habitat suitability assessment for narrow endemic plants and burrowing owl. Suitable habitat exists – albeit low quality, for narrow endemic pant species, however, no special status animals, or narrow endemic pant species were observed within the Project Site during the 2022 and 2023 field survey events. Suitable habitat exists for burrowing owl, although there were no individuals found during the protocol surveys.

In addition to Criteria Area requirements, the MSHCP requires consistency with Sections 6.1.2 (Protection of Species within Riparian/Riverine Areas and Vernal Pools), 6.1.3 (Protection of Narrow Endemic Plant Species), 6.1.4 (Urban Wildlands Interface), 6.3.2 (Additional Survey Needs and Procedures), and Appendix C (Standard Best Management Practices).

Section 6.1.2 - Protection of Species within Riparian/Riverine Areas and Vernal Pools

According to the USGS and the United Sates Fish and Wildlife Service (USFWS) National Wetland Inventory: there are no current or historical drainages on, or adjacent to, or even near the Project Site. There was also no evidence of current or historical drainages / water conveyance features observed during the field evaluations of the study area. No hydric vegetation, hydric soils, signs of surface flow, and/or wetland hydrology are present in, adjacent to, or near any portion of the Project Site. Therefore, no riparian/riverine areas occur within Project limits. Furthermore, there are no features within the Project Site that have a surface connection to Montgomery Creek. It is also notable, that both EPA WATERS GeoViewer results, National Wetland Inventory and USGS 7.5 Quadrangle Map evidence no stream channels within the Project Site. Additionally, soil types mapped within the Project Site are well drained, and none have a hydric soil rating. There is no impact to riparian/riverine resources because no evidence of any soils, plants or other features that meet the definition of 6.1.2 of the MSHCP were visible within the study area and no mitigation measures are recommended for the Proposed Project.

A review of recent and historic aerial photographs of the Project Site and its immediate vicinity did not provide visual evidence of an astatic or vernal pool conditions – on, or in the vicinity of the Project Site. Two soil types occur within the Project Site based on U.S. Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) Soil Survey data set:

- Ramona sandy loam, 2 to 5 percent slopes; and
- Greenfield sandy loam, 2 to 8 percent slopes,

Of the above referenced soil types, none are the appropriate soils to support vernal pools, nor are they known to support seasonal wetlands, or special status invertebrates in Western Riverside County. No ponding was observed within the Project Site and the hydrologic regime associated with it does not support vernal pools, or astatic ponds. From the review of historic

aerial photographs and observations during the field investigations, it is concluded no vernal pools or suitable fairy shrimp habitat occur within the Project's permanent disturbance footprint. No mitigation measures are recommended for the Proposed Project.

Section 6.1.3 - Protection of Narrow Endemic Plant Species

The Project lies within a predetermined survey area for the following MSHCP Narrow Endemic Plant Species:

- Marvin's onion (Allium marvinii); and
- Many-stemmed dudleya (Dudleya multicaulis).

Field surveys for MSHCP narrow endemic plant species methods were derived from the standardized guidelines issued by the U.S. Fish and Wildlife Service (USFWS 2000), California Department of Fish and Wildlife (CDFW 2009) and the California Native Plant Society (CNPS 2001). Surveys were conducted during the appropriate blooming period for the MSHCP narrow

endemic plant species. Habitat in the vicinity of the Project consists of developed/disturbed and ruderal land cover types. To that end, the results of the MSHCP narrow endemic plant species surveys imply that there are no special status plants present within the Project Site. No mitigation measures are recommended for the Proposed Project.

Section 6.1.4 - Urban Wildlands Interface

The MSHCP Section 6.1.4 Guidelines are intended to address indirect effects associated with locating development in proximity to MSHCP Conservation Areas, where applicable. The Project's permanent impact area is not in proximity to an established Cell Group, Criteria Cell, PQP Land, Linkage / Core, Conserved Land, or RCA Conservation Easement, therefore, the MSHCP guidelines pertaining to Urban/Wildlands Interface for the management of edge factors such as lighting, urban runoff, toxics, and domestic predators do not apply.

Section 6.3.2 - Additional Survey Needs and Procedures

The Project Site is not within a predetermined survey area for MSHCP Criteria Area Plant Species. Therefore, no further discussion is made in this document with reference to MSHCP Criteria Area Plant Species.

In order to comply with the Migratory Bird Treaty Act, the Applicant/Developer shall perform a general pre-construction nesting bird survey in compliance CDFW protocols, as outlined in mitigation measure **MM BIO-1**.

The Project Site is within a mapped survey area for burrowing owl, in accordance with MSHCP Figure 6-4, and a recent review of the RCA MSHCP Information GIS map. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Habitat in the vicinity of the Project consists of non-native grasses, developed, and disturbed land cover types. No burrowing owls were detected nesting, foraging, or dispersing during pedestrian-based field surveys in 2022 and 2023. Numerous low quality potential burrows were observed within the study area. The burrows detected lacked any evidence of owl tracks,

molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, nest burrow decoration materials, or other items. Detailed field survey results are provided in Appendix E. Burrowing owl are absent from the Project Site. However, to safeguard there will be no unforeseen impact to burrowing owl, a targeted pre-construction survey shall be required per mitigation measure **MM BIO-2.**

Appendix C - Standard Best Management Practices

- Volume 1, Appendix C of the MSHCP guidelines outlines best management practices that may be applicable to Proposed Projects on a case-by-case basis. Based on the scope of work for the Proposed Project, the following BMPs are applicable:
- *No.2* - Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.
- *No. 3* – The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via preexisting access routes to the greatest extent possible.
- *No. 12* – Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.
- *No. 13* – To avoid attracting predators of the species of concern, the Project Site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).
- *No. 14* – Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the Proposed Project Site and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.
- *No. 15* - The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/ enhancement area for compliance with project approval conditions including these BMPs.

The project has been designed to incorporate compliance with the abovementioned BMPs. Implementation of applicable MSHCP guidelines constitutes mandatory compliance with existing regulations, therefore no project-specific mitigation measures are required.

Conclusion

The Proposed Project is required to comply mitigation measures **MM BIO-1 and MM BIO-2** to ensure that Project-specific impacts to nesting birds, including burrowing owl, would be less than significant. No other biological issues were identified with construction or operation of the Proposed Project.

Mitigation Measures:

MM BIO-1:

In order to avoid violation of the MBTA and the California Fish and Game Code, site preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the Project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species.

If site-preparation activities are proposed during the nesting/breeding season, the Project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the Project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone.

If active nests are not located within the Project Site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, the Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Biologist determines that such project activities may be causing an adverse reaction, the Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to the City of Banning for mitigation monitoring compliance record keeping.

MM BIO-2:

Project-specific habitat assessments and focused surveys for burrowing owls will be conducted for implementing development or infrastructure projects within burrowing owl survey areas. A pre-construction survey for resident burrowing owls will also be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of implementing Project Sites containing suitable burrowing owl habitat and for those properties within an implementing Project Site where the biologist could not gain access. If ground disturbing

activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity will be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.

If active nests are identified on an implementing Project Site during the pre-construction survey, the nests shall be avoided, or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest during the breeding season (February 1 through August 31), and 160 feet during the non-breeding season.

If burrowing owls occupy any implementing Project Site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Perris Planning Division and the CDFG. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing 1-way doors in burrow entrances. These 1-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for 1 week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. The CDFG shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a DBESP will be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation will still be required following accepted protocols. Take of active nests will be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.

Conclusion

Implementation of mitigation measures **MM BIO-1 and MM BIO-2** would reduce potential impacts of the Proposed Project associated with Biological Resources to less than significant.

4.5 Cultural Resources

A Cultural and Paleontological Resources Assessment for the Proposed Project was performed for the Project in May 2023 (**Appendix C -** *Cultural and Paleontological Resources Assessment Report for the Brown Strauss Industrial Project,* Cogstone, May 2023).

Cultural resources include archaeological sites, buildings and other kinds of structures, historic districts, cultural landscapes, and resources important to specific ethnic groups.

Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites).

The historic "built environment" includes structures used for work, recreation, education and religious worship, and may be represented by houses, factories, office buildings, schools, churches, museums, hospitals, bridges and other kinds of structures.

An historic district is any “geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history” (36 CFR 60.3).

The National Park Service defines a cultural landscape as “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values”.

Regulatory Setting

The National Historic Preservation Act (NHPA) of 1966, as amended and the California Public Resources Code (PRC), Section 5024.1, are the primary federal and state laws and regulations governing the evaluation and significance of historical resources of national, state, regional, and local importance.

National Historic Preservation Act

Section 106 (Protection of Historic Properties) of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. The Advisory Council on Historic Preservation, an independent federal agency, administers the Section 106 review process with assistance from State Historic Preservation Offices to ensure that historic properties are considered during federal project planning and implementation. The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture.

California Register of Historical Resources

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources

for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The California Register was established to serve as an authoritative guide to the state's significant historical and archaeological resources (PRC § 5024.1). The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level.

Environmental Setting

Site History

The Pacific Railroad passes through the northern portion of the Project Area in the 1901 San Jacinto (1:125,000), and 1901 and 1904 Southern California (1:250,000) United State Geological Survey (USGS) topographic quadrangle maps. An intermittent water course that passes through the western half of the Project Area is noted in the 1952 Banning (1:62,500) and 1965 Santa Ana (1:250,000) USGS topographic quadrangle maps. The 1966, 1967, 1972, and 1985 United States Department of Agriculture (USDA) historic aerial photographs show two farms at the east end of the Project Area and one in the western portion (NETROnline 1966, 1967, 1972, 1985), with all of them being near West Lincoln Street. A wide strip of land is under active cultivation around the western farm in the 1967 aerial photograph. The main buildings that are associated with the three farms are depicted on the Beaumont (1:24,000) USGS topographic quadrangle maps from 1972, 1979, 1988, and 1996. The Pacific Railroad track also shifts north and out of the Project Area in these maps. It is unclear if this is due to rail replacement but is more likely due to mapping error in the earlier maps. The Project Area is empty in the 1996 USDA aerial photograph except for some discoloration around where the buildings were once located. USDA aerial photographs from 1996, 2000, 2002, 2005, and 2009 show that between 1996 and 2000 the western approximately 60 percent of the Project Area was used as a metal supply yard, that between 2000 and 2002 the yard grew to cover the entire Project Area, and between 2005 and 2009 this use was discontinued and all stock was removed (NETROnline 1996, 2000, 2002, 2005, 2009). Two trailers are visible in the 2018 USDA aerial photograph in the western half of the Project Area. The Project Area shows no sign of use or activity, other than possible brush control, in USDA aerial photographs taken after 2009 (NETROnline 2009, 2010, 2012, 2014, 2016, 2018, 2020).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. Public Resources Code Section 15064.5(a) defines historical resources, which includes: *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).*

Eastern Information Center (EIC) records indicate that two previous studies have been completed within the Project Area while an additional four studies have been completed previously within a half-mile radius of the Project Area (**Appendix C**, Table 4). No cultural resources have been recorded within the Project Area (**Appendix C**, Table C-1). Outside of the Project Area a total of 34 cultural resources have been previously documented within the half-mile search radius from the Project Area (**Appendix C**, Table C-1). These consist of 13 historic built environment resources and one historic archaeological site within a quarter mile of the Project Area, and 18 historic built environment resources and two historic archaeological sites within a quarter- to a half-mile of the Project Area.

All of the sites dated to the historic period, and no prehistoric (i.e., Native American) cultural remains have been recorded in the vicinity of the Project Site.

The analysis in **Appendix C** evaluated the resources against federal and State historic criteria and determined that there are no "historical resources" as defined by CEQA that exist within or

adjacent to the Project Site. Therefore, there would be no potential impacts associated with an adverse change to a historical resource, and no mitigation would be required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact with Mitigation Incorporated. Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites). No archaeological resources were determined present on the Project Site. The Project Site is assessed to have low sensitivity for buried prehistoric-aged cultural remains and low to moderately low sensitivity for buried historic-aged deposits. Due to the low sensitivity for buried prehistoric-aged cultural deposits and low to moderately low sensitivity for buried historic-aged deposits, no additional survey work is required at this time and no archaeological monitoring is recommended during ground disturbing activities.

While no archaeological resources were determined present on the Project Site, there is a possibility that intact archaeological deposits could be present at subsurface levels. For this reason, Mitigation Measure CR-1 (**MM CR-1**) would apply to the Proposed Project to manage unanticipated discoveries of archaeological and Native American resources in order to reduce potential impacts to a less than significant level.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporated. Based on an analysis of records and archaeological survey of the property, it has been determined that the Project Site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Mitigation Measure CR-2 (**MM CR-2**) would apply to the Proposed Project in the unlikely event that human remains are encountered during project development. With implementation of MM CR-2, potential impacts to unanticipated discovery of human remains will be reduced to a less than significant level.

Mitigation Measures

MM CR-1

In the event of an unanticipated discovery, all work must be suspended within 50 feet of the find until a qualified archaeologist evaluates it.

If archaeological resources are encountered during ground-disturbing activities, all work shall cease in the area of the find or diverted away from discovery to a distance of 50 feet. The City shall be immediately informed of the discovery and a qualified archaeologist shall be retained by the applicant to determine if the find is classified as a significant historical resource pursuant to CEQA Guidelines Section 15064.5(a) and/or unique archaeological resources (Public Resources Code Section 21083.2[g]). A qualified archaeologist is an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology. Personnel of the proposed project

shall not collect or move any archaeological materials or associated materials. The qualified archaeologist shall be empowered to halt or divert ground disturbing activities.

If the resource is classified as a significant cultural resource, the qualified archaeologist shall make recommendations on the treatment and disposition of the find. The final recommendations on the treatment and disposition of the find shall be developed in accordance with all applicable provisions of Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4. The City shall review and approve the recommendations prior to implementation. The City shall be provided with a final report on the treatment and disposition of the finding prior to issuance of a Certificate of Occupancy.

MM CR-2

In the event that human remains (or remains that may be human) are discovered at the Project Site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Banning Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). The MLD shall be granted access to inspect the Project Site of the discovery of Native American human remains and may recommend to the Project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the Project Site. The disposition of the remains will be determined in consultation between the Project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and a mediation with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).

Conclusion

Implementation of mitigation measures **MM CR-1** and **MM CR-2** would reduce potential impacts of the Proposed Project associated with Cultural Resources to less than significant levels.

4.6 Energy

Ganddini Group Inc. (Ganddini) performed an Air Quality, Global Climate Change, Health Risk Assessment and Energy Impact Analysis for the Proposed Project to assess potential impacts to air quality (**Appendix A** – *Brown Strauss Industrial Project Air Quality, Global Climate Change, HRA and Energy Impact Analysis*, Ganddini Group, November 29, 2023).

Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission (CPUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. A full list of relevant energy regulations is provided in the analysis in Appendix A. The discussion below provides a summary of key standards relative to this Project.

Building Energy Efficiency Standards

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were established in 1978 to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current 2022 Building Energy Efficiency Standards became effective on January 1, 2023. The core focus of the building standards has been efficiency, expanded solar standards, and the move to onsite energy storage that will help Californians save on utility bills while bolstering the grid.

The 2022 Energy Code update focuses on four key areas in new construction of homes and businesses:

- Encouraging electric heat pump technology and use, which consumes less energy and produces fewer emissions than traditional HVACs and water heaters.
- Establishing electric-ready requirements when natural gas is installed, which positions owners to use cleaner electric heating, cooking and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the state's progress toward a 100 percent clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

The 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2020. The CALGreen Code is intended to reduce greenhouse gas emissions from buildings; promote environmentally responsible, cost-effective, healthier places to live and work; reduce energy and water consumption; and respond to the environmental directives of the State. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site

development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality.

Environmental Setting

Energy use directly relates to environmental quality since it can adversely affect air quality and generate greenhouse gas emissions that contribute to climate change, especially through the combustion of fossil fuels. Electrical power is generated through a variety of sources, including fossil fuel combustion, hydropower, wind, solar, biofuels, and others. Natural gas is widely used to heat buildings, prepare food, and fuel vehicles. Transportation generally uses petroleum-based fuels, such as diesel and gasoline, and fuel consumption is related to the mode of transportation, vehicle fuel efficiency, and vehicle miles traveled. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

California is one of the nation's leading energy-producing states and California's per capita energy use is among the nation's most efficient. California's estimated annual energy use as of 2022 included:

- Approximately 287,220 gigawatt hours of electricity
- Approximately 2,056,267 million cubic feet of natural gas
- Approximately 23.2 billion gallons of transportation fuel (for the year 2015)

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VI. ENERGY: Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Discussion

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The Proposed Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy

resources, during Project construction or operation. Information from the CalEEMod version 2022.1.1.20 output (Appendix A) was utilized to generate estimates of the Proposed Project's electricity, natural gas, and fuel consumption for construction and operational aspects of the Proposed Project. Project electricity would be provided by Banning Electric Utility (BEU). 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 business patrons. As of 2022, BEU's energy comes from 81.3 percent renewable energy resources, of which biomass and waste is at 25 percent, geothermal is at 48.7 percent, and solar energy is at 7.6 percent; other energy sources include large hydroelectric at 0.9 percent, nuclear at 9.2 percent, and unspecified sources of power at 8.6 percent. Natural gas would be provided to the project by Southern California Gas (SoCalGas). Project-related vehicle trip energy consumption will be predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the patrons and employees of the Proposed Project via commercial outlets.

Construction Energy

Construction activities are anticipated to include grading, building construction, paving, and architectural coatings. Construction would also include the vehicles of construction workers and vendors traveling to and from the Project Site. The Proposed Project is anticipated to start construction no sooner than early July 2024 with completion estimated by the end of June 2025, and is anticipated to be operational in 2025.

Fuel consumed by construction equipment would be the primary energy resource expended over the course of project construction. The construction is anticipated to be completed in one phase. Project construction would represent a "single event" diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources once construction is completed. The Proposed Project's estimated energy consumption during construction is provided in Appendix A (Appendix A, Tables 17 through Table 21). In summary, the usage was estimated as follows:

- **Table 17:** Project Construction Power Cost and Electricity Usage: 13,798 kWh/year.
- **Table 18**: Construction Equipment Fuel Consumption Estimates: 40,299 gallons of diesel fuel.
- **Table 19**: Construction Worker Fuel Consumption Estimates: 3,848 gallons.
- **Table 20**: Construction Vendor Fuel Consumption Estimates (Medium Heavy-Duty and Heavy-Heavy Duty Trucks): 2,552 gallons.
- **Table 21**: Construction Hauling Fuel Consumption Estimates (Heavy Heavy-Duty Trucks): 0 gallons (No hauling trips by Heavy Heavy-Duty trucks are anticipated for the Proposed Project as there would be no demolition and construction would utilize medium heavy-duty trucks to transport materials)

Construction equipment used over the approximately twelve-month construction phase would conform to CARB regulations and California emissions standards. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the project would therefore not result in inefficient, wasteful, or unnecessary consumption of fuel.

The Proposed Project would utilize construction contractors which practice compliance with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more efficient use of construction-related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by County building officials, and/or in response to citizen complaints.

Therefore, potential impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources during construction of the Proposed Project would be less than significant, and no mitigation would be required.

Operations

Energy consumption in support of or related to project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project Site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

The Proposed Project is anticipated to generate 191 trips per day and consume an estimated 232,140 gallons of fuel per year for the operation of the Proposed Project (Appendix A, Table 22). Trip generation and VMT generated by the Proposed Project are consistent with other similar industrial uses of similar scale and configuration. That is, the Proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, the state of California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015. The increase in fuel consumption from the Proposed Project is insignificant in comparison to the State's demand. Therefore, project transportation energy consumption would not be considered wasteful, inefficient, or otherwise unnecessary.

Building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity (provided by BEU) and natural gas (provided by SoCalGas). The annual natural gas and electricity demands are provided in Table 23 of Appendix A. The estimated electricity demand for the Proposed Project is approximately 592,982 kWh per year. In 2022, the non-residential sector of the County of Riverside consumed approximately 8,720 million kWh of electricity. In addition, the estimated natural gas consumption for the Proposed Project is approximately 935,517 kBTU per year. In 2022, the non-residential sector of the County of Riverside consumed approximately 147 million therms of gas. Therefore, the increase in both electricity and natural gas demand from the Proposed Project is insignificant compared to the County's 2022 non-residential sector demand.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). The Proposed Project would be required to comply with Title 24 standards.

Furthermore, the Proposed Project energy demands in total would be comparable to other non-residential projects of similar scale and configuration. Therefore, the project's energy demands and energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary, and no project-specific mitigation would be required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The Proposed Project would comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances in compliance with the State's Energy Plan and Title 24 CCR energy efficiency standards and energy efficiency programs implemented by BEU and SoCalGas.

An individual project does not have the ability to comply or conflict with Pavley (AB 1493) regulations because they are intended for agencies and their adoption of procedures and protocols for reporting and certifying GHG emission reductions from mobile sources. However, the vehicles associated with the Proposed Project would be required to comply with federal and state fuel efficiency standards.

The Proposed Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CALGreen Standards require new buildings to reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

Therefore, the Proposed Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Energy apply to the Proposed Project.

Conclusion

The energy impacts of the Proposed Project would be less than significant, and no Project-specific mitigation is required.

4.7 Geology and Soils

A geotechnical investigation was prepared for the Proposed Project to assess the potential geologic and soils impacts of the Proposed Project (**Appendix D -** G*eotechnical Investigation, Proposed Brown-Strauss Steel Facility, 1210 & 1431 West Lincoln Street, APN 540-180-020, 022 & 026, Banning, California,* Sladden Engineering, January 5, 2023).

A paleontological report was prepared to assess the potential for paleontological resources within the Proposed Project Site (**Appendix C -** *Cultural and Paleontological Resources Assessment Report for the Brown Strauss Industrial Project,* Cogstone, May 2023).

Environmental Setting

Regional Geologic Setting

The Project is located in the northern ½ of the southwestern ¼ of Section 9 of Township 2 South, Range 1 East on the Beaumont USGS 7.5-minute topographic quadrangle map, San Bernardino Baseline and Meridian (**Figure 3**). The Project Site is located in the Peninsular Ranges Physiographic Province of California. The Peninsular Ranges are mountainous areas that extend from the western edge of the continental borderland to the Salton Trough and from the Transverse Ranges Physiographic Province in the north to the tip of Baja California in the south. The Peninsular Ranges Physiographic Province is characterized by northwest-trending topographic and structural features. The province is characterized by elongated, northwest-southeast trending mountain ranges and valleys and is truncated at its northern margin by the east-west trending Transverse Ranges. Mountainous areas of the Peninsular Ranges Physiographic Province generally consist of Igneous, metasedimentary and metavolcanic rocks. However, plutonic rocks of the Southern California Batholith are the dominant basement rock exposed (Jahns, 1954).

Soils

On site soils as identified by the US Department of Agriculture are identified in **Table 2 -** *On-Site Soils Classification* and are depicted in **Figure 11 –** *Soil Map.* The Project is mapped entirely as late Pleistocene (129,000 to 11,700 years ago) alluvial fan deposits of San Gorgonio Pass. (refer to Section 4.2 of this document).

Liquefaction

Liquefaction is a process whereby soil is temporarily transformed to fluid form during intense and prolonged ground shaking or because of a sudden shock or strain. The Geotechnical Investigation (**Appendix D**) identifies that the site is located within a "moderate" liquefaction potential zone according to Riverside County.

Faulting

According to the City of Banning General Plan Environmental Hazards Element, the City of Banning is located at the boundary, formed by the San Andreas Fault, between the North

American and Pacific plates. The San Andreas Fault crosses the Banning area. Furthermore, the San Andreas fault accommodates approximately 70% of the movement between the North American and Pacific tectonic plates, while the remaining motion is distributed between the Eastern Mojave Shear Zone and a number of the sub-parallel faults of the San Andreas fault, including the San Jacinto, Whittier–Elsinore, Newport-Inglewood, Palos Verdes, and other offshore faults. However, none of these faults are mapped on the site. In addition, no signs of active surface faulting were observed during review of non-stereo digitized photographs of the site and site vicinity.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VII. GEOLOGY AND SOILS: Would the project:				
a) 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 a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
• Strong seismic ground shaking?			X	
• Seismic-related ground failure, including liquefaction?			X	
• Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) 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 landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) 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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

Discussion

a) Expose people or structures to 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 a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less than Significant Impact. Surface rupture is expected to occur along preexisting, known active fault traces. However, surface rupture could potentially splay or step from known active faults or rupture along unidentified traces. Based on review of Jennings (1994), CGS (2022) and Dibblee (2003), known faults are not mapped on the site. In addition, no signs of active surface faulting were observed during review of non-stereo digitized photographs of the site and site vicinity (Google, 2022). Finally, no signs of active surface rupture or secondary seismic effects (lateral spreading, lurching etc.) were identified on-site during field investigation. Therefore, potential impacts associated with adverse effects to people or structures from a surface rupture would be less than significant, and no mitigation would be required.

- *Strong seismic ground shaking?*

Less than Significant Impact. The Project Site is located in an active seismic zone and will likely experience strong seismic shaking during the design life of the Proposed Project. In general, the intensity of ground shaking will depend on several factors including: the distance to the earthquake focus, the earthquake magnitude, the response characteristics of the underlying materials, and the quality and type of construction. The Project Site has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby

active faults is expected to produce strong seismic shaking during the design life of the Proposed Project. A site-specific approach determined the peak ground acceleration (PGAm) at the site to be 0.943g. The Proposed Project is required to be constructed consistent with all applicable seismic design standards contained in the 2022 California Building Code (CBC), including Section 1613- Earthquake Loads, which would reduce impacts reduce risks associated with seismic activity. Therefore, potential impacts associated with adverse effects to people or structures from a surface rupture would be less than significant, and no mitigation would be required.

- *Seismic related ground failure, including liquefaction?*

Less than Significant Impact. Liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressures. Generally, liquefaction can occur if all of the following conditions apply; liquefaction-susceptible soil, groundwater within a depth of 50 feet or less, and strong seismic shaking. The Project Site is located within a "moderate" liquefaction potential zone (RCMMC, 2023). Based on the relatively dense nature of the underlying native earth materials and the depth to groundwater in the project vicinity, risks associated with liquefaction are considered "low". Therefore, potential impacts associated with adverse effects to people or structures from liquefaction shaking would be less than significant, and no mitigation would be required.

- *Landslides?*

No Impact. The site is situated on relatively level ground and is not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. No signs of slope instability in the form of landslides, rock falls, earthflows or slumps were observed at or near the subject site during our investigation. As such, risks associated with slope instability should be considered "negligible". Therefore, no impacts to people or structures from landslides would occur, and no mitigation would be required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. During Project construction when soils are exposed, temporary soil erosion may occur, which could be exacerbated by rainfall. To control the potential for soil erosion, wind, dust, and water quality impacts, the Proposed Project is required to comply with SCAQMD rules relating to dust control (such as SCAQMD Rule 403) and rules to protect water quality including preparing a Stormwater Pollution Prevention Plan (SWPPP) to be approved by the Regional Water Quality Control Board (RWQCB). Compliance with Federal, State, and Local regulations will ensure potential impacts are less than significant. Therefore, potential impacts associated with soil erosion, or the loss of topsoil would be less than significant, and no mitigation would be required.

c) 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- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. The Project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. A Soils Report was prepared for the Project and is included as **Appendix D**. The Soils Report concluded that the materials underlying the site are considered to have a "low" expansion potential for the most part and that the proposed infiltration system will not result in ground settlement that could affect structures, either on or adjacent to the site. Therefore, potential impacts associated with on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant, and no mitigation would be required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. The Geotechnical Analysis in **Appendix D** identified that native soils at this site consists primarily of interbedded alluvial materials comprised of clayey sand (SC), sand (SP/SW) and silty sand (SM). Expansion Index testing of select samples was performed in order to evaluate the expansive potential of the materials underlying the site. Based on the results of our laboratory testing (EI = 12), the materials underlying the site are considered to have a "low" expansion potential. Expansion potential should be reevaluated after remedial grading. Project Site grading would occur according to the recommendations specified by the Proposed Project's Licensed Geotechnical Engineer and construct the development to the standards prescribed by the California Building Code (CBC), as amended by the City, which would reduce risks associated with expansive soils. Therefore, potential impacts associated with expansive soil that creates a substantial direct or indirect risk to life or property would be less than significant, and no mitigation would be required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Proposed Project would not involve the installation of septic tanks or alternative wastewater disposal systems. Therefore, no impacts to soils associated with septic tanks or alternative wastewater disposal systems would occur, and no mitigation would be required.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact with Mitigation Incorporated. A Cultural and Paleontological Resources Assessment for the Proposed Project was performed in May 2023 (**Appendix C**). The Project is mapped entirely as late Pleistocene (129,000 to 11,700 years ago) alluvial fan deposits of San Gorgonio Pass. The results of the record search showed that no fossils have previously

been recorded from the Proposed Project Area or from within a one-mile radius. However, abundant late Pleistocene fossils have been found in association with the Diamond Valley Lake and San Diego Pipeline 6 / Salt Creek Channel projects in southern Hemet, California, approximately 15 miles southwest of the current Project. Thousands of Pleistocene fossils have been recorded near the Project Area, including Pacific mastodon, Columbian mammoth, ground sloth, sabre-toothed cat, dire wolf, short-faced bear, bison, horse, stilt-legged llama, yesterday's camel, flat-headed peccary, diminutive pronghorn, and California turkey. Based upon recorded fossil locality data in and near the Project Area, areas mapped as alluvial fan deposits of San Gorgonio Pass are assigned a moderate sensitivity (PFYC 3). At present, based upon the potential for impacts to the late Pleistocene alluvial fan deposits of San Gorgonio Pass at depth within the Project Area, a Paleontological Resources Impact Mitigation Monitoring Plan (PRIMMP) should be developed and implemented, which should include development of a paleontology Worker Environmental Awareness Program (WEAP) as well as paleontological monitoring. In the event of an unanticipated paleontological discovery, all work must be suspended within 50 feet of the find until a qualified paleontologist evaluates it.

Mitigation Measures

MM GEO-1

Prior to the issuance of grading permits, the Project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any Project-related excavations that exceed three (3) feet below the pre-grade surface. Selection of the paleontologist shall be subject to approval of the City of Banning Planning Manager and no grading activities shall occur at the Project Site or within the off-site Project improvement areas until the paleontologist has been approved by the City.

In the event of an unanticipated discovery, all work must be suspended within 50 feet of the find until a qualified paleontologist can evaluate the find and make recommendations. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.

Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.

A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Banning Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

MM GEO-2

Prior to the start of construction, a paleontological resources Worker Environmental Awareness Program (WEAP) training program shall be presented to all earthmoving personnel to inform them of the possibility for buried resources and the procedures to follow in the event of fossil discoveries.

Conclusion

Implementation of mitigation measures **MM GEO-1** and **MM GEO-2** would reduce potential impacts of the Proposed Project associated with geological resources to less than significant levels.

4.8 Greenhouse Gas Emissions

Ganddini Group Inc. (Ganddini) performed an Air Quality, Global Climate Change, Health Risk Assessment and Energy Impact Analysis for the Proposed Project to assess potential impacts to air quality (**Appendix A** – *Brown Strauss Industrial Project Air Quality, Global Climate Change, HRA and Energy Impact Analysis*, Ganddini Group, November 29, 2023).

Regulatory Setting

Since 1987, many countries around the world have tried to reduce atmospheric greenhouse gas (GHG) emissions since climate change is a global issue. Over the past 35 years, the United States, and the State of California, have enacted a myriad of regulations that have evolved over time aimed at reducing GHG emissions in transportation, building and manufacturing.

South Coast Air Quality Management District

The Project Site is within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD Regulation XXVII currently includes three rules:

- The purpose of Rule 2700 is to define terms and post global warming potentials.
- The purpose of Rule 2701, SoCal Climate Solutions Exchange, is to establish a voluntary program to encourage, quantify, and certify voluntary, high quality certified greenhouse gas emission reductions in the SCAQMD.
- Rule 2702, Greenhouse Gas Reduction Program, was adopted on February 6, 2009. The purpose of this rule is to create a Greenhouse Gas Reduction Program for greenhouse gas emission reductions in the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

For GHG emissions, there is not an established, universally agreed-upon "threshold of significance" by which to measure an impact. While the CARB published some draft thresholds in 2008, they were never adopted, and the CARB recommended that local air districts and lead agencies adopt their own thresholds for GHG impacts.

The SCAQMD has been evaluating significance thresholds for greenhouse gases since 2008. In December 2008, the SCAQMD adopted an interim screening level GHG threshold of 10,000 metric tons of CO_2e ($MTCO_2e$) per year for stationary source/industrial projects for which the SCAQMD is the lead agency. However, the SCAQMD is not the lead agency for this project. Therefore, the five permit threshold tiers do not apply to the Proposed Project. The SCAQMD is in the process of preparing recommended significance thresholds for greenhouse gases for local lead agency consideration ("SCAQMD draft local agency threshold"); however, the SCAQMD Board has not approved the thresholds as of the date of the Notice of Preparation. The current draft thresholds consist of the following tiered approach:

Tier 1	Determine if the project qualifies for a categorical or statutory CEQA exemption. If not, move to Tier 2.
Tier 2	Determine whether the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions. If not, move to Tier 3.
Tier 3	Consider whether the project generates GHG emissions in excess of screening thresholds for individual uses, which the lead agency can choose, but must be consistent with all projects within the jurisdiction. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant: • All land use types: 3,000 MTCO2e per year • Based on land use type: residential: 3,500 MTCO2e per year; commercial: 1,400 MTCO2e per year; or mixed use: 3,000 MTCO2e per year. • Based on land type: Industrial (where SCAQMD is the lead agency), 10,000 MTCO2e per year. If the project generates emissions in excess of the applicable screening threshold, move to Tier 4.
Tier 4	Analyze the project using one of the following three methods: • Option 1: Reduce emissions from business as usual by a certain percentage; this percentage is currently undefined • Option 2: Early implementation of applicable AB 32 Scoping Plan measures • Option 3: Year 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$/SP/year for projects and 6.6 $MTCO_2e$/SP/year for plans; • Option 3: Year 2035 target: 3.0 $MTCO_2e$/SP/year for projects and 4.1 $MTCO_2e$/SP/year for plans If a project generates emissions in excess of the applicable efficiency targets, move to Tier 5.
Tier 5	Provide mitigation in the form of real, quantifiable, and verifiable offsets to achieve the target significance thresholds.

The thresholds identified above have not been adopted by the SCAQMD nor distributed for widespread public review and comment, and the working group tasked with developing the thresholds has not met since September 2010. The future schedule and likelihood of threshold adoption is uncertain.

In the absence of other thresholds of significance promulgated by the SCAQMD, the City of Banning has been using the SCAQMD's 10,000 $MTCO_2e$ threshold for industrial projects and the draft thresholds for non-industrial projects the purpose of evaluating the GHG impacts associated with proposed general development projects. As stated above, SCAQMD staff were

proposing to recommend the 10,000 $MTCO_2e$/year threshold for industrial uses by all lead agencies. The City's use of the 10,000 $MTCO_2e$/year threshold is also considered to be conservative since it is being applied to all of the GHG emissions generated by the Project (i.e., area sources, energy sources, vehicular sources, solid waste sources, and water sources) whereas the SCAQMD's 10,000 $MTCO_2e$/year threshold applies only to the new stationary sources generated at industrial facilities. Therefore, a conservative baseline of 3,000 MTCO2e per year for all land uses has been used as the baseline to evaluate project impacts related to GHGs.

Environmental Setting

Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases (GHG), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent greenhouse gases contributing to this process include carbon dioxide (CO2), methane (CH4), ozone, water vapor, nitrous oxide (N2O), and chlorofluorocarbons (CFCs). This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. Anthropogenic (caused or produced by humans) emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's greenhouse gas emissions, followed by electricity generation. Emissions of CO2 and N_2O are byproducts of fossil fuel combustion. Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO2, where CO2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean.

For the purposes of the Global Climate Change Analysis (Appendix A), the focus was on emissions of CO_2, CH_4, and N_2O because these gasses are the primary contributors to global climate change from development projects. Although there are other substances such as fluorinated gases that also contribute to climate change, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant. The Proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and construction equipment. GHG emissions have been calculated with the CalEEMod model based on construction and operational parameters (Appendix A). A summary of the results is shown below in **Table 7** – *Project Related Greenhouse Gas Emissions*.

Table 7 – Project Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e
Maximum Annual Operations	7.70	2,521.00	2,529.00	0.85	0.26	2,630.00
Construction[1]	0.00	8.57	8.57	0.00	0.00	8.63
Total Emissions	7.70	2,529.57	2,537.57	0.85	0.26	2,638.63
SCAQMD Draft Screening Threshold for All Land Uses						3,000
Exceeds Threshold?						**No**

Notes:
Source: CalEEMod Version 2022.1.1.20 for Opening Year 2023
i. Construction GHG emissions CO2e based on a 30-year amortization rate.

Table 7 shows that the total for the Proposed Project's emissions (without credit for any reductions from sustainable design and/or regulatory requirements) would be 2,638.63 MTCO2e per year. According to the SCAQMD draft threshold of significance established above, a cumulative global climate change impact would occur if the GHG emissions created from the

on-going operations of the Proposed Project would exceed the SCAQMD draft screening threshold of 3,000 MTCO2e per year for all land uses. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be less than significant. This threshold is also significantly below the recommended screening threshold of 10,000 MTCO2e per year for Industrial uses. As such, no additional project-specific mitigation would be required.

b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant. There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, which focuses on reducing GHG emissions in California to 1990 levels by 2020. This goal is further supplemented by SB 32 and Executive Order B-30-15, which established a reduction target of at least 40 percent below 1990 emissions by 2030, and Executive Order S-3-05, which established a reduction target of at least 80 percent below 1990 emissions by 2050.

A specific requirement of AB 32 was to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020. The City of Banning does not currently have a Climate Action Plan; therefore, the project has been compared to the goals of the CARB Scoping Plan. The CARB Board approved a Climate Change Scoping Plan in December 2008 and updated the plan in 2014, approved a new Climate Change Scoping Plan in 2017, and the most recent Climate Change Scoping Plan in 2022. As the latest, 2022 Scoping Plan builds upon previous versions, project consistency with applicable strategies of the 2008, 2017, and 2022 Plan are assessed in **Table 8** – *Project Consistency with CARB Scoping Plan Policies and Measures*. As shown below, the project is consistent with the applicable strategies within the Scoping Plan.

Table 8 – Project Consistency with CARB Scoping Plan Policies and Measures

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
California Light-Duty Vehicle Greenhouse Gas Standards – Implement adopted standards and planned second phase of the program. Align zero- emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Energy Efficiency – Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	No Conflict. The project will be compliant with the current Title 24 standards.
No Conflict. The project will be compliant with the current Title 24 standards.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the

	strategy.
Vehicle Efficiency Measures – Implement light-duty vehicle efficiency measures.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Medium/Heavy-Duty Vehicles – Adopt medium and heavy-duty vehicle efficiency measures.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Green Building Strategy – Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	No Conflict. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.
High Global Warming Potential Gases – Adopt measures to reduce high global warming potential gases.	No Conflict. CARB identified five measures that reduce HFC emissions from vehicular and commercial refrigeration systems; vehicles that access the project that are required to comply with the measures will comply with the strategy.
Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero waste.	Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero waste.
Water – Continue efficiency programs and use cleaner energy sources to move and treat water.	No Conflict. The project will comply with all applicable City ordinances and CAL Green requirements.
2017 Scoping Plan Recommended Actions to Reduce Greenhouse Gas Emissions	**Project Compliance with Recommended Action**
Implement Mobile Source Strategy: Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Car regulations.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025 and at least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.

Implement Mobile Source Strategy: Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: Last Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.	No Conflict. These are CARB enforced standards; vehicles that access the project (that are required to comply with the standards) will comply with the strategy.
Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.	Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	No Conflict. The project will be required to comply with City programs, such as City's recycling and waste reduction program, which comply, with the 75 percent reduction required by 2020 per AB 341.
2022 Scoping Plan Priority Key Actions and Recommendations	**Project Compliance with Recommended Actions**
100 percent of light-duty vehicle sales are ZEVs by 2035.	Not Applicable. This action is in regard to vehicle sales, with an aim to have 100 percent of light-duty vehicle sales be ZEVs by 2035. The Proposed Project is a steel manufacturing and distribution use and would not interfere with such policymaking.
VMT per capita reduced 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045.	No Conflict. The Project would not result in an unmitigated impact to VMT. The Project is a steel manufacturing and distribution use located in close proximity to existing roadways and residential and commercial uses. Therefore, the Project would be anticipated to contribute to a reduction in VMT per capita.
All electric appliances in new construction beginning 2026 (residential) and 2029 (commercial).	No Conflict. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR.

	Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.
For existing residential buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2035 (appliances replaced at end of life). For existing commercial buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2045 (appliances replaced at end of life)	Not Applicable. This action is in regard to appliance sales and the Proposed Project is a hotel use with rooftop restaurant and would not interfere with such policymaking. Furthermore, although this action is not necessarily applicable on a project-specific basis, the Proposed Project is subject to the California Green Building Standards Code (proposed Part 11, Title 24) which was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. In addition, the 2022 edition of the Code took effect January 1, 2023. The project will be subject to these mandatory standards.

The project would not conflict with the goals of AB-32, SB-32, or the CARB Scoping Plan; therefore, the project would not conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and impacts are considered to be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Greenhouse Gas Emissions apply to the Proposed Project.

Conclusion

The Proposed Project is consistent with the goals and objectives of AB 32, SB-32, the CARB Scoping Plan and the SCAQMD's 3,000 $MTCO_2e$ per year threshold for all land uses. Therefore, the Proposed Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. The Greenhouse Gas Emissions impacts of the Proposed Project would be less than significant, and no Project-specific mitigation would be required.

4.9 Hazards and Hazardous Materials

Terracon Consultants, Inc. prepared a Phase I Environmental Site Assessment (Phase I ESA) to determine potential impacts from hazardous materials associated with the development of the Proposed Project (**Appendix E** - *Phase I Environmental Site Assessment Report, Banning Industrial*, Terracon Consultants, Inc., September 1, 2022).

Ganddini Group prepared a Noise Impact Analysis was also completed to determine potential impacts of noise in relation to the proximity of the Banning Municipal Airport (**Appendix I** - *Brown Strauss Industrial Project, Noise Impact Analysis, City of Banning*, Ganddini Group, December 5, 2023).

Regulatory Setting

The City of Banning has a Hazardous Response Area Plan that was developed as part of its requirements as a participating agency in the statewide Certified Uniform Program Administration. The agency responsible for insuring that the Hazardous Response Plan addresses hazardous and toxic materials is the County of Riverside Health Hazardous Materials Division and/or the Regional Water Quality Control Board. (City of Banning General Plan, 2004).

Environmental Setting

A hazardous material is a substance that is toxic, flammable/ignitable, reactive, or corrosive. Extremely hazardous materials are substances that show high or chronic toxicity, carcinogenic, bio accumulative properties, persistence in the environment, or that are water reactive. Improper use, storage, transport, and disposal of hazardous materials and waste may result in harm to humans, surface and groundwater degradation, air pollution, fire, and explosion.

Typical equipment which may contain fuel or hydraulic oil that may be used during construction could include graders, loaders, dozers, cranes, forklift/pallet jack, and jackhammers.

Banning Municipal Airport

The Project Site is approximately 1.9 miles west of the Banning Municipal Airport. According to the Banning Municipal *Airport Land Use Compatibility Plan* (ALUCP) (**Appendix F**), the easternmost parcel (APN 540-180-20) of the Project Site is within Compatibility Zone D (**Figure 12** – Banning Municipal Airport Compatibility Map). Exhibit V-6 of the Environmental Hazards Element of the City's General Plan shows that the Project Site outside of the airport's 65 dBA CNEL noise contour.

Project Site

The Project Site consists of three contiguous parcels of generally vacant land, totaling approximately 14.92-acres. No evidence of the use of reportable quantities of hazardous substances was observed on the Project Site. No evidence of aboveground storage tanks (ASTs) or underground storage tanks (USTs) such as fill ports, piping, or vent pipes was observed or reported on the Project Site.

Historically, the site has been used for agricultural activities (orchards), from at least 1938 until sometime between 1953 and 1961. Based on the 2002 aerial photograph, apparent containers/trailers were visible throughout the site. By 2006, the containers/trailers appeared to have been removed; however, an apparent container/trailer was visible in the 2016 aerial photograph. Based on the 2012 aerial photograph, an apparent water tank and small animal enclosure were visible on the southwestern portion of the site. Currently, the container/trailer had been removed from the site, and site appeared generally vacant.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) 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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) 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 or excessive noise to the public or the environment?				X
e) 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?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?				X

Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Construction of the Proposed Project would involve the use of construction-related chemicals. These include but are not limited to hydraulic fluids, motor oil, grease, runoff, and other related fluids and lubricants. The construction activities would involve the disposal and recycling of materials, trash, and debris.

With mandatory regulatory compliance with federal, State, and local laws, potential impacts associated with hazardous materials would be less than significant, and no mitigation would be required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. Construction and operation of the Proposed Project would involve the routine transport, use, or disposal of hazardous materials on- and off-site.

Construction Impacts

Construction activities would require the temporary use of hazardous substances, such as fuel, lubricants, and other petroleum-based products for operation of construction equipment as well as oil, solvents, or paints. As a result, the Proposed Project could result in the exposure of persons and/or the environment to an adverse environmental impact due to the accidental release of a hazardous material. However, the transportation, use, and handling of hazardous materials would be temporary and would coincide with the short-term Project construction activities. These materials would be handled and stored in compliance with all applicable federal, state, and local requirements. Any handling of hazardous materials would be limited to the quantities and concentrations set forth by the manufacturer and/or applicable regulations. All hazardous materials would be securely stored in a construction staging area or similar designated location within the Project Site. The handling, transport, use, and disposal of hazardous materials must comply with all applicable federal, state, and local agencies and regulations, including the Department of Toxic Substances Control; Occupational Health and

Safety Administration (OSHA); Caltrans; and the County Health Department - Hazardous Materials Management Services.

With the compliance with local, State, and federal regulations, short-term construction impacts associated with the handling, transport, use, and disposal of hazardous materials would be less than significant, and no mitigation would be required.

Operations Impacts

The Applicant is primarily a distributor, buying structural steel products in bulk quantities from the steel mills and selling the same products in smaller quantities to steel fabricators. The proposed operation does not include a steel mill or foundry. The only manufacturing activity to be performed on-site is to cut products to length within the enclosed saw sheds on the north side of the building. Less than 10% of customer orders are cut to length. A small above-ground fuel storage tank will also be located at the southeast corner of the warehouse, to be used for fueling on-site forklifts only. None of the proposed land uses are typically considered hazardous to the public. Hazardous materials would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, vegetable-based saw lubricant, and various other commercially available substances. These substances are required to comply with guidelines to minimize health risk to the public associated with hazardous materials. Therefore, potential impacts associated with the routine transport, use or disposal of hazardous materials would be less than significant, and no mitigation would be required.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The Proposed Project Site is not located within one-quarter mile of an existing or proposed school. The closest school is Hemmerling Elementary School which is approximately 0.35-mile northwest of the Proposed Project Site. Since there are no schools within one-quarter mile of the Project Site, no impacts would occur, and no mitigation would be required.

d) Would the 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?

No Impact. Government Code Section 65962.5(a)(1) requires that the Department of Toxic Substance Control (DTSC) "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")." The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small

and specific subgroup of facilities, and they are not separately posted on the DTSC or Cal/EPA's website. A complete list of all State and Tribal databases reviewed is provided in Appendix E.

Based on the results of the database review the Project Site is not located on any site that has been identified in accordance with Section 65962.5 of the Government Code.

A Phase 1 ESA was performed for the Proposed Project in accordance with ASTM Standard Practice CFR Part E152 13 and the EPA Standards and Practices for All Appropriate Inquiries (Appendix E). The assessment identified that although the historical use was agriculture with the potential for pesticide and herbicide use, there was no evidence of Recognized Environmental Condition (RECs) or Controlled RECs (CRECs) on the Project Site based on records searches and the field survey.

Therefore, based on the results of the Phase I ESA and that the Proposed Project is required to follow all state, federal, and local regulations, potential impacts associated with a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is less than significant, and no mitigation would be required.

e) For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The Project Site is approximately 1.9 miles to the west of the Banning Municipal Airport. The Banning Municipal Airport Compatibility Plan divides the area close to the airport into zones based on proximity to the airport and perceived risks. The Banning Municipal Airport Compatibility Plan indicates the allowable uses, potential noise impacts, potential safety impacts, and density/intensity restrictions for each zone. The Project Site is within Compatibility Zone D (**Figure 12**) and will comply with the all the applicable ALUC requirements and received approval from the Riverside Airport Land Use Commission on October 5, 2023 (**Appendix F**).

Zone D is on the periphery of the flight corridors and the risk level from flight operations is low. According to the County of Riverside Airport County Wide Policies, Zone D, in the flight corridor buffer, has an average intensity of 100 people per acre, single intensity of 300 people per acre, and 10% open space requirements. According to Table 2A of County of Riverside Airport County Wide Policies, Basic Compatibility Criteria: Zone D in which the Project lies requires Airspace review for objects taller than seventy (70) feet. The Proposed Project consists of the development of a 36'-4" warehouse building; therefore, no obstruction evaluation is required.

Exhibit V-6 of the Environmental Hazards Element of the City's General Plan shows that the Project Site outside of the airport's 65 dBA CNEL noise contour. Additionally, Banning Municipal Airport Compatibility Plan, Noise Compatibility Contours Figure also shows that the Project Site is located outside of the airport's 65 dBA CNEL noise contour.

Therefore, potential impacts associated with the safety hazard or excessive noise for people residing or working in the project area would be less than significant, and no mitigation would be required.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Development of the Project Site would not interfere with any of the daily operations of the City of Banning Emergency Operation Center, Riverside County Fire Department, or City of Banning Police Department. Vehicular access to the Project Site would be provided via four driveway access points off of W. Lincoln Street consisting of two one-way gated driveways at opposite ends of the Project Site for truck and fire safety access. Emergency response and evacuation for the City are based on numerous access routes. The Proposed Project would not interfere with the City's emergency operations plan or impede roadway access through removal or closure of any streets that provide through access. All construction activities would be required to be performed according to the standards and regulations of the City and county fire and sheriff's departments. For example, the Property Owner/Developer and its construction contractor would be required to provide on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases.

The Proposed Project would also be required to undergo the City's development review and permitting process and would be required to incorporate all applicable design and safety standards and regulations of the Riverside County Fire Department to ensure that the Proposed Project does not interfere with the provision of local emergency services (e.g., provision of adequate access roads to accommodate emergency response vehicles, adequate numbers/locations of fire hydrants).

Overall, the Proposed Project would not impair implementation of or physically interfere with the City of Perris's emergency operations plan or evacuation plan. Therefore, no impacts associated with an adopted emergency response plan or emergency evacuation plan would occur, and no mitigation would be required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. Wildfires typically pose minimal threat to people and buildings in urban areas but increasing human encroachment into natural areas increases the likelihood of bodily harm or structural damage. This encroachment occurs in areas called the wildland-urban interface (WUI), which is considered an area within the high and very high fire hazard severity zone, as defined by Cal FIRE. According to the Environmental Hazard Element of the City's General Plan, Wildfire Hazards map shows that the Project Site is not located in a Very High Fire Hazard Severity Zone. Therefore, no impacts associated with wildland fires would occur and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Hazards and Hazardous Materials apply to the Proposed Project.

Conclusion

There will be no impacts of the Proposed Project associated with Hazards and Hazardous Materials, and no mitigation would be required.

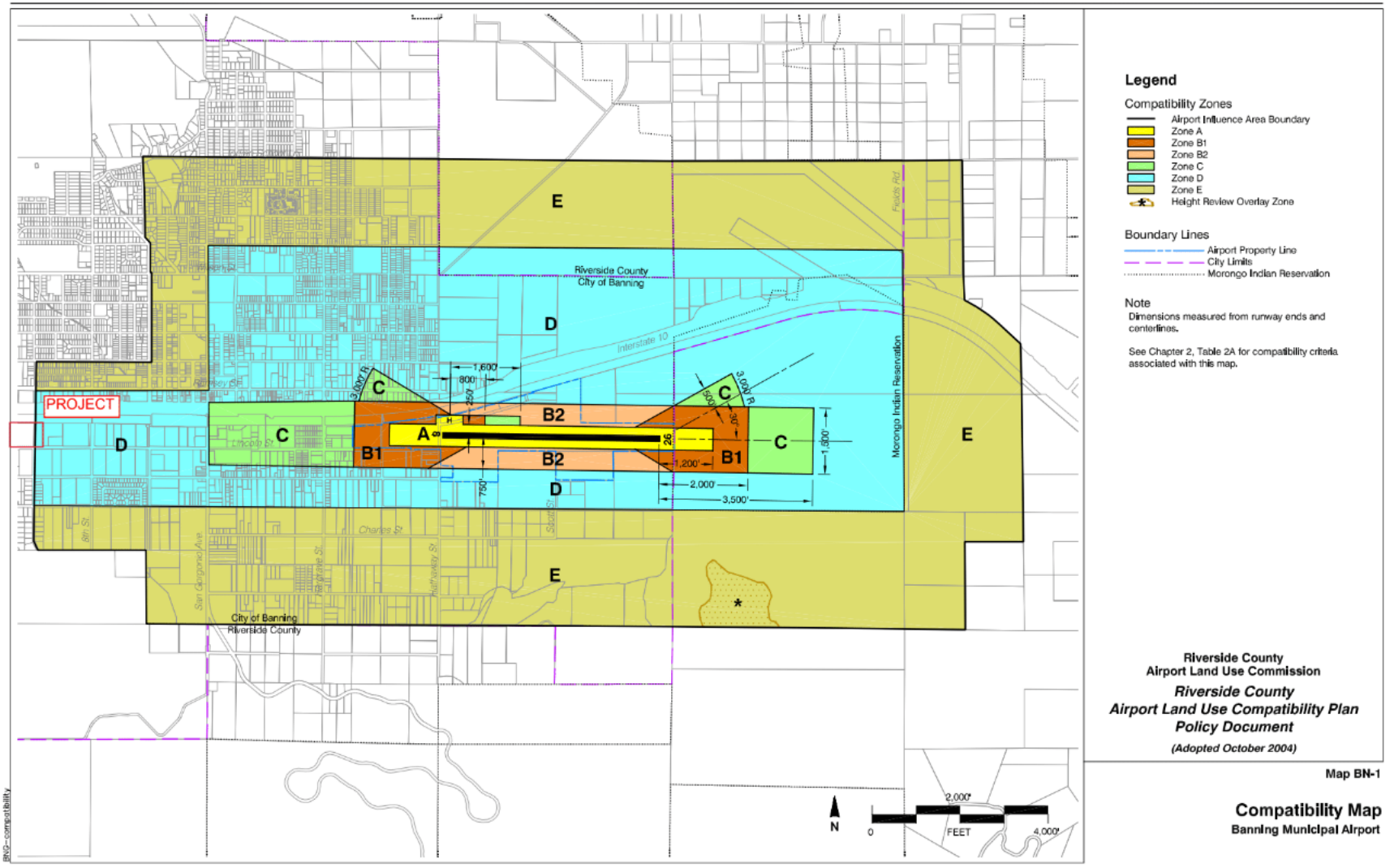


Figure 12: Banning Municipal Airport Compatibility Map

Source: *Riverside County Airport Land Use Commission (ALUC)*

4.10 Hydrology and Water Quality

Joseph E. Bonadiman & Associates, Inc. prepared a Preliminary Project Specific Water Quality Management Plan (PWQMP) (**Appendix G** – *Preliminary Project Specific Water Quality Management Plan, Brown Strauss Steel--Banning*, Joseph E. Bonadiman & Associates, Inc., March 8, 2023, Revised October 2023) and Preliminary Hydrology Study and Drainage Analysis (**Appendix H** – *Preliminary Hydrology Study and Drainage Analysis- Brown Strauss Steel*, Joseph E. Bonadiman & Associates, Inc., November 2023) to determine potential impacts to hydrology and water quality associated with the development of the Proposed Project.

Regulatory Setting

The Colorado River Basin Regional Water Quality Control Board requires that dischargers whose construction projects disturb one (1) or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD).

The State's Municipal Storm Water Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a storm water management plan/program with the goal of reducing the discharge of pollutants to the "maximum extent practicable," which is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify which BMPs will be used to address certain program areas. The program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations.

The Riverside County Flood Control and Water Conservation District, the County of Riverside, the City of Banning, and other incorporated cities (co-permittees) discharge pollutants from their MS4s. Stormwater and non-stormwater enter and are conveyed through the MS4 and discharged to surface water bodies of the Riverside County region. These discharges are regulated under countywide waste discharge requirements per Order No. R8-2010-0033, NPDES Permit No. CAS618033, approved by the Colorado River Basin RWQCB on January 29, 2010. The MS4 permit requires the development and implementation of a program addressing stormwater pollution issues in development planning for private projects. The primary objectives of the municipal stormwater program requirements are to: 1) effectively prohibit non-stormwater discharges, and 2) reduce the discharge of pollutants from stormwater conveyance systems to the "maximum extent practicable" statutory standard.

Environmental Setting

Floodplains

The Project Site does not contain any natural drainages or waterways (**Appendix B**). The Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) indicate the Project Site is in Zone X, which is an area of moderate and minimal flood risk. Zone X signifies areas subject to flooding in the event of a 500-year flood, areas of a 100- year sheet flow flooding with average depths of less than one foot, areas of a 100-year stream flood with contributing drainage areas less than one square mile, and areas protected from a 100-year flood by levees.

Groundwater

The City of Banning Public Works and Utilities Department provides domestic water services to the Project Site. The City's water service area comprises 100 percent of the population residing within the City limits, and a small unincorporated area of Riverside County. The City's Water Service Area comprises about 16,908 acres or 26.4 square miles. The City owns and operates wells, reservoirs, and a distribution line system to deliver domestic water within their service area. The distribution line system serving the City consists of water lines ranging from 2" to 30" in diameter. The 2020 Urban Water Management Plan (UWMP) for the City of Banning has been prepared in compliance with the Urban Water Management Planning Act (Act), which was established in 1983 and has been codified into the California Water Code sections 10610 through 10657.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
c) 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:				
• result in substantial erosion or siltation onsite or offsite;			X	
• substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;			X	
• create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
• impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion

a) Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact.

Construction Impacts

Construction-related runoff pollutants are typically generated from waste and hazardous materials handling or storage areas, outdoor work areas, material storage areas, and general maintenance areas (e.g., vehicle or equipment fueling and maintenance, including washing). Construction projects that disturb 1 acre or more of soil, including the Proposed Project, are

regulated under the construction general permit (CGP, Order No. 2009-009-DWQ) and its subsequent revisions (Order No. 2012-0006-DWQ) issued by the SWRCB. Projects obtain coverage under the CGP by developing and implementing a SWPPP, estimating sediment risk from construction activities to receiving waters, and specifying best management practices that would be implemented as a part of the Proposed Project's construction phase to minimize pollution of stormwater prior to and during grading and construction.

The Property Owner/Developer and its construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the CGP during grading and construction. The SWPPP would specify BMPs that would be implemented for the Proposed Project to protect the water quality of receiving waters (San Gorgonio River, Whitewater River, Coachella Valley Storm Channel, and Salton Sea). Other construction BMPs that may be incorporated into the Proposed Project's SWPPP and implemented during the construction phase include but are not limited to:

- Installation of perimeter silt fences and perimeter sandbags and/or gravel bags
- Stabilized construction exits with rumble strip(s)/plate(s)
- Installation of storm drain inlet protection on affected roadways
- Installation of silt fences around stockpile and covering of stockpiles
- Stabilization of disturbed areas where construction ceases for a determined period of time (e.g., one week) with erosion controls
- Installation of temporary sanitary facilities and dumpsters

Adherence to the BMPs in the SWPPP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters; reduce or avoid contamination of urban runoff with sediment; and reduce or avoid contamination with other pollutants such as trash and debris, oil, grease, fuels, and other toxic chemicals.

Furthermore, Chapter 17.24 (Stormwater Management System) of the City's municipal code regulates grading and construction activities as they relate to stormwater pollution. Any person engaged in development, grading, or construction within the City shall comply with City of Banning Ordinance No. 1388, including regulations for construction sites and onsite storage and infiltration of stormwater, the standard specifications for public works construction when performing public works, and applicable provisions of the National Pollutant Discharge Elimination System CGP for stormwater discharges associated with construction activity issued by the SWRCB and California RWQCB, NPDES No. CAS 618033, Order No. R8-2002-0011.

Therefore, with implementation of the BMPs in the required SWPPP, water quality or waste-discharge impacts from Project-related grading and construction activities would be less than significant, and no mitigation would be required.

Operations Impacts

The Preliminary Water Quality Management Plan (**Appendix G**) identifies stormwater management for post construction building operations. Overall, the existing drainage patterns were identified, and the design preserves the overall drainage pattern. In the existing condition, the Project Site consists of open, undeveloped space that is generally flat and slopes to the southeast towards Lincoln Street, where flow continues to the east. To the north of the Project Site is the Union Pacific railroad, consisting of a limited drainage tributary with elevated tracks on earthen berms, running east/west. Flows originating along the south of the Union Pacific railroad berms are carried to the east via existing earthen swales within the railroad right-of-way.

In the post-Project condition, significant onsite grading will level the Project Site to facilitate the outdoor material storage for the streel distribution facility. The office parking lot and entry and exit driveways to the site shall be paved, while the balance of the outdoor storage area shall have gravel groundcover. The Proposed Project is required to retain urban runoff onsite in conformance with the City of Banning's WQMP guidance document, "Local Land Use Authorities Requiring Onsite Retention of Stormwater" as incorporated in Section 6 of City of Banning Ordinance No. 1415. The PWQMP divides the Project Site into four treatment areas, DA-1 through DA-4. The stormwater runoff from areas DA-1, 2, and 3 will be routed via vortex separators to an underground stormwater retention basin at the southeast portion of the Project Site. The retention basin is sized to contain the WQMP volume and the developed condition hydrograph volumes for a 100-yr, 3-hr storm event, equaling 1.9698 ac ft (85,804 cu ft) of water. Additional volume to buffer the difference between the existing condition and the developed condition hydrograph is also provided resulting in a total basin capacity of 2.9640 ac ft (129,110 cu ft) of water. The retention basin will use perforated pipe to filter and infiltrate captured stormwater. Area DA-4 consists of the landscaped berm at the south side of the Project Site along W. Lincoln Street. This area is self-infiltrating and also provides a barrier to capture incidental stormwater runoff from the rest of the property. Where applicable, runoff from the proposed hardscape areas, such as the parking lot, will be directed toward landscape area in an effort to promote incidental infiltration and preserve the infiltration capacity. Additionally, roof runoff through downspouts will be directed to proposed landscape areas where feasible to help slow down the storm water runoff.

Therefore, with implementation of the BMPs in the PWQMP and compliance with NPDES MS4 permit requirements, potential impacts associated with water quality and waste-discharge impacts would be less than significant, and no mitigation would be required.

b) 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?

Less Than Significant Impact. The Project Site is in the San Gorgonio Pass Subbasin portion of the Coachella Valley Groundwater Basin and within the jurisdiction of the Colorado River Basin Regional Water Quality Control Board. According to the 2020 UWMP, the City is a member of

multiple cooperative agreements to insure the reliability and quality of the water supply, which comes 100% from groundwater sources in the region.

The Proposed Project involves grading and paving of a 14.27 acres vacant site, thereby increasing impervious surfaces on the Project Site. The PWQMP prepared for the Proposed Project identifies that all runoff will be captured onsite and sent to an underground retention basin for infiltration. Additionally, the landscape areas along W. Lincoln Street will help retain stormwater runoff during storm events and gradually release it back into the ground and the City's storm drain system. The Proposed Project would not interfere with groundwater recharge and would beneficially retain water to ensure more groundwater recharge. Therefore, potential impacts associated with groundwater supplies or groundwater recharge would be less than significant, and no mitigation would be required.

c) 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:

- *result in substantial erosion or siltation onsite or offsite;*

Less Than Significant Impact: Grading activities during construction of the Proposed Project may result in wind driven soil erosion and loss of topsoil. All construction and grading activities would comply with City's grading ordinance using BMPs, including the use storm drain inlet protection, efficient irrigation systems and landscape design, and common area litter control. Upon completion, the Project Site would be developed with ad office and non-refrigerated warehouse and associated outdoor storage yard that would include paved and gravel surfaces and landscaping that would prevent substantial erosion from occurring. Therefore, potential impacts associated with erosion would be less than significant, and no mitigation would be required.

- *substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;*

Less Than Significant Impact: The Proposed Project will alter the existing drainage pattern of the Project Site. The existing drainage pattern flows generally southeast across the Project Site towards to public right-of-way, where it discharges and flows east. However, in the post-Project condition, significant onsite grading will level the Project Site to facilitate the outdoor material storage for the streel distribution facility and all onsite runoff will be required to be retained onsite and infiltrated through an underground retention basin at the southeast corner of the Project Site.

Therefore, the Proposed Project would not increase the runoff from the Project Site because all onsite runoff will be captured and will then be directed toward the proposed underground storage chambers. The storage chambers ensure that the capacity of the City's storm drain system is not exceeded by the development of the Proposed Project.

Therefore, potential impacts associated with on or off-site flooding due to an altered drainage pattern would be less than significant, and no mitigation would be required.

- *create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

Less Than Significant: The Proposed Project will alter the drainage pattern of the Project Site but will not increase flow rates from the existing condition. The Proposed Project includes a drainage system that would be designed and installed to temporarily store and infiltrate runoff, primarily from rooftops and other impervious surface area (**Appendix G**). Non-structural BMPs such as activity restrictions, common area landscape maintenance, and litter control would also contribute toward runoff control and water quality protection. In addition, the Property Owner/Developer would be required to comply with the NPDES permit requirements to reduce any potential water quality impacts.

Therefore, potential impacts associated with runoff that would exceed the capacity of the drainage systems or provide additional sources of polluted runoff would be less than significant, and no mitigation would be required.

- *impede or redirect flood flows?*

No Impact: The Project Site is in Flood Zone X, outside of the 100-year floodplain (FEMA Map 06065C0817G, effective date August 28, 2008). Therefore, no impacts associated with impeding or redirecting flood flows would occur, and no mitigation would be required.

d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The Project Site is in Flood Zone X, outside of the 100-year floodplain (FEMA Map 06065C0817G) and would not impede or redirect flood flows.

The Project Site is inland, more than 50 miles northeast of the Pacific Ocean, and is not subject to tsunami hazards.

Seiches are surface waves created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to development near large water bodies and water storage facilities, because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. Within portions of the northern and southern Banning planning area, there are percolation ponds and man-made lakes, such as those within the Sun Lakes development area, which may be subject to seiches. At present, there are no open reservoirs in the City of Banning.

The surrounding topography of the Project Site is generally flat and would not be subject to inundation by mudflow.

Therefore, the Project because the Project Site is not in a flood, tsunami, or seiche zone, and there would be no Project impacts as to the risk release of pollutants due to project inundation, and no mitigation is required.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The Proposed Project's construction contractor would be required to prepare and implement a SWPPP and associated BMPs in compliance with the Conceptual Grading Plan during grading and construction. The SWPPP would specify BMPs that would be implemented for the Proposed Project to protect the water quality of receiving waters (San Gorgonio River, Whitewater River, Coachella Valley Storm Channel, and Salton Sea). Therefore, the Proposed Project will not interfere with the implementation of a water quality control plan.

The City works cooperatively with the cities within its service area to plan for future water supply as outlined in the most recent UWMP, adopted in 2020. Therefore, the Proposed Project will not conflict or obstruct a sustainable groundwater management plan. No aspect of the Proposed Project involves groundwater wells or groundwater pumping.

Therefore, potential impacts associated with the implementation of a water quality control plan or sustainable groundwater management plan would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Hydrology and Water Quality apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Hydrology and Water Quality would be less than significant, and no mitigation would be required.

4.11 Land Use Planning

Environmental Setting

The Proposed Project Site is situated on north side of W Lincoln Street, south of Redlands Freeway (I-10) and Union Pacific Railroad Corridor, west of South 8th Street, East of South 22ndStreet, and specifically within Assessor's Parcel Numbers (APNs 540-180-020, 540-180-022, and 540-180-026) and is known as site address,1219 and 1431 W. Lincoln Street. The Proposed Project would be constructed on three vacant parcels totaling approximately 14.92 acres which will be consolidated into one parcel. The Project Site is split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and-026) zoning and General Plan designations. Parcel No.540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The Project Site is bounded by Union Pacific railroad track to the north, industrial warehouses to the east, a mix of currently vacant and non-conforming rural residential parcels to the south across W Lincoln Street, and a vacant land to the west.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?			X	
b) 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?				X

Discussion

a) Would the project physically divide an established community?

Less Than Significant Impact. The Project Site is bounded by Union Pacific railroad track to the north, industrial warehouses to the east, a mix of currently vacant and non-conforming rural residential parcels to the south across W Lincoln Street, and a vacant land to the west. The Proposed Project will be consistent and compatible with existing and proposed industrial development in areas planned for those uses. The Proposed Project is consistent with the surrounding zoning designation. Therefore, no impacts associated with the division of an established community would occur, and no mitigation would be required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Proposed Project involves the request to construct a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, an outdoor storage yard, and associated parking and landscaping. The Proposed Project would be constructed on three vacant parcels which will be consolidated into one parcel. The Project Site is split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and-026) zoning and General Plan designations. Parcel No. 540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The General Plan and zoning designation for the Project Site will be Industrial (I). The Proposed Project is consistent with the outdoor storage yards to the south and industrial warehouses to the east. The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, because the project is consistent with all applicable land use policies and regulations of the City Zoning Code and General Plan. The Proposed Project is consistent with the General Plan land use designation of Industrial. The proposed use is permitted in the Industrial zone with a Design Review.

In addition, the Project Site is within Compatibility Zone D of the Banning Municipal Airport Compatibility Plan. The Proposed Project complies with Airport land Use Compatibility Plan and received approval from the Riverside Airport Land Use Commission on October 5, 2023 (**Appendix F**).

Therefore, no potential impacts associated with an applicable land use plan, policy or regulation would occur.

Mitigation Measures

No mitigation measures associated with impacts to Land Use and Planning apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Land Use and Planning would be less than significant, and no mitigation would be required.

4.12 Mineral Resources

Regulatory Setting

In 1975, the California legislature enacted the Surface Mining and Reclamation Act (SMARA). This act provides for the reclamation of mined lands and directs the State Geologist to classify (identify and map) the non-fuel mineral resources of the state to show where economically significant mineral deposits occur and where they are likely to occur based upon the best available scientific data. Mineral Resource Zones (MRZ) classifications are designed by the State Geologist in accordance with the State Mining and Geology Board (SMGB)'s priority list, as follows:

- MRZ-1 - areas where geologic information indicates no significant mineral deposits are present;
- MRZ-2 - areas that contain identified mineral resources;
- MRZ-3 - areas of undetermined mineral resource significance;
- MRZ-4 - areas of unknown mineral resource potential.

Environmental Setting

The Proposed Project would be constructed on three vacant parcels totaling approximately 14.92 acres which will be consolidated into one parcel. The Project Site is split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and-026) zoning and General Plan designations. Parcel No.540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The Banning Quarry, operated by Robertson's Ready Mix, is the only aggregate producer in the City of Banning (City of Banning General Plan, 2004).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XII. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) 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?				X

Discussion

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. According to the City of Banning General Plan, Environmental Resources Element, the Project Site is designated Mineral Resource Zone (MRZ) 3. Areas designated MRZ-3 are defined as areas containing known or inferred mineral occurrences of undetermined mineral resource significance. MRZ-2 areas are where geologic data indicate that significant mineral resources are present. Since the Project Site is not designated MRZ-2, development of the Project Site would not impact the availability of known mineral resources in the surrounding area. Therefore, no impacts associated with any known mineral resource that would be of value to the region and the residents of the state would occur, and no mitigation would be required.

b) 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?

No Impact. The project will not 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, because no mining operations exist on or in the vicinity of the Project Site. Therefore, no impacts associated with the availability of any locally important mineral resource recovery sites would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Mineral Resources apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Mineral Resources would be less than significant, and no mitigation would be required.

4.13 Noise

Ganddini Group prepared a Noise Impact Analysis to determine potential impacts from noise associated with the development of the Proposed Project (**Appendix I** – *Brown Strauss Industrial Project Noise Impact Analysis,* Ganddini Group, December 5, 2023).

Environmental noise is commonly measured in A-weighted decibels (dBA). A decibel (dB) is a unit of sound energy intensity. Sound waves, traveling outward from a source, exert a sound pressure level (commonly called a "sound level") measured in dB. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response that duplicates the sensitivity of human ears. Decibels are measured on a logarithmic scale. Generally, a three dBA increase in ambient noise levels represents the threshold at which most people can detect a change in the noise environment; an increase of 10 dBA is perceived as a doubling of loudness.

The FHWA identifies ranges of noise perceptibility as follows:

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Barely perceptible change
5	Readily perceptible change
10	Twice (or half) as loud

https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm

Noise Descriptors

The noise descriptors utilized in the noise study for the Proposed Project include but are not limited to the following:

- Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
- Community Noise Equivalent Level (CNEL): Noise standards for land use compatibility are stated in terms of the Community Noise Equivalent Level (CNEL) and the Day-Night Average Noise Level (DNL). CNEL is a 24-hour weighted average measure of community noise. CNEL is obtained by adding five decibels to sound levels in the evening (7:00 PM to 10:00 PM), and by adding ten decibels to sound levels at night (10:00 PM to 7:00 AM). This weighting accounts for the increased human sensitivity to noise during the evening and nighttime hours. DNL is a very similar 24-hour average measure that weighs only the nighttime hours.
- Equivalent Sound Level (L_{EQ}): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time-varying noise level. Average noise levels over a period of minutes or hours are usually expressed as dBA L_{eq}, or the equivalent noise level for that period of time. For example, $L_{eq(3\text{-}hr)}$ would represent a 3-hour average. When no period is specified, a one-hour average is assumed.

- Maximum Sound Level (Lmax): The maximum sound level measured during a period of time.

Vibration

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Table 9 – *Vibration Source Levels for Construction Equipment* identifies typical construction sources of vibration as identified by the Federal Transit Administration.

Table 9 – Vibration Source Levels for Construction Equipment

	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill (slurry wall)	0.008 in soil	66
	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, September 2018.

Regulatory Setting

Federal Regulations

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of

Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the Ldn should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas.

In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies.

The Federal Transit Administration (FTA) sets standards and criteria for assessing noise impacts related to transit projects based on community reactions to noise. FTA Noise Impact Criteria groups sensitive land uses into the three categories:

- Category 1 – High Sensitivity: Land where quiet is an essential element of its intended purpose. Example land uses include preserved land for serenity and quiet, outdoor amphitheaters and concert pavilions, and national historic landmarks with considerable outdoor use. Recording studios and concert halls are also included in this category.
- Category 2 – Residential: This category is applicable to all residential land use and buildings where people normally sleep, such as hotels and hospitals.
- Category 3 – Institutional: This category is applicable to institutional land uses with primarily daytime and evening use. Example land uses include schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material. Places for meditation or study associated with cemeteries, monuments, museums, campgrounds, and recreational facilities are also included in this category.

Most commercial or industrial uses are not considered noise-sensitive because activities within these buildings are generally compatible with higher noise levels. Business can be considered noise-sensitive if low noise levels are an important part of operations, such as sound and motion picture recording studios. Most parks used primarily for active recreation such as sports complexes and bike or running paths are not considered noise sensitive.

Construction noise is assessed using guidance provided in the FTA Guidance Manual. The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction. For residential uses, the daytime noise threshold is 80 dBA Leq averaged over an 8-hour period (Leq (8-hr); and the nighttime noise threshold is 70 dBA Leq (8-hr). For commercial uses, the daytime and nighttime noise threshold is 85 dBA Leq (8-hr) and for industrial uses the daytime and nighttime noise threshold is 90 dBA Leq (8-hr).

FTA has developed impact criteria for acceptable levels of groundborne noise (GBN) and groundborne vibration (GBV). Criteria for ground-borne vibration are expressed in terms of rms velocity levels in VdB, and criteria for ground-borne noise are expressed in terms of A-weighted sound pressure levels in dBA. The threshold for annoyance from groundborne vibration at sensitive receptors for infrequent events is 80 VdB.

The FTA has adopted vibration standards that are used to evaluate potential building damage impacts related to construction activities. The threshold at which there is a risk to "architectural" damage to non-engineered timber and masonry buildings is a peak particle velocity (PPV) of 0.2, at engineered concrete and masonry buildings a PPV of 0.3, and at reinforced-concrete, steel, or timber buildings a PPV of 0.5.

State Regulations

Though not adopted by law, the State of California General Plan Guidelines 2017, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provides guidance for the compatibility of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. The OPR Guidelines include a Noise and Land Use Compatibility Matrix which identifies acceptable and unacceptable community noise exposure limits for various land use categories. Where the "normally acceptable" range is used, it is defined as the highest noise level that should be considered for the construction of buildings which do not incorporate any special acoustical treatment or noise mitigation. The "conditionally acceptable" or "normally unacceptable" ranges include conditions calling for detailed acoustical study prior to the construction or operation of the Proposed Project.

The State of California has established noise insulation standards as outlined in Title 24 and the Uniform Building Code (UBC) which in some cases requires acoustical analyses to outline exterior noise levels and to ensure interior noise levels do not exceed the interior threshold.

City of Banning

The City of Banning outlines its noise regulations and standards within the Municipal Code and General Plan. Industrial land uses are considered "normally acceptable" where noise levels are not expected to exceed 70 dBA CNEL and "conditionally acceptable" between 70-75 dBA CNEL. These standards apply to the Proposed Project itself. The City of Banning General Plan has also established goals and policies regarding noise which apply to the Proposed Project.

Best Management Practices

The following best management practices (BMPs) shall be provided on project plans and in contract specifications to minimize construction and operational noise emanating from the Proposed Project:

1. All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

2. All stationary construction equipment will be placed so that emitted noise is directed away from the noise sensitive receptors near the Project Site.
3. As applicable, all equipment shall be shut off and not left to idle when not in use.
4. To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.
5. Jackhammers, pneumatic equipment, and all other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the Project Site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.
6. No amplified music and/or voice will be allowed on the Project Site.
7. Haul truck deliveries will not occur outside of the hours presented as exempt for construction per City of Banning Municipal Code Section 8.44.090(E).

The use of vibratory rollers, or other similar vibratory equipment, will be prohibited within 26 feet of the existing commercial structures to the east of the Project Site.

Environmental Setting

The Project Site consists of three vacant parcels situated on the north side of W Lincoln Street, south of Redlands Freeway (I-10) and the Union Pacific Railroad Corridor, west of South 8th street, and East of South 22nd Street. The Project Site is bordered by a Union Pacific (UP) rail line to the north, an industrial use to the east, Lincoln Street to the south, and vacant land to the west.

The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple-family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive land uses that may be affected by project noise include the non-single-family residential uses located as close as approximately 75 feet south (along the southern side of Lincoln Avenue). However, it should be noted that these existing residential uses are non-conforming land uses that are designated as Business Park on the City of Banning General Plan and Zoning Map.

The Noise Impact Analysis (**Appendix I**) identified background noise and modeled existing noise. To document existing ambient noise levels in the project area, four (4) 15-minute daytime noise measurements were taken between 10:18 AM and 12:02 PM on April 25, 2023, and one (1) 15-minute daytime noise measurements was taken between 3:47 PM and 4:02 PM on April 26, 2023. In addition, one (1) long-term 24-hour noise measurement was also taken from April 25, 2023, to April 26, 2023. Furthermore, (1) 15-minute and two (2) 2-hour measurements were taken on May 10, 2023, at the existing facility associated with the Proposed Project in Fontana, California in order to document the noise levels associated with project rail spur activity. The noise meter was placed at the following locations at the Proposed Project Site, as shown in **Figure 13 –** *Noise Monitoring Locations*:

- STNM1: represents the existing noise environment of the single-family residences located to the south of the Project Site along the southern side of Lincoln Street. The noise meter was placed along the southern side of Lincoln Street at the northern property line of the vacant residential property located at 1356 West Lincoln Street, Banning.
- STNM2: represents the existing noise environment of the single-family residence located to the southwest of the Project Site along the southern side of Lincoln Street. The noise meter was placed along the southern side of Lincoln Street near the northeastern property line of the residential property located at 1574 West Lincoln Street, Banning.
- STNM3: represents the existing noise environment of the single-family residences located to the southwest of the Project Site along the southern side of Barbour Avenue. The noise meter was placed along the southern side of Barbour Avenue near the northern property line of the residential property located at 1340 Barbour Avenue, Banning.
- STNM4: represents the existing noise environment of the northern Project Site boundary. The noise meter was placed near the center of the northern boundary of the Project Site just south of the adjacent UP rail line.

STNM5: represents the existing noise environment of the single-family residences located to the southwest of the Project Site along the northern side of Lincoln Street. The noise meter was placed along the northern side of Lincoln Street near the southern property line of the residential property located at 2099 West Lincoln Street, Banning.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIII. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) 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?			X	

Discussion

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. The Proposed Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The following section calculates the potential noise emissions associated with the temporary construction activities and long-term operations of the Proposed Project and compares the noise levels to City standards.

Construction Impacts

Construction noise is regulated within Section 8.44.090(E) of the City of Banning Municipal Code (see Regulatory Setting section of this report). Accordingly, the project would result in a significant impact if:

- Project construction occurs outside the hours of 7:00 AM and 6:00 PM; or

- Project construction noise exceeds 55 dBA at the interior of an occupied residence or school for any 15-minute period.

Project construction noise levels at nearby sensitive receptors were calculated using the FTA methodology. Modeled construction noise levels reach up to 71.9 dBA Leq at the nearest vacant residential property line to the south and up to 71.2 dBA Leq at the nearest occupied residential property line to the south of the Project Site.

Project construction will not occur outside of the hours outlined in Section 8.44.090(E) of the City of Banning Municipal Code. Based on the modeled construction noise levels, interior noise levels are estimated to reach a maximum of 51.9 dBA at the nearest residential property line with windows closed based on typical exterior to interior noise transmission (**Table 10** – Construction Noise Levels (dBA L_{eq}) at the Nearest Sensitive Receptors. Therefore, the project would not exceed City-established standards relating to construction noise. The project impact is less than significant; no mitigation is required.

Notwithstanding, best management practices (BMPs) are provided in the Regulatory Setting section above and should be added to project plans and in contract specifications to minimize construction noise emanating from the Proposed Project.

Table 10 – Construction Noise Levels (dBA L_{eq}) at the Nearest Sensitive Receptors

Phase	Receptor Location	Existing Ambient Noise Levels (dBA Leq)[1]	Construction Noise Levels (dBA Leq)	Interior Noise Level (dBA Leq)[2]
Grading	Vacant Residential to South (1356 W Lincoln Street, Banning)	65.7	71.9	51.9
	Residential to South (1380 W Lincoln Street, Banning)	65.7	71.2	51.2
Building Construction	Vacant Residential to South (1356 W Lincoln Street, Banning)	65.7	70.5	50.5
	Residential to South (1380 W Lincoln Street, Banning)	65.7	69.8	49.8
Paving	Vacant Residential to South (1356 W Lincoln Street, Banning)	65.7	64.1	44.1
	Residential to South (1380 W Lincoln Street, Banning)	65.7	63.4	43.4
Architectural Coating	Vacant Residential to South (1356 W Lincoln Street, Banning)	65.7	57.5	37.5
	Residential to South (1380 W Lincoln Street, Banning)	65.7	56.8	36.8

Notes:
1. Per measured existing ambient noise levels (Table 1). STNM1 was used for residential receptors to the south of the Project Site
2. Residential construction typically provides an exterior to interior noise reduction of approximately 20 dB with a windows closed condition. It should be noted that the construction noise levels were calculated at the property line rather than the dwelling unit; therefore, as the interior noise levels are based on the calculated construction noise levels at the property line, they are conservative.

Operations Impacts

Stationary noise source standards are established within Sections 8.44.050 through 8.44.080 of the City of Banning Valley Municipal Code. The City noise criteria for stationary operational noise are dependent on the existing zoning and not the existing land use. The City has only established noise criteria for stationary noise impacts to residential zoned land. The properties east and west of the Project Site are zoned General Commercial; properties south of the Project Site are zoned Business Park; and properties north of the Project Site are zoned Public Facilities (Railroad/Interstate). Existing single-family homes located southwest of the Project Site and west of South 16th Street are on land zoned Very Low Residential. Accordingly, the project will result in a significant impact if it exceeds a nighttime Leq of 45 dBA or a daytime Leq of 55 dBA; or if they exceed a nighttime Lmax of 65 or a daytime Lmax of 75 dBA at residentially zoned properties.

As shown in **Figure 14** – *Operational Noise Levels Leq*, peak hour project operation is expected to reach up to 48.5 dBA Leq at the nearest residentially zoned properties located on the west side of South 16th street and would not exceed the daytime Leq criteria of 55 dBA but could exceed the nighttime Leq criteria of 45 dBA. However, based on existing measured nighttime noise levels of freeway and rail noise, nighttime noise levels at the residentially zoned properties at this location currently range between 55.9 and 56.9 dBA Leq and therefore, the addition of project operational noise (48.5 dBA Leq) will not result in a noticeable increase over the existing measured nighttime noise levels (1 dB). It should also be noted that nighttime onsite operations are typically less intensive than peak hour onsite operations. This impact is less than significant. No mitigation is required.

As shown in **Figure 15** – *Operational Noise Levels Lmax*, maximum noise events on the Project Site could result in noise levels of up to 48.7 dBA Lmax at the closest residentially zoned properties and would not exceed the City's daytime Lmax criteria of 75 dBA or the nighttime Lmax criteria of 65 dBA. This impact is less than significant. No mitigation is required.

Mobile Source Impacts

During operation, the Proposed Project is expected to generate approximately 191 average daily vehicle trips, including 22 vehicle trips during the AM peak hour and 10 vehicle trips during the PM peak hour. A project-generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA-RD-77-108. As shown in **Table 11**, modeled existing traffic noise levels range between 63.3-69.5 dBA CNEL and the modeled Existing Plus Project traffic noise levels range between 65.1-69.7 dBA CNEL at the right-of-way of each study roadway segment. The addition of project trips is not expected to change noise levels in excess of the applicable threshold at any of the study roadway segments. The project impact is less than significant; no mitigation is required.

Table 11 – Increase in Existing Noise Levels Along Roadways as a Result of Project (dBA CNEL)

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[1]	Modeled Noise Levels (dBA CNEL)[2]				
			Existing Without Project	Existing Plus Project	Change in Noise Level	Exceeds Standards[3]	Increase of 3 dB or More?
22nd Street	North of Lincoln Street	44	63.3	65.1	1.80	Yes	No
8th Street	North of Lincoln Street	50	69.5	69.7	0.23	Yes	No
Lincoln Street	East of 22nd Street	50	65.5	66.8	1.31	Yes	No
	West of Project West Dwy	50	65.1	66.5	1.40	Yes	No
	Project West Dwy to Project Central-West Dwy	50	65.1	66.4	1.28	Yes	No
	Project Central-West Dwy to Project Central East-Dwy	50	65.1	66.1	1.03	Yes	No
	Project Central-East Dwy to Project East Dwy	50	65.1	66.1	1.03	Yes	No
	East of Project East Dwy	50	65.2	66.0	0.88	Yes	No
	West of 8th Street	50	65.5	66.3	0.82	Yes	No

Notes:
(1) Right of way per the City of Banning General Plan Circulation Element roadway cross-sections.
(2) Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
(3) Per the City of Banning "normally acceptable" standard for single-family detached residential dwelling units of 60dBA CNEL.

b) Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The Noise Impact Analysis (**Appendix I**) analyzed the potential vibration levels.

The City of Banning has not established thresholds of significance concerning groundborne vibration. In the absence of City-established thresholds, groundborne vibration impacts are based on guidance from the *Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual* (FTA, September 2018). Accordingly, the project would result in a significant impact if:

- Groundborne vibration levels generated by the project have the potential to cause architectural damage at nearby buildings by exceeding the following PPV:
  - 0.10 in/sec at buildings extremely susceptible to vibration damage
  - 0.20 in/sec at non-engineered timber and masonry buildings
  - 0.30 in/sec at engineered concrete and masonry (no plaster) buildings
  - 0.50 in/sec at reinforced-concrete, steel or timber (no plaster) buildings
- Groundborne vibration levels generated by the project have the potential to cause annoyance at sensitive receptors by exceeding 72 VdB.

Based on the groundborne vibration modeling, use of a vibratory roller is expected to generate a PPV of 0.375 in/sec and use of a bulldozer is expected to generate a PPV of 0.159 in/sec at the closest off-site building, a commercial use located approximately 17 feet east of the Project Site (**Table 12**). Other equipment anticipated to be used during project construction generate lower PPV. However, with implementation of the project best management practice provided in the Regulatory Setting, groundborne vibration generated by project construction would not exceed the levels necessary to cause architectural damage.

The closest structures to the Project Site are the commercial uses to the east; however, commercial uses are not considered to be vibration-sensitive land uses. Use of vibratory rollers could theoretically exceed the threshold for annoyance due to vibration (72 VdB at offsite residential sensitive uses) at the nearest existing residential structure to the south of the Project Site, located approximately 120 feet south, and residents may be temporarily annoyed (**Table 12**). However, perceptibility of construction vibration would be temporary and would only occur while vibratory equipment is utilized within 16 feet of the project property lines in proximity of the residential use to the south. Furthermore, this impact would be reduced with incorporation of the best management practice provided in the Regulatory Setting for architectural damage and would only occur during daytime hours. This impact would be less than significant. No mitigation is required.

The most substantial sources of groundborne vibration during post-construction project operations will include the movement of passenger vehicles and trucks on paved and generally smooth surfaces. Loaded trucks generally have a PPV of 0.076 at a distance of 25 feet (Caltrans 2020), which is a substantially lower PPV than that of a vibratory roller (0.210 in/sec PPV at 25 feet). Therefore, groundborne vibration levels generated by project operation would not exceed those modeled for project construction.

Table 12 – Construction Vibration Levels at the Nearest Receptors

Receptor Location	Distance from Property Line to Nearest Structure (ft)	Equipment	Vibration Level[1]	Threshold Exceeded?[2]	Vibration Level with BMPs[1,3]	Threshold Exceeded with BMPs?[2,3]
Architectural Damage Analysis:						
Commercial Use to East (northern building, 1143 West Lincoln Street, Banning)	17	Vibratory Roller	0.375	Yes	0.198	No
	17	Large Bulldozer	0.159	No	-	-
Commercial Use to East (southern building, 1143 West Lincoln Street, Banning)	77	Vibratory Roller	0.039	No	-	-
	77	Large Bulldozer	0.016	No	-	-
Residential to South (1380 West Lincoln Street, Banning)	120	Vibratory Roller	0.020	No	-	-
	120	Large Bulldozer	0.008	No	-	-
Industrial Use to West (1879 West Lincoln Street, Banning)	505	Vibratory Roller	0.002	No	-	-
	505	Large Bulldozer	0.001	No	-	-
Annoyance Analysis:						
Residential to South (1380 West Lincoln Street, Banning)	120	Vibratory Roller	74	Yes	-	-
	120	Large Bulldozer	67	No	-	-

Notes:

1. Vibration levels are provided in PPV in/sec.
2. The FTA identifies the threshold at which there is a risk to "architectural" damage to no-engineered timber and masonry buildings as a PPV of 0.2 in/sec. In addition, the FTA identifies a vibration annoyance threshold of 72 VdB for residential uses. Per the FTA Transit Noise and Vibration Impact Assessment Manual (September 2018), commercial uses are not considered vibration-sensitive land uses; therefore, the annoyance threshold does not apply to commercial uses.
3. Best Management practices include prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 26 feet of commercial structures to the east of the Project Site.

c) 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?

Less Than Significant Impact. The closest airport to the Project Site is the Banning Municipal Airport with airport runways located as close as approximately 1.72 miles east of the Project Site. Per the Banning Municipal Airport Master Plan Update (2007) the Project Site is well outside the 55 dBA CNEL noise contour for the airport. The project would not expose people residing or working in the project area to excessive noise levels associated with airports. This impact would be less than significant. No mitigation is required.

Mitigation Measures:

No mitigation measures associated with impacts to Mineral Resources apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Noise would be less than significant, and no mitigation would be required.

Figure 13: Noise Monitoring Location Map

Source: *Gandini Noise Impact Analysis*

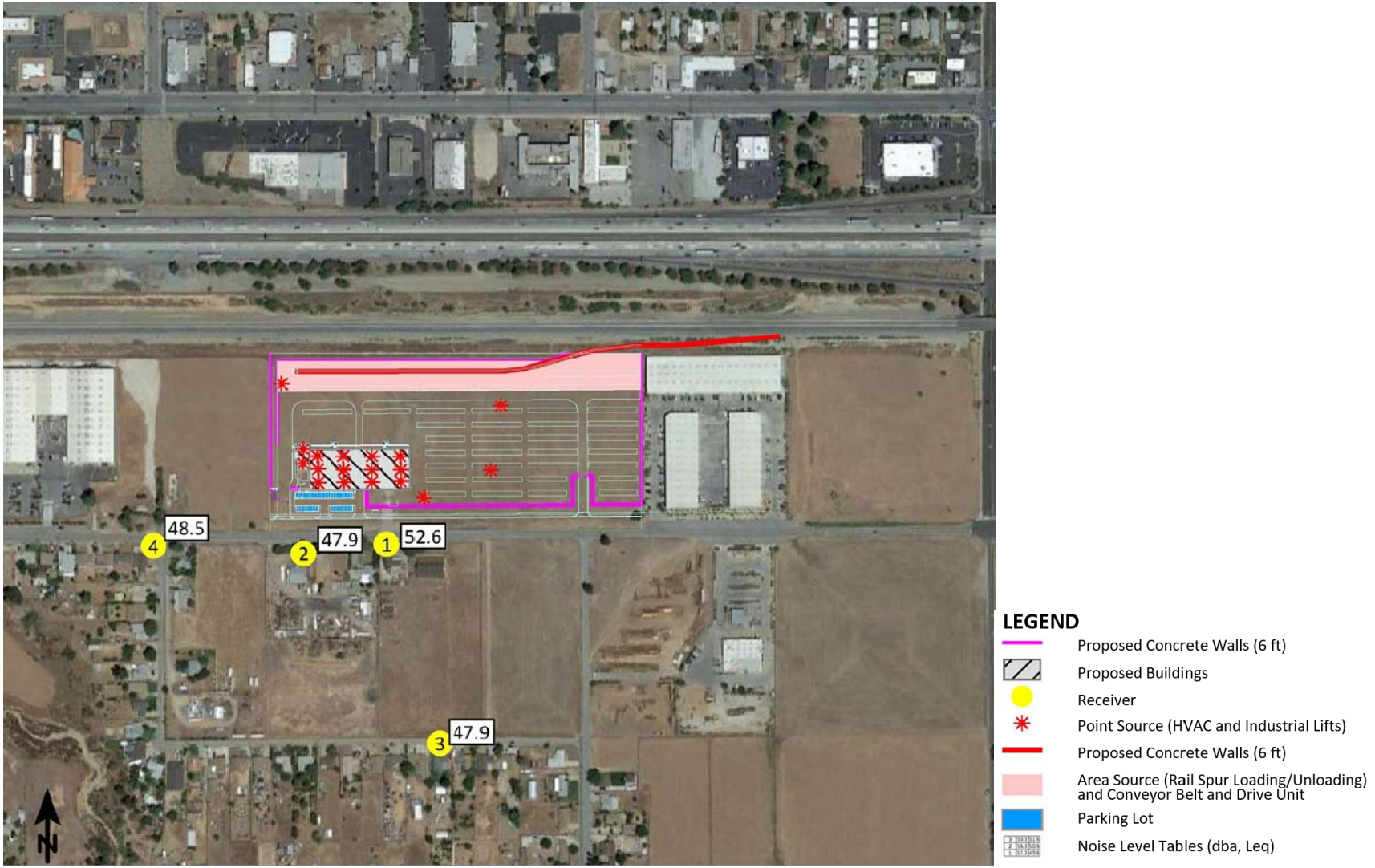


Figure 14: Operational Noise Levels (dBA, Leq)

Source: *Gandini Noise Impact Analysis*

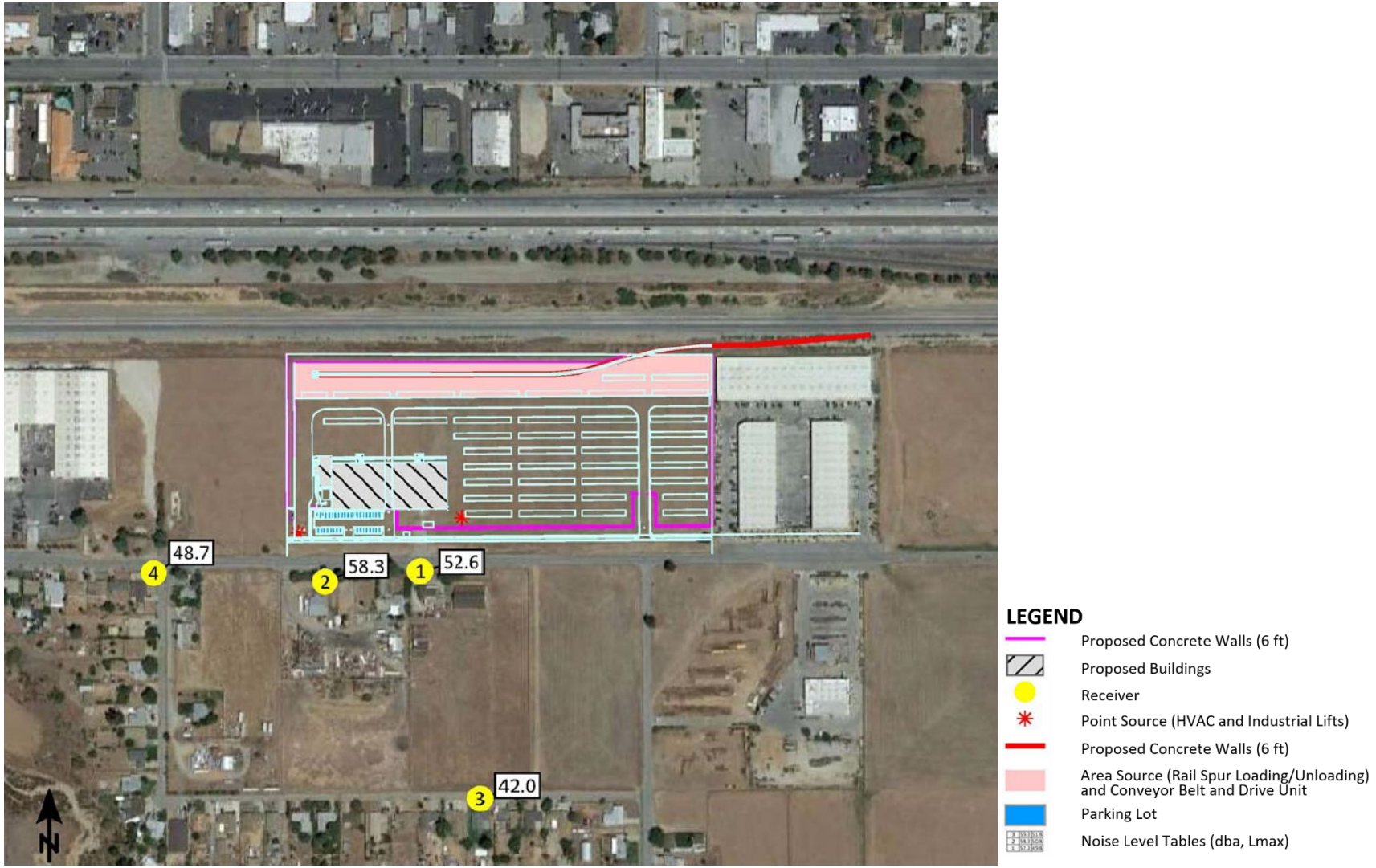


Figure 15: Operational Noise Levels (dBA. Lmax)

Source: *Gandini Noise Impact Analysis*

4.14 Population and Housing

Environmental Setting

The Proposed Project would be constructed on three vacant parcels totaling approximately 14.92 acres which will be consolidated into one parcel. The Project Site is split between General Commercial (GC) (APN 540-180-022) and Industrial (I) (APN 540-180-020 and-026) zoning and General Plan designations. Parcel No.540-180-022 is currently zoned General Commercial (GC) and will be rezoned to Industrial (I) for consistency with other lots within the Project Site. The Banning Quarry, operated by Robertson's Ready Mix, is the only aggregate producer in the City of Banning (City of Banning General Plan, 2004).

The Project Site is located on the north side of W. Lincoln Street between S. 8th Street and S. 16th Street. The Project Site is approximately 14.92 gross acres and is currently unimproved land located within an area developed with industrial and non-conforming rural residential land uses. It is bounded by Union Pacific railroad track to the north, industrial warehouses to the east, a mix of currently vacant and non-conforming rural residential parcels to the south across W Lincoln Street, and a vacant land to the west.

Census data in 2020 identified the population of the City of Banning as 29,505, down from 29,603 in the 2010 census. Owner-occupied housing rate between 2017 and 2021 was identified as 69.4 percent. The City of Banning corporate limits encompass about 23.2 square miles and has a population density estimated at 1,269.7 people per square mile.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIV. POPULATION AND HOUSING: Would the project:				
a) Induce substantial 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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

Discussion

a) 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)?

Less Than Significant Impact. The Proposed Project may create jobs both during construction and operation and therefore, may indirectly contribute to population growth within the City. However, it is anticipated that some of new jobs would be filled by workers who already reside in the City and that the Proposed Project would not attract a significant number of new residents to the City.

Although the Proposed Project will include some expansion of infrastructure, this new infrastructure will all be constructed to serve the Proposed Project's needs and will not cause additional unplanned growth. Therefore, potential impacts associated with population growth would be less than significant, and no mitigation would be required.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project Site is currently vacant and does not contain any structures. The Proposed Project will not displace any existing housing and will not necessitate construction of replacement housing elsewhere. The Project Site is undeveloped and surrounded by a mix of vacant and industrial warehouses (east and west) and non-conforming rural residential (south). Neither construction nor operation of the Proposed Project will displace these existing homes or substantial numbers of people necessitating the construction of replacement housing

elsewhere. Therefore, no impact would occur regarding the displacement of existing people or housing, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Population and Housing apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Population and Housing would be less than significant, and no mitigation would be required.

4.15 Public Services

Environmental Setting

Fire services are provided by contract with the County of Riverside. Police protection services within City limits are provided by the Banning Police Department. The Banning Unified School District provides the school services within the vicinity of the Project Site. Recreation services are provided by the City of Banning

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XV. PUBLIC SERVICES: a) 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 any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Recreation/Parks?			X	
Other public facilities?			X	

Discussion

a) 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 any of the public services:

Fire Protection

Less Than Significant Impact. The closest fire station to the Project Site is Fire Station 89 (Riverside County Fire Stations) at 172 N Murray Street, approximately 1.4 miles east of the Project Site. This station would be the first to respond to calls for service from the Project Site. Fire Station 20 at 1550 E 6th Street, Beaumont, could provide secondary response to the Project Site.

The Proposed Project would involve the construction of a steel distribution facility consisting of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, outdoor storage yard, and associated parking and landscaping. The facility may increase the number of fire or emergency services calls. However, considering the proposed use, building type and existing firefighting resources available at the Riverside County Fire Department

Station 89 only 1.4 miles away from the Project Site, adverse impacts on the Riverside County Fire Department (RCFD) services are not expected to occur. The increase in fire service demand generated by the Proposed Project would not require the construction of a new fire station or improvements to either RCFD stations serving the City of Banning.

Additionally, the Proposed Project is required to comply with the most current adopted fire, building, and electrical codes and nationally recognized fire and life safety standards of the City and RCFD, as outlined in Chapter Title 15 (Building and Construction) of the City's municipal code. Compliance with these codes and standards would be enforced through the City's development review and building plan check process. Additionally, City Ordinance No. 2019-112 establishes a developer impact fee (DIF) to mitigate the cost of public facilities needed to offset the impact of developing new facilities to support fire services (ORD 2019-112). The Proposed Project will be required to comply with Ordinance No. 2019-112 in order to offset potential impacts to the local fire department.

Therefore, potential impacts associated with fire protection would be less than significant, and no mitigation would be required.

Police Protection

Less Than Significant Impact. The Perris Police Station is located at 1061 N Hargrave Street, approximately 1.4 miles east of the Project Site. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. Although the Proposed Project does not involve an increase in residential development, the Proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances.

The Project Site would have perimeter fences/walls, would be secured during closure hours, would include security lighting and other security measures. Therefore, it is unlikely that that the Project would trigger the need for new or expanded police facilities. Additionally, because the Project Site is already within the Banning Police Station service area, the Proposed Project would not require an expansion of Riverside County Sheriff's Department (RCSD) service area.

Additionally, City Ordinance No. 2019-112 establishes a developer impact fee (DIF) to mitigate the cost of public facilities needed to offset the impact of developing new facilities to support police services (ORD 2019-112). The Proposed Project will be required to comply with Ordinance No. 2019-112 in order to offset potential impacts to the local police department.

Therefore, development of the Proposed Project would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

Less Than Significant Impact. The Project Site is within the boundaries of the Banning Unified School District. The Proposed Project would not directly increase the City's population as it does not increase residential land use designations nor construct any housing. The Proposed Project

would not generate the need for new or altered school facilities. It may indirectly affect schools by providing a source of employment that may draw new residents into the area; however, appropriate developer impact fees, as required by state law, shall be assessed and paid to the school district. Since the Proposed Project does not include any new housing, any potential impacts would be considered incremental and can be offset through the payment of the appropriate development impact fees. Therefore, potential impacts associated with schools would be less than significant, and no mitigation would be required.

Recreational/Parks

Less Than Significant Impact. The Proposed Project would not directly require the construction or expansion of public recreational facilities as it does not propose new residential uses. However, it may indirectly affect public recreational facilities by providing a source of employment that may draw new residents into the area. The applicable Recreational Facilities Development Impact Fees (DIFs) shall be assessed and paid toward parks. With the payment of these fees, the impacts to parks and other public recreational facilities are considered mitigated to a less than significant level. Recreational amenities for future employees would be provided in accordance with the Chapter 17.12 Industrial Development Standards and Design Guidelines of the Banning Municipal Code. The physical impacts of building these amenities are addressed through the overall analysis of the site development and no unique or separate environmental impacts will occur as a result of building these facilities. Therefore, potential impacts associated with park facilities would be less than significant, and no mitigation would be required.

Other Public Facilities

Less Than Significant Impact. The Proposed Project would not directly increase the demand for library or other public services because it does not propose new residential uses. The main branch of the Banning Public Library is located at 21 West Nicolet Street. The Proposed Project is subject to development impact fees that are used to construct new library facilities or expand existing library facilities subsequent to increased demand. Since the Proposed Project does not include new housing, any impacts will be considered incremental and can be offset through the payment of the appropriate library mitigation fees. Therefore, potential impacts associated with library facilities would be less than significant, and no mitigation would be required.

The nearest emergency medical service available to the Project Site is the San Gorgonio Memorial Hospital located at 600 N Highland Springs Avenue approximately 3.6 miles northwest of the Project Site. Healthcare facilities are developed in response to perceived market demand by free enterprise. The development of the Proposed Project will not result in the construction for new or expanded medical facilities. Therefore, potential impacts associated with medical facilities would be less than significant, and no mitigation measures would be required.

Mitigation Measures

No mitigation measures associated with impacts to Public Services apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Public Services would be less than significant, and no mitigation would be required.

4.16 Recreation

The City of Banning provides recreational services throughout the City. There are no parks or recreational facilities within the vicinity of the Project Site.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVI. RECREATION:				
a) 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?			X	
b) 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?				X

Discussion

a) 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?

Less Than Significant Impact. Impacts on parks and recreational facilities are typically analyzed based on increases in permanent residents from projects involving residential developments. The Project applicant proposes to construct a warehouse and outdoor storage in the Industrial zone, and therefore, it does not include any residential development or permanent residents. Although the Proposed Project may indirectly affect recreational facilities by creating new jobs in the area which may draw new residents to the area, it is anticipated that the majority of jobs will be filled by individuals already residing in the vicinity of the Project Site. Indirect impacts to park facilities will be offset through payment of the applicable Recreational Facilities DIFs. Therefore, with payment of these fees, potential impacts associated with parks and other public recreational facilities would be less than significant, and no mitigation would be required.

b) 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?

No Impact. This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment because the type of project proposed will not result in an increased demand for recreational facilities. Therefore, no impacts associated with the construction or expansion of recreational facilities would occur, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Recreation apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Recreation would be less than significant, and no mitigation would be required.

4.17 Transportation

Traffic studies were prepared to determine potential impacts from transportation associated with the development of the Proposed Project (**Appendix J** – *Brown Strauss Industrial Project, Traffic Impact Analysis, City of Banning*, Ganddini Group, October 23, 2023, and **Appendix K –** *Brown Strauss Industrial Project Vehicle Miles Traveled Screening Assessment*, Ganddini Group, April 23, 2023).

Regulatory Setting

Senate Bill 743

SB 743, passed in 2013, updated the way transportation impacts are measured in California for new development projects, to allow Californians more options to drive less. The change was made as part of the California Global Warming Solutions Act of 2006 (Assembly Bill [AB 32]) to assist with achieving climate commitments.

In January 2019, the California Office of Planning and Research (OPR) issued guidance relative to evaluating a project's Vehicle Miles Traveled (VMT) to reduce GHG emissions. The CEQA Guidelines were also subsequently revised to require that lead agencies utilize VMT-related metric(s) that evaluate the significance of transportation-related impacts under CEQA for development projects, land use plans, and transportation infrastructure projects, beginning on July 1, 2020. Until that time, jurisdictions utilized a Level of Service (LOS) to analyze traffic impacts. The OPR guidelines require that projects be evaluated using VMT metrics but also allows jurisdictions to continue to use the LOS method as a secondary methodology for non-CEQA purposes.

The State OPR also set forth guidance for agencies to use "screening thresholds" to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. (refer to CEQA Guidelines, §§ 15063(c)(3)(C), 15128, and CEQA Guidelines Appendix G). The types of projects that are exempt from preparing a detailed VMT analysis are based on project size, maps, transit availability, and provision of affordable housing. Consistent with the requirements of CEQA Guidelines Section 15064.3, the City of Perris adopted significance criteria for transportation impacts based on VMT when evaluating VMT to determine traffic-related impacts for land use development projects. The screening criteria and significance criteria are contained in the *City of Perris Transportation Impact Analysis Guidelines for CEQA* (May 12, 2020) ["the City TIA Guidelines"].

Regional Transportation Plans

The Southern California Association of Governments (SCAG) is a council of governments representing the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Every four years SCAG updates the Regional Transportation Plan (RTP) for the six-county region. On April 7, 2016, the SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy (2016 RTP/SCS). The SCS outlines a development pattern for the region, which, when integrated with the transportation

network and other transportation measures and policies, would reduce greenhouse gas emissions from transportation (excluding goods movement).

City of Banning

The City of Perris's General Plan contains a Circulation Element that addresses the physical circulation system consisting of streets, highways, bicycle routes, equestrian facilities, paths, and sidewalks, as well as available modes of transportation, including cars, buses, bicycles, and walking. The Circulation Element also identifies goals and policies with respect to the City's transportation network. A Traffic Impact Analysis (**Appendix J**) was completed for the Project Site considering existing and post-project traffic conditions.

Study Area

The scope of this analysis was determined in consultation with City of Banning staff as documented in the City-approved scoping agreement provided in **Appendix J**.

Based on the study intersections identified in the approved scoping agreement, the study area consists of the following study intersections within City of Banning jurisdiction:

Study Intersections[1]	Jurisdiction
1. 22nd Street (NS) at Lincoln Street (EW)	City of Banning
2. Project West Driveway (NS) at Lincoln Street (EW)	City of Banning
3. Project Central-West Driveway (NS) at Lincoln Street (EW)	City of Banning
4. Project Central-East Driveway (NS) at Lincoln Street (EW)	City of Banning
5. Project East Driveway/12th Street (NS) at Lincoln Street (EW)	City of Banning
6. 8th Street (NS) at Lincoln Street (EW)	City of Banning

Notes:

1. (NS) = North-South roadway; (EW) = East-West roadway

Study Methodology

Level of Service

Level of Service (LOS) analysis is generally performed for assessing conformance with General Plan and operational standards established by the City. LOS is commonly used as a qualitative description of intersection operation and is based on the capacity of the intersection and the volume of traffic using the intersection.

In accordance with current CEQA provisions, a project's effect on automobile delay as measured by LOS shall not constitute a significant environmental impact. Therefore, LOS is not discussed as a measure of analysis as part of this report. Analysis related to LOS and General Plan consistency shall be discussed as part of the Planning entitlement review process

associated with this document. As such, the following scenarios are analyzed for weekday AM and PM peak hour conditions:

- Existing Conditions (2023)
- Opening Year Conditions (2025)
- Opening Year Conditions With Project (2025)
- Cumulative Conditions (2025)
- Cumulative Conditions With Project (2025)
- Horizon Year Conditions (2045)
- Horizon Year Conditions With Project (2045)

This study includes a General Plan Buildout (Horizon Year (2045)) analysis as the project also involves a General Plan Amendment/Zone Change for a portion of the site from Industrial (I) and General Commercial (CC) to Industrial (I).

For study intersections within the City of Banning jurisdiction, a traffic impact occurs if:

a) The addition of project traffic causes the intersection LOS to degrade from acceptable LOS D or better to an unacceptable LOS E or F.

b) The 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;
- LOS F by 1 second

If either of the above conditions is satisfied, improvements should be identified that achieve the following:

- Improving traffic operations to LOS D for case a, above.
- Improving traffic operations to offset the increase in delay for case b, above.

If a project is forecast to cause an operational traffic impact, feasible improvements that will reduce the impact to an acceptable LOS are identified. Improvements can be in many forms, including the addition of lanes, traffic control modification, or demand management measures.

Vehicle Miles Traveled

The Vehicle Miles Traveled Assessment (**Appendix K)** utilized the City TIA Guidelines for assessing VMT.

The City of Banning *Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis* (October 2021) (TIA Guidelines) provide a framework for "screening thresholds" for certain projects that are expected to cause a less than significant impact without based on substantial evidence provided in the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018).

The TIA Guidelines specify the following six screening steps: 1) Transit Priority Area (TPA) Screening; 2) Low VMT Area Screening; 3) Local-Serving Retail; 4) Redevelopment Projects; 5) Project Type Screening; and 6) Project net daily trips less than 500/1,000 ADT.

Trip Generation Rate

Brown Strauss Steel currently operates a larger 23-acre facility located at 14970 Jurupa Avenue in the City of Fontana. If the Proposed Project in Banning is approved, the existing operation in Fontana will be closed and its operations will be moved to the 14.27-acre Project Site. The existing facility, located at 14970 Jurupa Avenue, operates on a 23-acre site with no warehouse and a small storage shed. Though the Project Site is smaller than the Fontana site, Brown Strauss anticipates that the more efficient layout of the Banning facility, including the warehouse, will allow for staffing levels to remain the same or be reduced after the relocation is complete. Since the same operations capacity will be taking place at the Banning site, it was determined that accurate potential traffic impacts for the Proposed Project could be derived by undertaking targeting traffic counts at the existing Fontana facility.

To determine Proposed Project trip generation, 24-hour inbound/outbound trip counts were conducted at the driveway of the existing Brown Strauss Steel facility in the City of Fontana (14970 Jurupa Avenue) over a three-day period from Tuesday, March 7, 2023, through Thursday, March 9, 2023. Trip generation count worksheets are included in **Appendix J**.

Table 13 shows the observed trip generation for the existing Brown Strauss facility, which is used in this analysis for the Proposed Project trip generation.

Table 13 – Trip Generation

Trips Generated									
Land Use	Source[1]	Quantity[2]	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Existing Facility	Counts	23.00 AC							
Passenger Cars			3	4	7	0	4	4	99
Trucks (2-Axle)			2	3	5	2	2	4	19
Trucks (3-Axle)			2	0	2	0	0	0	4
Trucks (4+-Axle)			5	3	8	2	0	2	69
Total			12	10	22	4	6	10	191

Trips Generated in Passenger Car Equivalents[3]									
Existing Facility	Counts	23.00 AC							
Passenger Cars			3	4	7	0	4	4	99
Trucks (2-Axle)			3	5	8	3	3	6	29
Trucks (3-Axle)			4	0	4	0	0	0	8
Trucks (4+-Axle)			15	9	24	6	0	6	207
Total			25	18	43	9	7	16	343

Trips Generation Rates Per Acre										
Land Use	Source[1]	Quantity[2]	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Existing Facility	Counts	1.0 AC							
Passenger Cars			0.13	0.17	0.30	0.00	0.17	0.17	4.30
Trucks (2-Axle)			0.09	0.13	0.22	0.09	0.09	0.18	0.83
Trucks (3-Axle)			0.09	0.00	0.09	0.00	0.00	0.00	0.17
Trucks (4+-Axle)			0.22	0.13	0.35	0.09	0.00	0.09	3.00
Total			0.52	0.43	0.95	0.17	0.26	0.43	8.30

Notes:

1. Traffic counts at project driveway (see Tables 2 and 3).
2. AC = Acres
3. Source: City of Banning *Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis* (October 2021).
4. The ITE Trip Generation Manual does not include pass-by rates for Land Use Code 937; however, the average pass-by rates for ITE Land Use Code 938 (Coffee Shop With Drive Through Window and No Indoor Seating) are 90% during the AM peak hour and 98% during the PM peak hour. Although the proposed coffee shop (with drive-through and indoor seating) is expected to have similar pass-by characteristics, this analysis uses a lower pass-by rate of 80% to provide a conservative assessment.

2-Axle = 1.5; 3-Axle = 2.0; 4+-Axle = 3.0

As shown in **Table 13**, the Proposed Project is expected to generate approximately 191 daily vehicle trips based on the average trip counts observed at the existing Brown Strauss Steel

facility, including 22 vehicle trips during the AM peak hour and 10 vehicle trips during the PM peak hour.

In accordance with industry practice and City requirements for truck-oriented uses, the existing Brown Strauss facility trip generation was also calculated in terms of Passenger Car Equivalent (PCE) trips. Truck trips were converted to PCE trips based on the following factors recommended by the City of Banning Traffic Impact Analysis Guidelines for Local Transportation Analysis and Vehicle Miles Traveled Analysis (October 2021): 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with four or more axles.

As also shown in **Table 13**, the existing Brown Strauss facility currently generates approximately 343 daily PCE trips, including 43 PCE trips during the AM peak hour and 16 PCE trips during the PM peak hour.

Environmental Setting

The Project Site is approximately 14.92 gross acres and is currently unimproved land located within an area developed with industrial and non-conforming rural residential land uses. The Proposed Project consists of a 42,510 SF warehouse, a 3,434 SF administrative office, two 500 SF enclosed saw sheds, outdoor storage yard, and associated parking, landscaping, and road improvements. Regional roadway access to the Project Site is provided by the I-10 Freeway to the north and State Road 243 to the east of the Project Site. Lincoln Street is identified as an arterial street in the General Plan Circulation Element. The Proposed Project is anticipated to be constructed and fully operational by year 2025.

Rail Connection

The Proposed Project is also designed to incorporate a rail spur connection to the Union Pacific railroad to the north of the Project Site (**Figure 5**). Brown Strauss is still in discussion with Union Pacific and the California Public Utilities Commission regarding the feasibility of a service connection to the railroad line. Therefore, traffic analysis has been designed to account for potential impacts of a “rail” and “no-rail” option in the event that permission is not granted for construction of the rail spur.

Truck Routes

The City of Banning is currently updating the General Plan Circulation Element, which will include a new General Plan Truck Route System map. This map identifies Lincoln Avenue as a designated truck route between Sunset Avenue to the west and Hargrave Street to the east. Truck route connections to I-10 are located at S. 22nd Avenue to the west and S. 8th Avenue to the east of the Project Site.

Public/Mass Transit

The Riverside Transit Authority (RTA) operates 29 fixed bus routes providing public transit service throughout a 2,500 square mile area of Western Riverside County. Other public transportation available in the region includes Greyhound Bus Lines, Amtrack Passenger Rail Service and Metrolink. The RTA operates Route 31 within 1 mile of the Project vicinity. In

addition, the Banning Connect Transit System operates multiple bus routes throughout the City, consistent with the FY2020/2021 – FY2022-2023 City of Banning Short Range Transit Plan. The closest stop is located at N. 8th Avenue and Ramsey Street, approximately 0.6 miles from the Project Site.

Bicycle and Pedestrian Facilities

There are currently no bike lanes along W. Lincoln adjacent to the Project Site. The existing General Plan Circulation Element does not include a bike route master plan, and the City does not currently have an adopted Active Transportation Plan. In addition, the County of Riverside Pass Area Trails and Bikeway Systems does not show proposed bicycle lanes on Lincoln Street along the Project Site frontage. The Proposed Project includes a 0.69-acre right-of-way dedication along W. Lincoln Street for development of the street per the City of Banning engineering standard for an arterial street, with an ultimate width of 50 feet.

Sidewalks are not currently provided on W. Lincoln Street along the Project Site frontage but would be constructed with the Proposed Project as part of the required right-of-way improvements.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVII. TRANSPORTATION: Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?

Less Than Significant Impact. The City of Banning General Plan Circulation Element governs the circulation system in the vicinity of the Project Site.

City of Banning General Plan

The City of Banning General Plan was established to provide a safe, convenient and efficient transportation system for the City. In order to meet this objective, the Circulation Element has been designed to accommodate the anticipated transportation needs based on the estimated intensities of various land uses within the region.

General Plan Buildout

The Project Site is composed of the following three parcels:

- APN 540-190-020 (2.45 acres): Currently designated Industrial (I) - no change proposed
- APN 540-180-026 (8.17 acres): Currently designated Industrial (I) - no change proposed
- APN 540-180-022 (4.30 acres): Currently designated General Commercial (GC) - proposed amendment to Industrial (I)

Table 14 shows a trip generation comparison between maximum buildout potential of the existing General Commercial (GC) and proposed Industrial (I) land use designations based on rates obtained from the ITE Trip Generation Manual (11th Edition, 2021). Based on review of the ITE land use description, trip generation rates for shopping plaza (40k-159k) (Land Use Code 821) and general light industrial (Land Use Code 110) were determined to adequately represent the existing and proposed land use designations and were selected for use in this analysis. These land use codes most closely correspond with the General Plan land use designations. The trip generation forecast is determined by multiplying the trip generation rates by the land use quantities.

Table 14 – General Plan Amendment Trip Generation Comparison

Trip Generation Rates									
Land Use	Source[1]	Unit[2]	AM Peak Hour			PM Peak Hour			Daily
			% In	% Out	Rate	% In	% Out	Rate	
Shopping Plaza (40-150k)	ITE 821	TSF	62%	38%	3.53	48%	52%	9.03	94.49
General Light Industrial	ITE 110	TSF	88%	12%	0.74	14%	86%	0.65	4.87

Trips Generated									
Land Use	Quantity[3]	Unit[2]	AM Peak Hour			PM Peak Hour			Daily
			% In	% Out	Total	% In	% Out	Total	
Existing Land Use Shopping Plaza (40-150k)	65.558	TSF	143	88	231	284	308	592	6,195
Proposed Land Use General Light Industrial	112.385	TSF	73	10	83	10	63	73	547
NET PROJECT TRIPS GENERATED			-70	-78	-148	-274	-245	-519	-5,648

Notes:

(1) ITE = Institute of Transportation Engineers *Trip Generation Manual* (11th Edition, 2021); ### = Land Use Code

(2) TSF = Thousand Square Feet (Gross Floor Area)

(3) The City of Banning Municipal Code Table 17.12.030 states that General Commercial (GC) has a maximum building coverage of 35% and Industrial (I) has a maximum building coverage of 60%. Parcel 540-180-022 is zoned as General Commercial (GC) and is 4.3 acres (187,308 square feet). This zone at a maximum of 35% General Commercial (GC) equates to 65,558 square feet and at a maximum of 60% Industrial (I)equates to 112,385 square feet.

As shown in **Table 14**, maximum buildout under the existing General Commercial (GC) land use designation is estimated to generate approximately 6,195 daily trips, including 231 trips during the AM peak hour and 592 trips during the PM peak hour. Maximum buildout under the proposed Industrial (I) land use designation is estimated to generate approximately 547 daily trips, including 83 trips during the AM peak hour and 73 trips during the PM peak hour. Therefore, the proposed General Plan Amendment for APN 540-180-022 is expected to result in approximately 5,648 fewer daily trips generated compared to maximum buildout under the existing General Commercial (GC) land use designation, including 148 fewer trips during the AM peak hour and 519 fewer trips during the PM peak hour.

Since maximum potential buildout of APN 540-180-022 is forecast to generate fewer trips with the proposed Industrial (I) land use designation compared to the existing General Commercial (GC) land use designation, the proposed General Plan Amendment would not exceed impacts associated with buildout of the current General Plan.

Truck Routes

W. Lincoln Street is designated by the City as a designated Truck Route, from I-215 to the west to Redlands Avenue to the east. All truck access would be from W. Lincoln Street, with access to I-10 via S. 8th Avenue and S. 22nd Avenue, both all designated truck routes. Therefore, the Proposed Project is consistent with the truck routes identified in the Circulation Element of the General Plan.

Public/Mass Transit

RTA and Banning Connect Transit System both operate bus routes within the City of Banning. No bus stops have been identified to be placed along W. Lincoln Street. Therefore, the Proposed Project is consistent with this aspect of the General Plan. Should future bus stops be sited along W. Lincoln Street, the right-of-way improvements undertaken as part of the Proposed Project will allow for adequate pedestrian and bike access to the bus stop.

Bicycle and Pedestrian Facilities

There are currently no existing bicycle lanes along Harley Knox Boulevard adjacent to the Project Site. The Proposed Project shall dedicate 0.69 acres to the City of Banning for improvement of W. Lincoln Street to its ultimate right-of-way along the frontage of the property. There is adequate dedication along W. Lincoln Street for the City to install a bike lane in the future, should the City adopt a bike master plan or Active Transportation Plan inclusive of these improvements. Therefore, the Proposed Project is consistent with the objectives to support bikeways near the Project Site.

Sidewalks are not currently provided on W. Lincoln Street along the Project Site frontage but would be constructed with the Proposed Project as part of the required right-of-way improvements.

Roadway Operations

The intersection Levels of Service for Opening Year Conditions (2025) and Opening Year Conditions With Project (2025) are shown in **Appendix J, Table 5**. As shown in Table 5, the study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year Conditions (2025), except for the following study intersection that is forecast to operate at unacceptable Levels of Service (E or F):

- 8th Street (NS) at Lincoln Street (EW) - #6 (LOS E - AM)

As shown, the addition of project trips does not cause the net change in delay at the study intersections to exceed the City-established criteria; therefore, the Proposed Project is forecast to cause no substantial operational deficiencies at the study intersections for Opening Year Conditions With Project (2025).

The intersection Levels of Service for Cumulative Conditions (2025) and Cumulative Conditions with Project (2025) are analyzed in **Appendix J, Table 6**. As analyzed, the study intersections are forecast to operate within acceptable Levels of Service (D or better) during the peak hours for

Cumulative Conditions (2025), except for the following study intersection that is forecast to operate unacceptable Levels of Service (E or F):

- 8th Street (NS) at Lincoln Street (EW) - #6 (LOS E - AM)

As shown, the addition of project trips does not cause the net change in delay at the study intersections to exceed the City-established criteria; therefore, the Proposed Project is forecast to cause no substantial operational deficiencies at the study intersections for Cumulative Conditions With Project (2025).

The Proposed Project is consistent with the programs, plans, ordinances, and policies that address the circulation system, including transit, roadways, bicycle and pedestrian facilities. Therefore, potential impacts associated with the circulation system would be less than significant, and no mitigation would be required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. CEQA Guidelines Section 15064.3 provides that transportation impacts of projects are, in general, best measured by evaluating the Proposed Project's VMT. Automobile delay (LOS) will no longer be considered to be an environmental impact under CEQA.

As such, the City of Banning adopted its TIA Guidelines in 2020 to help ensure that land use development and transportation projects comply with the latest CEQA requirements regarding VMT. These guidelines include a CEQA Assessment for VMT analysis and lists the VMT thresholds, screening tools, and methodologies. The City also maintains LOS policies as part of the General Plan and discretionary review process, which is separate and apart from the environmental analysis.

A trip generation evaluation and VMT screening analysis consistent with the City's TIA Guidelines was prepared for the Proposed Project (**Appendices J and K**).

The VMT study (**Appendix K**) identified the following criteria as it relates to the Project:

1)	Located in a Transit Priority Area?	No
2)	Meet Low VMT Area Screening Criteria?	No
3)	Is Local-Serving Retail?	No
4)	Is a Redevelopment Project?	No
5)	Meets Project Type Screening Criteria?	No
6)	Has Net Daily Trips Less than 500/1,000 Screening Level?	Yes

Projects that generate fewer than 500 average daily vehicle trips (ADT) (for projects requiring a General Plan Amendment [GPA]) and fewer than 1,000 average daily vehicle trips (for projects that do not require a GPA) would not cause a substantial increase in the total citywide or

regional VMT and are therefore presumed to have a less than significant impact on VMT. Projects which generate less than 500 ADT (for projects requiring a GPA) include the following:

- Single Family Residential – 52 dwelling units or fewer
- Low-Rise Multi-Family Residential – 68 dwelling units or fewer
- Mid-Rise Multi-Family Residential – 91 dwelling units or fewer
- Office – 51,334 square feet of less
- Light Industrial – 100,806 square feet or less
- Warehousing/Distribution – 287,356 square feet or less
- High-Cube Transload and Short-Term Storage Warehouse/Distribution – 357,142 square feet or less
- High-Cube Fulfillment Center – 118,652 square feet or less

The Proposed Project is classified as a Light Industrial Use. While it does require a General Plan Amendment, the Proposed Project is forecast to generate fewer than 500 daily vehicle trips based on trip generation calculations. Therefore, the Proposed Project satisfies the City-established screening criteria for projects forecast to generate fewer than 500 net daily trips. Therefore, the Proposed Project is presumed to have a less than significant impact on VMT since it satisfies one or more of the VMT screening criteria established by the City of Banning, potential impacts associated with a conflict or is inconsistency with State CEQA Guidelines Section 15064.3, subdivision (b) would be less than significant, and no mitigation would be required.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The Proposed Project includes 0.69 acre of dedication of road right-of-way on W, Lincoln Street, consistent with the City's Engineering requirements. The Proposed Project does not involve any design features that would increase traffic hazards due to geometric design.

A driveway spacing analysis was performed in order to ensure that circulation in and out of the Project Site will be facilitated without conflict between passenger vehicles, delivery trucks, and general roadway traffic. As shown in **Figure 16** – *Project Driveway Spacing*, the central-west project driveway is located approximately 133 feet from the westernmost inbound truck only driveway and 115 feet from the outbound truck only driveway. The easternmost project driveway aligns with 12th Street and is proposed to provide truck egress only. Based on the relatively low turning movement volumes generated by the project, separation of passenger car and truck accesses, and separation of inbound and outbound trucks, the Proposed Project driveways are expected to function adequately.

Employee auto parking is located along the south side of the building in a dedicated employee parking lot, with trailer parking within the outdoor storage area at the north side of the Project Site. The parking configuration places workers near the building, and separate driveway entrances allow workers to avoid cross truck traveled ways to enter and exit the outdoor storage yard and warehouse.

The west driveway serves as the truck egress into the Project Site. The driveway is 79 feet in length and 26 feet in width and is secured by a rolling date, beyond which the driveway extends an additional 88 feet before turning right into the outdoor storage yard. Queuing at the proposed access gate on the westernmost truck ingress only driveway was evaluated to ensure adequate storage lengths are provided and vehicle queues do not overflow into the public right-of-way or obstruct on-site circulation. Based on the queuing analysis, the TIA recommended that the west access driveway gate should remain open during business hours, or the driveway gates be moved farther into the site, to allow for a minimum of 100 feet of queuing area to avoid potential for trucks to queue on W. Lincoln Street to enter the property. The driveway gates shall remain open during business hours, and the entire length of the driveway will be available for trucks to queue while waiting to enter the facility. Therefore, the Proposed Project meets this design recommendation.

The Proposed Project does not include a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. The Proposed Project would not create hazards or conflicts between pedestrians and vehicles internally, nor would it create a conflict between autos and trucks for ingress and egress. Therefore, potential impacts associated with hazards or incompatible uses would be less than significant, and no mitigation would be required.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact. The Proposed Project is required to comply with the City's development review process including review by the County Fire Department for compliance with all applicable fire code requirements for construction and access to the Project Site. The access and circulation features within the Project Site would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. Emergency vehicles would enter the Project Site using either the west driveway truck entrance or the parking lot vehicle access on W. Lincoln Street. The internal circulation includes an ample area that can accommodate vehicle delivery trucks as well as fire trucks. The roadway paving and design as well as the final design plans for the Project Site's ingress and egress will be reviewed by the City Engineer for appropriate width and lanes. All access lanes will meet City requirements pursuant to the Uniform Building and Fire Code to ensure adequate emergency access throughout the Project Site.

Each of the Proposed Project's driveways would be designed and constructed to City standards and comply with City width, clearance, and turning-radius requirements. The Project Site would be accessible to emergency responders during construction and operation of the Proposed Project and would not result in inadequate emergency access. Therefore, potential impacts

associated with inadequate emergency access would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Transportation apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Transportation would be less than significant, and no mitigation would be required.

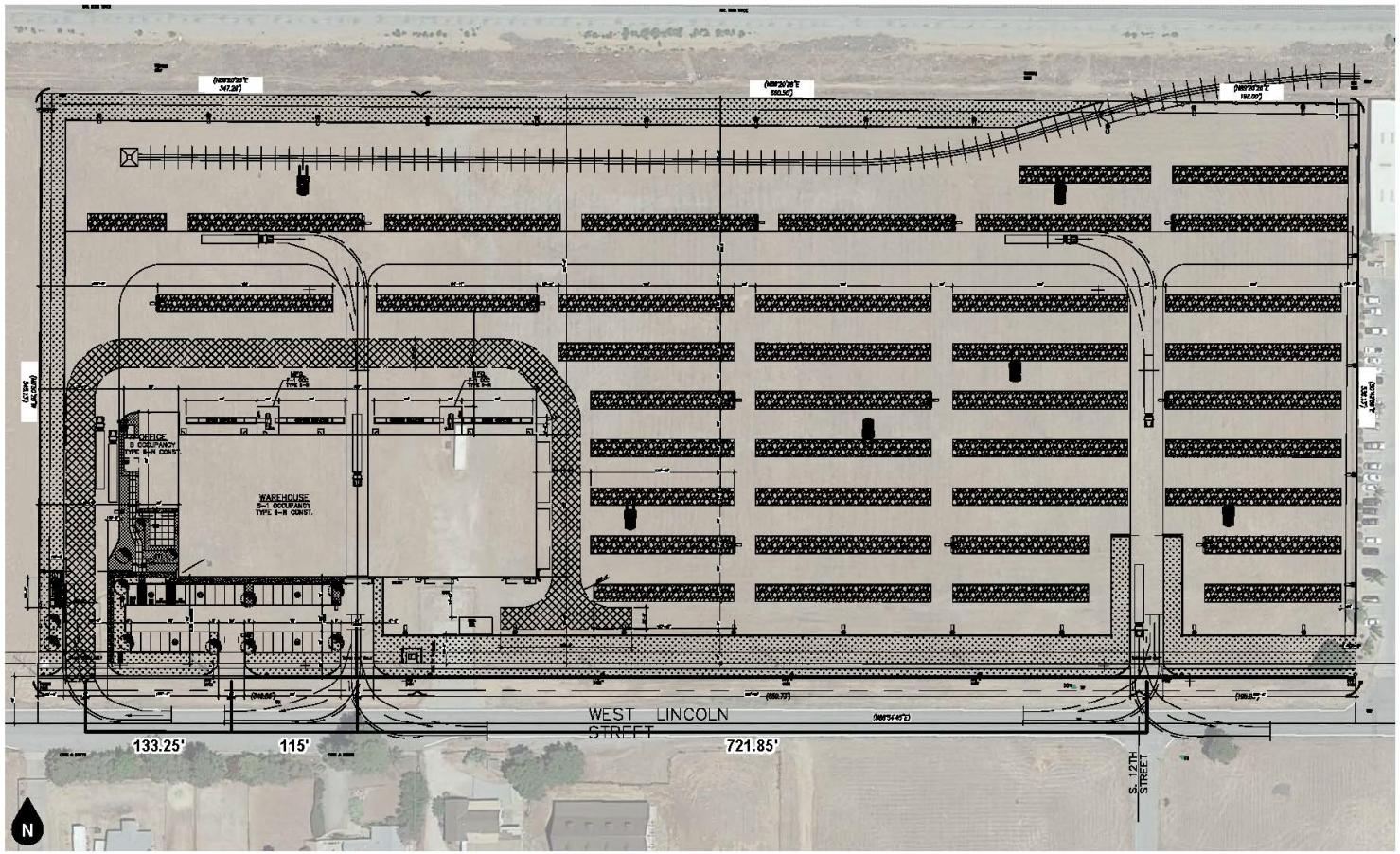


Figure 29
Project Driveway Spacing

Figure 16: Project Driveway Spacing
Source: *Gandini Group Traffic Impact Analysis*

4.18 Tribal Cultural Resources

Cogstone prepared a Cultural and Paleontological Resources Assessment for the Proposed Project (**Appendix C** - *Cultural and Paleontological Resources Assessment Report for the Harley Brown Strauss Industrial Project*, Cogstone, May 2023). The assessment addressed the ethnographic and archaeology of the Native American occupation in the City of Banning.

Senate Bill 18 (SB 18)

Senate Bill 18 (SB 18) requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. Consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code §65300 et seq.) and specific plans (defined in Government Code §65450 et seq.).

SB 18 uses the term, California Native American tribe, and defines this term as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission" (NAHC). All California Native American tribes, whether officially recognized by the federal government or not, represent distinct and independent governmental entities with specific cultural beliefs and traditions and unique connections to areas of California that are their ancestral homelands. SB 18 recognizes that protection of traditional tribal cultural places is important to all tribes, whether federally recognized or not, and it provides all California Native American tribes with the opportunity to participate in consultation with city and county governments for this purpose.

Assembly Bill 52 (AB 52)

Assembly Bill 52 (AB 52), signed into law in 2014, amended CEQA and established new requirements for tribal notification and consultation. AB 52 applies to all projects for which a notice of preparation or notice of intent to adopt a negative declaration/mitigated negative declaration is issued after July 1, 2015. AB 52 also broadly defines a new resource category of tribal cultural resources and established a more robust process for meaningful consultation that includes:

- Prescribed notification and response timelines;
- Consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and
- Documentation of all consultation efforts to support CEQA findings.

A tribe must submit a written request to the relevant lead agency if it wishes to be notified of projects within its traditionally and culturally affiliated area. The lead agency must provide written, formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the Proposed Project, and the lead agency must begin the consultation process

within 30 days of receiving the request for consultation. Consultation concludes when either 1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per Public Resources Code §21082.3(c). *City of Banning Tribal Consultation*

On August 3, 2023 the City of Banning notified tribal entity representatives of the Proposed Project and the 30-day timeframe in which to request consultation in accordance with AB52 and SB18.

Of the tribes contacted, the following responses were received:

- Luz Salazar, Cultural Resources Analyst, Agua Caliente Band of Cahuilla Indians. Consultation is ongoing.
- Bernadette Ann Brierty, Tribal Historic Preservation Officer, Morongo Band of Mission Indians. Consultation is ongoing.

Environmental Setting

A review of the ethnographic literature identifies the Project Area as being within the traditional territory of the Cahuilla (**Appendix C**, Figure 5; Strong 1929; Bean 1978:576) while others identify the area as being within Serrano Territory (**Appendix C,** Figure 6; Benedict 1924). Locating the tribal use of the Project Area is further complicated by Spanish colonization and the displacement of the Native American communities through the American Period.

CAHUILLA

The Cahuilla occupied the San Gorgonio Pass (referred to as the Pass Cahuilla), San Jacinto and Santa Rosa Mountains (Mountain Cahuilla), and the Coachella Valley and the northern end of Imperial Valley (Desert Cahuilla). The Project Area is identified as being within Pass Cahuilla Territory (**Appendix C**, Figure 7). The Cahuilla are linked to other Takic language family groups such as the Serrano and Luiseño and share many aspects of culture and religion with those tribes.

Each person's primary identity was linked to clan lineage and moiety rather than overall tribal affiliation. The two moieties of the Cahuilla were Istam (coyote) and Tuktum (wild cat). Affiliation was inherited from the father's moiety and members of one moiety had to marry into the other group. Each clan was an independent, politically autonomous land-holding unit (Bean and Saubel 1972; Bean 1978; Strong 1929).

In addition to lineage residence areas and clan territory owned in common with other clan members, each lineage had ownership rights to various food collecting and hunting areas. Individuals also "owned" specific areas rich in plant resources, as well as hunting grounds, rock quarry locations, and sacred spots used only by shamans, healers, and ritual practitioners.

Cahuilla clans varied in size from several family groups to those composed of several thousand people. Clans were generally situated so that each lineage or community was located near a reliable water source and in proximity to significant food resources. Within each community,

house structures were spatially placed at some distance from each other. Often a community would spread over a mile or two in distance with each nuclear and extended family having homes and associated structures for food storage and shaded work places (ramadas) for tool manufacture and food processing. Each community also contained a house clan leader.

In more recent times, a ceremonial house (kishumnawat) was placed within each community, and most major religious ceremonies of the clan were held there. In addition, house and ceremonial structures, storage granaries, sweat houses, and song houses (for recreational music) were present. Usually an area within one to three miles contained the bulk of materials needed for daily subsistence, although territories of a given clan might be larger, and longer distances were traveled to get precious exotic resources, usually found in the higher elevations of the surrounding mountains.

While most daily secular and religious activities took place within the community, there were locations at some distance from the community where people camped for extended periods to harvest acorns or piñon nuts. Throughout the area, there were sacred places used primarily for rituals, intergroup or inter-clan meetings, caches for sacred materials, and locations for use by shamans or medicine men. Generally, hilly, rocky areas, cave sites, or walled cave sites were used for temporary camping, storage of foods, fasting by shamans, and as hunting blinds.

Between the mid-1500s and the 1800s, the Cahuilla were variously contacted by Spanish explorers, then Mexican ranchers, and later American settlers. By the mid-1800s, the Cahuilla were fully exposed to new peoples with new cultural ways, opportunities, and constraints. In the 1860s, several epidemics devastated the Cahuilla population and the increasing contact with Europeans continued to have a major impact on their traditional lifeway. Survivors of decimated Cahuilla clans joined villages that were able to maintain their ceremonial, cultural, and economic institutions (Bean 1978). Today there are 2,996 (alone) people who identify as Cahuilla (4,238 in any combination) according to the 2010 United States Census (United States Census Bureau 2006-2010).

SERRANO

The name Serrano comes from a Spanish word meaning “mountaineer” or “highlander” because their villages were located within the San Bernardino Mountains as well as its northern and southern slopes. The Serrano designation also includes the Kitanemuk, Vanyume, and Alliklik communities (Strong 1929:5). In addition to the San Bernardino Mountains and its foothills, Serrano territory extended south to Yucaipa Valley, east to the Mojave River watershed, and north to the Twentynine Palms region (Bean and Smith 1978:570). The Serrano language is part of the Takic subfamily of the larger Uto-Aztecan language family. The traditional name used to identify the Serrano is Maara’yam.

Historically, the Serrano were nomadic and migrated to the cool, pine forests of the San Bernardino Mountains during the summer and returned to the desert regions during the winter. Most Serrano village sites were located in the foothills of the upper Sonoran zone with a few outliers located near permanent water sources on the desert floor, or in the forest transition zone (Bean and Smith 1978:570).

The Serrano traded with the Mojave to the east and the Gabrielino/Tongva to the west. They also traded with their close neighbors, the Cahuilla in the San Jacinto and Santa Rosa Mountains, the Banning Pass area, and the greater Coachella Valley. In addition, the Serrano traded with the Chemehuevi who occupied the lower Colorado River region, some of whom migrated westward towards the Project study area.

Prior to European contact, the Serrano were primarily hunters and gatherers. Women were responsible for most of the gathering and acorns, piñon nuts, and mesquite beans were collected as staple foods. Spring cactus fruits and berries were consumed fresh for both food and water. Flower blossoms were roasted and eaten. Yucca blossoms and stalks were blanched before being eaten. Roots were used for food and medicine, and leaves and stems were used for making tea. Digging sticks were frequently used to dig for plants and roots for subsistence and medicinal purposes (Johnston 1965:8). One main seed resource was chia, and stands of chia were periodically burned in order to increase yield. Other major plant foods included mesquite beans and the nuts from piñon pine and acorn. Acorns were leached by placing baskets of pounded and shelled acorn meal into a sandy hole with just enough water to allow the dissolved tannic acid to seep out. Other plant seeds were parched and made into a mush by boiling or cooking and dropping a heated stone into a water-tight basket filled with seeds and water. Some seeds were dried and stored in baskets. Baskets were made from willow and mesquite branches and woven with bone awls.

Because of their migratory nature, the Serrano and neighboring tribes “cached” many of their possessions and provisions instead of transporting these often heavy items long distances. These “caches” were guarded by “spirit sticks” that were left upright adjacent to the cache. Today there are 324 (alone) people who identify as Serrano (514 in any combination) according to the 2010 United States Census (United States Census Bureau 2006-2010).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XVIII. TRIBAL CULTURAL RESOURCES:				
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) 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		X		
b) 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

Discussion

a) 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)?

Less Than Significant Impact with Mitigation Incorporated. According to PRC Chapter 2.5, Section 21074, Tribal Cultural Resources are sites, features, places, cultural landscapes, sacred places, and items with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in Section 5020.1.

No resources are listed on or have been identified as eligible for listing on the California Register of Historic Places within or near the Project Site and no known potential impacts to

Tribal Cultural Resources would occur. However, Project-specific mitigation measure **MM TCR-1** would be implemented to require monitoring during any ground disturbing activities on the Project Site and to avoid potential impacts to tribal cultural resources that may be unearthed by construction activities. The Agua Caliente Band of Cahuilla Indians and the Morongo Band of Mission Indians, as responsive parties during AB 52/SB 18 consultation, shall be considered "Monitoring Tribes" for the purposes of implementation of this mitigation measure. Project-specific mitigation measures **MM CR-2** and **MM TCR-2** would be implemented if any human remains – including Native American human remains – are unearthed by Project construction activities. Implementation of these measures will ensure that Project-specific impacts will be less than significant.

b) 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact with Mitigation Incorporated. Tribal Cultural Resources are those resources with inherent tribal values that are difficult to identify through the same means as archaeological resources. These resources can be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as cultural landscapes or sacred places. The appropriate treatment of tribal cultural resources is determined through consultation with tribes.

In accordance with the requirements of AB 52 and SB 18, on August 3, 2024, the City sent letters to Native American tribes that may have knowledge regarding tribal cultural resources in the project vicinity. Of the tribes notified, the Agua Caliente Band of Caihulla Indians and the Morongo Band of Mission Indians requested formal government-to-government consultation under AB 52. Consultation meetings are ongoing between the City and the tribal governments, and are expected to conclude prior to the Proposed Project proceeding to public hearings.

Although the cultural survey was negative for prehistoric resources and the cultural resources consultant did not recommend any type of monitoring for the project, the information provided by the Tribes regarding tribal cultural resources supports that the Project maintains sensitivity for tribal cultural resources to which the Tribes ascribe tribal value. In addition, the consulting tribes expressed concern that the project area is sensitive for cultural resources and there is the possibility that previously unidentified resources might be found during ground disturbing activities. Mitigation measures have been added to address a concern over the potential for

uncovering tribal cultural resources (TCRs) or other tribal affiliated resources during construction of the Project.

MM CUL-1 has been included to address inadvertent discovery of archaeological resources during ground disturbing activities. In addition, **MM TCR-1** shall require on-site monitoring by "Monitoring Tribes" during ground disturbing activities on the Project Site. Furthermore, **MM CR-2 and MM TCR-2** address treatment of discovery of human remains and reburial of any Native American human remains and associated grave goods with the requirement for consideration for cultural practices and anonymity.

Mitigation Measures:

MM TCR-1

Prior to the issuance of a grading permit, at least 30 days prior to the issuance, the applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 and/or the SB 18 process ("Monitoring Tribes"). The applicant shall coordinate with the Tribe(s) to develop individual Tribal Monitoring Agreement(s). A copy of the signed agreement(s) shall be provided to the City of Banning Community Development Department, Planning Division prior to the issuance of a grading permit. The Agreement shall address the treatment of any known tribal cultural resources (TCRs) including the project's approved mitigation measures and conditions of approval; the designation, responsibilities, and participation of professional Tribal Monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains/burial goods discovered on the site per the Tribe(s) customs and traditions and the City's mitigation measures/conditions of approval. The Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find in order to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist.

MM TCR-2

It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

Conclusion

Implementation of mitigation measures **MM CR-2, MM TCR-1** and **MM TCR-2** would reduce potential impacts of the Proposed Project associated with Tribal Cultural Resources to less than significant levels.

4.19 Utilities and Service Systems

Environmental Setting

Water and sewer services would be served by the City of Banning Public Works-Utilities Department and Wastewater Division, electrical service is readily available in the vicinity through Banning Electric Utility (BEU), and natural gas is available through Southern California Gas Company (SoCalGas).

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) 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?			X	
d) 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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion

a) 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?

Less than Significant Impact. The Proposed Project would interconnect to existing utilities available along the site frontage of W. Lincoln Avenue.

The approval of drainage features and other utility improvements occurs through the building plan check process. As part of this process, all project-related drainage features and utility infrastructure would be required to comply with City Municipal Code Chapter 15.44 (Public Improvements), Chapter 18.09.160 (Protection of Utilities), as well as Colorado River Basin RWQCB standards. On-site project-related drainage features would be designed, installed, and maintained by the Owner/Developer once the project is completed.

All proposed improvements and interconnection to drainage, electric power, water, and wastewater facilities would be installed simultaneously with finish grading activities and required project frontage improvements (curb, gutter, sidewalk, landscaping, streetlights, and trees) along W. Lincoln Avenue.

Based on the utilities' ability to serve the Proposed Project, and that the Proposed Project is designed consistent with existing drainage plans, the Proposed Project would not 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. Impacts to utilities would be less than significant, and no mitigation would be required.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact. The City of Banning Public Works Department supplies water to the City and portions of unincorporated Riverside County located southwest of the City. The City's 2020 Urban Water Management Plan (UWMP) indicates that the City uses local groundwater to supply potable and non-potable water within its jurisdictional boundary. The City produces groundwater from the Coachella Valley Groundwater Basin (Basin). Several large subbasins, the boundaries of which are generally defined by fault lines that restrict the lateral flow of water, underlie the Basin. The City is underlain by the San Gorgonio Pass Subbasin (SGP Subbasin) portion of the Basin, which is divided into water storage units. The City relies on five sources of groundwater storage supply units which are not totally independent from each other, and include the Beaumont, West Banning, Banning Bench, Banning Water Canyon, and Cabazon Storage Units.

According to the City's 2020 UWMP, the City projects to have adequate supply to meet demand for the City's water service area through the year 2045 under Normal Year, Single-Dry Year, and Multiple-Dry Year conditions. Additionally, the City would implement various stages of its

Water Shortage Contingency Plan when necessary to reduce its water demand during Multiple-Dry Year conditions. The UWMP models each scenario based on the land use and zoning designations of the City and County. The Proposed Project includes a General Plan Amendment and Zone Change to rezone one parcel of the Project Site from General Commercial to Industrial. Industrial land uses are estimated to require less water demand than commercial uses. Therefore, water demand calculations in the UWMP adequately cover water demand for the Proposed Project, and sufficient water supplies would be 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.

c) 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?

Less than Significant Impact. The City of Banning Public Works Department collects wastewater in the City and treats flows at the Banning Wastewater Reclamation Facility (WRF). The WRF intakes 2.0 million gallons/day (gpd) of wastewater and has a capacity of 3.5 million gpd. An existing sewer line is located on Lincoln Street/SR-243 and would serve the Project Site.

According to the City's 2018 Integrated Master Plan, industrial uses generate 750 gpd per acre. Based on this generation rate, the Proposed Project (14.27 net acres) would equate to an estimated 10,702.5 gallons per day. The amount of wastewater generated daily by the Proposed Project would equate to 0.71 percent of the current surplus treatment capacity of the Banning WRF. Based on the existing daily treatment capacity surplus and inflow of the Banning WRF, the project would be adequately served by wastewater conveyance and disposal. However, given the Proposed Project largely consists of outdoor storage yard, it is likely that this estimate overestimates the actual wastewater demand of the proposed operations given the employee staffing level.

Additionally, the project applicant would be required to pay Wastewater Facilities Development Impact Fees to the City prior to grading permit issuance pursuant to City Municipal Code Section 18.68.060. Impacts would be less than significant, and no mitigation required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact. The City of Banning contracts with Waste Management Inland Empire for solid waste and disposal services. In addition to normal trash collection, the County of Riverside also sponsors several hazardous waste collection events throughout the year. Waste is transported to the Perris Transfer Station and Materials Recovery Facility located at 1706 Goetz Road. At this facility, recyclable materials are separated from solid wastes. Recyclable materials are sold in bulk and transported for processing and transformation for other uses. Solid waste produced from the Proposed Project would be transported to a variety of landfills. City of Banning is services by the following landfills according to CalRecycle (accessed 2023):

- Badlands Sanitary Landfill has a daily throughput of 5,000 tons with a remaining capacity of 7,800,000 cubic yards.
- El Sobrante Landfill has a daily throughput of 16,054 tons with a remaining capacity of 143,977,170 cubic yards.
- Lamb Canyon Sanitary Landfill has a daily throughput of 5,000 tons with a remaining capacity of 19,242,950 cubic yards.

Based on a generation rate of 6.7 pounds per employee per day (34 employees), the Proposed Project would generate 227.8 pounds of solid waste per day (CalRecycle). This amount is equivalent to as much as 0.0023 percent, 0.00071 percent, and 0.0023 percent of the daily throughput at Badlands Sanitary, El Sobrante, and Land Canyon Sanitary Landfills. Therefore, these receiving landfills have adequate capacity to serve the Proposed Project.

For operations, the Proposed Project will be served by a landfill with sufficient permitted capacity to accommodate the Proposed Project's solid waste disposal needs. The Badlands and El Sobrante Landfills, which would serve the Project Site, have the capacity to support the construction and operational waste expected from the Proposed Project. Therefore, potential impacts associated with solid waste production during operations would be less than significant, and no mitigation would be required.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The City of Banning contracts with Waste Management Inland Empire for solid waste and disposal services. Solid waste generated by the Proposed Project would be disposed of at a variety of landfills and transfer stations in Riverside County. Disposal of solid waste would be required to comply with all federal state, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act of 1989 (AB 939) and Part 11 of the Title 24 Building Energy Efficiency Standards (also referred to as CALGreen). This would include providing receptacles for green waste, recyclables, and garbage. Therefore, potential impacts associated with compliance with solid waste statutes and regulations would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Utilities and Service Systems apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Utilities and Service Systems would be less than significant, and no mitigation would be required.

4.20 Wildfire

Environmental Setting

According to the City General Plan Environmental Hazards Element (Figure V-9) the Project Site is not located within a Local Responsibility Area and is not designated as a Very High Fire Hazard Severity Zone. The CAL FIRE "Fire Hazard Severity Zones in State Responsibility Areas" online map (CAL FIRE, accessed December 2023) shows the Project Site is not located within a State Responsibility Area.

Impact Analysis

CEQA THRESHOLDS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) 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 wildfire?			X	
c) 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?			X	
d) 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?			X	

Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Project Site is not located within a Local or State Responsibility Area and is not designated within a High Fire Hazard Severity Zone (VHFHSZ). The nearest VHFHSZ is located approximately 0.8-mile southwest of the Project Site. The project is located in an area that is developed with local roads and regional highways that provide adequate access and departure from the area in the event of an emergency, such as a wildfire. Vehicular access to the Project Site would be provided via four driveway access points off of W. Lincoln Street consisting of two one-way gated driveways at opposite ends of the Project Site for truck and fire safety access. The proposed access is designed to comply with the current California Fire Code (2022 California Fire Code) standards for development for industrial uses, Banning Construction Code Standards, and standards as set forth by the Riverside County Fire Department (RCFD). Fire plan check would be required to ensure adequate service is provided. The Proposed Project would also be subject to review and compliance with the City's Building Code to ensure structural integrity of all proposed buildings.

Therefore, potential impacts associated with an adopted emergency response plan or emergency evacuation plan would be less than significant, and no mitigation would be required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant Impact. Areas of Southern California, including Riverside County and Banning, are subject to seasonal wind events including times during the fall when Santa Ana Wind conditions are prevalent. Santa Ana Wind conditions in the area of the Proposed Project typically blow from a northeast to southwest direction, with wind speeds that can exceed tropical storm forces in canyons and other geographically constrained areas. This can exacerbate fire hazard risks through drying of vegetation and uncontrollable expansion of fires when ignited in rural and urban areas.

The Project Site is not located within a Local or State Responsibility Area and is not designated within a VHFHSZ. The built environment surrounding the Project Site, with storage yards and non-conforming residential development to the south, and industrial warehouses to the east. The site is relatively flat and is not located within or near any hillside areas associated with the San Gorgonio Mountains. The Proposed Project would be subject to the standards and requirements set forth in the 2022 California Fire and Building Codes, which require structural resilience for all types of fire conditions. Therefore, potential impacts associated with exacerbating wildfire risk would be less than significant, and no mitigation would be required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less than Significant Impact. The Project Site is not located within a Local or State Responsibility Area and is not designated within a VHFHSZ. The Proposed Project is surrounded by built infrastructure including roads, utilities (electricity and gas), sewer lines, and waterlines and would not necessitate the construction of new infrastructure. Development of the Proposed Project does not include any additional infrastructure improvements that increase capacity beyond what is already planned for within the existing urban area. Therefore, potential impacts associated with the exacerbation of fire risk or result in temporary or ongoing impacts to the environment would be less than significant, and no mitigation would be required.

d) 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?

Less than Significant Impact. The Project Site is not located within a Local or State Responsibility Area and is not designated within a VHFHSZ. The built environment surrounding the Project Site, with storage yards and non-conforming residential development to the south, and industrial warehouses to the east. The site is relatively flat and is not located within or near any hillside areas associated with the San Gorgonio Mountains. The Project Site is also not located within a floodplain and the Preliminary WQMP is designed to with capacity to handle 100-year and 500-year storm events. The Proposed Project would be subject to the standards and requirements set forth in the 2022 California Fire Code and 2002 CBC. Therefore, potential impacts associated with the exposure of 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 would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures associated with impacts to Wildfire apply to the Proposed Project.

Conclusion

Potential impacts of the Proposed Project associated with Wildfire would be less than significant, and no mitigation would be required.

4.21 Mandatory Findings of Significance

Impact Analysis

ENVIRONMENTAL IMPACTS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated. The Project Site is vacant, contains no drainages, does not contain suitable habitat for any sensitive species, and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation

Plan, other approved local, regional, or state habitat conservation plan. However, in order to comply with existing MBTA and MSHCP regulations, the Proposed Project will implement requires that projects comply with PVCCSP EIR mitigation measures **MM BIO-1** to reduce potential impacts to nesting birds and **MM BIO-2** to reduce potential impacts to burrowing owl to less than significant levels.

According to the Phase I Cultural Resources Assessment (Appendix C), no cultural resources have been recorded within the Project Site, and the Project Site does not contain any resources that are important to major periods of California history or prehistory. However, mitigation measure **MM CR-1** is recommended to manage unanticipated discoveries of archeological resources, **MM TCR-1** requires tribal monitoring during ground disturbing activities, and **MM CR-2 and MM TCR-2** to manage unanticipated discoveries of human remains. The Project Site is within a moderately sensitive area for potential paleontological resources based upon recorded fossil locality data for areas mapped as alluvial fan deposits of San Gorgonio Pass in and near the Project Area. Therefore, the Property Owner/Developer will be required to implement mitigation measure **MM GEO-1** to prepare a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP) and mitigation measure **MM GEO-2** to prepare a Worker Environmental Awareness Program (WEAP) to manage unanticipated discoveries of paleontological resources.

Implementation of these measures will ensure that Project-specific impacts would be less than significant.

With the implementation of mitigation measures **MM BIO-1, MM BIO-2, MM CR-1, MM CR-2, MM GEO-1, MM GEO-2, MM TCR-1** and **MM TCR-2** the Proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or an endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation Incorporated. As presented in Sections 4.1 through 4.20, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues (Refer to **Appendix L** for the Mitigation Monitoring and Reporting Program).

The Proposed Project is being developed consistent with the Banning General Plan Industrial land use designation and development standards for the Industrial zoning district. Although the potential exists for the Proposed Project to result in population growth through employment opportunities, the project is consistent with the General Plan land use designation and Zoning Code for the site. Therefore, population increase as a result of the Proposed Project would not

directly or indirectly induce growth in the City not contemplated and analyzed within the existing General Plan and associated environmental documents. Additionally, the Project Site is located within an urbanized area and would be connected to existing municipal roadways and utility infrastructure.

Impacts specified throughout this Initial Study are considered project-specific in nature due to the limited scope of direct physical impacts to the environment. Consequently, the project along with other cumulative projects would result in a less than significant cumulative impact with respect to all environmental issues, and no additional mitigation is required.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. All potential impacts of the Proposed Project have been identified, and mitigation measures have been provided, where applicable, to reduce potential impacts to less than significant levels. Upon implementation of mitigation measures, the Proposed Project would not result in substantial direct or indirect adverse impacts on human beings. Implementation of these measures will ensure that Project-specific impacts will be less than significant.

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Appendix A

Brown Strauss Industrial Project, Air Quality, Global Climate Change, HRA, and Energy Impact Analysis, City of Banning

Ganddini Group

November 29, 2023

Appendix B-1

Brown Strauss Industrial Project, General Biological Resources Assessment
Noreas Environmental Engineering and Science
July 2023

Appendix B-2

Brown Strauss Industrial Project, Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

NOREAS, Inc.

July 2023

Appendix C

Cultural and Paleontological Resources Assessment Report for the Brown Strauss Industrial Project

Cogstone

May 2023

Appendix D

Geotechnical Investigation, Proposed Brown-Strauss Steel Facility, 1210 & 1431 West Lincoln Street, APN 540-180-020, 022 & 026, Banning, California

Sladden Engineering

January 5, 2023

Appendix E

Phase I Environmental Site Assessment Report, Banning Industrial
Terracon Consultants, Inc

September 1, 2022

Appendix F

Riverside Airport Land Use Commission Development Review Determination

October 5, 2023

Appendix G

Preliminary Project Specific Water Quality Management Plan, Brown Strauss Steel—Banning

Joseph E. Bonadiman & Associates, Inc.

March 8, 2023, Revised October 2023

Appendix H

Preliminary Hydrology Study and Drainage Analysis- Brown Strauss Steel

Joseph E. Bonadiman & Associates, Inc.

November 2023

Appendix I

Preliminary Hydrology Study and Drainage Analysis- Brown Strauss Steel
Joseph E. Bonadiman & Associates, Inc.
November 2023

Appendix J

Brown Strauss Industrial Project, Traffic Impact Analysis, City of Banning

Ganddini Group

October 23, 2023

Appendix K

Brown Strauss Industrial Project Vehicle Miles Traveled Screening Assessment

Ganddini Group

April 23, 2023

Appendix L

Draft Mitigation Monitoring and Reporting Program