

**NOTICE OF AVAILABILITY/NOTICE OF INTENT
MITIGATED NEGATIVE DECLARATION**

Project Title: Tentative Tract Map No. 36710 (TTM 15-4502) Planned Unit Development Permit and Design Review

NOTICE IS HEREBY GIVEN that the City of Banning (City), as Lead Agency under the California Environmental Quality Act (CEQA), has prepared a Notice of Availability (NOA) and Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for a proposed Tentative Tract Map 36710 ("Project"), Planned Unit Development Permit and Design Review, referenced as Project No. 15-4502. The MND has been prepared pursuant to CEQA and the CEQA Guidelines. Copies of available materials may be reviewed or obtained from the City's office at the address cited below.

Project Location: The Project is located on the northwest corner of East Wilson Street and North Florida Street in the City of Banning. Assessor's Parcel Numbers (APNs): 534-183-014, 534-200-004, 534-200-008 and 534-200-047.

Project Description: The Project proposes to subdivide a vacant 10.6 acre site to create a maximum of 46 single-family residential lots averaging 5,000 to 12,817 square feet in size and five lettered lots. The Project requires concurrent processing of a Planned Unit Development (PUD) and Design Review.

The applicant's representative, Beau Cooper with United Engineering Group is representing the Project Applicant, RMG Residential 2010, LLP in this process.

Environmental Issues: Environmental issues addressed in the MND include: aesthetics, light, and glare; agricultural resources; air quality; biological resources; climate change; cultural and historic resources; geology, soils, and seismicity; greenhouse gases; hazards and hazardous materials; hydrology and water quality; Tribal cultural resources; land use and planning; noise; public services and utilities; traffic and transportation; and water supply. Per CEQA Guidelines Section 15087(c)(6), the Project area does not contain sites enumerated under Section 65962.5 of the Government Code.

Environmental Effects: The Initial Study Checklist determined that the proposed Project would result in potentially significant effects, but the Project Applicant will incorporate mitigation measures that would avoid or mitigate effects to a point where clearly no significant environmental impacts on the environment will occur. Mitigation has been included to address Air Quality, Geology and Soils, Noise and Tribal Cultural Resources.

Public Review Period: The MND will be available for a 20-day public review period from **August 11, 2017 to August 31, 2017**.

Written comments on this MND should be addressed to:

City of Banning
Community Development Department
99 E. Ramsey Street, Banning, CA 92220
Attn: Patty Nevins, Community Development Director

A copy of the Public Review of the Mitigated Negative Declaration is available at the above address and at the Banning Public Library, 21 W. Nicolet Street, Banning CA 92220, as well as at the City Community Development Department's website at <http://www.ci.banning.ca.us/DocumentCenterII.aspx?FID=19>.

All comments must be received in writing at the address below no later than 5 p.m. on August 31, 2017. Comments received and issues and concerns raised will be evaluated to determine if the mitigation and project conditions of approval have adequately addressed the concerns. All comments received will be included as part of the record.

Public Meeting: This Project is tentatively scheduled for the September 6, 2017 Planning Commission hearing. The hearing commences at 6:30 p.m. and is held in the City Council Chambers, Banning City Hall, located at 99 E. Ramsey

Street, Banning CA 92220. In that the Project requires a Tentative Tract Map, the consideration by the Planning Commission is advisory in this matter and is included as a recommendation for the City Council to either approve, deny or modify the project.

BY ORDER OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF BANNING, CALIFORNIA.

Patty Nevins
Community Development Director

Dated: August 8, 2017
Date Published: August 11, 2017

Initial Study Checklist/ Mitigated Negative Declaration

City of Banning:

*Tentative Tract Map 36710
for*

Property located at the northwest corner of east Wilson Street and north Florida Street



City Banning
99 East Ramsey Street
Banning, CA 92220

Contact: Patty Nevins, Community Development Director
(951) 922-3152
pnevins@ci.banning.ca.us

Applicant:

Randall Andrus
RMG RESIDENTIAL 2010, LLLP
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Scottsdale, Arizona 85258
Contact: Randall Andrus
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**Public Review
August 11, 2017**

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APPLICATION# PROJECT DR 15-7004

A. Tentative Tract Map (TTM 36710)

TTM 36710 proposes to subdivide a 10.6 acre vacant property for purposes of creating forty-six (46) single-family residential lots on property zoned Low Density Residential.

B. Planned Unit Development Permit

Proposing a Planned Unit Development (PUD) for purposes of providing a housing density of 4.3 dwelling units per acre with minimum lot size of 5,000 square feet to conform to the Banning Municipal Airport Zone D lot size requirements.

C. Design Review (15-7004)

A proposal to subdivide a 10.6 acre parcel into 46 single-family residential lots with five lettered lots; one for a detention basin one for open space and three for streets and cul-de-sacs.

1.0. INTRODUCTION

1.1 Purpose of an Initial Study Checklist

The California Environmental Quality Act (CEQA) requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

The purpose of an Initial Study Checklist is to provide a preliminary analysis of a proposed action to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report should be prepared for a project. An Initial Study Checklist also enables an applicant or the City of Banning to modify a project, mitigating adverse impacts in lieu of preparing an Environmental Impact Report, thereby potentially enabling the project to qualify for a Negative Declaration or a Mitigated Negative Declaration.

The Initial Study Checklist provides a factual basis for a Negative Declaration, Mitigated Negative Declaration, or serves to focus an Environmental Impact Report on the significant effects of a project.

1.2 Purpose of a Negative Declaration

A Negative Declaration is a written statement by the City of Banning that the Initial Study Checklist identified potentially significant environmental effects of the project but the project is revised and conditions of approval incorporated that eliminate impacts to less than significant levels.

1.3 Initial Study Checklist/ Negative Declaration Document

This document in its entirety is an Initial Study Checklist/Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

1.4 Public Review and Processing of the Initial Study Checklist/ Negative Declaration

In the case of the proposed Project, the Initial Study Checklist determined that a Mitigated Negative Declaration is the appropriate form of CEQA compliance document, which does not require a Notice of Preparation. The Initial Study Checklist commenced the twenty (20) day circulation on, August 11, 2017.

This Initial Study Checklist/ Negative Declaration and a *Notice of Intent* to adopt the Negative Declaration was distributed to the following entities for a 20-day public review period:

- 1) Organizations and individuals who have previously requested such notice in writing to the City of Banning;
- 2) Responsible and trustee agencies (public agencies that have a level of discretionary approval over some component of the proposed Project); and

3) The Riverside County Clerk.

The *Notice of Intent* also will be noticed to the general public in the *Record Gazette*, which is a primary newspaper of circulation in the areas affected by the Project.

The *Notice of Intent* identifies the location(s) where the Initial Study Checklist/Negative Declaration and its associated technical reports are available for public review. During the 20-day public review period, comments on the adequacy of the Initial Study Checklist/Negative Declaration document may be submitted to the City of Banning Community Development Department, Planning Division.

Following the 20-day public review period, the City of Banning Planning Division will review any comment letters received during the review period to determine whether any substantive comments were provided that may warrant revisions or recirculation of the Initial Study Checklist/Negative Declaration document. If recirculation is not required (as defined by CEQA Guidelines §15073.5(b)), written and/or oral responses will be provided to the City of Banning Planning Commission for review as part of their deliberations concerning the Project.

For this Project, the Banning Planning Commission's role is advisory and will recommend that the Banning City Council approve, conditionally approve, or deny the Project. Accordingly, a public hearing will be held before the Banning City Council to consider the proposed Project, any comments received and make a determination on the adequacy of this Initial Study Checklist/Negative Declaration.

At the conclusion of the public hearing process, the City Council will take action to approve, conditionally approve, or deny the proposed Project. If approved, the City Council will adopt findings relative to the Project's environmental effects as disclosed in the Initial Study Checklist/Negative Declaration and a *Notice of Determination* will be filed with the Riverside County Clerk.

1.5 Initial Study Checklist/ Negative Declaration Findings and Conclusions

Section 3.0 of this document contains the Environmental Checklist/Initial Study that was prepared for the proposed Project pursuant to CEQA and City of Banning requirements.

The Initial Study Checklist determined that implementation of the proposed Project would result in **no impacts** to the environment under the following issue areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emission
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Noise

- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems, and,
- Mandatory Findings of Significant

The Initial Study Checklist determined that the proposed Project will not result in creating **significant environmental effects**. The Project incorporates conditions such that the project will either avoid or mitigate effects to a point where clearly no significant environmental impacts on the environment would occur:

The Initial Study Checklist determined that, with the incorporation of conditions of approval and mitigation cited in the initial study, there is no substantial evidence, in light of the whole record before the Lead Agency (City of Banning), that the Project as revised may have a significant effect on the environment. Therefore, based on the findings of the Initial Study Checklist, the City of Banning determined that a Mitigated Negative Declaration is the appropriate CEQA determination for the Project pursuant to CEQA Guidelines

§ 15070(b).

2.0 PROJECT BACKGROUND

2.1 Project Location

The City of Banning covers approximately 23.2 square miles within the County of Riverside. The City is bordered by the City of Beaumont to the west, Morongo Band of Mission Indians to the east and County of Riverside to the north and south. Specifically, the property is located on vacant land north of East Wilson Street and south of Hoffer Street, between Alessandro Street on the west and Florida Street to the east, as depicted on the U.S. Geological Survey (USGS) 7.5 Minute, Cabazon quadrangle map (USGS 1996). Refer to Figure 1, *Location Map/Aerial Photo*.

The Project site includes the following Assessor Parcel Numbers:

APN#

- 534-183-014
- 534-200-004
- 534-200-008
- 534-200-047

2.2 Existing Site Conditions/Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as “the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Intent/Notice of Availability is published, or at the time the environmental analysis is commenced...” (CEQA Guidelines §15125[a]).

The Project site consists of approximately 10.67 gross acres consisting of four parcels as noted in Figure 1. The Tentative Tract Map will consolidate the four parcels to create 46 residential lots and five lettered lots. The existing site is an undeveloped infill parcel primarily covered with dry, tall grasses with scattered low bushes that slopes generally from the northwest to the southeast, with an elevation of 2,452' at the northeast and an elevation of 2,422' at the southeast. No structures exist onsite as shown in the photos and no protected plant or animal species reside on the property. A line of utility poles is present, running north-south in the western half of the site.

The site is roughly rectangular in shape and is bound by residential development to the north and west. Primary access to the site will be from three cul-de-sacs off of Wilson Street which service 84 percent of the subdivision. The exceptions include Lots 9 and 46 which front Hoffer Street and lots 41-45 which front Florida Street. Based on historical records such as aerial photographs, and topographic maps, the subject property appeared as undeveloped property from at least 1953 through 2009. Table 1 below provides a summary of the site's historical use as researched by EEI Geotechnical & Environmental Solutions.

Figure 1

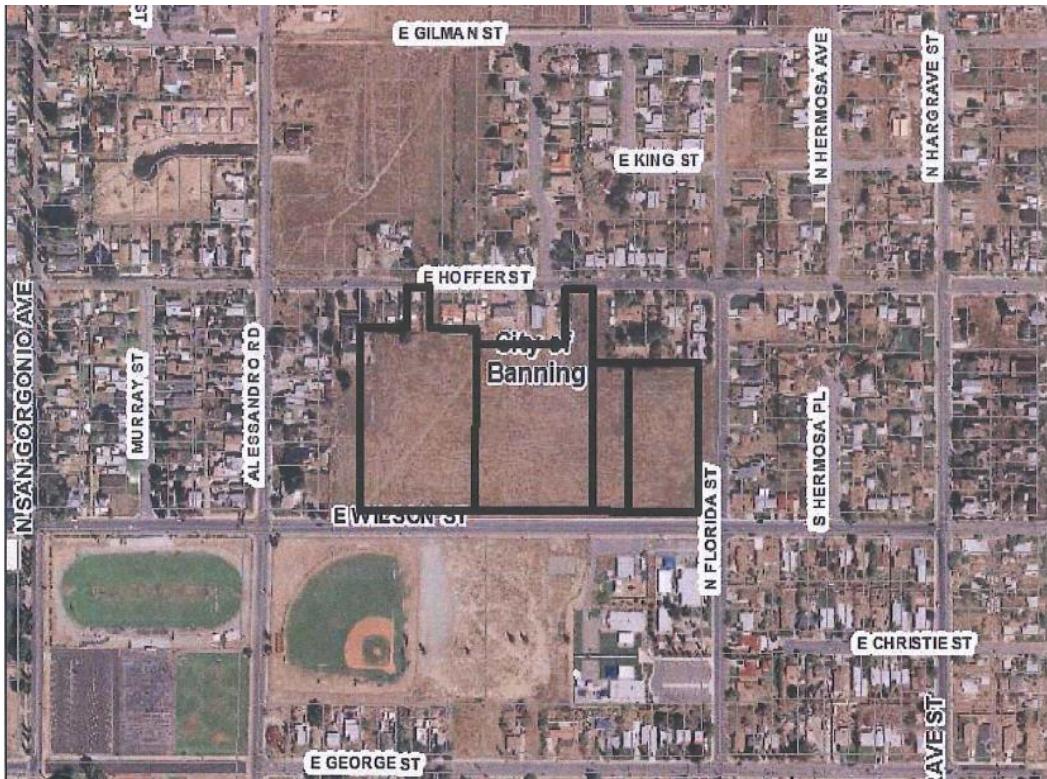


Table 1: Site's History
Summary of Historical Use

Year	Source and Scale	Comments
1953	Aerial Photograph	Subject property appeared as an open field with no structural development. Adjacent property along the northern property border and to the east, west and in the surrounding area appeared with residential development. Property to the south was undeveloped.
1967	Aerial Photograph	Subject site remained undeveloped. Additional residential development appeared on the adjacent property to the north, east, and west.
1976	Aerial Photograph	No apparent changes appeared on the site or adjacent property since the 1967 photo.
1988	Topographic Map	No changes noted on the subject site since 1976.
1996	Topographic Map	No changes noted on the subject site since the 1988 map.
2002	Aerial Photo	No changes noted on the subject property or adjacent property since 1994.
2009	Aerial Photo	Subject property appears in its current configuration as undeveloped land. Surrounding area appeared as a mix of residential and commercial property.

Southern California Gas Company is available to provide gas to the site. Water, sewer and electric utilities are available through the City of Banning. A gas line is present near the southeast corner of the parcel, and a Southern California Natural Gas transmission line runs parallel to the southern

property line along East Wilson (EEI, Phase I, pg. 12). Table 2 notes the existing land uses located adjacent to the site.



Table 2. Existing Land Uses

Location	Existing Use
Site	Vacant
North	Single-Family Residential
South	School
East	Single-Family Residential
West	Single Family Residential

Source: Banning General Plan/Zoning Overlay

2.3 Existing General Plan Land Use and Zoning Designations

Development activities that occur in the City of Banning are regulated by the City of Banning General Plan, adopted January 31, 2006, and the Zoning Code, referenced as Title 17 of the City of Banning Municipal Code. The General Plan is divided into a number of zoning districts that provide additional guidance for development and more specific land use designations under each category. Each property has a land use designation and a more descriptive Area Plan designation.

The designation for the Project site is Low Density Residential (LDR). The Applicant proposes a Planned Unit Development (PUD) to provide for site, road and specific development accommodations that cannot be implemented as part of the regular zoning standards. The project has gained approval from the Riverside Airport Land Use Commission that determined the project is in compliance with Compatibility Zone D. The project proposes a net density of 4.31 du/net acre.

A summary of the existing General Plan land use and zoning designations for the Project site and surrounding properties is provided in Table 3.

Table 3. Existing General Plan and Zoning Designations

Location	General Plan Designation	Zoning Designation
Site	Low-Density Residential	(0-5 du/ac)
North	Low Density Residential	(0-5 du/ac)
South	Public Facilities	Pre-School
East	Low-Density Residential	(0-5 du/ac)
West	Low Density Residential (0-5 DU/Acre)	(0-5 du/ac)

Source: City of Banning General Plan Land Use Map, City of Banning-Existing Zoning Map

2.4 Project Description

The Project Applicant, Randall Andrus, submitted the following applications to the City of Banning which comprise the proposed Project: Tentative Tract Map (TTM 36710), Planned Unit Development Permit and Design Review. The City of Banning refers to the application as Project DR 15-7004.

The Project's application materials are on file with the City of Banning Planning Department, 99 East Ramsey Street, Banning, CA 92220 and are hereby incorporated by reference.

A. Tentative Tract Map (TTM 36710), Planned Unit Development Permit (PUD) and Design Review (DR 15-7004).

The project applicant is seeking approval of TTM 36710, PUD and DR 15-7004, which proposes to subdivide a vacant 10.6 acre site into 46 single-family residential lots with a minimum lot size of 5,000 square feet. The project was found to be consistent with the 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016 and to conform to the Riverside Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA) regarding density, height, air space and open space restrictions. The project is driven largely in part by the Riverside County Airport Land Use Commission's requirement of maintaining a density at (or near) 5 du/acre in Zone D of the Banning Municipal Airport. The site currently consists of four individual vacant parcels containing the following lot areas as noted in Table 4 below.

Table 4: Lot Area Characteristics

APN	Lot Area
534-183-014	4.01
534-200-004	3.77
534-200-008	0.92
534-200-047	1.85

The total gross area of the four parcels is 10.67 acres. They propose, five (5) lettered lots; Lot A will be a basin; Lot B will serve as open space; Lots C, D, and E are proposed as private streets. Residential lot sizes will range from 5,000 square feet to 12,817 square feet in size. Access to the site is off Wilson Street and will be by means of three neighborhood streets ending as cul-de-sacs, with the exception of Lots 41-45 which flank Florida Street and Lots 9 and 46 which flank Hoffer Street.

The above land uses and other on-site improvements are further described as follows:

Single-Family Residential

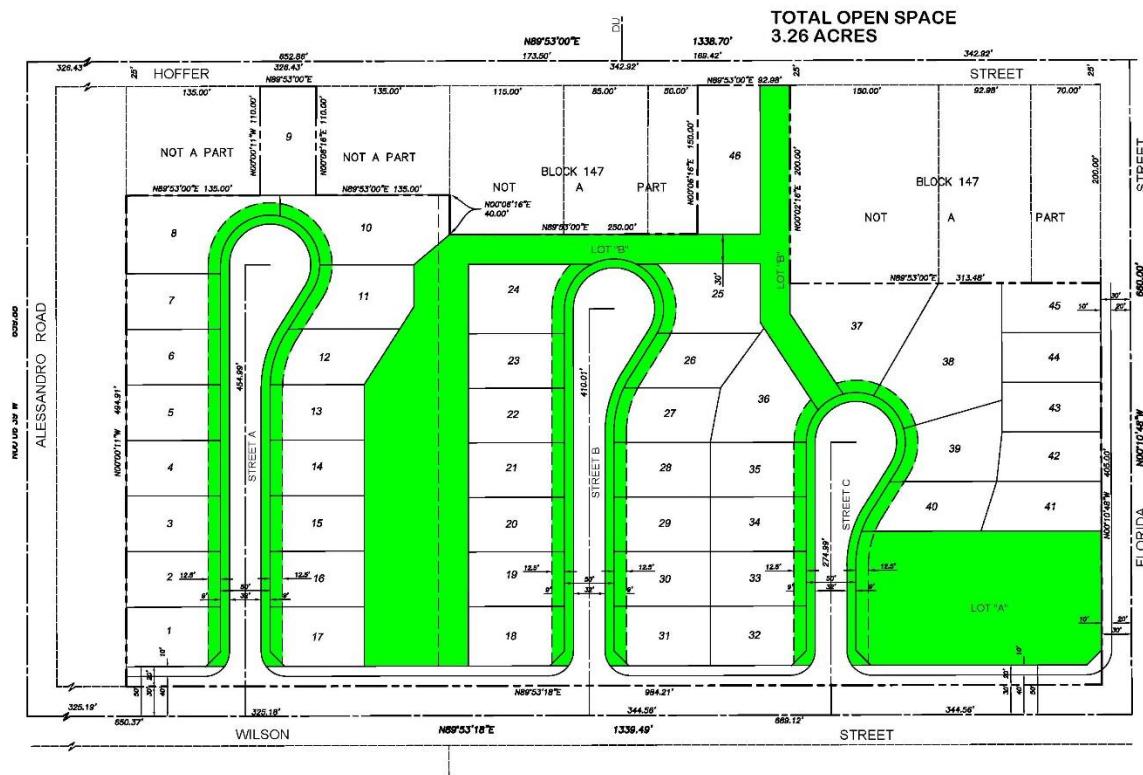
The Project site will be a Planned Unit Development (PUD). Residential lot sizes range from 5,000 square feet to 12,817 square feet for certain cul-de-sac lots. However, the majority of the lot sizes are within the 5,000 square foot range. The Project proposes a net density of 4.53 dwelling units per acre. The project will include over 30 percent of open space amenities, including a small trail system and park and picnic areas. The open space/park area will also serve as an emergency landing zone as required for projects in Zone D of the Riverside County Airport Land Use plan for Banning Municipal Airport. Consequently, the open space park area will not contain any structures higher than four (4) feet.

Water Quality Basin

Lot "A" will function as a water quality basin. The basin will serve to retain developed condition runoff and mitigate developed condition flows as required by City Ordinance. The basin is engineered to accept approximately 64,469 cubic feet (1.48 acre feet) of water runoff. City of Banning Ordinance #1415&6 requires that "all development will make provisions to store runoff from rainfall events up to and including the 100 years, three-hour duration event onsite via storage or infiltration basins for new development and redevelopment."

The basin, referenced as Lot A will be located at the northwest intersection of Florida and Wilson Street. Although the basin is intended for water quality and percolation purposes, the site will also function as a dog park. The basin shall be designed in accordance with the City of Banning Engineering requirements. As noted in Figure 2, Lot "B" will function as open space pedestrian pathway in accordance with the PUD set aside provisions for private open space.

Figure 2
Lot A & Lot B Open Space and Basin Areas



On-Site Street Improvements

Primary access to the Project site is by means of three neighborhood cul-de-sac streets connected off Wilson Street. Lots 9 and 46 will obtain access from Hoffer Street, Lots 41 through 45 will obtain access from Florida Street. Both Hoffer and Florida Streets are existing improved two (2) lane sixty (60) foot wide roadways within the Public right-of-way. Curb, gutter, and sidewalk have been partially installed. All street improvements along Wilson Street will be subject to the City of Banning Engineering and Public Works requirements.

The three internal neighborhood streets servicing the tract with curb and gutter within 50 foot wide private two lane travel lanes are indicated on the TTM as Street A, Street B and Street C. None of the streets interconnect, but each street connects to Wilson Street. Cul-de-sac's shall be designed in accordance with radius requirements set by the County Fire Code.

On-Site Utility and Drainage Improvements

Water, sewer and electrical service will be provided by the City of Banning Public Works Department and Electrical Division. Sewer and water systems shall be designed in accordance with the City of Banning Engineering and Public Works requirements.

Existing water lines are contained within Hoffer Street, Wilson Street and Florida Street running adjacent to the project site. Existing sewer lines are contained within Hoffer and Florida Street also adjacent to the project site. With the projects cul-de-sac design, the majority of the lots will connect to the proposed sewer line in Wilson Street, with the exception of Lot 9 and Lot 46 which will connect to the existing sewer line in Hoffer Street and Lots 41 – 45 which will connect to the existing sewer line in Florida Street.

B. Planned Unit Development Permit

The existing site will be a Planned Unit Development (PUD) allowing for a housing net density of 4.53 dwelling units per acre.

D. Construction Schedule

Houses will be constructed based on market demand and absorption. Construction is expected to commence sometime in 2018 and is expected to occur in one phase. The Project Applicant expects the following time durations for the construction process, which would be somewhat sequential but overlap in some cases:

• Site Preparation	20 Days
• Grading	40 - days
• 1 st Phase of Home Construction	60- days
• Architectural Coating	38 – days
• Paving	55 - days

Earthwork and Grading

The earthwork and grading details are based on proposed Tentative Tract Map 36710. The Project proposes 13,600 cubic yards (c.y.) of cut and 13,600 cubic yards of fill (TTM Earthwork Quantities).

The site drains northwest to southeast with a varying terrain at an average slope of 4 percent (Drainage Report, United Engineering Group, Sept, 6, 2016).

E. Operational Characteristics

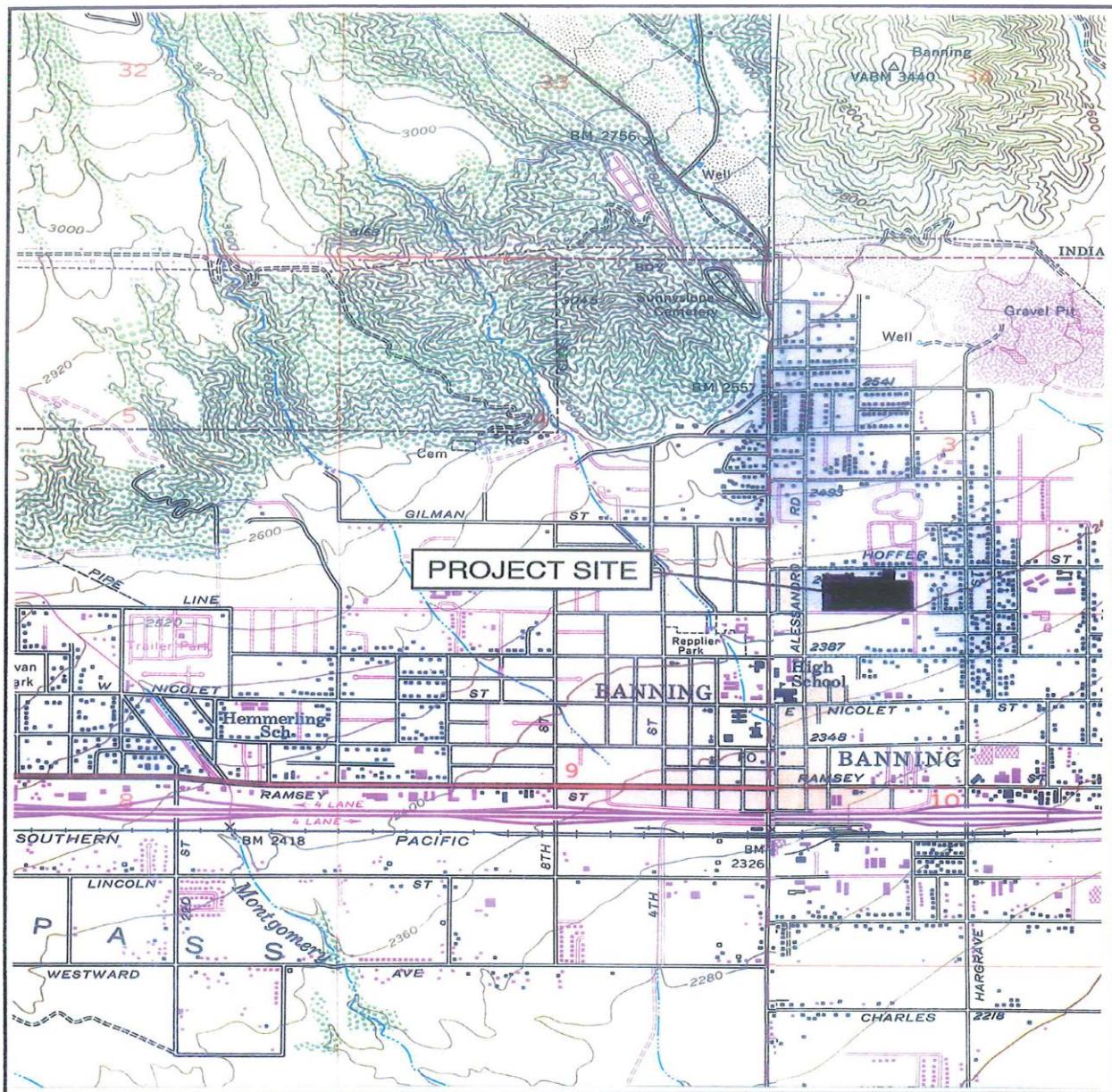
The proposed Project would be operated as a residential community. Typical operational characteristics include residents and visitors traveling to and from the site, leisure and maintenance activities occurring on individual residential lots and in the on-site recreational facilities and general maintenance of common areas. Low levels of noise and a moderate level of artificial exterior lighting typical of a residential community is expected.

Future Population

The Project would be developed with 46 single-family detached residential homes. Pursuant to City of Banning's General Plan, the median household size is currently 2.7 persons per dwelling unit. Using population generation estimates, the proposed Project could increase the City of Banning's population by up to 124 new residents if all the new residents currently reside outside the City limits. The City of Banning's 2016 population estimates (city limits only) as determined by the California Department of Finance is 30,834 residents. The City's population would increase by less than (0.5) percent or 30,958 residents. The Project is consistent with the Southern California Association of Governments (SCAG) population growth estimates in that the City's population is projected to reach 34,658 in 2010 and 42,027 in 2020. According to the City's Housing Element Regional Housing Needs Assessment (RHNA), the City of Banning has a total housing construction need of 1,780 units and an annual need of 237 units. The Project is consistent with the RHNA housing construction forecast efforts to meet the City's housing needs.

The *General Plan* land use designation currently assigned to the Project site is Low Density Residential (0-5 dwelling units per acre). The Project as proposed has a net density of 4.53 dwelling units per acre.

If the Project site were built out in accordance with its existing *General Plan* land use designation, a maximum of 53 residential dwelling units could be constructed on the property. (Low Density Residential x 5 units per acre x 10.6 acres = 53 units). The Project proposes 46 residential dwelling units which is below the maximum permitted under the *General Plan* and current Zoning District.



Location Map/Aerial Photo

Exhibit 1

IN THE CITY OF BANNING, STATE OF CALIFORNIA
TENTATIVE TRACT MAP NO. 36710

BEING A SUBDIVISION OF A PORTION OF BLOCK 16 AND BLOCK 147, BANNING COLONY LANDS AS PER MAP RECORDED IN BOOK 3, PAGE 149 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND IN BOOK 5 PAGE 186 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

THE COUNTY RECORDER, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
UNITED ENGINEERING GROUP CA., INC SEPTEMBER 2016

EASEMENT NOTES

(7) AN EXCISE FOR UNITED AND INDUSTRIAL PURPOSES,
TAXES, DUTIES, FEES, CHARGES, AND EXPENSES IMPOSED BY FEDERAL, STATE, OR LOCAL GOVERNMENT, OR BY ANY OTHER AUTHORITY, ON THE PURCHASE, SALE, OR DELIVERY OF GOODS PLACED
GENERAL NOTES:

1. ALL ORDERS ARE FIRM, EXCEPT AS NOTED.
2. THE PROPERTY OWNED, USED, CONTROLLED, OR HELD BY THE PURCHASER IS SUBJECT TO THE
TAXATION OF THE PURCHASER UNLESS PROVIDED
OTHERWISE IN THE PURCHASE AGREEMENT.
3. EXCISE TAXES ARE TO BE COLLECTED BY THE PURCHASER
AND ARE TO BE PAID TO THE STATE TAX COMMISSIONER
OR TO THE STATE TAX COLLECTOR.
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EARTHWORK QUANTITIES:

QUANTITIES ARE FOR ESTIMATING AND BIDDING PURPOSES ONLY AND ARE BASED ON THE PREVIOUS ORDERS SHOWN HERIN. A PREVIOUS ORDER IS ONE WHICH HAS BEEN PLACED AND IS NOT CANCELLED OR AMENDED. QUANTITIES ARE NOT TO BE USED AS A BASIS FOR PAYMENT UNLESS THE QUANTITY IS STATED IN THE PURCHASE AGREEMENT. QUANTITIES ARE NOT TO BE USED AS A BASIS FOR PAYMENT UNLESS THE QUANTITY IS STATED IN THE PURCHASE AGREEMENT.

1. ALL QUANTITIES ARE TO BE DETERMINED BY THE PURCHASER.
2. QUANTITIES ARE TO BE DETERMINED BY THE PURCHASER.
3. QUANTITIES ARE TO BE DETERMINED BY THE PURCHASER.
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19. QUANTITIES ARE TO BE DETERMINED BY THE PURCHASER.
20. QUANTITIES ARE TO BE DETERMINED BY THE PURCHASER.

EARTHWORK QUANTITIES

QUANTITIES ARE FOR TENTATIVE AREA PURPOSES ONLY AND ARE BASED ON THE PROJECT PLATES SHOWN HEREIN. A MAGNETIC DIRECTIONAL SIGHTING FOR SURVEY, INSTRUMENTS AND THE SPECIFIED STATION POINT HAVE BEEN MADE AND CHECKED BY THE ENGINEER DATED APRIL 6, 2014. CONSTRUCTION IS RESPONSIBLE FOR PREPARING AND OWN "QUANTITY TAKE-OFF" AND BID RELATED TO ENGINEER QUANTITIES.

100% APPROX. 7,875 CUBIC YARDS
WEIGHT: 6 CUBIC YARDS
DEPTH: 12,050 CUBIC YARDS

RMG Residential 2010, LLLP
Project No. 15-7004

Illustrative Lot Layout

TTM 36710

Exhibit 2

3.0 INITIAL STUDY/ENVIRONMENTAL CHECKLIST

Evaluation Format

This Initial Study Checklist has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. The Project is evaluated based on its potential effect on eighteen (18) environmental factors categorized as follows, as well as Mandatory Findings of Significance:

1. Aesthetics	10. Land Use & Planning
2. Agriculture & Forestry Resources	11. Mineral Resources
3. Air Quality	12. Noise
4. Biological Resources	13. Population & Housing
5. Cultural Resources	14. Public Services
6. Geology & Soils	15. Recreation
7. Greenhouse Gas Emissions	16. Transportation & Traffic
8. Hazards & Hazardous Materials	17. Tribal Cultural Resources
9. Hydrology & Water Quality	18. Utilities & Service Systems
	19. Mandatory Findings of Significance

Each factor is analyzed by responding to a series of questions pertaining to the impact of the Project on the particular factor in the form of a checklist. This Initial Study Checklist provides a manner to analyze the impacts of the Project on each factor in order to determine the severity of the impact and determine if mitigation measures can be implemented to reduce the impact to less than significant without having to prepare an Environmental Impact Report.

CEQA also requires Lead Agencies to evaluate potential environmental effects based to the fullest extent possible on scientific and factual data (CEQA Guidelines §15064[b]). A determination of whether or not a particular environmental impact will be significant must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064f[5]).

The effects of the Project are then placed in the following four categories, which are each followed by a summary to substantiate why the Project does not impact the particular factor with or without mitigation. If “Potentially Significant Impacts” that cannot be mitigated are determined, then the Project does not qualify for a Mitigated Negative Declaration and an Environmental Impact Report must be prepared:

Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.	Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.	No "significant" impact(s) identified or anticipated. Therefore, no mitigation is necessary.	No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

Throughout the impact analysis in this Initial Study Checklist, reference is made to the following:

- **Plans, Policies, Programs (PPP)** – These include existing regulatory requirements such as plans, policies, or programs applied to the Project based on the basis of federal, state, or local law currently in place which effectively reduce environmental impacts.
- **Project Design Features (PDF)** – These measures include features proposed by the Project that are already incorporated into the Project's design and are specifically intended to reduce or avoid impacts (e.g., water quality treatment basins).
- **Mitigation Measures (MM)** – These measures include requirements that are imposed where the impact analysis determines that implementation of the proposed Project would result in significant impacts. Mitigation measures are proposed to reduce impacts to less than significant levels. In accordance with the requirements of *CEQA*.

Plans, Policies, or Programs (PPP) and the Project Design Features (PDF) were assumed and accounted for in the assessment of impacts for each issue area.

Mitigation Measures (MM) were formulated only for those issue areas where the results of the impact analysis identified significant impacts that could be reduced to less than significant levels.

All three types of measures described above will be required to be implemented as part of the Project, and will be included in the Mitigation Monitoring and Reporting Program for the Project.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

Because none of the environmental factors above are “checked”, the Project does not require the preparation of an Environmental Impact Report.

Determination

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended for adoption.

I find that although the proposal 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 Applicant. A MITIGATED NEGATIVE DECLARATION will be recommended for adoption.

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposal MAY have a significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effect (s) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to all applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures are imposed upon the proposed Project, nothing further is required.

Signature

City of Banning

Agency

Patty Nevins
Community Development Director

Printed Name/Title

Date

Appendices (On Compact Disk)

- Appendix A. Phase I Environmental Site Assessment, The McRae Group, August 23, 2011
- Appendix B. Geotechnical Engineering Study, The McRae Group, April 4, 2014
- Appendix C. General Biological Resources Assessment & Burrowing Owl Habitat Assessment, RCA Associates, LLC, January 16, 2014
- Appendix D. Preliminary Drainage Report, United Engineering Group, September 6, 2016
- Appendix E. Focused Traffic Impact Study, RK Engineering Group, Inc., July 11, 2016
- Appendix F. Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., May 31, 2016
- Appendix G. Airport Land Use Commission, Riverside County letter, December 16, 2016
- Appendix H. Federal Aviation Administration, Determination of no Hazard letter, February 12, 2016
- Appendix I. Cultural Assessment Report, BCR Consulting LLC, May 1, 2017

3.1 Aesthetics

Would the Project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			<input checked="" type="checkbox"/>	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				<input checked="" type="checkbox"/>

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

Determination: No Impact.

Sources: General Plan, City of Banning, Google Earth, Project Application Materials, EEI Phase I Environmental Site Assessment, August 23, 2011.

Plans, Policies or Programs (PPP)

The following applies to the Project and would reduce impacts related to scenic vistas. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-1 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Table 17.08.030, residential building heights shall not exceed thirty-five (35) feet in height.

Project Design Features (PDF)

Architecturally, there are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The site is a 10.67 acre vacant lot which is currently zoned Low Density Residential (0-5 du/ac). The project proposes a Planned Unit Development (PUD) with 4.53 dwelling units per net acre. The site is bounded by residential development to the north; East Wilson Street to the south; Florida Street to the east; and residential development to the west. The property ranges from approximately 2,422 feet above mean sea level (amsl) at the southeast margin and rises in elevation to approximately 2,452 feet amsl at the northwest margin of the property. The property consists of land which gently slopes in a southeasterly direction. The property has remained undeveloped from at least 1953 through 2009 based on historical photographs and topographic maps (EEI, Phase I Site Assessment, pg. 2). Based on the Banning General Plan, Archaeological Resources

Sensitivity Map (Exhibit IV-6) the site is within a Low Sensitivity Assessment Archaeological Resources District. Consequently, it is not anticipated that the site's housing development will have impacts to these sensitive resources.

With the implementation of PPP 3.1-1, the project will have no impacts to aesthetics or scenic vista.

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

Determination: No Impact.

Sources: Banning General Plan, Google Earth, EEI Phase I Env. Assessment, Aug. 23, 2011.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As referenced in 3.1 (a), the Project site will not impact a scenic vista. Moreover, given the undeveloped history of the site, no historic buildings will be impacted since the site contains no structures with the exception of a line of utility poles running north-south in the western half of the site as noted in the photos. In general the subject property is surrounded by older single-family residential properties with a school site located to the south across East Wilson Street. Based on EEI's Phase I Environment Site Assessment report dated August 23, 2011, the following findings were noted:

- Historical Recognized Environmental Conditions (REC): No known or suspected Historic REC's were revealed during the preparation of the EEI's Phase I Environmental Site Assessment.
- Known or suspected REC's – No known or suspected REC's were revealed during the preparation of EEI's Phase I Environmental Site Assessment.
- *De Minimis* Conditions – No *De Minimis* conditions were revealed during the preparation of EEI's Phase I Environmental Site Assessment. A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities.

Based on the EEI Phase I findings, no impacts to scenic resources, rock outcroppings or historic buildings will result.

3.1 (c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

Determination: Less than Significant.

Sources: Banning General Plan, Google Earth, EEI Phase I Environmental Assessment, Aug. 23, 2011.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to the visual character and quality of the site and its surroundings. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-1 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Table 17.08.030, residential building heights shall not exceed thirty-five (35) feet in height.

Project Design Features (PDF)

PDF 3.1-1 The project site will be a Planned Unit Development (PUD) and incorporate specific land use and Right-of-Way (ROW) design features unique to the Project.

Impact Analysis

Development of the Project would introduce residential development onto the site. The residential development will consist of single-family detached homes, with related improvements such as roadways, landscaping, walls, and public street lighting. These improvements would be implemented in accordance with the PUD design standards unique to this subdivision project. Where the PUD standards are absent, the Banning Zoning Code development standards shall prevail. Although the existing undeveloped character of the site will change, it will not substantially change the character of the Project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its residential surroundings. Moreover, it is not anticipated that the 50 foot wide street ROW, that will be maintained by the Project's Home Owners Association (HOA) will be substantially out of character with the existing public ROW. It is typical for PUD's to incorporate smaller street widths subject to approval of Engineering and the Fire Department.

Based on the analysis above, with implementation of PPP 3.1-1 and PDF 3.1-1, impacts associated with visual character or quality will be less than significant and no mitigation measures are required.

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

Determination: No Impacts.

Sources: City of Banning Zoning Standards, Project Application Materials, Riverside County Airport Land Use Commission letter, December 16, 2016.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to light and glare. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.1-2 The Project site is within Zone D of the Banning Municipal Airport Compatibility Map. Consequently, object heights are limited to 35 feet.

Project Design Features (PDF)

PDF 3.1 -2 Any Public Street Lighting shall not exceed 35 feet in height.

Impact Analysis

The project site is situated within Zone D of the Banning Municipal Airport Land Use Compatibility Plan. In accordance with a letter received from the, Riverside County, Airport Land Use Commission letter, December 16, 2016, all outdoor lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lights shall be downward facing and light structures shall be no more than 35 feet in height to mitigate the potential for aircraft to mistake public lighting for airport lighting. Pursuant to Chapter 2, Section 1.5.3 (4)(11) of the Riverside County Airport Land Use Compatibility Plan Policy Document, a "Major Land Use Action that proposes development consisting of five or more dwelling units that may incorporate lighting which could be mistaken for airport lighting is required to be reviewed by the Riverside County Airport Land Use Committee. (ALUC). The project's conditions of approval incorporate the lighting features designed for the proposed project.

Based on the analysis above, with the associated Conditions of Approval, and recommendations by Airport Land Use Commission, there will be no impacts with implementation of PPP 3.1-1, 3.1-2, and PDF 3.1-1 and PDF 3.1 -2.

3.2 AGRICULTURE AND FORESTRY RESOURCES

<p><i>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 Department 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:</i></p>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				<input checked="" type="checkbox"/>
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))?				<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?				<input checked="" type="checkbox"/>
e. 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?				<input checked="" type="checkbox"/>

3.2 (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? .*

Determination: No Impact

Sources: Banning General Plan Land Use Map, Zoning Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. As such, the Project has no potential to convert such lands to a non-agricultural use and no impact would occur. No mitigation measures are required.

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

Determination: No Impact.

Sources: Banning General Plan Land Use Map, Zoning Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site will be a PUD. Given the scale of the residential subdivision of 46 lots and 5 lettered lots, the Project will not conflict with existing zoning for agricultural use. Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. The site is not under a Williamson Act Contract. As such, there is no impact. No mitigation measures are required.

3.2 (c)	<i>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))?</i>
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Determination: No Impact.

Sources: Banning General Plan Land Use Map, Zoning Map.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is considered in-fill and will be a PUD. The PUD is compatible with surrounding low-density residential uses. No forest land, timberland, or timberland production occurs on the site so zoning for such uses or activities will not be impacted. Therefore, no impacts would occur and no mitigation measures are required.

3.2 (d)	<i>Result in the loss of forest land or conversion of forest land to non-forest use?</i>
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Determination: No Impact.

Source: Field Survey.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site consists of vacant land and does not contain forest land as noted in the photos on the following page. Therefore, no impacts would occur and no mitigation measures are required.

**Project Site
North View**



**Project Site
Northwest View**



**Project Site
Northeast View**



**Project Site
North View**



3.2 (e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

Determination: No Impact.

Sources: Banning General Plan Land Use Map

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is approximately 10.67 acres in size. The residential in-fill development will be a PUD. The PUD is characteristic of the existing low density zoned residential development located nearby and largely characterized by residential single family housing. There is no land being used primarily for agricultural purposes in the vicinity of the site. As such, the Project would not result in conversion of Farmland to non-agricultural use and no impacts would occur. No mitigation measures are required.

3.3 AIR QUALITY

<i>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:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			■	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		■		
c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			■	
d. Expose sensitive receptors to substantial pollutant concentrations?			■	
e. Create objectionable odors affecting a substantial number of people?			■	

3.3 (a) Conflict with or obstruct implementation of the applicable air quality plan (South Coast Air Quality Management District)?

Determination: Less than significant impact.

Sources: Air Quality and Greenhouse Gas Impact Study, RK Engineering Group, Inc., May 31, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

Federal Air Quality Standards

Under the Federal Clean Air Act, the Federal Environmental Protection Agency establishes health-based air quality standards that California must achieve. These are called “national ambient air quality standards” and they apply to what are called “criteria pollutants.” Ambient (i.e. surrounding) air quality standard establish a concentration above which a criteria pollutant is known to cause adverse health effects to people. The national ambient air quality standards apply to the following criteria pollutants:

- Ozone (8-hour standard)

- Respirable Particulate Matter (PM₁₀)
- Fine Particulate Matter (PM_{2.5})
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NO_x)
- Sulphur Dioxide (SO₂), and
- Lead.

State Air Quality Standards

Under the California Clean Air Act, the California Air Resources Board also establishes health-based air quality standards that cities and counties must meet. These are called “state ambient air quality standards” and they apply to the following criteria pollutants:

- Ozone (1-hour standard)
- Ozone (8-hour standard)
- Respirable Particulate Matter (PM₁₀)
- Fine Particulate Matter (PM_{2.5})
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NO_x)
- Sulphur Dioxide (SO₂), and
- Lead

Regional Air Quality Standards

The City of Banning is located within the South Coast Air Basin which is under the jurisdiction of the South Coast Air Quality Management District. The District develops plans and regulations designed to achieve these both the national and state ambient air quality standards described above.

Attainment Designation

An “attainment” designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a “nonattainment” designation indicates that a criteria pollutant concentration has exceeded the established standard.

Table 5 shows the attainment status of criteria pollutants in the South Coast Air Basin.

Table 5. Attainment Status of Criteria Pollutants in the South Coast Air Basin.

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1 hour standard	Nonattainment	No Standard
Ozone – 8 hour standard	Nonattainment	Nonattainment
Respirable Particulate Matter (PM10)	Nonattainment	Attainment
Fine Particulate Matter (PM2.5)	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO _x)	Attainment	Attainment
Sulfur Dioxide (SO ₂)	Attainment	Attainment
Lead	Attainment	Attainment

Source: South Coast Air Quality Management District, 2014

Air Quality Management Plan

The South Coast Air Quality Management District is required to produce air quality management plans directing how the South Coast Air Basin's air quality will be brought into attainment with the national and state ambient air quality standards. The most recent air quality management plan is 2016 Air Quality Management Plan and it is applicable to City of Banning. The purpose of the 2016 Air Quality Management Plan is to achieve and maintain both the national and state ambient air quality standards described above.

In order to determine if a project is consistent with the 2016 Air Quality Management Plan, the South Coast Air Quality Management District has established consistency criterion which are defined in Chapter 12, Sections 12.2 and 12.3 of the South Coast Air Quality Management District's CEQA Air Quality Handbook and are discussed below.

Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the 2016 Air Quality Management Plan.

Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards and National Ambient Air Quality Standards. As evaluated under Issues 3.3 (b), (c), and (d), below, the Project would not exceed regional or localized significance thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the Project's regional and localized emissions would not contribute substantially to an existing or potential future air quality violation or delay the attainment of air quality standards.

Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the 2016 Air Quality Management Plan.

The growth forecasts used in the 2016 Air Quality Management Plan to project future emissions levels are based on the projections of the Regional Transportation Model utilized by the Southern

California Association of Governments, which incorporates land use data provided by city and county General Plans, as well as assumptions regarding population number, location of population growth, and a regional housing needs assessment.

The Banning General Plan land use designation currently assigned to the Project site is Low Density Residential (0 to 5 du/ac). The site will be a PUD to accommodate a housing density less than the 5 du/ac. If the Project site were built out in accordance with its existing *General Plan* land use designation, a maximum of 53 residential dwelling units could be constructed on the property. (Low Density Residential @ 5 units per acre x 10.6. acres = 53 units. The Project proposes 46 single family residential dwelling units, which, constitutes 90 percent of the development potential of the site. Under the PUD, the housing density proposed is less than what would be permitted under the current land use designation of LDR.

The 2016 Air Quality Management Plan relied in part upon the City's General Plan for the growth forecast estimates used in the 2016 Air Quality Management Plan. As such, the Project would not exceed the assumptions in the 2016 Air Quality Management Plan because it does not exceed the growth forecasts contained in the Plan.

For the reasons stated above, the Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, delay the timely attainment of air quality standards or the interim emissions reductions specified in the 2016 Air Quality Management Plan. In addition, the Project would not exceed the growth assumptions in the 2016 Air Quality Management Plan. As such, the Project would be consistent with the 2016 Air Quality Management Plan and impacts would be less than significant and no mitigation measures are required.

3.3(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Determination: Less than Significant Impact with Mitigation.

Sources: California Emissions Estimator Model, South Coast Air Quality Management District, Air Quality Management Plan, CEQA Air Quality Handbook, Project Application Materials, Air Quality and Greenhouse Gas Impact Study (RK Engineering Group, Inc., May 31, 2016)

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to air quality violations. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction

activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The South Coast Air Quality Management District has developed regional and localized significance thresholds for regulated pollutants. Any project in the South Coast Air Basin with daily emissions that exceed any of the indicated regional or localized significance thresholds would be considered to contribute to a projected air quality violation. The Proposed Project's regional and localized air quality impacts are discussed below as shown in Table 6.

Regional Impact Analysis

As with any new development project, the Proposed Project has the potential to generate pollutant concentrations during both construction activities and long-term operation. The following provides an analysis based on the applicable regional significance thresholds established by the South Coast Air Quality Management District in order to meet Federal and State air quality standards.

Table 6. South Coast Air Quality Management District Air Quality Regional Significance Thresholds

Pollutant	Emissions (Construction) (pounds/day)	Emissions (Operational) (pounds/day)
NOx	100	55
VOC	75	55
PM10	150	150
PM2.5	55	55
Sox	150	150
CO	550	550
Lead	3	3

Source: South Coast Air Quality Management District CEQA Air Quality Significance Thresholds (2009)

Both construction and operational emissions for the Project were estimated by using the California Emissions Estimator Model which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the South Coast Air Quality Management District.

Construction Related Impacts

Construction activities associated with the proposed Project will result in emissions of CO, VOCs, NOx, SOx, PM10, and PM2.5. Construction related emissions are expected from the following onsite and offsite construction activities and time duration:

- Site Preparation 20 Days
- Grading 40 Days
- 1st Phase of Home Construction 60 Days
- Architectural Coating 38 Days
- Paving 55 Days

Table 3 shows the South Coast Air Quality Management District daily criteria pollutant emissions thresholds for construction and operation and the proposed projects estimated emissions for construction and operation, in the Basin, using the CalEEMod Model Version 2013.2.2, released, October 2, 2013.

Table 7. SCAQMD Emissions Thresholds

Emissions Source	Pollutant Thresholds (pounds per day)					
	VOC	NOX	CO	SO2	PM10	PM2.5
Construction	43.90	69.66	47.68	0.06	9.78	6.37
Construction Thresholds	100	75	150	55	150	550
Operational	5.65	4.69	21.35	0.04	2.45	0.79
Operational Thresholds	55	55	150	55	150	550
	No	No	No	No	No	No

Source: RK Engineering Group, Inc., Air Quality and Greenhouse Gas Impact Study, May 31, 2016

As shown in Table 7 above, construction and operational related emissions would not exceed South Coast Air Quality Management District regional construction criteria thresholds. With implementation of PPP 3.3-1 above (includes increasing wetting disturbed areas to 3-times per day, reduce speed to 25 mph on unpaved areas of project, and cleaning paved access roads daily) PM10 emissions are reduced.

Fugitive Dust

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, including cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations and weather conditions at the time of construction. The proposed project will be required to comply with SCAQMD Rules 402 and 403 to control fugitive dust.

Table 8: Short-Term Regional Construction Emissions

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	4.90	51.82	40.19	0.04	9.78	6.37
Grading	6.17	69.66	47.68	0.06	6.77	4.46
Building Construction	3.40	27.59	21.90	0.03	2.16	1.79
Paving	1.85	17.21	15.09	0.02	1.04	0.89
Architectural Coating	42.05	2.04	2.21	0.00	0.21	0.17
Maximum	43.90	69.66	47.68	0.06	9.78	6.37
SCAQMD Threshold	75	100	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

Architectural Coatings

SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coatings and limits the VOC content in paints and paint solvents. This rule regulates the VOC content of paints available during construction. Therefore, all paints and solvents used during construction and operation of the project must comply with Rule 1113.

Localized Impacts Analysis as described in the SCAQMD guidance on applying CalEEMod modeling results to localized impacts analysis, the equipment planned to be used on a peak day during site preparation and grading operations would disturb no more than 5 acres in a day¹. Thus the 5-acre LST thresholds are appropriate for this project. Table 9 shows that the emissions of pollutants on the peak day of construction would all be less than the SCQAMD LST thresholds, which means that the resulting concentrations near the preschool to the south and nearest residences would be below the NAAQS and CAAQS concentrations.

Table 9. Construction Localized Impacts Analysis

Emissions Sources	NOx	CO	PM10	PM2.5
On-Site Emissions	69.66	47.68	9.78	6.37
LST Thresholds	236	2,817	21	11
Significant Emissions?	No	No	No	No

1. South Coast Air Quality Management District (SCAQMD). Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. Website: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/caleemod-guidance.ped>, accessed September, 2015

Based on the above, the Project would not emit substantial concentrations of these pollutants during construction and would not contribute to an existing or projected air quality violation, on a direct or cumulative basis.

Odors

Heavy-duty equipment in the project area during construction would emit odors, primarily from the equipment exhaust. SCAQMD Rule 402 regarding nuisance states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." The proposed uses are not anticipated to emit any objectionable odors. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed project, and no mitigation measures are required.

Naturally Occurring Asbestos

The proposed project is located in Riverside County, which is not among the counties that are found to have serpentine and ultramafic rock in their soils. Therefore, the potential risk for NOA during project construction is small and less than significant.

Table 8 and 9 show that daily regional construction emissions would not exceed the daily thresholds of any criteria pollutant emission thresholds established by the SCAQMD, and during construction, there will be no locally significant impacts. Thus, no mitigation is required during project construction,

Long-Term Air Emission Impacts

Long -term air emission impacts are those associated with stationary sources and mobile sources involving any project-related change. The proposed project would result in both stationary and mobile source emissions. The stationary source emissions would come from natural gas consumption, landscape maintenance, and off-site electric power generation. Mobile sources from vehicular trips associated with the proposed uses emit pollutants.

The CalMEEMod Model was used to calculate the operational emissions. Mobile sources emissions were calculated based on the trip generation factors described in the Focused Traffic Impact Study (RK Engineering Group, Inc., July 11, 2016). Other emissions sources were calculated using the defaults in the CalEEMod mode for the project land use.

Long-term operational emission associated with the full proposed project of 46 homes are shown in Table 11. Table 11 shows that the long-term operational localized emissions of all criterial pollutants as a result of the proposed project would not exceed the corresponding SCAQMD daily emission thresholds. Therefore, project-related long-term air quality impacts would be less than significant.

Table 10: Opening Year Regional Operational Emissions

Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Mobile Sources	1.72	4.32	17.21	0.04	2.34	0.68
Energy Sources	0.04	0.33	0.14	0.00	0.03	0.03
Area Sources	3.89	0.05	4.00	0.00	0.09	0.09
Total	5.65	4.69	21.35	0.04	2.45	0.79
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold (?)	No	No	No	No	No	No

Based on the analysis above, regional air quality impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1 impacts would be further reduced to the maximum extent feasible.

Localized Impact Analysis

The localized impacts analysis by design only includes on-site sources; however, the CalEEMod model outputs for operations do not separate on-site and off-site emissions. The emissions shown in Table 10 above for area sources are assumed to all occur on site and for energy sources entirely off-site. While some of the mobile-source emission will occur from vehicles driving on site, most of the mobile-source emissions calculated by the CalEEMod model would occur while the vehicles are driving off site. It is unlikely that the average on-site distance driven by vehicles will be 2,000 ft, which is approximately 4 percent of the total miles traveled. For a worst-case scenario assessment, the emissions shown in Table 11 include all on-site project-related area sources and 5 percent of the project-related new mobile sources

Table 11: Long-Term Operational Localized Impact Analysis (lbs/day)

LST	NOx (lbs/day)	CO (lbs/day)	PM ₁₀ (lbs/day)	PM _{2.5} (lbs/day)
On-site Emissions	0.60	5.03	0.23	0.15
SCAQMD Operational Threshold	236	2,817	6	3
Exceeds Threshold (?)	No	No	No	No

Table 11 shows that the emissions of pollutants during project operations would all be less than the SCAQMD LST thresholds, which means that the resulting concentrations at the nearest residences would be all below the NAAQS and CAAQS. Therefore, the proposed operational activity would not result in a locally significant air quality impact with mitigation.

Mitigation Measures:

MM AIR-1 To be compliant with CALEEMod modeling, the equipment planned to be used on a peak day during site preparation and grading operations will disturb no more than 5 acres in a day.

3.3(c) *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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Determination: Less Than Significant Impact.

Sources: California Emissions Estimator Model, South Coast Air Quality Management District, Air Quality Management Plan, CEQA Air Quality Handbook, Project Application Materials.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to a cumulatively considerable net increase of any criteria pollutant. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As discussed in Issue 3.3(b) above, the Project would not exceed the regional or localized significance thresholds for construction or operational activities. The Project would comply with South Coast Air Quality Management District Rule 402 (Nuisance) and Rule 403 (fugitive dust control) during construction, as well as all other adopted Air Quality Management Plan emissions control measures. Per South Coast Air Quality Management District rules and mandates, as well the California Environmental Quality Act requirement that impacts be mitigated to the maximum extent feasible, these same requirements would also be imposed on all projects within the South Coast Air Basin area, which would include all related projects.

Based on the analysis above impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1 through PPP 3.3-2, impacts would be further reduced to the maximum extent feasible.

3.3(d) Expose sensitive receptors to substantial pollutant concentrations?

Determination: Less Than Significant Impact.

Sources, South Coast Air Quality Management District, CALEEMod.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts related to substantial pollutant concentrations to sensitive receptors. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP 3.3-2 The Project is required to comply with Rule 403 "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. The residential uses adjacent to the site and pre-school to the south are considered sensitive receptors.

As indicated above under the discussion of Issue 3.3 (b)), the Project would not exceed any of the South Coast Air Quality Management District's Localized Significance Thresholds during near-term construction or long-term operation. In addition, the Project would not create a CO Hot Spot. Accordingly, Project-related localized emissions would not expose sensitive receptors to substantial pollutant concentrations during construction or long-term operation, and impacts would be less than significant. With implementation of PPP 3.3-1 through PPP 3.3-2, impacts would be further reduced to the maximum extent feasible.

3.3 (e) Create objectionable odors affecting a substantial number of people?

Determination: Less Than Significant Impact.

Source: CEQA Air Quality Handbook, Project Application Materials.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to objectionable odors. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.3-1 The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402, A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such

persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

According to the South Coast Air Quality Management District CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not include any the above identified uses and therefore would not produce objectionable odors during operation.

Construction activities both onsite and offsite could produce odors from equipment exhaust, application of asphalt, and/or the application of architectural coatings. However, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon completion of construction activities.

Based on the analysis above impacts would be less than significant and no mitigation measures are required. With implementation of PPP 3.3-1, impacts would be further reduced to the maximum extent feasible.

3.4 BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Game or U.S. Fish and Wildlife Service?			■	
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 Game or U.S. Fish and Wildlife Service?				■
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				■
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?				■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			■	
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?				■

3.4(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 Game or U.S. Fish and Wildlife Service?*

Determination: Less Then Significant

Source: RCA Associates LLC, General Biological Resources Assessment & Burrowing Owl Habitat Assessment, January 16, 2014, Banning General Plan.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to impacts to candidate, sensitive, or special status species. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.4-1 The Project is required to pay Fish and Wildlife fees to California Department of Fish and Wildlife.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

RCA Associates LLC conducted Biological surveys on the 10 acre parcels. The purpose of the surveys was to evaluate the existing biological resources present on the site, and to conduct a habitat assessment and non-breeding survey for the burrowing owl. Based on the surveys, the project site is highly disturbed and has been disked and plowed for weed control purposes. The vegetation observed is classified as a ruderal plant community and all plants noted are those typically associated with disturbed areas and does not support any prime wildlife habitat.

No mammals or their sign were observed during the field investigations and the only mammals which may occur in adjacent areas include the California ground squirrels, cottontails, deer mice and pocket gophers. Common reptiles in the area which may inhabit adjacent areas include the western fence lizards, and western granite lizards. The only birds observed included common ravens, western meadowlarks, mourning doves and the American robin. Although suitable habitats were present on-site for the burrowing owls, no fossorial burrows were observed on the property or along the edges of the site. Neither were suitable owl burrows noted in the surrounding area based on the developed nature of the area. Based on the absence of any suitable burrows, the property does not support habitats for the burrowing owl. It is the opinion of RCA Associates LLC that the site is unlikely to support any owl populations in the future as well. Impacts would be less than significant and no mitigation is required.

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

Determination: No Impact.

Source: EnGen Corp. Soils Percolation Feasibility Study, March 24, 2014, EnGen Corp. Geotechnical Engr. Study, April 4, 2014, Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Project site is primarily covered with dry, tall grasses, with scattered low bushes. Based on soils percolation testing conducted by EnGen Corporation, groundwater was not encountered to the maximum depth explored (50.5 feet) in all exploratory boring locations. No evidence of historical high groundwater conditions was observed. Consequently, groundwater is not anticipated to rise within 100 feet from surface elevation at the subject site (EnGen Geotechnical Eng. Study, pg. 11). The Banning General Plan Biological Resources Element cites that there are seven natural communities represented in the Banning General Plan planning area. The two habitats associated with riparian habitats include the Riparian Scrub and Meadows and Marshes. The Riparian Scrub is a water-dependent plant supported primarily by watercourse that flow through the planning area. Secondly, Meadows and Marshes encompasses a wetland community. It is unlikely given the depth of groundwater at the project site that any affects associated with the project will affect such habitats. Moreover, Riparian Scrub was found existing in the channels of the San Gorgonio River, Smith Creek and Mias Canyon, while Meadows and Marshes was at one time located in the uppermost reaches of Banning Canyon.

Given the absence of any riparian habitat or other sensitive natural habitat, the project is not anticipated to have any impacts upon these environments. No Impacts are anticipated to occur therefore no mitigation measures are proposed as a consequence of the development.

3.4(c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Determination: No Impact.

Source: Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

As cited in 3.4 (b) given the absence of any riparian habitat or other sensitive natural wetland habitat, the project is not anticipated to have any impacts upon these environments or other federally protected wetland sensitive habitat. No Impacts are anticipated to occur and no mitigation measures are proposed as a consequence of the development.

3.4(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?*

Determination: No Impact.

Source: Banning General Plan Biological Resources Element, pg. IV-30

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project related to this issue.

Impact Analysis

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) sets forth three primary objects which are 1) impose a habitat mitigation fee on discretionary development in western Riverside County; 2) designate criteria areas for acquisition or as subject to special development criteria; 3) cooperate with state and federal land management agencies for conservation and unification of habitat lands. There are three features of the MSHCP that apply within the Banning planning area. These are criteria areas, special linkage areas, and special survey areas.

Criteria Areas. There is one criteria areas “cell” in the Banning Planning Area. This cell is located along the City’s western border with unincorporated Riverside County and just south of the San Bernardino County line, in the northeast quarter section. This cell is approximately 160 acres, a portion which occurs in the City limits. Pursuant to the MSHCP, conservation in this Cell focuses on chaparral and woodlands and forests. This cell however is not located near the project area and as such will not be affected by the development.

Special linkage Area. A three-quarter mile MSHCP special linkage area occurs in the easterly planning area, adjacent to the eastern City limits where the San Gorgonio River exits the City. For special linkage areas, the MSHCP requires local jurisdictions to assure preservation of a wildlife movement corridor in compliance with guidelines set forth in the South Coast Wildlands ‘Missing Linkages project. However the South Coast Wildlands’ document makes no reference to the San Gorgonio River linkage. In the absence of other guidance, in the MSHCP, the City will apply standards set forth in the CEQA Guidelines for projects within the Special Linkage area. The General Biological Resources Assessment & Burrowing Owl Habitat Assessment prepared by RCA Associates LLC, pg. 2 cites that the project is not located within any designated critical area or cell or cell grouping. This is consistent with the Banning General Plan MSHCP Special Linkage and Criteria Area map that shows no such special habitat or linkage that affects the project site. In that no impacts to the MSHCP in Banning will occur from the project, no impacts are anticipated.

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

Determination: Less Than Significant Impact

Source: Banning General Plan Biological Resources Element, pg. IV-30,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is primarily covered with dry, tall grasses, with scattered low bushes. No sporadic ornamental plant and tree species was found on site.

The City of Banning's General Plan Biological Resources Element includes provisions to provide for the preservation and protection of the natural environment and many biological resources. Biological resources represent the plants and wildlife species and ecosystems and habitats that contribute to the area's natural setting. As set forth in Government Code Section 65302(d), the City is required to include an element that provides for the conservation and preservation of wildlife resources. Wildlife common to suburban areas was observed using the site in the field survey investigation conducted by RCA Associates staff on January 2, 2014. Other wildlife observed on the site and those species expected to occur in surrounding area are cited below:

- Common raven
- Mourning dove
- Song sparrow
- Side-blotched lizard
- Western whiptail lizard
- Desert spiny lizard
- California ground squirrel
- Coyotes
- Desert cottontail
- Deer Mice
- Western harvest mouse
- Pocket mouse

As previously cited, no mammals or their sign were observed during the investigations and the only mammals that may occur in adjacent areas include species that were not endangered or at risk, such as the California ground squirrels, deer mice, pocket gophers western fence lizards and the common raven

As previously cited, the project site is not located within a Multiple Species Habitat Conservation Plan (MSHCP) or within a Criteria Area or adjacent to a Criteria Area or Conservation Area. Thus the project is not subject to the Urban/Wildlands Interface Guidelines. No impacts are anticipated to arise as a result of the project.

3.4(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?*

Determination: No Impact

Source: Banning General Plan Biological Resources Element, pg. IV-30,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Based on the General Biological Resources Assessment & Burrowing Owl Habitat Assessment prepared by RCA Associates LLC, dated January 16, 2014, pg. 7 the following are the biological findings:

- General Vegetation and Wildlife. Future development activities on the property would generate some impacts to the general biological resources which occurred on the site. However, the site has been significantly disturbed by past human activities; consequently the site supports limited vegetation. Loss of the existing ruderal vegetation would affect some wildlife species; although the number of species that would be impacted is limited. Direct impacts would include an increase in mortality for less mobile species (e.g., rodents, etc.) and displacement of mobile species, (primarily birds) into adjacent habitats. The number of wildlife species that would be displaced is very low and a significant increase in overall mortality is unlikely. Indirect impacts would include an increase in disturbance of daily and seasonal behavior of some species in the area due to increased noise levels during development activities.
- Threatened, Endangered and Species of Special Concern. The site does not support any populations of listed plant or animal species, and there are no known populations of any sensitive species in the immediate area. No burrowing owls or any owl signs were observed on the site during the field investigations conducted by RCA Associates on January 2, 2014. Future development activities are not expected to generate any impacts to burrowing owls or any other sensitive species, nor will any listed species be impacted. Development activities will not impact any riparian/riverine/vernal pool plant species, vernal pools, or narrow endemic plant species. Future development of the site is not expected to generate significant impacts to any biological resources.
- Habitat Fragmentation and Wildlife Movement. The property is located in an area where habitat has been significantly fragmented due to past development activities, and the incremental loss of wildlife habitat is expected to be very minimal. There are no wildlife corridors present on the site or in adjacent areas, and the proposed project will not impede regional wildlife movement or impact any MSHCP-designated corridors or habitat linkages.

Therefore the future site development will not have substantial impacts with regard to habitat fragmentation and regional wildlife movement.

- Critical and Sensitive Habitat. Future development will not have any impact on any critical or sensitive habitats.
- Jurisdictional Waters. Future development activities will not impact any jurisdictional waters either on the site or in adjacent areas.
- Application of CEQA Guidelines – Section 15370.
 - Avoidance of Impacts: Development will not generate any significant impacts to biological resources.
 - Minimization of Impacts: Future development of the site will not impact any sensitive plant community.
 - Rectifying Impacts: No mitigation will be required based on the results of the January 2014 field investigations.
 - Impacts:

No impacts to biological resources will result from the project and no mitigation measures are required.

3.5 CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?				<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?				<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?				<input checked="" type="checkbox"/>

3.5(a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

Determination: No Impact.

Source: City of Banning General Plan, BCR Consulting, LLC, Cultural Resources Assessment, May 1, 2017

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.*
2. *A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.*

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

The majority of the site is covered by disturbed, ruderal vegetation. Sporadic ornamental plant and tree species were also found on site. Given the current conditions of the site, it does not appear that any surface cultural resources are present on the site. In addition, the site also does not appear on the Riverside County Historic Resources Survey Architectural Survey Forms provided by the Riverside County Parks Department. Moreover, in accordance with AB 52, the respective Indian Tribes were notified of the proposed subdivision. The City did receive comments and consulted with The Morongo Band of Mission Indians, Agua Caliente Band of Cahuilla Indians and Soboba Band of Luiseño Indians. Agua Caliente Band of Cahuilla Indians requested a records search and physical survey of the site. A full report has been prepared, both record search and physical survey by BCR Consulting, LLC, May 1, 2017.

As stated above, a Cultural Resources records search and field survey were conducted for the project by, BCR Consulting, LLC, May 1, 2017. The records search revealed that 14 cultural resource studies have taken place resulting in the recording of 105 cultural resources within one-mile of the project site. Of these resources, 104 were historic-period and one was a prehistoric archaeological site. The nearest historic-period resource was a single-family residence adjacent to the northwest of the project site. The only prehistoric resource in the records search radius was a prehistoric habitation site (designated P-33-99) located approximately $\frac{1}{2}$ mile to the northwest of the project site. Of the 14 previous studies, none has assessed the project site. No cultural resources have been previously recorded within its boundaries.

During the field survey, BCR Consulting archaeologists did not discover any cultural resources (including prehistoric or historic-period archaeological sites or historic-period buildings) within the project site boundaries. Based on these results, BCR Consulting recommends a finding of no impacts to historical resources under CEQA. BCR Consulting also recommends that no additional cultural resources work or monitoring is necessary during proposed activities associated with the development of the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary. The City of Banning standard conditions of approval for the project address the discovery of Cultural Resources.

Therefore, there will be no impact to historical resources as a result of the Project and no mitigation measures are required. Tribal Cultural Resources are assessed in section 3.17 where mitigation measures are proposed for the project.

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

Determination: No Impact.

Source: City of Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains.

As stated in 3.5 (a) above, there will be no impact to an archaeological resource as a result of the Project and no mitigation measures are required.

3.5(c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Determination: No Impact.

Sources: City of Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The Project site has been disturbed and the potential for paleontological resources to be present at the Project site is considered low. Therefore; there will be no impact to a paleontological resource or site and no mitigation is required.

3.5(d) Disturb any human remains, including those interred outside of formal cemeteries?

Determination: No Impact.

Sources: California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to disturbing human remains. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.5-1 The project is required to comply with the applicable provisions of California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq., and provisions of AB 52 concerning consideration of Tribal Cultural Values in determination of project impacts and mitigation.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. As noted in the response to Issue 3.5 (a) above, the Project site has been disturbed and the potential for uncovering human remains at the Project site is considered low. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

In the event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Based on the analysis above, with implementation of PPP 3.5-1, there will be no impacts and no mitigation measures are required.

3.6 GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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.			■	
2) Strong seismic ground shaking?			■	
3) Seismic-related ground failure, including liquefaction?			■	
4) Landslides?			■	
b. Result in substantial soil erosion or the loss of topsoil?		■		
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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?		■		
d. Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?		■		
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				■

3.6 (a) (1) 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.

Determination: Less Than Significant Impact

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

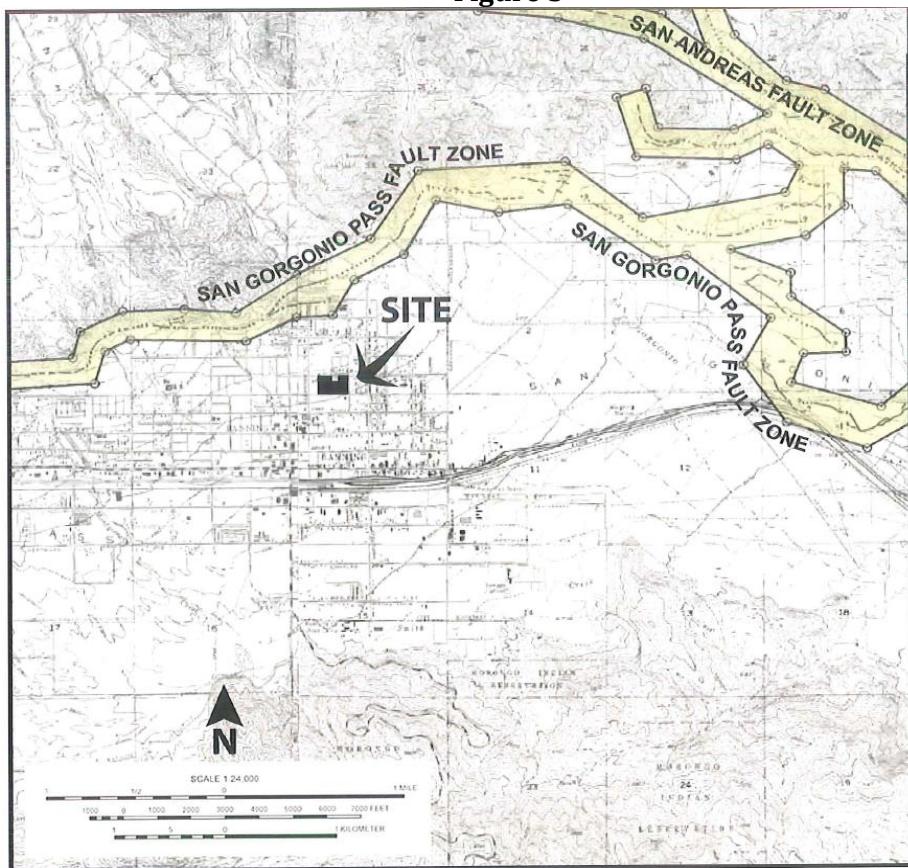
Project Design Features (PDF)

There are no Design Features relating to this issue.

Impact Analysis

A geotechnical engineering study of the subsurface conditions of the subject site was performed on January 15th and 20th, 2014 by EnGen Corporation. Six exploratory borings were advanced and six exploratory backhoe test pits were excavated across the subject property. The results of the surface and subsurface investigations determined that the site is not located within and Alquist-Priolo Earthquake Fault Zone. No known active faults traverse the property. The closest mapped fault to the subject property is the San Gorgonio Pass Fault which is located approximate ½ mile north of the subject site as shown in Figure 3. The San Bernardino branch of the San Andreas Fault is located approximately 2 ¾ mile north northeast of the subject site.

Figure 3



Consequently, in light of the EnGen geotechnical findings, impacts will be less than significant and no and no mitigation is required.

3.6 (a) (2) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?*

Determination: Less Than Significant Impact

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to seismic ground shaking. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6 -1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The EnGen Corporation Geotechnical Engineering Study, dated April 4, 2014 reports that the subject site is located within a seismically active region near the active margin between the North American and Pacific tectonic plates. The city of Banning lies within the Transverse Rages geomorphic province, while the southern edge of Banning area is located within the Peninsular Ranges geomorphic province with the San Gorgonio Pass defining the boundary between the two regions. The primary seismic risk at the project site is a potential earthquake along the San Andreas Fault. Impacts associated with seismic ground shaking will be less than significant in that the project is subject to review and approval by the Banning Building and Safety Division. Housing units shall be constructed in accordance with the California Building Codes.

Pursuant to PPP 3.6-1, impacts associated with seismic ground shaking will be less than significant and no mitigation is required.

3.6 (a) (3) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?*

Determination: Less Than Significant Impact.

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, EnGen Soils Percolation Feasibility Study, March 24, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to seismic ground shaking. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6-1	The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.
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Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions. The factors controlling liquefaction are:

- Seismic ground shaking of relatively loose, granular soils that are saturated or submerged can cause soils to liquefy and temporarily behave as a dense fluid. For liquefaction to occur, the following conditions have to occur: Intense seismic shaking;
- Presence of loose granular soils prone to liquefaction; and
- Saturation of soils due to shallow groundwater.

According to the EnGEN Corp. Geotechnical Engineering Study dated April 4, 2014, the project site is not situated within a known liquefaction hazard area as the depth to groundwater at the site is in excess of 400 feet below existing ground surface which renders the site considerably less susceptible to liquefaction. The EnGEN Soils Percolation Feasibility Study, dated March 24, 2014, moreover cites that no evidence of historical high groundwater conditions was observed during boring tests (EnGEN Corp. Soils Percolation Feasibility Study, March 24, 2014, pg. 2).

Consequently, the potential for soil liquefaction at the site appears unlikely and no significant impacts are anticipated as a result of liquefaction. No mitigation is required.

3.6 (a) (4) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?

Determination: No Impact.

Source: EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Generally, a landslide is defined as the downward and outward movement of loosened rock or earth down a hillside or slope. Landslides can occur either very suddenly or slowly, and frequently accompany other natural hazards such as earthquakes, floods, or wildfires. Landslides can also be

induced by the undercutting of slopes during construction, improper artificial compaction, or saturation from sprinkler systems or broken water pipes.

Due to the flat gradient of the site, the massive nature of subsurface soils, the strength of these soils and the absence of known landslides within or immediately adjacent to the site, the potential for land-sliding at the site was judged to be low. Based on the EnGen Corp. Geotechnical Engineering Study dated April 4, 2014, with implementation of PPP 3.6-1, impacts would be less than significant and no mitigation measures are required.

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

Determination: Less than Significant with Mitigation

Sources: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts related to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6-2 Prior to grading permit issuance, the Project Proponent shall prepare a *Stormwater Pollution Prevention Plan*. Project contractors shall be required to ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Banning staff and the state water resources control board staff.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Soils in the project area have already been disturbed by previous activities. Therefore, the loss of topsoil is not a potential impact. Construction activities may nevertheless cause soil erosion if the sites are not properly designed. The potential of soil erosion would be minimized through implementation of the EnGEN Corp. Geotechnical Engineering Study, dated April 4, 2014 recommendations for earthwork and grading. Moreover, the applicant is required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Contract Permit. The SWPPP would also prescribe temporary Best Management Practices (BMP's) to control wind and water erosion during and shortly after construction of the project. With implementation of the recommendation cited in the EnGEN Corp. Geotechnical Engineering Study, in conjunction with NPDES requirements, impacts arising from the project will be less than significant with mitigation.

Mitigation Measure:

MM- GEO -1 *Source: EnGEN Corp. Geotechnical Engineering Study, TTM 36710, April 4, 2014*

Developer shall adhere to the recommendations cited in the EnGEN Corp Geotechnical Engineering Study with regard to the project's development per Section 8.0.

3.6(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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?*

Determination: Less Than Significant Impact with Mitigation

Source: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to an unstable geologic unit. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is flat and gently sloping and contains no substantial natural or man-made slopes. There is no evidence of on-site landslides on or near the Project site, nor are there any exposed boulders that could result in rock fall hazards. As such, there will no impacts associated with landslides and rock fall hazards.

Based on the EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Soil classification and expansion index indicates that near surface soils have a very low expansion potential. Ultimately, based on the EnGen field and laboratory data and engineering analysis performed, the project is feasible from a geotechnical engineering standpoint.

With the project recommended mitigation MM GEO-1 as cited in the EnGen report, impacts will be less than significant.

3.6(d) *Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?*

Determination: Less than Significant Impact with Mitigation

Source: Project Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to expansive soils. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.6-1 The project is required to comply with the California Building Standards Code and City Building Code to preclude significant adverse effects associated with seismic hazards.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. The following mitigation will reduce impacts to less than significant.

With implementation of MM GEO-1, impacts associated with expansive soils will be less than significant.

3.6(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?*

Determination: No Impact.

Source: Application Materials, EnGen Corp., Geotechnical Engineering Study, TT 36710, April 4, 2014, Banning General Plan

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not propose the use of septic tanks or alternative waste water disposal systems. The Project would install domestic sewer infrastructure and connect to the City of Banning Sewer District's existing sewer conveyance and treatment system. As such, there are no impacts and no mitigation measures are required.

3.7 GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			■	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			■	

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

Determination: Less Than Significant Impact.

Source: RK Engineering Group, Inc., Air Quality and Climate Change Study, TTM 36710, May 31, 2016

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to greenhouse gas emissions. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.7-1 Prior to issuance of the first residential building permit, the Project Applicant shall submit energy usage calculations in the form of a Title 24 Compliance Report to the City of Banning Building & Safety Department showing that the Project will be constructed in compliance with the most recently adopted edition of the applicable California Building Code Title 24 requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Greenhouse Gases (GHGs): Gases that trap heat in the atmosphere are commonly referred to as "greenhouse gases," because they function like a greenhouse by letting light in while preventing heat from escaping. Naturally occurring GHGs include water vapor, carbon dioxide (CO₂) methane (CH₄) and nitrogen dioxide/oxides (N₂O and NO_x). The natural accumulation of GHGs in the atmosphere has a warming effect on the Earth's temperature. Without these natural GHGs, the Earth's temperature would be cooler.

In addition to the naturally occurring gases, man-made chemicals also act as GHGs and include the following common compounds: chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), ozone (O₃), and aerosols. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the

concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Individual greenhouse gas compounds have varying global warming potential and atmospheric lifetimes. Carbon dioxide (CO₂), the reference gas for global warming potential, has a global warming potential of one. The global warming potential of a greenhouse gas is a measure of how much a given mass of a greenhouse gas is estimated to contribute to global warming. To describe how much global warming a given type and amount of greenhouse gas may cause, the carbon dioxide equivalent (CO₂ e) is used. The calculation of the carbon dioxide equivalent is a consistent methodology for comparing greenhouse gas emissions since it normalizes various greenhouse gas emissions to a consistent reference gas, carbon dioxide. For example, methane's warming potential of 21 indicates that methane has 21 times greater warming affect than carbon dioxide on a molecule per molecule basis. A carbon dioxide equivalent is the mass emissions of an individual greenhouse gas multiplied by its global warming potential. Greenhouse gases defined by AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

This analysis is restricted to greenhouse gases identified by AB 32 and the CEQA Guidelines (section 15364.5), which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The project would generate a variety of greenhouse gases during construction and operation, including several defined by AB 32 and the CEQA Guidelines such as carbon dioxide, methane and nitrous oxide.

Construction Greenhouse Gas Emissions Impact

CalEEMod was used to estimate onsite and offsite emissions. Greenhouse gas emissions from project construction equipment and worker vehicle emissions are shown below in Table 12. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 19.08 metric tons of CO₂e per year.

Table 12. Construction Greenhouse Gas Emissions

Activity	Emissions (MTCO ₂ e)		
	Onsite	Offsite	TOTAL
Site Preparation	18.27	0.63	18.90
Grading	86.46	2.08	88.54
Building Construction	359.71	80.47	440.18
Paving	20.50	1.00	21.50
Coating	2.56	0.60	3.16
TOTAL	487.50	84.78	572.28
Averaged over 30 years	16.25	2.83	19.08

Operational Greenhouse Gas Emissions Impact

Operational or long-term emissions occur over the life of the project. The operational emissions for the project are 800.19 metric tons of CO₂e per year as shown in Table 13 below. The operational emissions refer to emissions with the incorporation of regulations that would further reduce emissions.

Table 13. Project Greenhouse Gas Emissions During Operation

Emissions Source	Emissions (MTCO₂e) with Regulation
Mobile Source	452.91
Energy Source	231.62
Area Source	38.63
Water	32.40
Waste	25.55
Subtotal (operational)	781.11
Subtotal Construction (averaged over 30 years)	19.08
Total Annual Emissions	800.19

The project's operational GHG emissions are below the SCAQMD's significance threshold. Therefore, the project will not result in significant construction emissions (see table 14 below).

Table 14. Significance of Greenhouse Gases

Item	Emissions with Regulation	Units
Total Annual Emissions	800	MTCO ₂ e/year
SCAQMD Draft Tier 3/CAP Threshold	3,000	MTCO ₂ e/year
Exceed Tier 3 Threshold?		No
Significant impact?		No

Because climate change impacts are cumulative in nature, no typical single project can result in emissions of such a magnitude that it, in and of itself, would be significant on a project basis. The project's operational emissions of 2,000 MT/yr of CO₂e are less than the SCAQMD-recommended interim threshold of 3,500 MT/yr of CO₂e for residential uses. Therefore, the proposed project would not result in a significant impact on GHG emissions.

CO Hot Spot Analysis

Given the relatively low level of CO concentrations in the project area, project-related vehicles are not expected to result in the CO concentrations exceeding the State or federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations.

The project would generate direct and indirect greenhouse gas emissions; however, these emissions would not result in a significant impact on the environment. As such, impacts are less than significant and no mitigation measures are required.

3.7(b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Determination: Less Than Significant Impact.

Source: RK Engineering Group, Inc., Air Quality and Climate Change Study, TTM 36710, May 31, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs related to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. As such, impacts are less than significant and no mitigation measures are required.

Based on the analysis above, with implementation of PPP 3.7-1, impacts would be less than significant.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				■
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?			■	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				■
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 to the public or the environment?				■
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?			■	
f. For a project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?			■	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			■	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			■	

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

Determination: No Impact

Source: City of Banning General Plan, Hazardous and Toxic Materials Element.

Plans, Policies, or Programs (PPP)

The transport, use or disposal of hazardous materials in the unlikely event these materials are uncovered shall adhere to the regulations pertaining regulating the handling and transport of these items. The following PPP applies to the Project and would reduce impacts relating to this issue. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.8-1 The Project is subject all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Existing Site Conditions

The construction of single family homes on the proposed project site will not result in significant impacts associated with hazardous materials. The City implements the standards of the Household Hazardous Waste programs through its waste provider. These regulations and standards ensure that impacts to surrounding areas, or within the project itself, are less than significant. No Mitigation Measures are proposed

Operational Activities

The Project site would be developed with residential land uses which are land uses not typically associated with the transport, use, or disposal of hazardous materials. Although residential land uses may utilize household products that contain toxic substances, such as cleansers, paints, adhesives, and solvents, these products are usually in low concentration and small in amount and would not pose a significant risk to humans or the environment during transport to/from or use at the Project site. No mitigation measures are proposed and no impacts will result.

3.8(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?

Determination: Less than Significant

Sources: City of Banning General Plan, Hazardous and Toxic Materials Element.

Plans, Policies, or Programs (PPP)

There are numerous regulations pertaining to the accidental release of hazardous materials. The following PPP applies to the Project and would reduce impacts relating to this issue. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.8-1 The Project is subject all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term operation of the Project and are not reasonably foreseeable. The transport, use and handling of hazardous materials on the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site.

Upon build-out, the Project site would operate as a residential community, which is a land use type not typically associated with the transport, use, or disposal of hazardous materials that could be subject to upset or accident involving the release of hazardous materials into the environment.

Based on the analysis above, with implementation of PPP 3.8-1, impacts would be less than significant and no mitigation measures are required.

3.8(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Determination: No Impact

Sources: Project Application Materials, Google Earth.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project site is a proposed residentially subdivision. The future occupants of the single-family subdivision would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing school because the residential project does not propose the use of hazardous materials. There would be no impact related to hazardous emissions or the handling of hazardous materials near schools resulting from implementation of the project

3.8(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 to the public or the environment?

Determination: No Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur and no mitigation measures are required.

3.8(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?

Determination: Less Than Significant Impact.

Source: Riverside County Airport Land Use Commission response, December 16, 2016.

Plans, Policies, or Programs (PPP)

Project Design Features (PDF)

PDF 3.8-1 The Applicant is proposing a Planned Unit Development (PUD) to permit a housing density of 4.5 dwelling units per acre.

Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 4 is classified as a "Primary Traffic Pattern and Runway Buffer Area". Table 3A of the RCALUC cites Zone D Risk Level as "Low". The table indicates that 20% to 30% of general aviation accidents take place in this zone. However the large area encompassed by this district as noted in Figure 5 means a low likelihood of accident occurrence in any given location. The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and noise impacts. For project's located within a an airport influence area, the Riverside County Airport

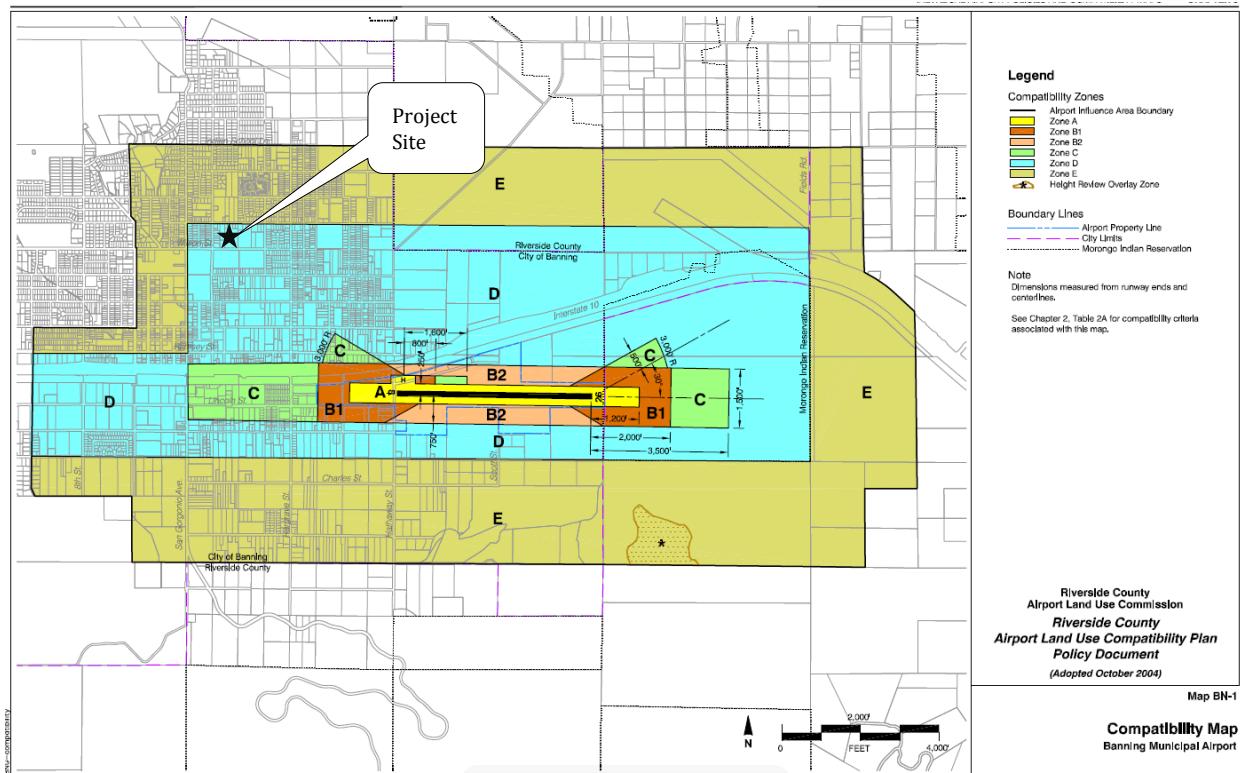
Land Use Commission (ALUC) is responsible for reviewing the plans, regulations and land use actions of local agencies for consistency with the RCALUC. ALUC's have no authority over existing land uses. The authority of the ALUC extends only to land in the vicinity of airports that is "not already devoted to incompatible uses".

Figure 4

Zone	Locations	Maximum Densities / Intensities					Additional Criteria	
		Residen- tial (d.u./ac.) ¹	Other Uses (people/ac.) ²	Aver- age ⁶	Single Acre ⁷	with Bonus ⁸	Req'd Open Land ³	Prohibited Uses ⁴
A	Runway Protection Zone and within Building Restriction Line	0	0	0	0	All Remaining	> All structures except ones with location set by aeronautical function ➤ Assemblages of people ➤ Objects exceeding FAR Part 77 height limits ➤ Storage of hazardous materials ➤ Hazards to flight ⁹	➤ Aviation easement dedication
B1	Inner Approach/Departure Zone	0.05 (average parcel size ≥ 20.0 ac.)	25	50	65	30%	> Children's schools, day care centers, libraries ➤ Hospitals, nursing homes ➤ Places of worship ➤ Bldgs with > 2 aboveground habitable floors ➤ Highly noise-sensitive outdoor nonresidential uses ¹⁰ ➤ Aboveground bulk storage of hazardous materials ¹¹ ➤ Critical community infrastructure facilities ¹² ➤ Hazards to flight ⁹	➤ Locate structures maximum distance from extended runway centerline ➤ Minimum NLR of 25 dB in residences (including mobile homes) and office buildings ¹³ ➤ Airspace review required for objects > 35 feet tall ¹⁴ ➤ Aviation easement dedication
B2	Adjacent to Runway	0.1 (average parcel size ≥ 10.0 ac.)	100	200	260	No Req't	Same as Zone B1	➤ Locate structures maximum distance from runway ➤ Minimum NLR of 25 dB in residences (including mobile homes) and office buildings ¹³ ➤ Airspace review required for objects > 35 feet tall ¹⁴ ➤ Aviation easement dedication
C	Extended Approach/Departure Zone	0.2 (average parcel size ≥ 5.0 ac.)	75	150	195	20%	> Children's schools, day care centers, libraries ➤ Hospitals, nursing homes ➤ Bldgs with > 3 aboveground habitable floors ➤ Highly noise-sensitive outdoor nonresidential uses ¹⁰ ➤ Hazards to flight ⁹	➤ Minimum NLR of 20 dB in residences (including mobile homes) and office buildings ¹³ ➤ Airspace review required for objects > 70 feet tall ¹⁵ ➤ Deed notice required
D	Primary Traffic Patterns and Runway Buffer Area	(1) ≤ 0.2 (average parcel size ≥ 5.0 ac.) or ¹⁶ (2) ≥ 5.0 (average parcel size ≤ 0.2 ac.)	100	300	390	10%	> Highly noise-sensitive outdoor nonresidential uses ¹⁰ ➤ Hazards to flight ⁹	➤ Airspace review required for objects > 70 feet tall ¹⁵ ➤ Children's schools, hospitals, nursing homes discouraged ¹⁷ ➤ Deed notice required
E	Other Airport Environ	No Limit ¹⁸	No Limit ¹⁸	No Req't		> Hazards to flight ⁹	> Airspace review required for objects > 100 feet tall ¹⁸ ➤ Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks ¹⁸	
* Height Review Overlay		Same as Underlying Compatibility Zone		Not Applicable	Same as Underlying Compatibility Zone		> Airspace review required for objects > 35 feet tall ¹⁴ ➤ Aviation easement dedication	

See Chapter 3 for airport-specific additions or exceptions to these policies

Figure 5



The proposed subdivision and location in Zone D of the Banning Airport Compatibility zone is subject to ALUC review and qualifies as a Major Land Use Action. The scope or character of certain major land uses actions are listed below and is such that their compatibility with airport activity is a potential concern.

- 1) Any proposed expansion associated with future annexation of land to a city or special district.
- 2) Proposed pre-zoning associated with future annexation of land to a city.
- 3) Proposed development agreements or amendments to such agreements.
- 4) Proposed residential development, including land divisions, consisting of five or more dwelling units or lots.
- 5) Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval (e.g., a building permit) is required.
- 6) Major capital improvements.
- 7) Proposed land acquisitions by a government entity
- 8) Any off-airport, nonaviation use of land within Zone A
- 9) Proposal for new development having a height of more than:
 - 35 feet within Compatibility Zone B1, B2 or a Height Review Overlay Zone;
 - 70 feet within Compatibility Zone C; or
 - 150 feet within Compatibility Zone D or E.
- 10) Any obstruction reviewed by the Federal Aviation Administration

- 11) Any project having the potential to create electrical or visual hazards to aircraft in flight.
- 12) Projects having the potential to cause attraction of birds or other wildlife that can be hazardous to aircraft operations.

As shown in Figure 4, the residential development provisions in the Zone D, paragraph (1) require the average parcel size less than or equal to 0.2 or a housing density greater than or equal to 5 units per acre. The RCALUC rational for a higher residential density is premised on the basis that noise concerns can be minimized either by limiting the number of dwelling units in affected areas or by allowing high-density development which tends to have comparatively high ambient noise levels.

The average lot size based on RCALUC requirements is approximately 8,712 square feet. The project's average lot size is 6,035 square feet. The project was considered by ALUC as the subdivision net density is less than the minimum five units per acre required by the RCALUC. Table 15 below denotes the subdivision's current unit density.

Table 15: Project Density Characteristics

Gross Area	10.67 Acres
Total Gross Density	4.31 du/Gross Acre
Net Area	10.15 acres
Total Net Density	4.53 du/Net Acre
Zone D	$\geq 5 \text{ du/ac}$

Riverside County Airport Land Use Commission Reviewed the project for potential conflicts with the current Airport Land Use Plan and provided the following statement.

On December 8, 2016 the Riverside County Airport Land Use Commission (ALUC) found City of Banning Case No. 15-7004 (Tentative Tract Map 36710), a proposal to divide 10.67 acres located on the northerly side of Wilson Street, westerly of Florida Street, southerly of Hoffer Street, and easterly of Alessandro Road into 46 single-family residential lots, one drainage basin lot, and one open space lot, CONSISTENT with the 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016, pursuant to Policy 3.3.6 of the Countywide Policies based on special Findings 1 and 2 specified below and subject to the following conditions:

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

1. The City of Banning has guidelines requiring a minimum lot width of fifty (50) feet, thus limiting the applicant's ability to increase the project density within the single-family residential design model, which generally provides for lots that are 50-60 feet in width.
2. There are significant amounts of open area in the immediate vicinity, to wit, existing baseball and soccer fields on the school properties located along the south side of Wilson Street opposite from and to the southwest of the project site, which can supplement the open area provided on-site in serving as potential emergency landing areas.

Therefore the project will not have a significant effect on the environment as the City of Banning has adopted the 2004 Airport Land Use Plan and requires all new development to remain in

compliance with the provisions of the Land Use Plan. This requirement is included in the typical Conditions of Approval for this project and requires no further analysis.

3.8(f) For a project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?

Determination: Less than Significant

Source: Riverside County Airport Land Use Commission response, December 16, 2016.

Plans, Policies, or Programs (PPP)

The City of Banning has adopted the 2004 Banning Airport Land Use Plan which guides development in the area. All projects are conditioned to comply with the Airport Land Use Plan.

Project Design Features (PDF)

PDF 3.8-1 The Applicant is proposing a Planned Unit Development (PUD) to permit a housing density of 4.5 dwelling units per acre.

Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 5 is classified as a "Primary Traffic Pattern and Runway Buffer Area". Table 3A of the RCALUC cites Zone D Risk Level as "Low". The table indicates that 20% to 30% of general aviation accidents take place in this zone. However the large area encompassed by this district as noted in Figure 5 means a low likelihood of accident occurrence in any given location. The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and noise impacts. For projects located within an airport influence area, the Riverside County Airport Land Use Commission (ALUC) is responsible for reviewing the plans, regulations and land use actions of local agencies for consistency with the RCALUC. ALUC's have no authority over existing land uses. The authority of the ALUC extends only to land in the vicinity of airports that is "not already devoted to incompatible uses".

Therefore the project will not have a significant effect on the environment as the City of Banning has adopted the 2004 Airport Land Use Plan and requires all new development to remain in compliance with the provisions of the Land Use Plan. This requirement is included in the typical Conditions of Approval for this project and requires no further analysis.

3.8(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Determination: Less Than Significant Impact.

Sources: Banning General Plan, Public Services and Facilities, Chapter VI.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. The project would not result in any closures of existing roadways that might have an effect on emergency response or evacuation plans in the vicinity of the project site. In addition, all vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Accordingly, implementation of the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Consequently, impacts would be less than significant.

3.8 (h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Determination: Less than Significant

Source: Banning General Plan, Public Services and Facilities, Chapter VI.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs applicable to the project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, because there are no wildlands adjacent to this site. The project site is in an urban area and is not located in fire prone area. Therefore, the project will not expose people, structures, or infrastructure to risks of wildland fires. Consequently, impacts would be less than significant.

3.9 HYDROLOGY AND WATER QUALITY

<i>Would the Project:</i>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			<input checked="" type="checkbox"/>	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			<input checked="" type="checkbox"/>	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner, which would result in substantial erosion or siltation on- or offsite?			<input checked="" type="checkbox"/>	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite?			<input checked="" type="checkbox"/>	
e. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			<input checked="" type="checkbox"/>	
f. Otherwise substantially degrade water quality?			<input checked="" type="checkbox"/>	
g. Place housing within a 100-year flood hazard as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?				<input checked="" type="checkbox"/>

3.9(a) Violate any water quality standards or waste discharge requirements?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating water quality and waste discharge requirements. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

- PPP 3.9-1 Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Resources Control Board. Evidence that an National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.
- PPP 3.9-2 Prior to grading permit issuance, the Project Proponent shall prepare a Storm water Pollution Prevention Plan. Project contractors shall be required to ensure compliance with the Storm water Pollution Prevention Plan and permit periodic inspection of the construction site by City of Jurupa Valley staff or its designee to confirm compliance.
- PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.
- PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to water quality and discharge requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

- PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Construction

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.

Pursuant to the requirements Chapter 13.24 of the City of Banning Municipal Code, the Project would be required to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The National Pollutant Discharge Elimination System permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

In addition, the Project would be required to comply with the Colorado River Regional Water Quality Control Board's Colorado River Basin Water Quality Control Program. Compliance with the National Pollutant Discharge Elimination System permit and the Colorado River Basin Water Quality Control Program involves the preparation and implementation of a Storm Water Pollution Prevention Plan for construction-related activities, including grading. The Storm Water Pollution Prevention Plan would specify the Best Management Practices that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

Operation

Storm water pollutants commonly associated with the land uses proposed by the Project (i.e., residential) include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, pesticides, and metals.

Pursuant to the requirements of the City's National Pollutant Discharge Elimination System permit, a Water Quality Management Plan (WQMP) is required for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed and the facilities or structures are occupied and/or operational. A WQMP describes the Best Management Practices that will be implemented and maintained throughout the life of a project to prevent and minimize water pollution that can be caused by storm water or urban runoff.

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The sole source of potable water supply is provided by the City of Banning Water Utility Department. More than 30,000 residents in Banning, depend on the Water Utility Department to provide water service to their homes and businesses. By supplying local groundwater pumped from City owned wells the department is able to meet the daily demands of these customers. The department provides plan reviews, design and construction management for Water Utility projects

The City's Water Utility Department does not have an immediate concern with water supply reliability. Because the District's water supply is groundwater, which is not subject to seasonal or year-to-year climatic change, it is not subject to short-term water shortages resulting from temporary dry weather conditions. The Water Utility Department and other groundwater users in the San Gorgonio Pass Sub Basin have been implementing ongoing groundwater management practices to extend the useful life of the groundwater resource to meet current and future demands. In the foreseeable future, the Water Utility Department will continue to be reliant on local groundwater supplies. The Water Utility Department will develop additional groundwater extraction and groundwater treatment facilities as needed to ensure a continuous and adequate water supply for its service area.

Based on the above analysis, the Project's demand for domestic water service would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant and no mitigation is required

3.9(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or offsite?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710, Drainage Study, WQMP

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to soil erosion. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

The Construction of single family homes on the Project site will result in an increase in impermeable surfaces, and therefore an increase in runoff. The WQMP basins must be designed to retain a 100 year, three (3) hour storm event.

Based on the analysis above, with implementation of PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or offsite?

Determination: Less Than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to flooding. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to flooding. This measure will be included in the Project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9 -4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Determination: Less than Significant Impact.

Source: Tentative Tract Map 36710 United Engineering Group Preliminary Drainage Report, September 6, 2016, EnGEN Soils Percolation Feasibility Study for Infiltration Testing, TT 36710, March 24, 2014

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to drainage capacity and additional sources of polluted runoff. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-1. Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Water Resources Control Board. Evidence that a National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.

PPP 3.9-2 Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.

PPP 3.9-3 During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.

PPP 3.9-4 The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to drainage capacity and additional sources of polluted runoff. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

Water runoff from the site will be directed to the on-site water quality basin and an infiltration pit before discharging into the storm drain system.

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(f) Otherwise substantially degrade water quality?

Determination: Less Than Significant Impact.

Sources: Project Application Materials.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to water quality. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.9-1. Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System permit from the State Water Resources Control Board. Evidence that a National Pollutant Discharge Elimination System permit has been issued shall be provided to the City of Banning prior to issuance of the first grading permit.

PPP 3.9-2. Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan. Project contractors shall be required to ensure compliance with the Stormwater Pollution Prevention Plan and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.

PPP 3.9-3. During construction, Project contractors shall be required to ensure compliance with the Project's Water Quality Management Plan associated with the Project and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance.

PPP 3.9-4. The Project shall be in compliance with Chapter 13.24 Storm Water Management System of the Banning Municipal Code.

Project Design Features (PDF)

The following is incorporated into the Project by the applicant, and would reduce impacts related to water quality. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PDF 3.9-1 Tentative Tract Map No. 36710 provides for 64,469 cubic foot (1.48 acre foot) water quality basin and infiltration. These areas shall be designed to manage water quality runoff to the satisfaction of the City Engineer and in accordance with the United Engineering Group Preliminary Drainage Report, September 6, 2016.

Impact Analysis

There are no conditions associated with the proposed Project that could result in the substantial degradation of water quality beyond what is described above in Responses 3.9 (a), 3.9(c), and 3.9 (e).

Based on the analysis above, with implementation of PPP 3.9-1 through PPP 3.9-4 and PDF 3.9-1, impacts would be less than significant and no mitigation measures are required.

3.9(g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Determination: No Impact.

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The site is not located in Flood Zone X, which denotes a 500-yr flood area as designated by FEMA

3.9(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Determination: No Impact.

Plans, Policies, Programs (PPP)

There are no Plans, Policies, Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Refer to Issue 3.9(g) above. The Project area is not within a 100-year flood hazard. No Impact would occur and no mitigation measures are required.

3.9(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Source: FEMA Information, Site within Zone X; denotes 500-yr flood area, United Engineering Group Preliminary Drainage Report for TTM 36710, September 6, 2016

Determination: No Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As noted Issue 3.9(g), the Project site is not subject to flooding. No dams, levees or water bodies exist in the immediate vicinity of the Project site that could adversely affect the site should a structural failure occur. No impact would occur and no mitigation measures are required.

3.9(j) Inundation by seiche, tsunami, or mudflow?

Determination: No Impact.

Sources: Project Application Materials, Google Earth

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site would not be subject to inundation by a seiche, mudflow, and/or tsunami. No impact would occur and no mitigation measures are required.

3.10 LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			<input checked="" type="checkbox"/>	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			<input checked="" type="checkbox"/>	

3.10(a) Physically divide an established community?

Determination: No Impact.

Sources: Project Application Materials, Google Earth

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is an in-fill development consisting of 10.6 acres and located within proximity of residential development. Therefore, no impacts would occur with respect to dividing an established community.

3.10(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Zoning Code.

Plans, Policies, or Programs (PPP)

The applicable plans and policies relating to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect are described in the analysis below.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As demonstrated throughout this Initial Study Checklist/Mitigated Negative Declaration, the Project would otherwise not conflict with any applicable goals, objectives, and policies of the General Plan, or the City of Banning Zoning Ordinance. The Project would not conflict with any applicable policy document, including, without limitation, the Western Riverside Multiple Species Habitat Conservation Plan, South Coast Air Quality Management District's Air Quality Management Plan, Southern California Association of Government's 2012, 2035 Regional Transportation Plan/Sustainable Communities Strategy, and Government's 2008 Regional Transportation Plan. The purpose of these plans are to avoid or mitigate an environmental effect.

In conclusion, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating adverse environmental effects and impacts would be less than significant.

3.10(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Determination: Less than Significant

Source: General Biological Resources Assessment, Tract 36710, RCA Associates LLC, January 16, 2014, RCA MSHCP Info. App.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies or Programs relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site lies within the Pass Plan Area Plan Unit. The "Pass Plan Area Plan Unit" is a unit area of the MSHCP mapped by the Regional Conservation Authority (RCA), Western Riverside County. The RCA MSHCP Information mapping website lists the following environmental status of the project site:

- The Project site is not located within an MSHCP Criteria Cell (area proposed for conservation).
- The Project site is not located within a Cell group.
- The Project site is not in a criteria area species survey area.
- The Project site is not in a narrow endemic plan survey area.
- The Project site is not in a mammal, owl, or amphibian survey area.
- The property does not support any stream channels or desert

In conclusion, the RCA Associates LLC Biological report prepared for this project, dated January 16, 2014 determined that the 46 single family unit subdivision with regard to General Vegetation and Wildlife, that the impacts associated with displacement of threatened or endangered wildlife species given the past disturbance of the site is not anticipated to be significant. The project would displace certain wildlife, such as rodents and birds. However, the number of wildlife species that would be displaced is very low; Threatened, Endangered, and Species of Special Concern will not be impacted as a result of the project. Consequently, future development of the site is not expected to generate significant impacts to any biological resources; and lastly, impacts associated with Habitat Fragmentation and Wildlife Movement will not be affected as there are no wildlife corridors present on the site or in adjacent areas. Moreover, the project will not impede regional wildlife movement or impact any MSHCP-designated corridors or habitat linkages. Consequently, impacts will be less than significant and no mitigation is required. (RCA Associates LLC, Bio Report, pg. 7)

3.11 MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				■
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?				■

3.11(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?*

Determination: No Impact.

Sources: City of Banning General Plan, Environmental Resources, Chapter IV

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

No mineral resource extraction activity is known to have ever occurred on the property. According to mapping conducted by the California Geological Survey which maps areas known as Mineral Resources Zones (MRZs), the proposed Project site is mapped within MRZ-3, which is defined as "areas with no known significant mineral deposits."

The Project site is not located within an area of known to be underlain by regionally- or locally important mineral resources, or within an area that has the potential to be underlain by regionally or locally-important mineral resources, as disclosed by the General Plan. Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. Accordingly, no impact would occur.

3.11(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?*

Determination: No Impact.

Sources: City of Banning General Plan, Environmental Resources, Chapter IV

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Refer to the Issue 3.11(a), above. The General Plan does not identify any locally important mineral resource recovery sites on-site or within close proximity to the Project site, nor are any mineral resource recovery operations located on-site or in the surrounding area. No impact.

3.12 NOISE

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			<input checked="" type="checkbox"/>	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			<input checked="" type="checkbox"/>	
c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?			<input checked="" type="checkbox"/>	
d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?			<input checked="" type="checkbox"/>	
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 expose people residing or working in the Project area to excessive noise levels?		<input checked="" type="checkbox"/>		
f. For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?				<input checked="" type="checkbox"/>

3.12(a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to noise. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.12-1 In order to ensure compliance with the Banning Municipal Code Chapter 8.44 Noise Regulations, prior to the issuance of a grading permit, the developer is required to submit a construction-related noise mitigation plan to the City for review and approval. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this project. In addition, the plan shall require that the following notes are included on grading

plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Banning staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.

- a) All construction activities shall comply with Chapter 8.44 (Noise Regulations) of the City of Banning Municipal Code.
- b) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.
- c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.
- d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Development of the Project site as a residential community has the potential to expose persons to or result in elevated noise levels during both short-term construction activities and under long-term conditions. Short-term (i.e., construction) and long-term (i.e., operational) noise impacts associated with the Project are discussed below

Short-term Construction Noise

The most significant source of short-term noise impact is related to noise generated during construction activities on the Project site which would result in potential noise impacts to nearby sensitive receptors. Construction is performed in discrete steps, each of which has its own mix of equipment and consequently its own noise characteristics. Thus noise levels will fluctuate depending upon construction phase, equipment type, duration of equipment use, distance between the noise source and receptor, and the presence or absence of noise attenuation structures.

As shown on Table 11 below, noise levels generated by heavy construction equipment can range from approximately 75 dBA to 99 dBA when measured at 50 feet

Table16. Typical Construction Equipment Noise Levels

Type of Equipment	Range of Sound Levels Measured (dBA at 50 feet)
Pile Drivers	81 to 96
Rock Drills	83 to 99
Jack Hammers	75 to 85
Pneumatic Tools	78 to 88
Pumps	68 to 80
Dozers	85 to 90
Tractors	77 to 82
Front-End Loaders	86 to 90
Graders	79 to 89
Air Compressors	76 to 86
Trucks	81 to 87
<i>Source: "Noise Control for Buildings and Manufacturing Plants", Bolt, Beranek & Newman, 1987, as cited in the General Plan EIR</i>	

However, these noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 75 dBA for a jack hammer measured at 50 feet from the noise source to the receptor would be reduced to 69 dBA at 100 feet from the source to the receptor, and would be further reduced to 63 dBA at 200 feet from the source to the receptor.

Chapter 8.44 of the City of Banning Municipal Code (Noise Regulations) includes a provision that exempts construction activities from any maximum noise level standard, provided that construction activities occur between the hours of 7:00 A.M. and 6:00 P.M. The person engaged in such activity is hereby permitted to exceed sound levels otherwise set forth in this chapter for the duration of the activity during the above described hours for purposes of construction. However, nothing contained herein shall permit any person to cause sound levels to at any time exceed fifty-five dB(A) for intervals of more than fifteen minutes per hour as measured in the interior of the nearest occupied residence or school. If the building official should determine that the public health and safety will not be impaired by the construction related noise, the building inspector may issue a permit for construction within the hours of 6:00 P.M. and 7:00 A.M., upon application being made at the time the permit for the work is awarded or during the progress of the work. The building official may place such conditions on the issuance of the permit as to him or her shall seem appropriate to maintain the public health and safety.

Noise Impacts to the Project

The Project is considered a “sensitive receptor” because it is a residential development. Impacts to the Project would be significant if the exterior area of the homes (i.e. yards) would be exposed to noise levels in excess of 55 dBA. For the interior area of the homes impacts would be significant if exposed to noise levels in excess of 45 dBA.

The Project site is located in an area largely characterized by urban development. Residential land uses surround the site on all sides. Noise producing land uses that impact residential uses include, but are not limited to, agriculture uses, industrial uses, commercial uses, and noise from major highways and roads.

The Project site is located north of Wilson Street and lies between Alessandro Street and Florida Street. Wilson Street, Alessandro Road and Florida Street are classified as “Local Streets” and are not considered a major highway or roadway that produces significant levels of traffic noise. As such, impacts are considered to be less than significant.

Noise Impacts Generated by the Project

As established by the General Plan performance standards, project-related noises, as projected to any portion of any surrounding property containing a habitable dwelling, hospital, school, library or nursing home, shall not exceed 55 equivalent level dBA (dBA Leq) between 7 a.m. and 10 p.m. or 45 dBA Leq between 10 p.m. and 7:00 a.m. for a cumulative period of more than fifteen (15) minutes per hour.

The primary source of noise generated by the Project will be from the vehicle traffic generated by the new homes to the nearby residential uses. The Project would generate an estimated additional 457 trip-ends per day with 36 total vehicles per hour during the AM peak hour, and 48 total vehicles per hour during the PM peak hour.

The City of Banning considers a project to result in a significant traffic-related noise impact if traffic generated by that project would cause or contribute to exterior noise levels at sensitive receptor locations in excess of 55 dBA CNEL and the project's contribution to the noise environment equals 3.0 dBA CNEL or more. (A change of 3.0 dBA is considered “barely perceptible” by the human ear and changes of less than 3.0 dBA CNEL generally cannot be perceived except in carefully controlled laboratory environments). Due to the low traffic volume and speeds, traffic noise from the Project will not make a significant contribution to the noise environment.

Based on the analysis above, with implementation of PPP 3.12-1 impacts would be less than significant.

3.12(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Determination: Less Than Significant Impact

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Construction Vibration

Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the Project site. The Project would not generate ground-borne vibration or ground-borne noise, except, potentially, during the construction phase from the use of heavy construction equipment. The Project will not employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction.

Operational Vibration

There are no conditions associated with the long-term operation of the proposed Project that would result in the exposure of on- or off-site residents to excessive ground-borne vibration or noise. The proposed Project would develop the subject property as a residential community and would not include nor require equipment, facilities, or activities that would generate ground-borne vibration or ground-borne noise. In addition, the Project site is not located in the vicinity of a railroad line or any other use associated with ground-borne vibration or ground-borne noise; therefore, the Project would not expose future on-site residents to substantial ground-borne vibration or noise.

Based on the above analysis, operation the Project would not expose on- or off-site sensitive receptors to substantial ground-borne vibration or ground-borne noise. Impacts are less than significant and no mitigation is required.

3.12(c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Determination: Less Than Significant Impact.

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed above under Issue 3.12(a), the only potential for the Project to create a permanent increase in ambient noise levels is the result of future traffic generated by the proposed Project that has the potential to cause or contribute to elevated traffic-related noise volumes at offsite locations. The analysis presented under Issue 3.12(a) concluded that the Project's incremental noise contributions to study area roadways would be considered "barely perceptible" (i.e., less than 3.0 dBA CNEL). As such, offsite transportation-related noise impacts would be less than significant and no mitigation is required.

3.12(d) *A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code.

Plans, Policies, or Programs (PPP)

See PPP 3.12-1

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed above under Issue 3.12(a), the only potential for the Project to create a substantial temporary or periodic increase in ambient noise levels is during its construction phase. The analysis presented under Issue 3.12(a) concluded that the Project would result in elevated noise levels during construction but were less than significant.

Based on the analysis above, with implementation of PPP 3.12-1, impacts would be less than significant and no mitigation measures are required.

3.12(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 expose people residing or working in the Project area to excessive noise levels?*

Determination: Less than significant with mitigation.

Source: Project Application Materials, Noise Element of the Banning General Plan, Banning Zoning Code, Chapter 8.44, Noise Regulations of the Municipal Code. Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004), Airport Land Use Commission (ALUC) Development Review Report December 16, 2016.

Plans, Policies, or Programs (PPP)

This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.12-2 The City shall require building setbacks, the installation of wall and window insulation, soundwalls, earthen berms, and/or other mitigation measures in areas exceeding the City's noise standards for private development projects as they occur.

Project Design Features (PDF)

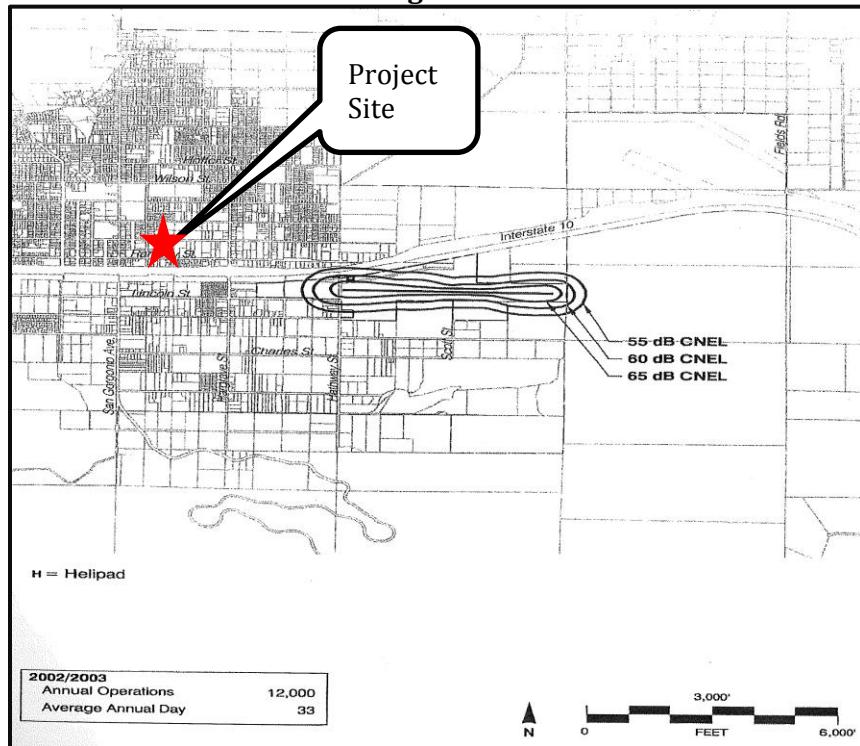
There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The project is located within Zone D of the Banning Municipal Airport Influence Area. The Riverside County Airport Land Use Compatibility (RCALUC) Plan assigns various zones which either prohibit, control or guide development within each district's airport influence area. Each specific alpha character, with Zone "A" being most restrictive based on safety and airspace protection factors and concerns to "E", less restrictive incorporate site specific density provisions for housing development and other uses. Zone D as noted in Figure 5 is classified as a "Primary Traffic Pattern and Runway Buffer Area". The primary concern is with uses for which potential consequences are severe, such as with very-high intensity level development in a confined area and *noise* impacts.

The Banning Municipal Airport averages approximately 10 to 15 takeoffs and landings daily, and about 12,000 operations per year. Air traffic is comprised primarily of private, single-engine fixed-wing airport. The Banning Municipal Airport Master Plan (December 1990), shows typical takeoff noise levels for such aircraft. Levels range from approximately 56 dba to 68 dba at 7,100 feet from brake release. As noted in Figure 6 below, noise contours are generally contained within the airport boundary, and extend to lands designated for airport and related industrial uses, which are considered less sensitive.

Figure 6



For the City of Banning, the applicable limit one-hour average for outdoor noise levels in residential areas is 55 dBA during daytime hours, and 45 dBA during evening and nighttime hours (Ordinance 1138). The project site is well outside the 65 db CNEL noise contour. For project's located within an airport influence area". As noted in Figure 6,

In accordance with ALUC recommendations, the residential housing development will incorporate noise attenuating measures to ensure that the ambient noise conforms to the City of Banning noise standards. Pursuant to the ALUC recommendations and PPP 3.12-1 and PPP 3-12.2 impacts associated with noise will be less than significant with mitigation. ALUC mitigation measures are as follows:

Mitigation Measures: *Source: Airport Land Use Commission Development Review Report, December 16, 2016.*

MM- NOISE- 1 Highly noise-sensitive outdoor nonresidential uses are prohibited.

MM- NOISE- 2 The following notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13) (A)

3.12(f) For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?

Determination: Less than Significant with Mitigation

Source: Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004), Banning General Plan

Plans, Policies, or Programs (PPP)

PPP 3.12-1 and PPP 3.12-2

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

As discussed Response 3.12 (e), the project site is outside the Banning Airport noise contours. Impacts associated with aviation noise will not exceed the residential ambient noise standards for

residential development. Moreover, in accordance with ALUC's mitigation and PPP 3.12-1 and PPP 3.122, exposure of people to impacts arising from the private airstrip will be less than significant.

3.13 POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?			■	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■

3.13(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)?

Determination: Less than Significant Impact.

Sources: Project Application City of Banning General Plan, Housing Element.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project would be developed with 46 single-family detached residential homes. Pursuant to population estimates prepared by the State Department of Finance, single-family detached units within the City are occupied by an average of 2.7 persons per dwelling unit (*City of Banning General Plan, Housing Element, Page III-127*). Therefore, using population generation estimates provided by the State, the Project could increase the City of Banning's population by up to 124 new residents if all the new residents currently reside outside the City limits.

Typically, population growth would be considered a significant impact pursuant to CEQA if it directly or indirectly affects the ability of agencies to provide needed public services and requires the expansion or new construction of public facilities and utilities.

Section 3.14, Public Services, of this Initial Study Checklist demonstrates that the impacts on public services is less than significant so the public service providers' ability to provide services will not be reduced. As such, impacts are less than significant and no mitigation measures are required.

3.13(b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Determination: No Impact.

Sources: Project Application City of Banning General Plan, Housing Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is vacant and contains no housing. As such, there are no impacts that would require the construction of replacement housing elsewhere. No mitigation measures are required.

3.13(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Determination: No Impact.

Sources: Project Application City of Banning General Plan, Housing Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project site is vacant and contains no housing. As such, there are no impacts that would require the construction of replacement housing elsewhere.

3.14 PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1) Fire protection?			<input checked="" type="checkbox"/>	
2) Police protection?			<input checked="" type="checkbox"/>	
3) Schools?			<input checked="" type="checkbox"/>	
4) Parks?			<input checked="" type="checkbox"/>	
5) Other public facilities?			<input checked="" type="checkbox"/>	

3.14(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

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element

Plans, Policies, or Programs (PPP)

There are no Project Design Features applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Buildout of the site will have a less than significant impact on public services. The proposed Project will be served by the City Police Department and Riverside County Fire Department under contract. The project will be required to pay the mandated school fees, development impact fees and park in lieu fees in place at the time of issuance of building permits. Payment of these fees and future revenue stream from property tax will lower potential impacts associated with additional services to a less than significant impact.

POLICE PROTECTION

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element.

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to police protection. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.14-1 The Project shall comply with applicable City's Development Impact Fees which requires payment of a development mitigation fee to assist in providing funds to offset the incremental increase in the demand for public services, parks and open space that would be created by the Project. Prior to the issuance of building permits. The Project Applicant shall pay fees in accordance with the City of Banning Municipal Code Requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The City of Banning Police Department provides community policing to the Project area. The Banning Police Station is located at 125 East Ramsey, just under one (1) mile from the Project site. The Banning Police Department current level of law enforcement staffing is approximately 1.4 sworn officers for every 1,000 residents. Banning has historically maintained a goal of 1.8 police officers per 1,000 residents. The Banning Police Department has a total of 35 sworn positions, of which three are grant positions and 16 unsworn positions for a total of 51 positions. At full buildout, the Project would introduce approximately 124 new residents to the Project area. The Project's buildout would not affect or alter the current ratio of sworn officers per 1,000 residents. No additional police staffing or the construction of new or expanded police facilities is required..

The Project would be required to comply with the provisions of the City's Development Impact Fee Ordinance, which requires a fee payment to assist the City in providing for public services, including police protection services. Payment of the Development Impact Fee would ensure that the Project provides its fair share of funds for additional police protection services, which is intended, to offset the incremental increase in the demand that would be created by the Project.

Based on the above analysis, with implementation of PPP 3.14-2, impacts related to police protection would be less than significant and no mitigation measures are required.

SCHOOLS

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Police and Fire Protection Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to schools. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.14-2 Prior to the issuance of building permits, the Project Applicant shall pay required development impact fees to the Banning Unified School District following protocol for impact fee collection.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The construction of 46 residential homes as proposed by the Project would have an incremental increase in the population in the local area and would generate additional demands to the existing public school system by generating additional students to be served by the Banning Unified School District. The Project would be required to contribute fees to the Banning Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation for Project-related impacts to school services.

Based on the above analysis, with implementation of PPP 3.14-2, impacts related to schools would be less than significant and no mitigation measures are required.

PARKS

Determination: Less Than Significant Impact.

Source: City of Banning General Plan Parks and Recreation Element, Open Space and Conservation Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to parks.

PPP 3.14-3 Prior to the issuance of a building permit, the Project Applicant shall pay required park development impact fees to the City of Banning Recreation and Park District.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project proposes the construction of 46 residential units. Based on population estimates prepared by the State Department of Finance, the Project is estimated to provide housing for up to 124 residents (2.7 persons per household x 46 = 124). The Project does not propose any park land so it will be subject to the park land impact fee.

Based on the above analysis, with implementation of PPP 3.14-3, impacts related to parks would be less than significant and no mitigation measures are required.

OTHER PUBLIC FACILITIES

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Public Building and Facilities Element

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to parks.

PPP 3.14-2 above is applicable to the Project.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Development of the Project would result in an increase in the population of the Project area and would have an incremental increase the demand for public services, including public health services and library services. However, the population increase generated by the Project would not require the construction of new or expanded public facilities.

The Project would be required to comply with the provisions of the City's Development Impact Fee, which requires a fee payment to assist the City in providing public services. Payment of the Development Impact Fee would ensure that the Project provides fair share of funds for additional public services. These funds may be applied to the acquisition and/or construction of public services and/or equipment.

Based on the above analysis, with implementation of PPP 3.14-1 and 3.14-2, above, impacts related to parks would be less than significant and no mitigation measures are required.

3.15 RECREATION

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			<input checked="" type="checkbox"/>	
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?			<input checked="" type="checkbox"/>	

3.15(a) *Would the proposed 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?*

Determination: Less than Significant Impact.

Sources: City of Banning General Plan Parks and Recreation Element

Plans, Policies, or Programs (PPP)

There are no Project Design Features applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project's 124 estimated residents would not substantially increase the use of existing public park facilities and would not require the modification existing parks or modification of new park facilities.

With implementation of PDF 3.14-1, impacts related to recreational facilities would be less than significant and no mitigation measures are required.

3.15(b) *Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?*

Determination: Less than Significant Impact.

Source: Project Application Materials, City of Banning Parks and Recreation Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not propose any on-site recreational facilities nor does it required the construction or expansion of recreational facilities given its limited population generation (124 residents).

Based on the above analysis, impacts related to parks and recreational facilities would be less than significant and no mitigation measures are required.

3.16 TRANSPORTATION/TRAFFIC

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			<input checked="" type="checkbox"/>	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			<input checked="" type="checkbox"/>	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			<input checked="" type="checkbox"/>	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			<input checked="" type="checkbox"/>	
e. Result in inadequate emergency access?			<input checked="" type="checkbox"/>	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			<input checked="" type="checkbox"/>	

3.16(a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Determination: Less Than Significant Impact.

Sources: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to transportation and traffic. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.16-1 Prior to the issuance of any building permits, the Project Proponent shall make pay the City's Traffic Control Facility Fee per household unit constructed.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Motorized Vehicle Travel

Trips generated by the Project's proposed land uses have been estimated based on trip generation rates identified in the Focused Traffic Impact Study prepared by RK Engineering Group, Inc., shown in Table 17.

Table 17. Trip Generation Rates

Land Use Type	Units	AM Peak Hour			PM Peak Hour			Daily
		Total	In	Out	Total	In	Out	
Single-Family Detached Housing Trips/Unit Land Use Category: 210	46	0.75 36	0.19 9	0.56 27	1.00 48	0.63 30	0.37 18	9.52 457
<i>Source: RK Engineering Group, Inc., Focused Traffic Impact Study, TTM 36710. July 11, 2016</i>								

The Project is estimated to generate the following number of trips:

Based on the Banning General Plan Amendment Change in Level of Service Policy, dated September 2012, the City of Banning establishes Level of Service (LOS) D as the minimum LOS to be maintained on all roadway segments and intersections. Trip generation for the proposed project was calculated using rates from the Institute of Transportation Engineers (ITE) Trip Generation (9th Edition) for Land Use 46 Single-Family Detached Housing. The project trip generation would generate 36 trips in the a.m. peak hour, 48 trips in the p.m. hour and 457 daily trips.

Based on the project's trip generation, under existing and opening year conditions, all the studied intersections operate at satisfactory LOS or better.

Mass Transit and Pedestrian Facilities

Transit Service

The Project area is currently served by the Banning Transit Services, which provides fixed route bus service along three routes. The Project is not proposing to construct any improvements and will not interfere with the existing bus service. As such, the Project as proposed will not conflict with an applicable plan, ordinance or policy applying to transit services.

Bicycle & Pedestrian Facilities

The Project is not proposing to construct any improvements that will interfere with bicycle and pedestrian use. The Project will not conflict with an applicable plan, ordinance or policy applying to non-motorized travel. Impacts are less than significant.

Based on the above analysis, with implementation of PPP 3.16-1 would be less than significant and no mitigation measures are required.

3.16(b) Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Determination: Less Than Significant Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project proposes only 46 lots and would generate less than 457 daily trips on intersections in the vicinity of the Project site. As such, the Project is not forecast to deteriorate the minimum Level of Service in the Project area as required by the General Plan. Therefore, the Project will not be in conflict with the City of Banning's Congestion Management Program. Impacts are less than significant and no mitigation measures are required.

3.16(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Determination: Less Than Significant Impact.

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project does not include any air travel component (e.g., runway, helipad, etc.) Accordingly, the Project would not have the potential to affect air traffic patterns, including an increase in traffic

levels or a change in flight path location that results in a substantial safety risk. Therefore, impacts are less than significant.

3.16(d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Determination: Less Than Significant Impact.

Source: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The residential land uses proposed Project would be compatible with existing development in the surrounding area; therefore, implementation of the Project would not create a transportation hazard as a result of an incompatible use.

The Project would provide adequate vehicular and pedestrian safety and ensure that no hazardous transportation design features would be introduced by the Project. Accordingly, the Project would not substantially increase hazards due to a design feature or incompatible use. Impacts would be less than significant.

3.16(e) Result in inadequate emergency access?

Determination: Less Than Significant Impact.

Source: Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Project would result in a new residential community, which would increase the need for emergency access to-and-from the site. Adequate emergency access would be provided to the Project site via Wilson Street. During the course of the required review of the Project, the Project's transportation design was reviewed by the City's Public Works/Engineering Department, County Fire Department,

and City of Banning Police Department to ensure that adequate access to and from the site would be provided for emergency vehicles. With the City/County requirements for emergency vehicle access, impacts would be less than significant and no mitigation measures are required.

3.16(f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Determination: Less Than Significant Impact.

Source: General Plan Circulation Element, Project Application Materials, Focused Traffic Impact for Banning TTM 36710 (RK Engineering Group, Inc.), July 11, 2016

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project as proposed will not conflict with an applicable plan, ordinance or policy applying to transit services. Impacts are less than significant.

3.17 TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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		■		
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, the lead agency shall consider the significance of the resource to a California Native American tribe.		■		

a-b 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 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, the lead agency shall consider the significance of the resource to a California Native American tribe.

Determination: Less than significant impact with mitigation.

Source: Banning Zoning Code Section 18.18.120 D, BCR Consulting LLC, Cultural Resources Records Search for TTM 36710, March 2, 2017 and BCR Consulting LLC, Cultural Resources Assessment (Field Survey) for APN's 534-183-014, 534-200-004 and 534-200-047, May 1, 2017

Plans, Policies, or Programs (PPP)

The following apply to the Project and would reduce impacts relating to Tribal Cultural Resources. These measures will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.17-1 If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of the origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify

the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

PPP 3.17-2 Banning Zoning Code: As required by the City of Banning Zoning Regulations, Section 18.18.120 D, discoveries made of archaeological or paleontological interest shall stop operations until a qualified archeologist or paleontologist has assessed the significance of the find.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

BCR Consulting LLC (BCR Consulting) was under contract to United Engineering Group to conduct a Cultural Resources Assessment of Assessor Parcel Numbers 534-183-014, 534-200-004, and 534-200-047 (the project) in the City of Banning, Riverside County, California. The work was performed pursuant to the California Environmental Quality Act (CEQA). A cultural resources records search and field survey were conducted for the project.

The records search revealed that 14 cultural resource studies have taken place resulting in the recording of 105 cultural resources within one-mile of the project site. Of these resources, 104 were historic-period and one was a prehistoric archaeological site. The nearest historic-period resource was a single-family residence adjacent to the northwest of the project site. The only prehistoric resource in the records search radius was a prehistoric habitation site (designated P-33-99) located approximately $\frac{1}{2}$ mile to the northwest of the project site. Of the 14 previous studies, none has assessed the project site. No cultural resources have been previously recorded within its boundaries.

During the field survey, BCR Consulting archaeologists did not discover any cultural resources (including prehistoric or historic-period archaeological sites or historic-period buildings) within the project site boundaries. Based on these results, BCR Consulting recommends a finding of no impacts to historical resources under CEQA. BCR Consulting also recommends that no additional cultural resources work or monitoring is necessary during proposed activities associated with the development of the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

After consultation with local Native American Tribes, it was agreed that a Native American Monitor be present during initial grading of the project site to help identify any undiscovered cultural resources that may not have been visible from the surface. This request was initiated by the Morongo Band of Mission Indians who expressed the theory that no discoveries have been made at the site due to the fact that the site has never been disturbed. Typically, cultural resources lie within the first several feet of soil and are not exposed until some type of earthwork is performed. Therefore, the following mitigation measure will be required to assist in the identification of any potential discoveries.

Mitigation Measures:

MM- TRIBAL-1

The project proponent shall notify and invite, Morongo Band of Mission Indians Tribal Resource Monitor(s) be present during all required ground disturbing activities pertaining to the project.

3.18 UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			<input checked="" type="checkbox"/>	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			<input checked="" type="checkbox"/>	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			<input checked="" type="checkbox"/>	
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?			<input checked="" type="checkbox"/>	
e. 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?			<input checked="" type="checkbox"/>	
f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?			<input checked="" type="checkbox"/>	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			<input checked="" type="checkbox"/>	

3.18(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Determination: Less Than Significant Impact.

Source: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to wastewater treatment requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-1 As per Title 16 of the City of Banning Municipal Code Subdivision section, prior to recordation of a Final Map, improvement plans shall be submitted to the City Engineer that provide for sewage disposal by connection to an existing collection

system capable of accepting the waste load. The collection system shall meet the City of Banning Utility Department standards and requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Wastewater treatment and collection services would be provided to the Project site by the City of Banning Public Works and Utilities Department. The Banning Public Works and Utilities Department is required to operate all of its treatment facilities in accordance with the waste treatment and discharge standards and requirements set forth by the Colorado River Regional Water Quality Control Board.

Wastewater generated by the Project will be treated at the Banning Waste Water Treatment Plant. The Project would not install or utilize septic systems or alternative wastewater treatment systems, therefore, the Project would have no potential to exceed the applicable wastewater treatment requirements established by the Colorado River Regional Water Quality Control Board or Banning Waste Water Treatment Plan specifications. Accordingly, impacts would be less than significant.

3.18(b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Determination: Less Than Significant Impact.

Sources: Project Application Materials,

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

The Project would construct an on-site network of water and sewer pipes which would connect to the existing 8 inch water line in Wilson Street and 8 inch sewer line in Wilson Street. The installation of water and sewer lines as proposed by the Project would result in physical impacts to the surface and subsurface of the Project site. These impacts are considered to be part of the Project's construction phase and are evaluated throughout this Initial Study Checklist. In instances where impacts have been identified for the Project's construction phase, Plans, Policies, Programs, or Standard Conditions (PPP), Project Design Features (PDF), or development recommendations cited in the EnGen report dated, April 4, 2014, these measures are intended to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study Checklist would not be required.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, or Programs applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Drainage patterns will generally follow the existing frontage Wilson Street public street gutter and remain in the existing condition.

The construction of the on-site drainage facilities would result in physical impacts to the surface and subsurface of the Project site. Project engineers shall be required to design the WQMP basins to retain the 100yr - 3 hour storm event provided on site. These impacts are part of the Project's construction phase and are evaluated in the appropriate sections of this Initial Study/Mitigated Negative Declaration document. In instances where impacts have been identified for the Project's construction phase, Plans, Policies, Programs, or Standard Conditions (PPP), Project Design Features (PDF), or Mitigation Measures are required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study Checklist would not be required.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to water supply requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-2 Prior to recordation of a Final Map, required improvement plans shall be submitted to the satisfaction of the City Engineer that provide for the installation of a domestic water supply and distribution system that meets the requirements per the City of Banning Public Services and Utility requirements.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Utilities are available at the project site. The service providers for water, sewer, electricity and other utilities have facilities in the immediate vicinity of the site, and will collect connection and usage fees to balance for the cost of providing services. The project will control on-site storm water to the satisfaction of the City Engineer (please see Hydrology, above). The City's solid waste hauler will continue to implement the requirements of AB 939, requiring the reduction of the solid waste stream. The construction of the proposed project is expected to have less than significant impacts on utility providers.

3.18(e) *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?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan, Water, Wastewater and Utilities Element

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to water supply requirements. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-3 Prior to the issuance of a grading permit, the Project proponent shall be required to provide written verification to the City of Banning Public Works Department that adequate capacity exists at the City of Banning Water Control Plant to serve the Project. All water and sewer connection fees shall be paid prior to the issuance of a building permit.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Sanitary sewer service to the Project site would be provided by the Banning Waste Water Treatment Plant.

Based on the above analysis, with implementation of PPP 3.18-3, impacts would be less than significant and no mitigation measures are required.

3.18(f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

Determination: Less Than Significant Impact.

Sources: (City of Banning General Plan)

Plans, Policies, or Programs (PPP)

There are no Plans, Policies, Programs, or Standard Conditions applicable to the Project relating to this issue

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Impact Analysis

Construction Related Impacts

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The City of Banning Contracts with Waste Management Inland Empire for solid waste and disposal services. Construction debris and waste is taken to the Lamb Canyon Sanitary Land fill, El Sobrante Landfill and the Badlands Landfill for disposal.

The California Integrated Waste Management Board (CIWMB) database cites that Lambs Canyon Sanitary Landfill occupies an area of 1,088 acres for all of its land fill operations and has a total permitted disposal volume of 23,601,596 cubic yards and permit to accept a maximum of 1,900 ton of solid waste per day. CIWBM estimates that that the Lamb Canyon Sanitary Landfill had a remaining capacity of 16,926,000 cubic yards in 1998. The El Sobrante Landfill operated by Waste Management encompasses a total of 1,322 acres and has a total permitted disposal volume of 184,930,000 cubic yards. On a daily basis, this landfill is permitted to accept a maximum of 10,000 tons of solid waste. CIWMB estimates that as of 2001, the El Sobrante Landfill has an estimated remaining capacity of 3,674,267 cubic yards.

Operational Related Impacts

Solid waste generated during long-term operation of the Project would be disposed at the Lamb Canyon Sanitary Landfill and/or the El Sobrante Landfill. During long-term operation, the Project's solid waste would be minuscule amount of the daily permitted disposal capacity at the Lamb Canyon Sanitary Landfill and El Sobrante Landfill.

These landfills receive well below their maximum permitted daily disposal volume and solid waste generated by the Project is not anticipated to cause these landfills to exceed their maximum permitted daily disposal volume. Because the proposed Project would generate a relatively small

amount of solid waste per day, as compared to the permitted daily capacities for Lamb Canyon Sanitary Landfill and the El Sobrante Landfill, these regional landfill facilities would have sufficient daily capacity to accept solid waste generated by the Project.

Based on the above analysis, impacts would be less than significant and no mitigation measures are required.

3.18(g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

Determination: Less Than Significant Impact.

Sources: City of Banning General Plan

Plans, Policies, or Programs (PPP)

The following applies to the Project and would reduce impacts relating to solid waste. This measure will be included in the project's Mitigation Monitoring and Reporting Program:

PPP 3.18-4 The California Waste Management Act (AB 939) requires municipalities to reduce the amount of waste it sends to landfills by 50%. The Project shall participate in established Citywide recycling programs in response to AB 92. Individuals may also participate through privately run recycling operators.

Impact Analysis

The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

The Project's proponent would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic.

Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the Project are reduced in accordance with existing regulations.

Based on the above analysis, with implementation of PPP 3.18-4, impacts would be less than significant and no mitigation measures are required.

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the Project have the potential to 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 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)?		■		
c. Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			■	

Impact Analysis

3.19(a) Does the Project have the potential to 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 endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Determination: Less Than Significant Impact with Mitigation Incorporated.

Source: This Initial Study Checklist.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue.

Plans, Policies, or Programs (PPP)

PPP 3.4-1, PPP 3.4-2, and PPP 3.5-1 shall apply.

Project Design Features (PDF)

There are no Project Design Features applicable to the Project relating to this issue.

Mitigation Measures (MM)

MM GEO-1 shall apply

Impact Analysis

All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this Initial Study Checklist..

In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features, or Mitigation Measures listed above are required to reduce impacts to less than significant levels. Therefore, the Project would not substantially degrade the quality of the environment.

3.19(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)?*

Determination: Less Than Significant With Mitigation Incorporated.

Source: This Initial Study Checklist.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue. These measures will be included in the Project's Mitigation Monitoring and Reporting Program:

Plans, Policies, or Programs (PPP)

All Plans, Policies, or Programs (PPP) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Project Design Features (PDF)

All Project Design Features (PDF) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Mitigation Measures (MM)

All Project Mitigation Measures (MM) identified in this Initial Study Checklist/Mitigated Negative Declaration shall apply.

Impact Analysis

As discussed throughout this Initial Study Checklist, implementation of the proposed Project has the potential to result in effects to the environment that are individually limited, but cumulatively considerable. In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features, or Mitigation Measures, listed above are required to reduce impacts to less than significant levels. Therefore, the Project would not contribute to environmental effects that are individually limited, but cumulatively considerable.

3.19(c) Does the Project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

Determination: Less Than Significant Impact.

As noted in the analysis throughout this Initial Study Checklist/Mitigated Negative Declaration document, the following apply to the Project and would reduce impacts relating to this issue. These measures will be included in the Project's Mitigation Monitoring and Reporting Program:

Plans, Policies, or Programs (PPP)

The following shall apply:

PPP 3.1-1 and 3.1.2
PPP 3.3-1 and 3.3-2
PPP 3.4-1
PPP 3.5-1
PPP 3.6-1
PPP 3.7-1
PPP 3.8-1
PPP 3.9-1 through 3.9-4
PPP 3.12-1 and 3.12-2
PPP 3.14-1 through 3.14-3
PPP 3.16-1
PPP 3.17-1 and 3.17-2
PPP 3.18-1 through 3.18-4

Project Design Features (PDF)

The following shall apply:

PDF 3.1-1 and 3.1-2
PDF 3.8-1
PDF 3.9-1

Mitigation Measures (MM)

The following shall apply:

MM AIR-1
MM GEO-1

MM NOISE-1
MM NOISE-2
MM TRIBAL-1

Impact Analysis

The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Initial Study Checklist/Mitigated Negative Declaration.

In instances where impacts have been identified, the Plans, Policies, or Programs, Project Design Features and Mitigation Measures are required to reduce impacts to less-than-significant levels. Therefore, the Project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

4.0 REFERENCES

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<http://www.arb.ca.gov/homepage.htm>

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City of Banning General Plan, 2006 www.ci.banning.ca.us

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5.0 REPORT PREPARATION PERSONNEL

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