NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT

Banning Distribution Center
SCH # 2018011032

Pursuant to State CEQA Guidelines Article 6, this notice is to advise that the City of Banning, as Lead Agency, Has completed and is issuing notification of the availability of a Draft Environmental Impact Report (DEIR) for the project as described herein.

PROJECT TITLE: Banning Distribution Center

PROJECT LOCATION: The proposed project is located in the southeastern portion of the City on approximately 63.9 acres. Affected parcels include Assessor Parcel Numbers (APNs) 532-110-006, 532-130-001 and 532-130-002. The Project site is located north of the Banning Municipal Airport, and south of Interstate 10 (I-10) freeway and the Union Pacific Railroad line the City of Banning, California.

PROJECT DESCRIPTION: The Project proposes construction and operation of approximately 990,000 square feet (SF) of high-cube, non-refrigerated, warehouse building which includes approximately 10,000 SF of office space. The warehouse building will be constructed as a "spec" building with no specific tenant identified at this time. The building includes 88 dock doors on the northern side, 25 dock doors on the western side and 96 dock doors on the southern side. The proposed Project will also provide 174 automobile parking spaces, 8 American Disabilities Act-compliant (ADA) parking spaces, and 321 truck trailer parking spaces. Approximately 660,860 square feet of landscaping covering approximately 24 percent of the Project site is proposed.

The proposed Project includes a paved 5,688 linear foot extension of John Street (60 ft. R/W; 44 ft. paved section) from the Project's west property line to Lincoln Street. The Project also includes a 3,871 linear foot gravel emergency access roadway, 30 feet in width, at the southwestern corner of the property which will incorporate a low-water crossing through the Ramsey Street Wash onto Banning Airport property. The Project also includes the construction of the intersection of Lincoln Street and John Street. Primary access for vehicles and trucks is proposed via a 50 ft. wide foot wide driveway to be located at the end of John Street, and an interior driveway (minimum 40 ft. in width) that encircles the proposed warehouse. The Project will connect to existing potable water and sewer infrastructure on East Westward Avenue.

The proposed Project requires the following discretionary actions by the City of Banning: (1) Certification of the DEIR with the determination that the DEIR has been prepared in compliance with the requirements of CEQA, including adoption of Findings of Fact and a Statement of Overriding Considerations (2) General Plan Amendment; (3) Zone Change; and (4) Design Review Approval of the Project Site Plan.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The DEIR determined that the following issue areas have potentially significant environmental impacts that will be mitigated to below a level of significance: Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise, Utilities and Service Systems, Transportation and Traffic, and Energy Conservation. Finally, the DEIR determined that even with feasible mitigation measures the proposed Project would result in significant impacts to Air Quality and Greenhouse

Gas Emissions that cannot be mitigated to below a level of significance. As a result, adoption of a Statement of Overriding Considerations by the City will be required in order for the project to be approved.

PUBLIC REVIEW PERIOD: As mandated by State Law, the minimum public review period for this Draft EIR is 45 days. The DEIR will be available for public review and comment beginning June 26, 2018 and ending August 9, 2018. The City of Banning, as the Lead Agency, provides an electronic copy of the DEIR which is available on the City's website. (www.banning.ca.us.). A copy of the DEIR is also available for public review at Banning

City Hall, Department of Community Development, 99 E Ramsey St; and the Banning Public Library, located at 21 W. Nicolet Street.

Responses to this DEIR should be sent to Patty Nevins, Community Development Director, no later than August 9, 2018 at 5 pm, at the following address:

LEAD AGENCY:

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

Attn: Patty Nevins, Community Development Director
951-922-3125
pnevins@ci.banning.ca.us

PUBLIC HEARING: Public hearing dates have not been set at this time**.** Notification of the date and time, of future public hearings will be provided in compliance with the City regulations and California Environmental Quality Act (CEQA) requirements. All public hearings are held at City Hall, 99 E Ramsey Street, Banning, California.

ALBERT A. WEBB ASSOCIATES



DRAFT ENVIRONMENTAL IMPACT REPORT

BANNING DISTRIBUTION CENTER

SCH NO. 2018011032

Prepared for

BANNING, CA
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June 2018

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Draft Environmental Impact Report

Banning Distribution Center

Banning, California

SCH No. 2018011032

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June 2018

TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY 1-1
1.1. DOCUMENT PURPOSE 1-1
1.2. PROJECT SITE LOCATION AND ACCESS 1-1
1.3. PROJECT SITE DESCRIPTION 1-2
1.3.1. EXISTING LAND USES 1-2
1.3.2. GENERAL PLAN AND ZONING DESIGNATIONS 1-3
1.4. PROJECT CHARACTERISTICS 1-12
1.4.1. CONSTRUCTION 1-12
1.4.2. INDUSTRIAL BUILDING AND LANDSCAPING 1-13
1.4.3. ON-AND OFF-SITE INFRASTRUCTURE 1-13
1.5. BANNING GENERAL PLAN DEIR 1-24
1.6. RELATED APPLICATIONS 1-24
1.7. PROJECT OBJECTIVES 1-25
1.8. CUMMULATIVE SETTING 1-26
1.9. AREAS OF CONTREVERSY 1-30
1.10. SUMMARY OF ENVIRONMENTAL IMPACTS 1-31
1.11. ALTERNATIVES TO THE PROPOSED PROJECT 1-51
1.12. ALTERNATIVE SUMMARY 1-51
1.12.1. ALTERNATIVE 1 NO PROJECT ALTERNATIVE 1-51
1.12.2. ALTERNATIVE 2 EXISTING LND USE – AIRPORT FACILITES 1-52
2.0 INTRODUCTION 2-1
2.1. BACKGROUND 2-1
2.2. PURPOSE AND SCOPE 2-2
2.3. COMPLIANCE WITH CEQA 2-2
2.3.1. EIR FORMAT 2-2
2.3.2. CEQA PROCEDURES 2-4
2.3.3. BREADTH OF ENVIRONMENTAL ANALYSIS 2-5
2.4. EFFECTS NOT FOUND TO BE SIGNIFICANT DURING PREPARATION OF THE NOP 2-5
2.5. USES OF THIS EIR 2-6
3.0 PROJECT DESCRIPTION 3-1
3.1. PROJECT SITE LOCATION AND ACCESS 3-1
3.2. PROJECT SITE DESCRIPTION 3-2
3.2.1. EXISTING LAND USES 3-2
3.2.2. GENERAL PLAN AND ZONING DESIGNATIONS 3-3
3.3. PROJECT CHARACTERISTICS 3-12

3.3.1. CONSTRUCTION 3-12
3.3.2. INDUSTRIAL BUILDING AND LANDSCAPING 3-13
3.3.3. ON-AND-OFF-SITE INFRASTRUCTURE 3-13
3.4. PROJECT OBJECTIVES 3-24
3.5. CUMULATIVE SETTING 3-24
3.6. INTENDED USES OF THIS EIR 2-28
3.6.1. DISCRETIONARY ACTIONS AND APPROVALS 3-28

4.0 ENVIRONMENTAL ANALYSIS 4-1

4.1. INTRODUCTION 4-1

4.2 AIR QUALITY 4.2-1
4.2.1 INTRODUCTION 4.2-1
4.2.2 PHYSICAL SETTING 4.2-2
4.2.3 REGULATORY SETTING 4.2-13
4.2.4 CUMULATIVE SETTING 4.2-26
4.2.5 PROJECT DESIGN FEATURES 4.2-27
4.2.6 THRESHOLDS OF SIGNIFICANCE 4.2-30
4.2.7 IMPACTS AND MITIGATION MEASURES 4.2-30
4.2.8 CUMULATIVE IMPACTS 4.2-58
4.2.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.2-59
4.2.10 REFERENCES 4.2-59

4.3 BIOLOGICAL RESOURCES 4.3-1
4.3.1 INTRODUCTION 4.3-1
4.3.2 PHYSICAL SETTING 4.3-2
4.3.3 REGULATORY SETTING 4.3-31
4.3.4 CUMULATIVE SETTING 4.3-37
4.3.5 PROJECT DESIGN FEATURES 4.3-37
4.3.6 THRESHOLDS OF SIGNIFICANCE 4.3-40
4.3.7 IMPACTS AND MITIGATION MEASURES 4.3-32
4.3.8 CUMULATIVE IMPACTS 4.3-66
4.3.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.3-68
4.3.10 REFERENCES 4.3-68

4.4 CULTURAL RESOURCES 4.4-1
4.4.1 INTRODUCTION 4.4-1
4.4.2 PHYSICAL SETTINGS 4.4-1
4.4.3 REGULATORY SETTING 4.4-18
4.4.4 CUMULATIVE SETTING 4.4-22
4.4.5 PROJECT DESIGN FEATURES 4.4-24

4.4.6 THRESHOLD OF SIGNIFICANCE 4.4-24
4.4.7 IMPACTS AND MITIGATION MEASURES 4.4-24
4.4.8 CUMULATIVE IMPACTS 4.4-32
4.4.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.4-33
4.4.10 REFERENCES 4.4-33

4.5 GREENHOUSE GAS EMISSIONS 4.5-1
4.5.1 INTRODUCTION 4.5-1
4.5.2 PHYSICAL SETTING 4.5-1
4.5.3 REGULATORY SETTING 4.5-6
4.5.4 CUMULATIVE SETTING 4.5-35
4.5.5 PROJECT DESIGN FEATURES 4.5-36
4.5.6 THRESHOLDS OF SIGNIFICANCE 4.5-39
4.5.7 IMPACTS AND MITIGATION MEASURES 4.5-39
4.5.8 CUMULATIVE IMPACTS 4.5-57
4.5.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.5-58
4.5.10 REFERENCES 4.5-58

4.6 HYDROLOGY AND WATER QUALITY 4.6-1
4.6.1 INTRODUCTION 4.6-1
4.6.2 PHYSICAL SETTING 4.6-1
4.6.3 REGULATORY SETTING 4.6-10
4.6.4 CUMULATIVE SETTING 4.6-19
4.6.5 PROJECT DESIGN FEATURES 4.6-19
4.6.6 THRESHOLDS OF SIGNIFICANCE 4.6-21
4.6.7 IMPACTS AND MITIGATION MEASURES 4.6-22
4.6.8 CUMULATIVE IMPACTS 4.6-36
4.6.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.6-37
4.6.10 REFERENCES 4.6-37

4.7 NOISE 4.7-1
4.7.1 INTRODUCTION 4.7-1
4.7.2 PHYSICAL SETTING 4.7-1
4.7.3 REGULATORY SETTING 4.7-14
4.7.4 CUMULATIVE SETTING 4.7-24
4.7.5 PROJECT DESIGN FEATURES 4.7-25
4.7.6 THRESHOLDS OF SIGNIFICANCE 4.7-25
4.7.7 IMPACTS AND MITIGATION MEASURES 4.7-28
4.7.8 CUMULATIVE IMPACTS 4.7-46
4.7.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.7-48
4.7.10 REFERENCES 4.7-48

4.8 TRANSPORTATION/TRAFFIC 4.8-1
4.8.1 INTRODUCTION 4.8-1
4.8.2 PHYSICAL SETTING 4.8-1
4.8.3 REGULATORY SETTING 4.8-17
4.8.4 CUMULATIVE SETTING 4.8-21
4.8.5 PROJECT DESIGN FEATURES 4.8-21
4.8.6 THRESHOLDS OF SIGNIFICANCE 4.8-23
4.8.7 IMPACTS AND MITIGATION MEASURES 4.8-24
4.8.8 CUMULATIVE IMPACTS 4.8-45
4.8.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.8-46
4.8.10 REFERENCES 4.8-46

4.9 TRIBAL CULTURAL RESOURCES 4.9-1
4.9.1 INTRODUCTION 4.9-1
4.9.2 PHYSICAL SETTING 4.9-2
4.9.3 REGULATORY SETTING 4.9-7
4.9.4 CUMULATIVE SETTING 4.9-11
4.9.5 PROJECT DESIGN FEATURES 4.9-12
4.9.6 THRESHOLDS OF SIGNIFICANCE 4.9-13
4.9.7 IMPACTS AND MITIGATION MEASURES 4.9-13
4.9.8 CUMULATIVE IMPACTS 4.9-15
4.9.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.9-16
4.9.10 REFERENCES 4.9-16

4.10 UTILITIES AND SERVICE SYSTEMS 4.10-1
4.10.1 INTRODUCTION 4.10-1
4.10.2 PHYSICAL SETTING 4.10-1
4.10.3 REGULATORY SETTING 4.10-9
4.10.4 CUMULATIVE SETTING 4.10-17
4.10.5 PROJECT DESIGN FEATURES 4.10-18
4.10.6 THRESHOLDS OF SIGNIFICANCE 4.10-20
4.10.7 IMPACTS AND MITIGATION MEASURES 4.10-21
4.10.8 CUMULATIVE IMPACTS 4.10-34
4.10.9 SIGNIFICANT UNAVOIDABLE IMPACTS 4.10-36
4.10.10 REFERENCES 4.10-36

5.0 ENERGY CONSERVATION 5-1
5.1. INTRODUCTION 5-1
5.2. PHYSICAL SETTING 5-1
5.3. REGULATORY SETTING 5-5
5.4. PROJECT DESIGN FEATURES 5-11

5.5. THRESHOLDS OF SIGNIFICANCE....5-14
5.6. IMPACTS AND MITIGATION MEASURES....5-15
5.7. SIGNIFICANT UNAVOIDABLE IMPACTS....5.24
5.8. REFERENCES....5-24

6.0 ENVIRONMENTAL EFFECTS FOUND SIGNIFICANT....6-1
6.1. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS....6-1
6.2. SUMMARY OF IMPACTS FOUND LESS THAN SIGNIFICANT INTHIS EIR....6-1

7.0 ALTERNATIVES TO THE PROPOSED PROJECT....7-1
7.1. INTRODUCTION....7-1
7.1.1. SUMMARY OF PROPOSED PROJECT....7-1
7.1.2. PROJECT OBJECTIVES....7-2
7.1.3. SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT....7-3
7.2. RATIONALE FOR ALTERNATIVE SECTION....7-3
7.3. ALTERNATIVES CONSIDERED BUT REJECTED....7-4
7.3.1. ALTERNATIVE LOCATION....7-4
7.4. ALTERNATIVES UNDER CONSIDERATION....7-4
7.4.1. ALTERNATIVE 1 – NO PROJECT ALTERNATIVE....7-5
7.4.2. ALTERNATIVE 2 – EXISTING LAND USE – AIRPORT FACILITIES....7-9
7.5. COMPARISON OF ALTERNATIVES....7-14
7.5.1. ENVIRONMENTALLY SUPERIOR ALTERNATIVE....7-16

8.0 OTHER CEQA TOPICS....8-1
8.1. INTRODUCTION....8-1
8.2. GROWTH INDUCING IMPACTS....8-1
8.2.1. CONSISTENCY WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVRMENTS' REGIONAL TRANSPORTATION PLAN AND COMPASS GROWTH VISIONING....8-3
8.2.2. SHORT TERM USE VERSUS LONG-TERM PRODUCTIVITY....8-8
8.3. SIGNIFICANT IRREVERSIBLE IMPACTS....8-9
8.3.1. IRREVERSIBLE COMMITMENT TO RESOURCES....8-10
8.3.2. POTENTIAL ENVIRONMENTAL DAMAGE FROM ACCIDENTS....8-11

Appendices

Appendix A – Initial Study/Notice of Preparation

Appendix B – NOP Comments

Appendix C –Air Quality

C.1 Air Quality

C.2 Health Risk Assessment Modeling Data

C.3 CalEEMod Output File

Appendix D – MSHCP Consistency Report

D Habitat Assessment and Western Riverside County MSHCP Consistency Analysis Report Banning Industrial Park Project City of Banning, Riverside County, California

D.2 Burrowing Owl Focused Survey

Appendix E –DBESP Report

E Determination of Biologically Equivalent or Superior Preservation Banning Industrial Park Project City of Banning, Riverside County, California

Appendix F – Tree Impact Memorandum

F Mature Tree Assessment Letter Report for the Banning Industrial Park Project, located in the City of Banning, Riverside County, California

Appendix G – Jurisdictional Delineation Report

G Jurisdictional Delineation Report Banning Industrial Park City of Banning, Riverside County, California

Appendix H – Cultural Resources Report

H Cultural Resource Assessment of 108 Acres for the Banning Distribution Center Project City of Banning, Riverside County, California

Appendix I – Drainage Study

I Preliminary Drainage Study

Appendix J – Water Supply Assessment

J Water Supply Assessment Banning Distribution Center

Appendix K – Phase 1 Environmental Site Assessment and Update

K Phase 1 Environmental Site Assessment Undeveloped 58.3 Acre Tract of Land North of the Banning Airport Banning California

Appendix L – Water Quality Management Plan

L Preliminary Water Quality Management Plan

Appendix M – Noise Report

M Banning Distribution Facility Noise Impact Analysis

Appendix N – Traffic Impact Analysis

N Revised Traffic Impact Analysis Banning Distribution Center (Design Review No. 16-7002)

Appendix O – Energy Calculations

O Energy Calculation Tables

List of Figures

Figure 1-1 Regional Map 1-5
Figure 1-2 Aerial Map 1-6
Figure 1-3 USGS Topography Map 1-7
Figure 1-4 Existing On-and-Off-site Drainages 1-8
Figure 1-5 Views of the Project Site in Existing Condition 1-9
Figure 1-6 General Plan Land Use and Zoning 1-10
Figure 1-6A Proposed General Plan and Zoning 1-11
Figure 1-7 Project Site Plan 1-18
Figure 1-8A Conceptual West Elevation 1-19
Figure 1-8B Conceptual North Elevations 1-20
Figure 1-8C Conceptual South Elevations 1-21
Figure 1-9 Project Landscape Plan 1-22
Figure 1-10 Utilities and Access 1-23
Figure 1-11 Cumulative Projects within the Study Area in 2019 1-29

Figure 3-1 Regional Map 3-5
Figure 3-2 Aerial Map 3-6
Figure 3-3 USGS Topography Map 3-7
Figure 3-4 Existing On-and-Off-site Drainages 3-8
Figure 3-5 Views of the Project Site in Existing Condition 3-9
Figure 3-6 General Plan Land Use and Zoning 3-10
Figure 3-6A Proposed General Land Use and Zoning 3-11
Figure 3-7 Project Site Plan 3-18
Figure 3-8A Conceptual West Elevation 3-19
Figure 3-8B Conceptual North Elevations 3-20
Figure 3-8C Conceptual South Elevations 3-21
Figure 3-9 Project Landscape Plan 3.22
Figure 3-10 Utilities and Access 3-23
Figure 3-11 Cumulative Projects within the Study Area in 2019 3-27

Figure 4.2-1 HRA Discrete Receptor Locations 4.2-53

Figure 4.3-1 Biological Study Area 4.3-3
Figure 4.3-2 Project Site Vegetation 4.3-5
Figure 4.3-3 MSHCP Features 4.3-12
Figure 4.3-4 Jurisdictional Delineation Features 4.3-26
Figure 4.3-5A Site Photos 4.3-27

Figure 4.3-5B Site Photos 4.3-28
Figure 4.3-5C Site Photos 4.3-29
Figure 4.3-6 Existing Trees on Site 4.3-30
Figure 4.3-7 Proposed Condition 4.3-39
Figure 4.3-8 Jurisdictional Impacts 4.3.52

Figure 4.4-1 Project Area of Potential Effects 4.4-11

Figure 4.6-1 Regional Drainage 4.6-1
Figure 4.6-2 Groundwater Basin 4.6-5
Figure 4.6-3 Off-site Watersheds 4.6-7
Figure 4.6-4 Proposed Condition 4.6-9
Figure 4.6-5 FEMA Flood Hazard Zones 4.6-11
Figure 4.6-6 Drainages 4.6-29

Figure 4.7-1 Project Truck Route & Sensitive Receptor Locations 4.7-12
Figure 4.7-2 Ambient Noise Monitor Locations 4.7-13
Figure 4.7-3 Land Use/Noise Compatibility Guidelines 4.7-17
Figure 4.7-4 Banning Municipal Airport Compatibility Zones 4.7-19
Figure 4.7-5 Banning Municipal Airport Noise Contours 4.7-20
Figure 4.7-6 Transportation Noise Contours 4.7-39
Figure 4.7-7 Project Operational Noise Levels 4.7-42

Figure 4.8-1 Project Location 4.8-4
Figure 4.8-2 City of Banning General Plan Circulation Element 4.8-5
Figure 4.8-3 Existing Roadway System 4.8-6
Figure 4.8-4 Study Area Map 4.8-7
Figure 4.8-5 Existing (2017) AM Peak Hour Intersection Volumes in PCE 4.8-12
Figure 4.8-6 Existing (2017) PM Peak Hour Intersection Volumes in PCE 4.8-13
Figure 4.8-7 Project Only AM Peak Hour Intersection Volumes 4.8-15
Figure 4.8-8 Project Only PM Peak Hour Intersection Volumes 4.8-16
Figure 4.8-9 Cumulative Development Location Map 4.8-22
Figure 4.8-10 Project Passenger Car Traffic Distribution 4.8-30
Figure 4.8-11 Project Truck Traffic Distribution 4.8-31

Figure 4.9-1 Project Area of Potential Effects 4.9-6

Figure 4.10-1 Water and Sewer Service Area 4.10-2
Figure 4.10-2 Groundwater Basins 4.10-4

Figure 4.10-3 Proposed Utilities....4.10-19
Figure 4.10-4 Drainages....4.10-28

List of Tables

Table 1-A Surrounding Land Uses 1-3
Table 1-B Cumulative Projects within the Study Area in 2019 1-28
Table 1-C EIR Summary Matrix 1-32

Table 3-A Surrounding Land Uses 3-3
Table 3-B Cumulative Projects within the Study Area in 2019 3-26

Table 4.2-A Meteorological Data 4.2-4
Table 4.2-B Air Quality Monitoring Summary from 2014 – 2016 (SRA 29) 4.2-12
Table 4.2-C Attainment Status 4.2-13
Table 4.2-D Consistency with City of Banning General Plan Goals and Policies 4.2-31
Table 4.2-E SCAQMD CEQA Regional Significance Thresholds 4.2-35
Table 4.2-F Construction Schedule 4.2-36
Table 4.2-G Construction Equipment 4.2-36
Table 4.2-H Unmitigated Estimated Daily Construction Emissions 4.2-38
Table 4.2-I Unmitigated Estimated Daily Project Operation Emissions (Summer) 4.2-39
Table 4.2-J Unmitigated Estimated Daily Project Operation Emissions (Winter) 4.2-39
Table 4.2-K Mitigated Estimated Daily Construction Emissions 4.2-40
Table 4.2-L Unmitigated LST Results for Maximum Construction Emissions 4.2-43
Table 4.2-M Unmitigated LST Results for Off-site Construction Emissions 4.2-43
Table 4.2-N Unmitigated LST Results for Operational Emissions 4.2-44
Table 4.2-O Mitigated LST for Maximum Daily Construction Emissions 4.2-45

Table 4.3-A Special Status Plant Species Potential for Occurrence 4.3-6
Table 4.3-B Special Status Animals 4.3-16
Table 4.3-C Consistency with City of Banning General Plan Goals and Policies 4.3-41
Table 4.3-D Summary of Jurisdictional Areas 4.3-50
Table 4.3-E Summary of Impacts to Jurisdictional Areas 4.3-51
Table 4.3-F Project Consistency with MSHCP Section 6.1.4 ..... 4.3-63

Table 4.4-A Cumulative Projects within the Study Area in 2019 ..... 4.4-23
Table 4.4-B Consistency with City of Banning General Plan Goals and Policies 4.4-24

Table 4.5-A Global Warming Potentials and Atmospheric Lifetimes 4.5-6
Table 4.5-B Consistency with City of Banning General Plan Goals and Policies 4.5-40
Table 4.5-C Unmitigated Project 2020 GHG Emissions 4.5-43

Table 4.5-D BAU GHG Emissions 4.5-45
Table 4.5-E Mitigated Project 2020 GHG Emissions 4.5-46
Table 4.5-F 2030 GHG Emissions 4.5-48

Table 4.6-A Beneficial Uses for Receiving Water 4.6-13
Table 4.6-B Consistency with City of Banning General Plan Goals and Policies 4.6-22

Table 4.7-A Typical Noise Levels of Common Sounds 4.7-3
Table 4.7-B Existing Daytime Noise Levels in Project Vicinity 4.7-7
Table 4.7-C 24-Hour Noise Measurement Data at Representative Sensitive Receptors East of 982 East Lincoln Street (Single Family Residence) 4.7-8
Table 4.7-D 24-Hour Noise Measurement Data at Representative Sensitive Receptors North of 782 Plaza Street (Single-Family Residence) 4.7-10
Table 4.7-E City of Banning Base Ambient Noise Regulations 4.7-24
Table 4.7-F City of Banning Maximum Residential Noise Levels 4.7-24
Table 4.7-G Consistency with City of Banning General Plan Goals and Policies 4.7-28
Table 4.7-H Typical Construction Equipment Noise Levels 4.7-32
Table 4.7-I Project-Generated Modeled Roadway Noise (dBA CNEL) 4.7-36

Table 4.8-A LOS Descriptions 4.8-9
Table 4.8-B Intersection LOS, Existing Conditions (2017) 4.8-11
Table 4.8-C Consistency with City of General Plan Goals and Policies 4.8-25
Table 4.8-D Trip Generation Rates 4.8-29
Table 4.8-E Project Trip Generation in PCE 4.8-32
Table 4.8-F Intersection LOS, Existing Plus Project Conditions (E+P) (2017) 4.8-33
Table 4.8-G Intersection LOS – Existing plus Project (2017) with Improvements 4.8-34
Table 4.8-H Intersection LOS, Existing Plus Ambient Growth Plus Project Conditions (E+A+P) (2019) 4.8-35
Table 4.8-I Cumulative Development Trip Generation in 2019 ..... 4.8-37
Table 4.8-J Intersection LOS, Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) (2019) 4.8-38
Table 4.8-K Intersection LOS – Existing Plus Ambient Growth Plus Project (2019) with Improvements 4.8-39
Table 4.8-L Cumulative Development Trip Generation in 2040 ..... 4.8-40
Table 4.8-M Existing plus Ambient Growth plus Cumulative plus Project (2040) with Improvements 4.8-41

Table 4.10-A City of Banning Current and Future Water Demand (AFY) 4.10-3
Table 4.10-B City of Banning Current and Future Water Supplies (AFY) 4.10-6

Table 4.10-C Consistency with City of Banning General Plan Goals and Policies 4.10-22
Table 4.10-D City Groundwater Production and Rights Summary 4.10-31
Table 4.10-E Projected Supply and Demand (AFY) 4.10-32
Table 4.10-F Projected WWTP Effluent (AFY) 4.10-34

Table 5-A Electricity Consumption in City of Banning Service Area (2016) 5-2
Table 5-B Natural Gas Consumption in SCG Service Area (2016) 5-4
Table 5-C Consistency with City of Banning General Plan Goals and Policies 5-15
Table 5-D Construction Energy Use 5-18
Table 5-E Annual Fuel Consumption 5-20

Table 7.4-A Alternatives Summary 7-5
Table 7.4-B Summary of Alternative 1 and Project Objectives 7-8
Table 7.4-C Summary of Alternative 2 and Project Objectives 7-13
Table 7.5-A Comparison of Impacts from Project Alternatives 7-14

Table 8.0-A Demographics and Growth 8-2
Table 8.0-B Proposed Project Consistency with the 2016 RTP/SCS Goals 8-4

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1.0 EXECUTIVE SUMMARY

1.1 DOCUMENT PURPOSE

This Draft Environmental Impact Report (DEIR) has been prepared to inform decision-makers and the public of the potentially significant environmental effects associated with the project approvals for the Banning Distribution Center in the City of Banning. This study has been prepared pursuant to the California Environmental Quality Act, known as CEQA, (California Public Resources Code, Sections 21000, et seq.) the State CEQA Guidelines (California Code of Regulations, Sections 15000, et seq.) and the Guidelines for Implementation of the Environmental Quality Act (State CEQA Guidelines) (California Code of Regulations, Sections 15,000, et seq.). The City of Banning is the Lead Agency for the proposed project under CEQA and is responsible for the preparation of this DEIR.

1.2 PROJECT SITE LOCATION AND ACCESS

As shown in **Figure 1-1 – Regional Map**, the Project site is generally located in the southeast portion of the City of Banning, in northwestern Riverside County, California. The City of Banning (herein after "City") encompasses approximately 20 square miles and is located midway between the San Bernardino and San Jacinto Mountains. The bulk of developable land within the City is located in a flat basin, with rolling foothills to the north and south.

The Project site is located immediately north of the Banning Municipal Airport, and south of Interstate 10 (I-10) freeway and the Union Pacific Railroad line as shown in **Figure 1-2 – Aerial Map**. Access to the site will be available from John Street which will be extended and improved as part of the Project. The Project site is located approximately one-mile east of Hargrave Street, and approximately 400 feet south of Interstate 10 (I-10). Primary access to the Project site from I-10 is taken from the Hargrave Street on- and off-ramps. Paved surface street access to the site begins north of East Lincoln Street, between South Hargrave Street and South Juarez Street, for approximately 679 feet until connecting to the existing John Street. From there, John Street will be extended northeast for approximately 5,009 feet until it connects to the Project site for a total of 5,688 linear feet.

The Project will include construction of a gravel emergency access road, since the site will not be able to have access to the east (Tribal land located east of the site). An unpaved, gravel emergency access road begins north of the intersection of East Lincoln Street and South Juarez Street for approximately 422 feet then heads east for approximately 6,864 feet until connecting to the southwest portion of the Project site

for 3,871 linear feet. The emergency access road also includes an at-grade crossing of Ramsey Street Wash (See **Figure 1-2**).

Extensions of water and sewer infrastructure are needed to serve the Project site. These shared utility lines begin north of Charles Street and the City's Water Reclamation Facility until they connect to East Westward Avenue. The shared utility lines run north along the eastern edge of the Banning Municipal Airport runway, until reaching the Project site (See **Figure 1-2**).

The Project site is located in Section 11 and portions of the off-site improvements are located in Sections 11 and 14 of Township 3 South, Range 1 East, as shown on the Cabazon, California, United States Geological Survey (USGS) 7.5 minute quadrangle on **Figure 1-3 – USGS Topography Map**. Elevation on the Project site ranges from 2,105 to 2,240 feet above sea level. The geographic coordinates near the middle of the site are 33˚ 55.520' North latitude and -116 ˚ 50.767' West longitude.

1.3 PROJECT SITE DESCRIPTION

The Project site is relatively flat, consists of approximately 63.9 acres, and is located north east of, and directly adjacent to, the Banning Municipal Airport in the City of Banning, California. The site is vacant, undeveloped and currently vegetated with desert scrub habitat. Several ephemeral drainages traverse the site and the surrounding area as shown in **Figure 1-4 – Existing On- and Offsite Drainages**. These drainages have been numbered, and are referred by this numbering in other relevant sections of this EIR. As shown in **Figure 1-5– Views of the Project Site in Existing Condition**, views of the Project site in its existing condition include views of Ramsey Street Wash/Drainage 1 (offsite) from the western boundary of the Project site (Photo 1), views of Ramsey Street Wash/Drainage 1 from the southwestern corner of the main Project site (Photo 2), and an offsite view of Drainage 3 from the northern portion of the Project site (Photo 3).

1.3.1 EXISTING LAND USES

The currently undeveloped and vacant Project site consists of three Assessor's Parcel Numbers (APNs):

- 532-110-006
- 532-130-001
- 532-130-002

Southern portions of parcels 532-130-001 and 532-130-002 have an existing zone and land use designation that needs to be changed. These parcels are being processed for a

zone change and general plan land use amendment to change from Public Facilities – Airport (PF-A) to Airport Industrial (AI). **Table 1-A – Surrounding Land Uses** and **Figure 1-6 – General Plan Land Use and Zoning** identifies the surrounding zoning and land use designations. South of the airport, land use is zoned Industrial (I) and Very Low Density Residential (VLDR). To the west of the airport at the extension of John Street, land use is zoned Airport Industrial (AI) and Industrial (I). Land uses include a plastic fabrication business, a small multi-tenant industrial park, automotive repair and scattered legal nonconforming residential uses. The I-10 freeway and a Union Pacific Railroad line are located to the north of the site and the Morongo Indian Reservation is located directly east of the site. The Morongo Indian Reservation/Tribal land is not within the City's sphere of influence.

Table 1-A– Surrounding Land Uses

Location	Land Use	General Plan/(Zoning)
North	Union Pacific Railroad (Railroad) and Interstate 10 (I-10)	Public Facilities – Railroad/Interstate/(PF-RI)
South	Banning Municipal Airport facility	Public Facilities – Airport/(PF-A)
East	Vacant Land owned by the Morongo Band of Mission Indians	None. Not in City's Sphere of Influence.
West	Banning Municipal Airport facility	Public Facilities – Airport/(PF-A) Airport Industrial/(A-I)

Source: City of Banning General Plan

1.3.2 GENERAL PLAN AND ZONING DESIGNATIONS

The proposed Project site's land use and zoning designations, as noted, are Airport Industrial (AI) and Public Facilities-Airport (PF-A) in the City's General Plan (**Figure 1-6**). The distribution warehouse is currently located within the Airport Industrial (AI) land use designation and zoning which allows for this type of use. However, the southern portion of the Project site (APNs 532-130-001 and 530-130-002) are currently designated Public Facilities-Airport (PF-A) which allows for uses specifically related to airport operations. Since an end user is not known at this time and it is unlikely that the distribution warehouse will be part of the Banning Airport operations, a General Plan Amendment (GPA) and Zone Change (ZC) to change the land use designation and zoning for APNs 532-130-001 and 530-130-002 from Public Facilities-Airport (PF-A) to Airport

Industrial (AI) are part of the Project's required entitlements. **Figure 1-6A – Proposed General Plan Land Use and Zoning** illustrates proposed land use and zoning designations on the Project Site. This area proposed for a GPA and ZC is proposed for surface parking and infiltration basins which will retain run off from rain events up to and including the 3-hour storm event per the City of Banning's regulations (Municipal Code 13.24). The Project also includes a design review, which will include review and approval of the Project site plans, including the spec warehouse, on- and off-site roadways and utilities.

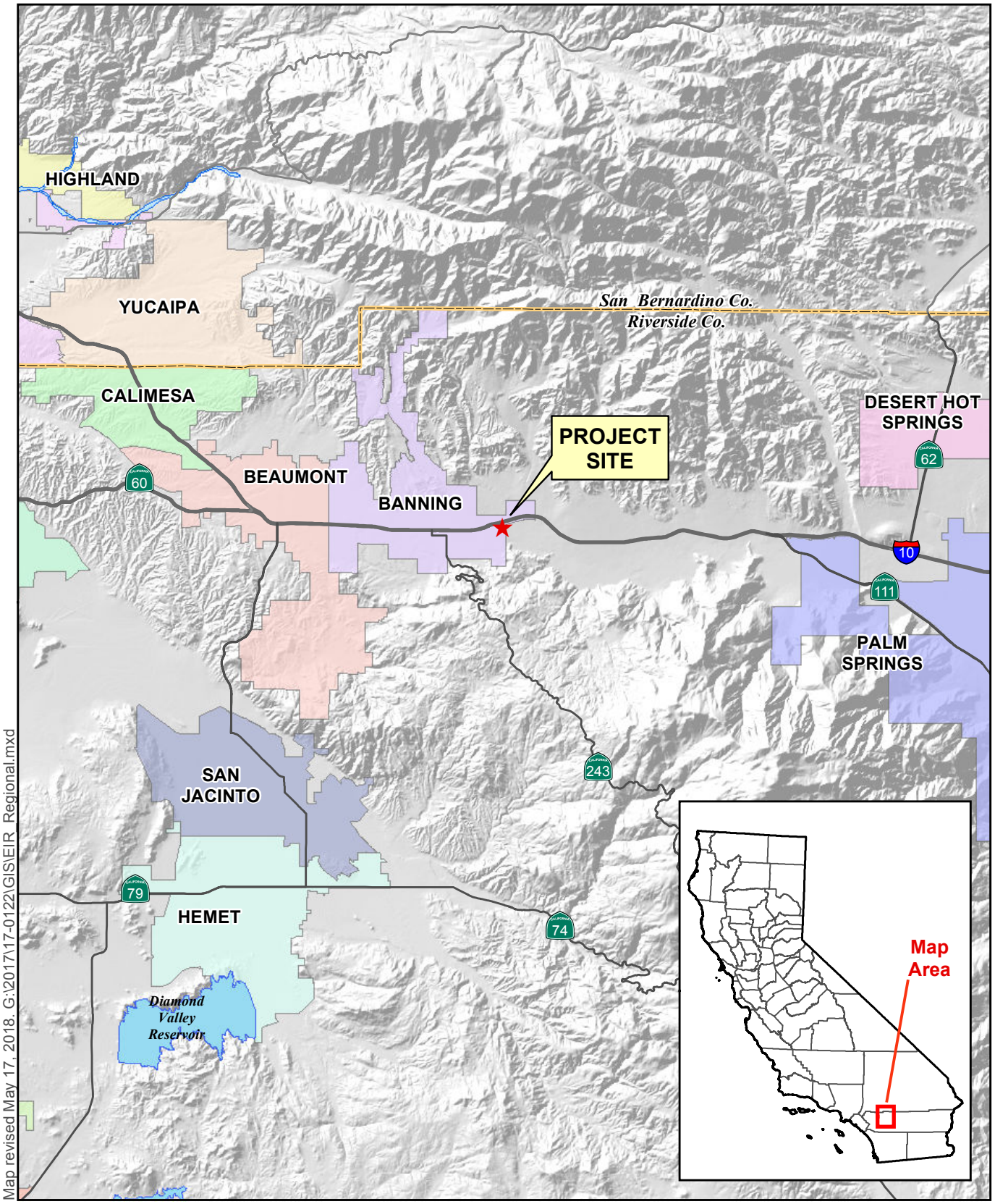
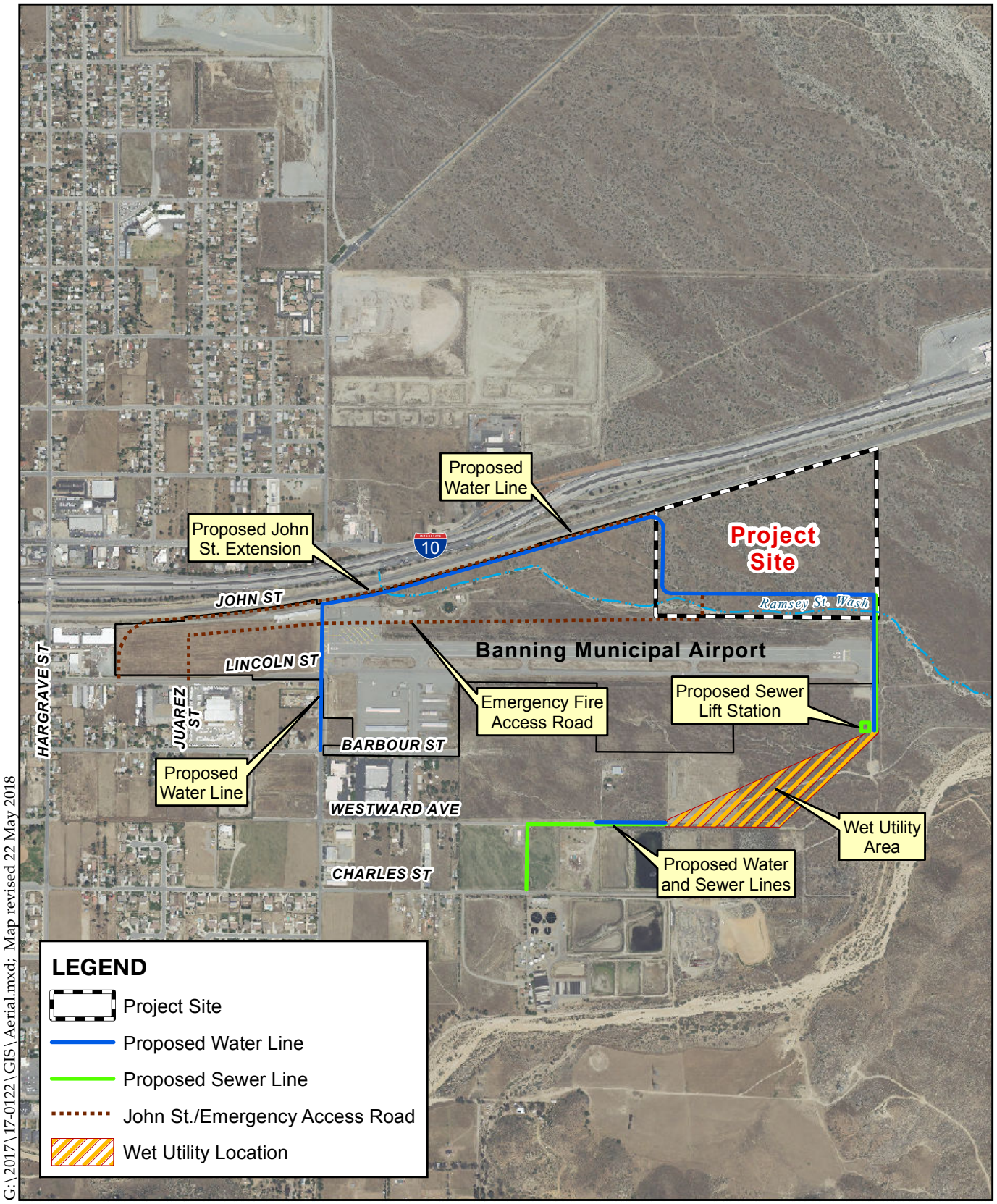


Figure 1-1 - Regional Map

Banning Distribution Center

0 2 4 6 Miles

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\Aerial.mxd; Map revised 22 May 2018

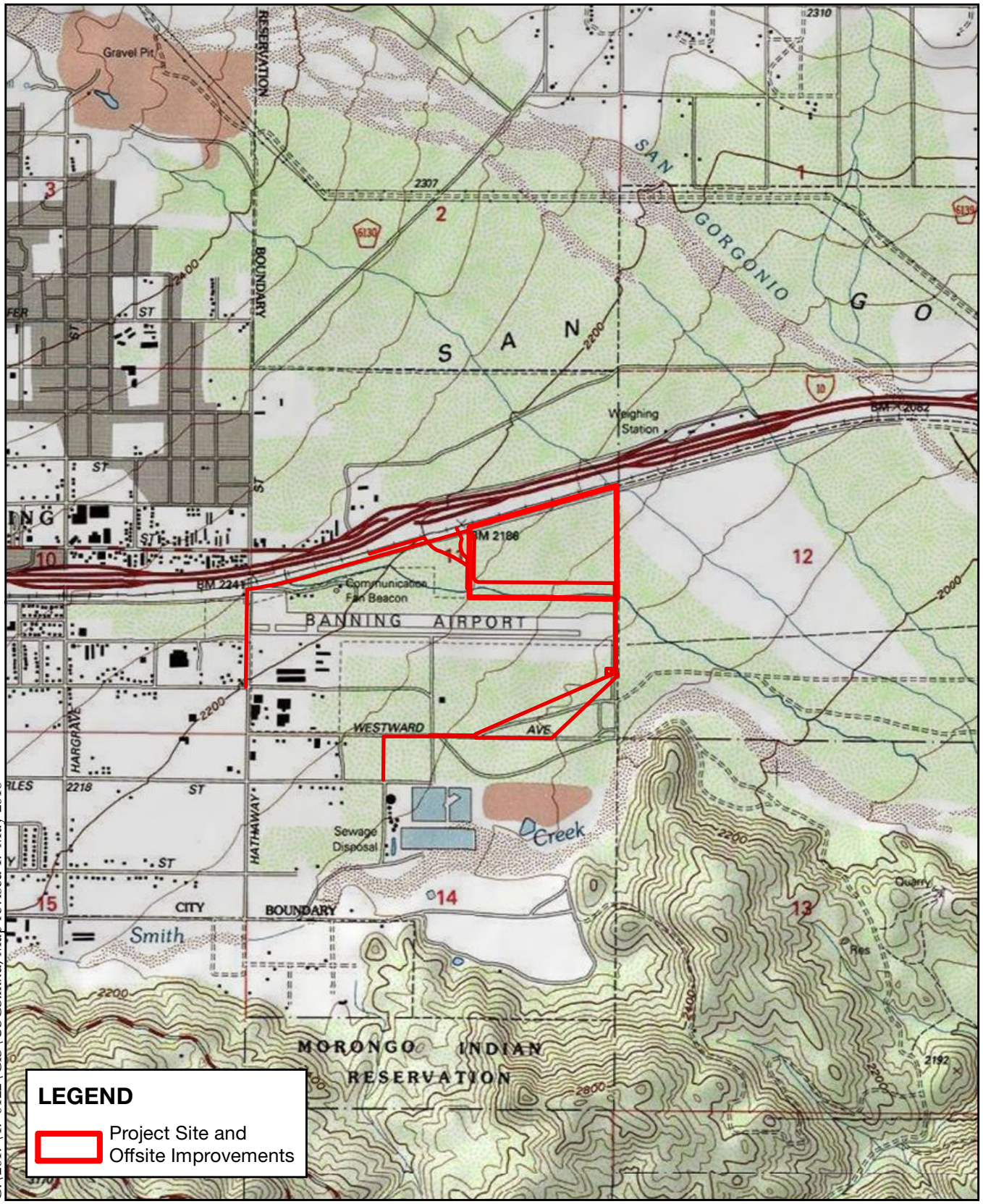
Sources: Riverside Co. GIS, 2018;
USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 1-2 - Aerial Map

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\USGS.mxd; Map revised 17 May 2018

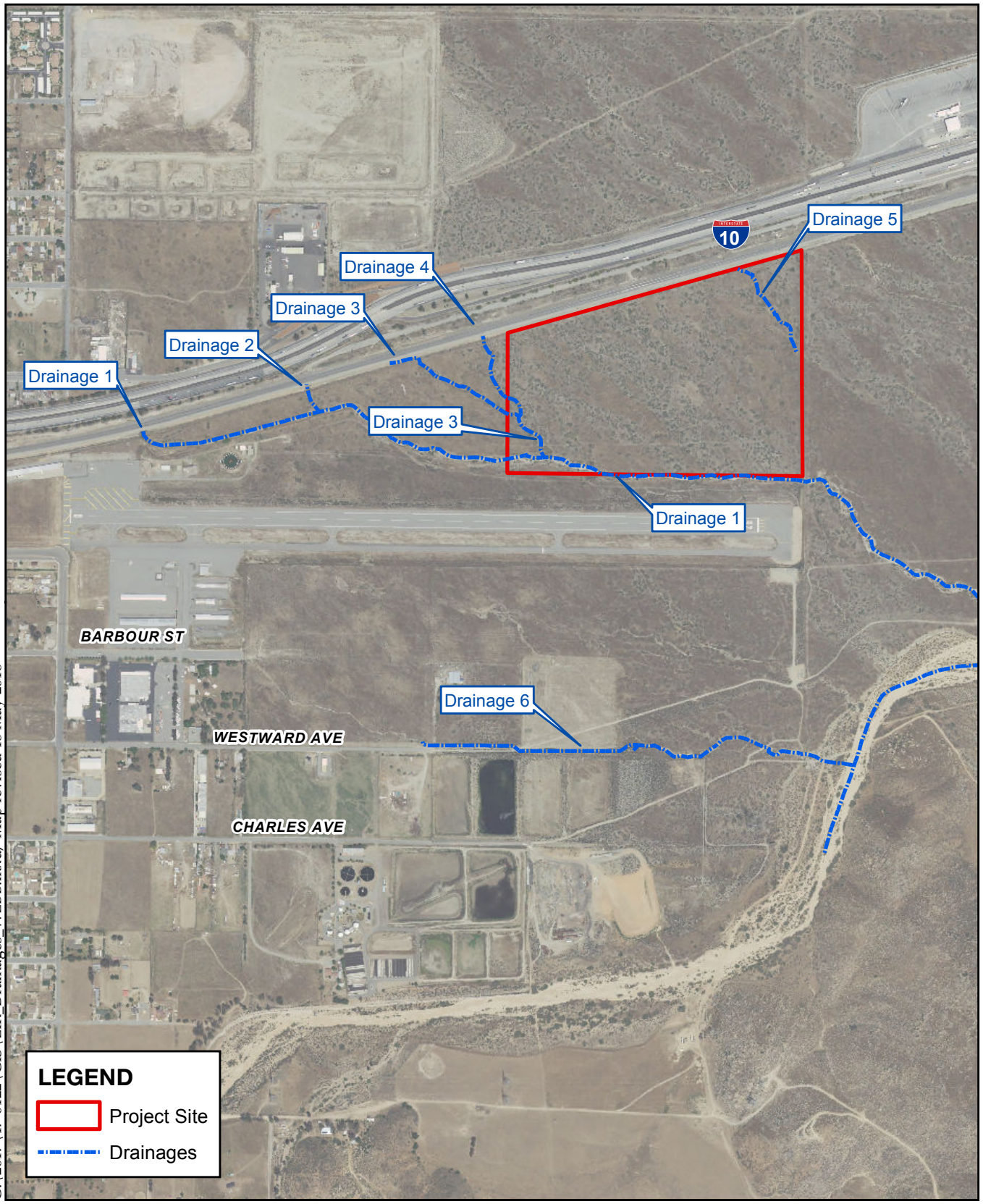
Sources: ESRI / USGS 7.5min Quad
DRG: CABAZON

0 1,000 2,000 3,000 Feet

Figure 1-3 - USGS Topography Map

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_Drainages_WEBB.mxd; Map revised 18 May 2018

Sources: Amec Foster Wheeler, June 2017; Riverside Co. GIS, 2018; USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 1-4 - Existing On- and Off-Site Drainages

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Photo 1 - Looking west at Drainage 1 (off-site) from the western boundary of the Project site.



Photo 2 - Looking east at Drainage 1 from the southwestern corner of the main Project site.



Photo 4 - Looking south at Drainage 3 from the northern portion of the Project site (offsite view).



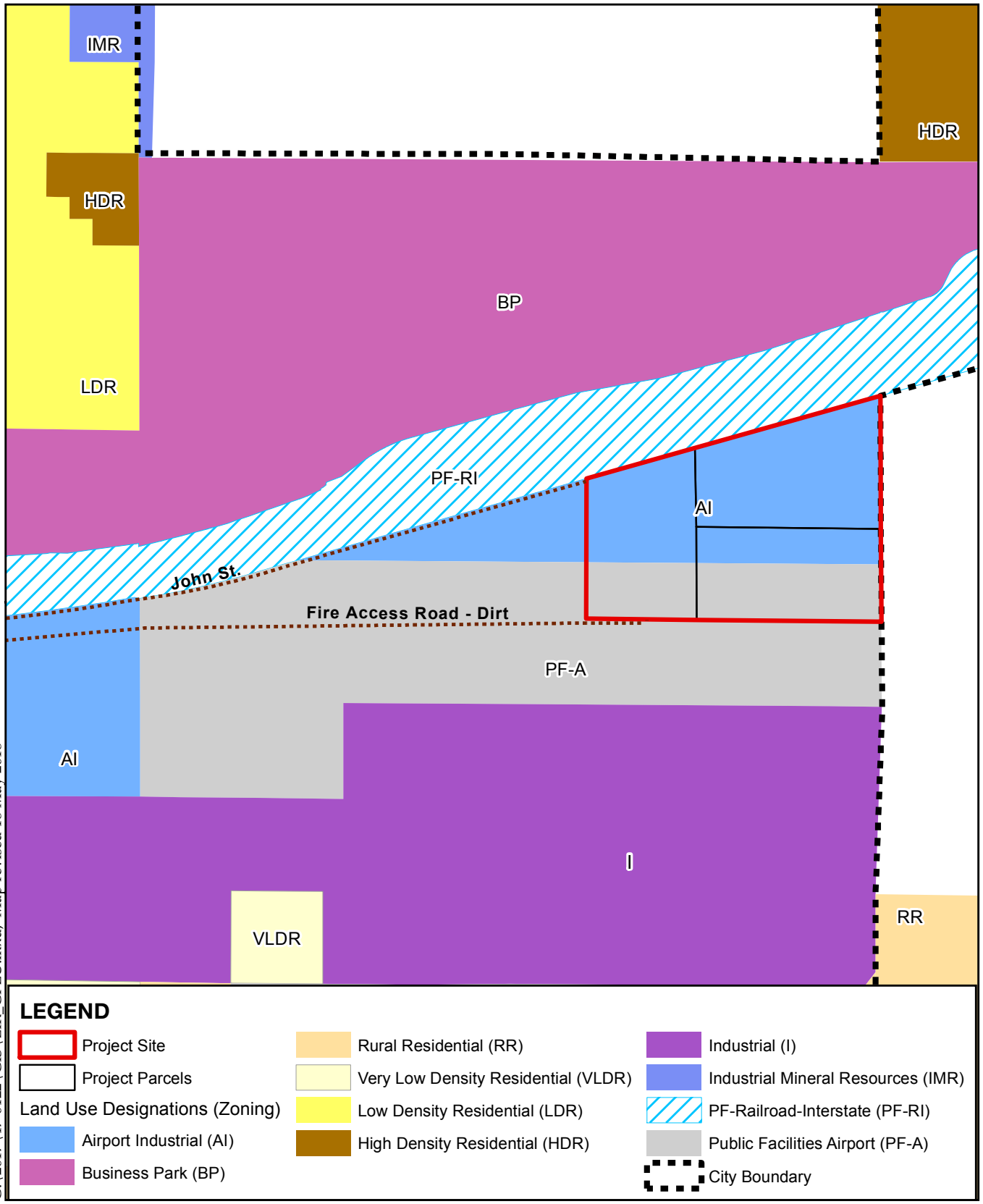
Map revised 5/18/2018. G:\2017\17-0122\GIS\EIR_Site_Photos.mxd

Source: Appendix A, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. Dec. 2017

Figure 1-5 - Views of Project Site in Existing Condition

Banning Distribution Center

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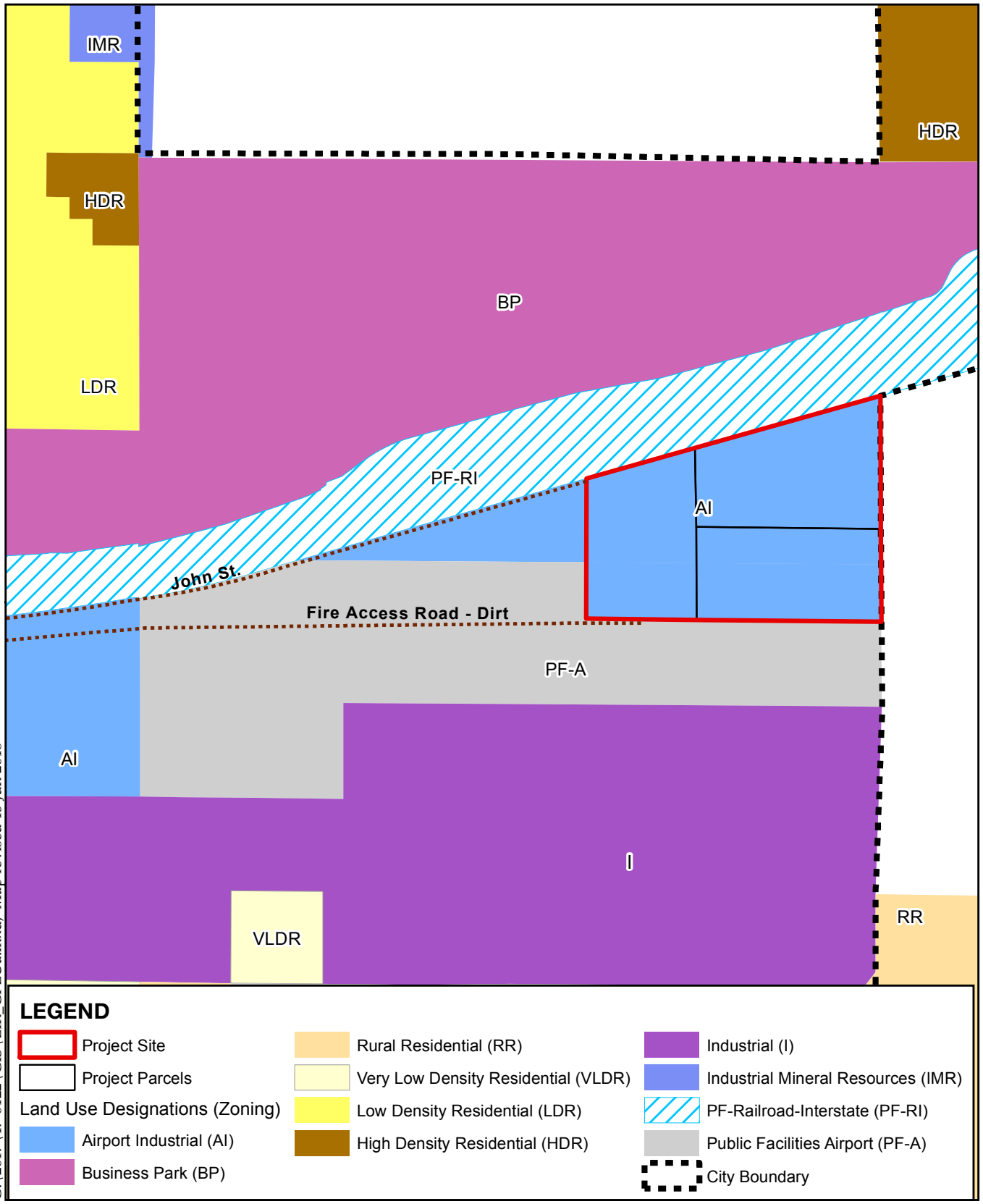
G:\2017\17-0122\GIS\EIR_GPLU.mxd; Map revised 18 May 2018

Sources: City of Banning, 2016;
Riverside Co. GIS, 2018.

Figure 1-6 - General Plan Land Use and Zoning

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_GPLUa.mxd; Map revised 15 Jun 2018

Sources: City of Banning, 2016; Riverside Co. GIS, 2018.

Figure 1-6a - Proposed General Plan Land Use and Zoning

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

1.4 PROJECT CHARACTERISTICS

The proposed Project includes characteristics and actions that may have environmental impacts. The following sections clarify Project characteristics which are necessary to adequately analyze potential Project impacts.

1.4.1 CONSTRUCTION

Construction is anticipated to take approximately 16 months and estimated to begin January 2019 and end April 2020. Construction activities anticipated and therefore analyzed within this EIR are as follows:

- Grading
- Off-site Grading (John Street, gravel emergency fire access road)
- Off-site Paving (John Street)
- Building Construction
- Off-site Construction (lift station, water and sewer lines)
- Paving
- Architectural Coating

Grading includes site preparation activities such as clear and grub and also accounts for on-site infrastructure installation. The Project site is proposed to balance on site, with no soil import or export required. However, during site preparation activities, truck hauling trips were included to account for debris (vegetation) removal. Removal of approximately one-tenth of a foot of the Project site is assumed, which equates to approximately 10,300 cubic yards of debris removal. Debris removal is assumed to occur over a one week period at the beginning of grading. Given that, approximately 129 truckloads of debris would be exported daily.

Off-site infrastructure improvements will also be required. These improvements include construction of John Street, construction of the off-site extensions of water lines, sewer lines, and a lift station (discussed in more detail in Section 1.4.3) , as well as the emergency access road. This corresponds to approximately 9.11 acres of off-site paving, for John Street and portions of the off-site sewer line. An additional 4.7 acres of unpaved off-site improvements are required for remaining portions of the off-site sewer line and lifts station, water line, and gravel emergency access road. Approximately 1,500 cubic yards of gravel will be imported during construction of the off-site emergency access road, which will remain unpaved.

Equipment used during construction include excavators, graders, rubber tired dozers, scrapers, tractors/loaders/backhoes, pavers, paving equipment, rollers, cranes, forklifts, generator sets, welders, and air compressors.

1.4.2 INDUSTRIAL BUILDING AND LANDSCAPING

The Project proposes development of a 1-million square feet building on approximately 63.9 acres. The building consists of 990,000 square-feet of high-cube (non-refrigerated) industrial/warehouse space and approximately 10,000 square feet of office space on the southwest and southeast corners of the proposed building (see **Figure 1-7 – Project Site Plan**). The proposed building is being built with no specific tenant identified. The site plan is conceptual in nature and that minor modifications may occur during detailed final project review. The EIR analysis included herein therefore makes assumptions of the type of project that could be occupying the site. These assumptions are made on the conservative side so that a "worst-case" analysis is provided. The warehouse building will feature 88 dock doors on the northern side of the building, 25 dock doors on the western side, and 96 dock doors on the southern side of the proposed building. The architectural design is modern industrial and includes concrete tilt-up wall construction with metal cap and window glazing and roof parapets. The visual characteristics of the industrial building are shown on **Figure 1-8A – Conceptual West Elevation, Figure 1-8B – Conceptual North Elevations,** and **Figure 1-8C – Conceptual South Elevations.**

The Project site will also provide a total of 174 automobile parking stalls; this includes 166 standard parking stalls, eight American Disabilities Act-compliant (ADA) handicapped parking stalls, and 321 truck and trailer parking stalls. The Project will include approximately 660,860 square feet of landscaping, which includes shade trees in the parking lots, trees along the property lines on all sides, landscaped infiltration basins located in the south portion of the site and portions of Ramsey Street wash that are on the Project site. The landscape plan includes focal trees that will be placed at the entrance to the site at John Street, corners of the property as well as at building and parking lot entrances (see **Figure 1-9 – Project Landscape Plan**).

1.4.3 ON- AND OFF-SITE INFRASTRUCTURE

- **Water and Sewer**

The Project site will need to be served by water and sewer which are not currently available to the site. In order to serve the site, potable water and sewer lines, along with a sewer lift station, will be constructed as part of the project **(Figure 1-10 – Utilities and Access)**.

The Project includes a 5,968 linear foot sewer line and associated lift station; the lift station is approximately 0.4 mile from the southern edge of the Project site. A water line will be constructed that will total approximately 9,350 linear feet. The initial 4,714 linear feet of the water line starts where the line will tie into the existing water line at the intersection of S. Hathaway Street and E. Barbour Street, then north on Hathaway Street and east on the extension of John Street. The remaining 4,636 linear feet will be east and south of the Project site, terminating at the intersection of Scott Street and W. Westward Avenue (**Figure 1-10**). As shown on **Figure 1-10**, there is a "Wet Utility Location" depicted which represents approximately area of the proposed alignment for the water and sewer lines in that particular area. This EIR evaluated the impacts of the water and sewer lines appearing somewhere within the "wet utility location" area, because the exact alignment is still not known by the engineers.

- **Storm Drain and Drainage**

In order to minimize the discharge and transport of pollutants from the developed site and in order to comply with the City of Banning stormwater requirements (Municipal Code 13.24), the site will be constructed to retain 100% of the 100-year, 3-hour storm runoff volume with the incorporation of two infiltration basins at the southern portion of the Project site, just north of the Ramsey Street Wash (**Figure 1-9 – Project Landscape Plan**). The infiltration basins would be capable of storing storm volumes in excess of the water quality volumes. The infiltration basins will be equipped with an emergency overflow feature to Ramsey Street Wash in the event they are overtopped.

The site has been subdivided into two Drainage Management Areas (DMAs) by the designing engineers. DMA-1 consists of 20.1 acres of warehouse building, parking and landscape areas. DMA-1 generates water quality treatment volume of 16,781 cubic feet which will be directed to the proposed infiltration basin (Basin 1) via combination of surface flow and underground storm drain. DMA-2 consists of 37.8 acres of warehouse building, parking and landscape areas. DMA-2 generates water quality treatment volume of 41,164 cubic feet which will be directed to the proposed infiltration basin (Basin 2) via combination of surface flow and underground storm drain.

- **Roadways/Circulation**

The proposed Project offsite roadways include a paved 5,688 linear foot extension of John Street 66 feet in width from the Project's west property line to Lincoln Street. The Project also includes a 3,871 linear foot gravel emergency access roadway 30-feet in width at the southwestern corner of the property which will include construction of a low-water crossing through the Ramsey Street Wash, and onto Banning Airport property. The Project also includes the construction of the intersection of Lincoln Street

and John Street. One 50-foot wide driveway for primary access is proposed to access the Project site at the end of John Street for passenger vehicles and trucks/trailers (see **Figure 1-10 – Utilities & Access**).

- **Sustainability Features**

The Project site will meet all applicable standards under California's Green Building Code (CalGreen) and Title 24 of the California Building Code (CBC) The CBC provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures in the state. The objective of the CALGreen Building Standards Code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.

The Project site shall implement concepts of efficient design and material use that are consistent with Leadership in Energy and Environmental Design (LEED) Certification Levels. This will be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient:

- **Energy Efficiency**
  - Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
  - Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
  - Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
  - Install light colored "cool" roofs over office area spaces.
  - For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.

- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- **Renewable Energy**
  - Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy to the City for review.

- **Water Conservation and Efficiency**
  - Create water-efficient landscapes.
  - Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code.
  - Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
  - Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
  - Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

- **Solid Waste Measures**
  - Reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
  - Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
  - The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

- **Transportation and Motor Vehicles**
  - The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
  - The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
  - Provide adequate bicycle parking near building entrances.

- **On-Site Equipment and Loading Docks**
  - The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than five minutes.
  - Truck idling shall not exceed five minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than five minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
  - Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **Construction**
  - Require Construction Equipment to Turn Off When Not in Use.
  - Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project.
  - Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

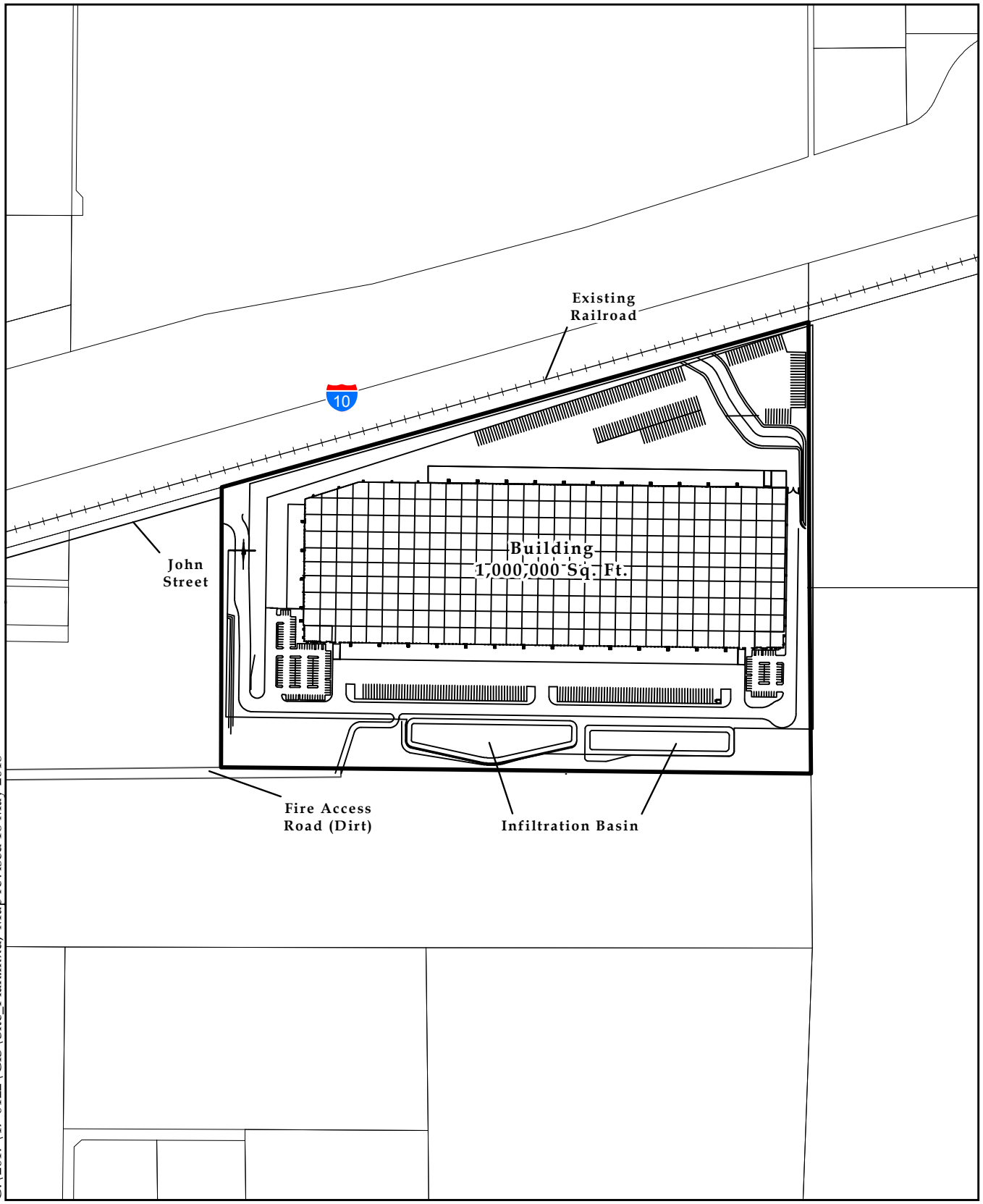
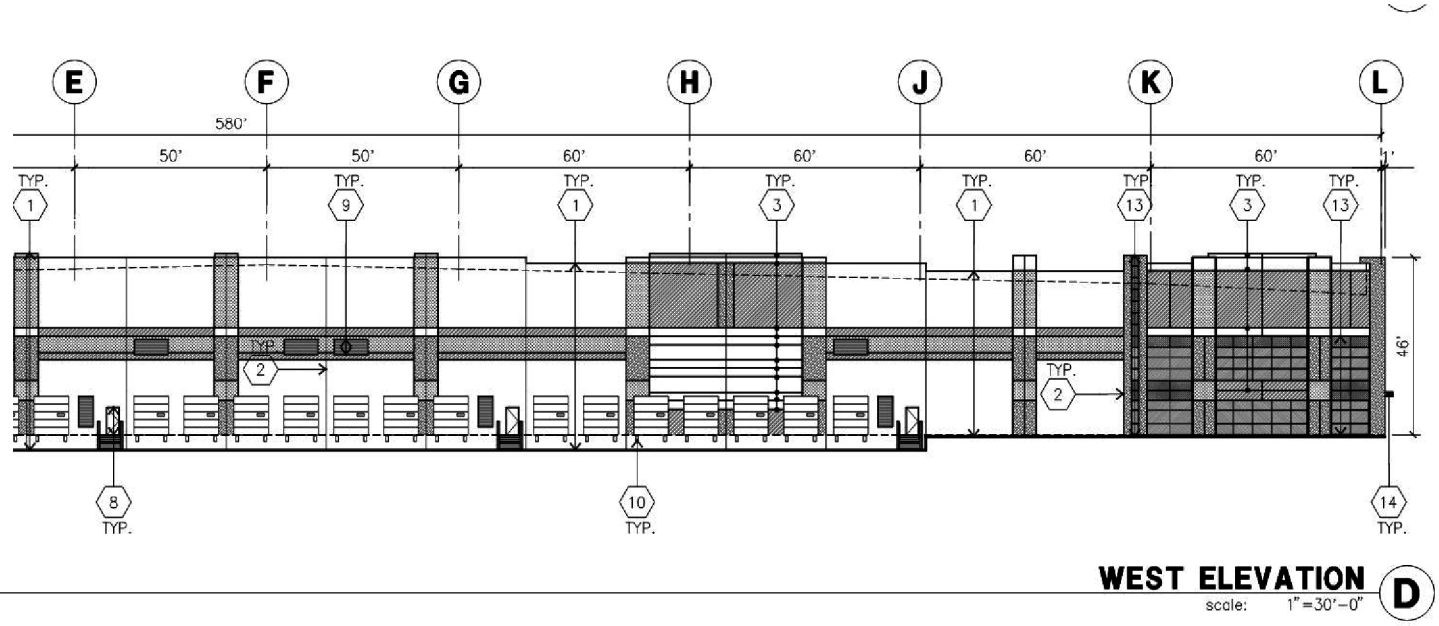


Figure 1-7 - Project Site Plan

Banning Distribution Center

0 200 400 600 800 Feet

ALBERT A. WEBB ASSOCIATES



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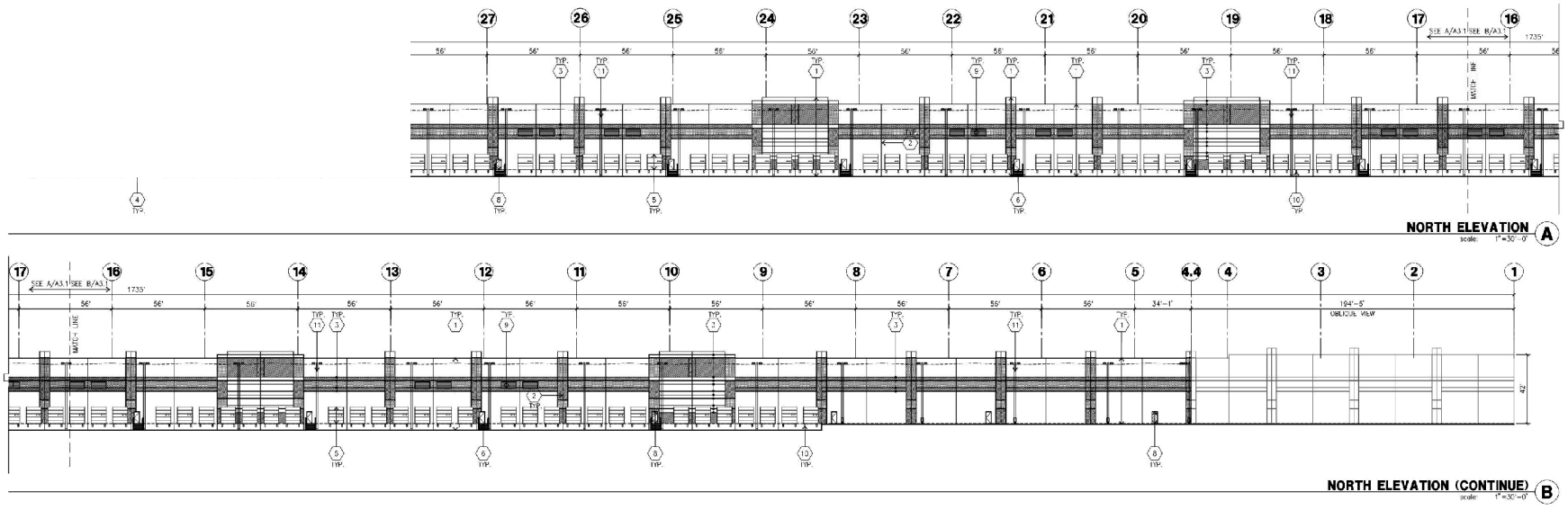
Source: HPA architecture, Oct. 2017.

Figure 1-8A - Conceptual West Elevation

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_Elevations_2.mxd; Map revised 18 May 2018

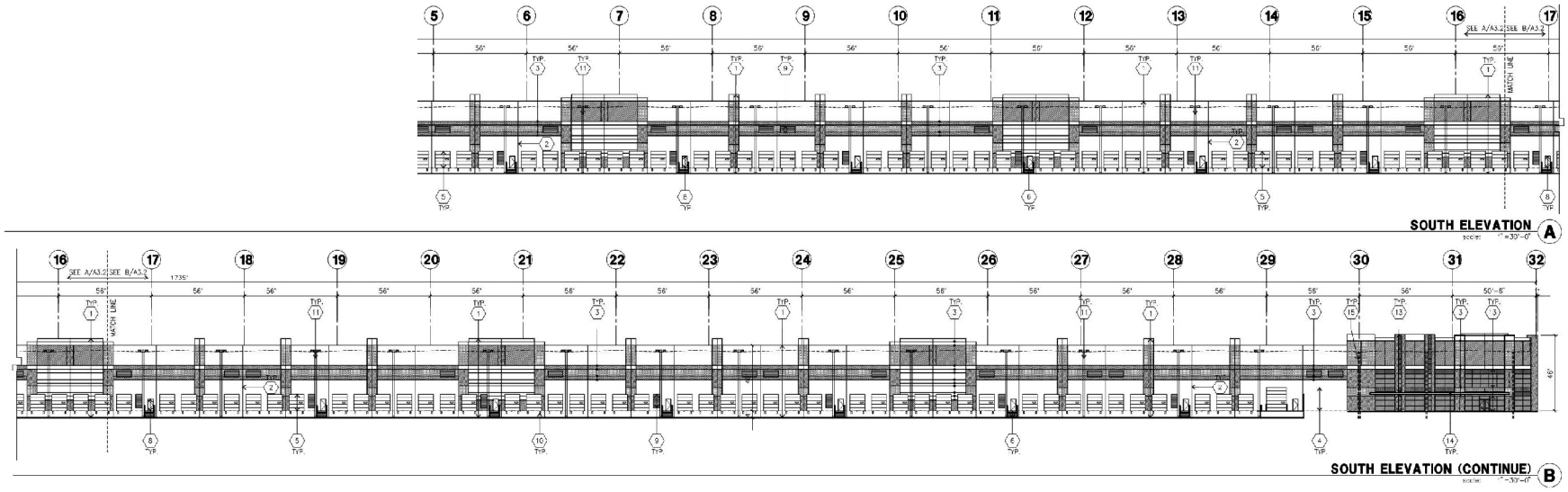
Source: HPA architecture, Oct. 2017.

Figure 1-8B - Conceptual North Elevations

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_Elevations_3.mxd; Map revised 18 May 2018

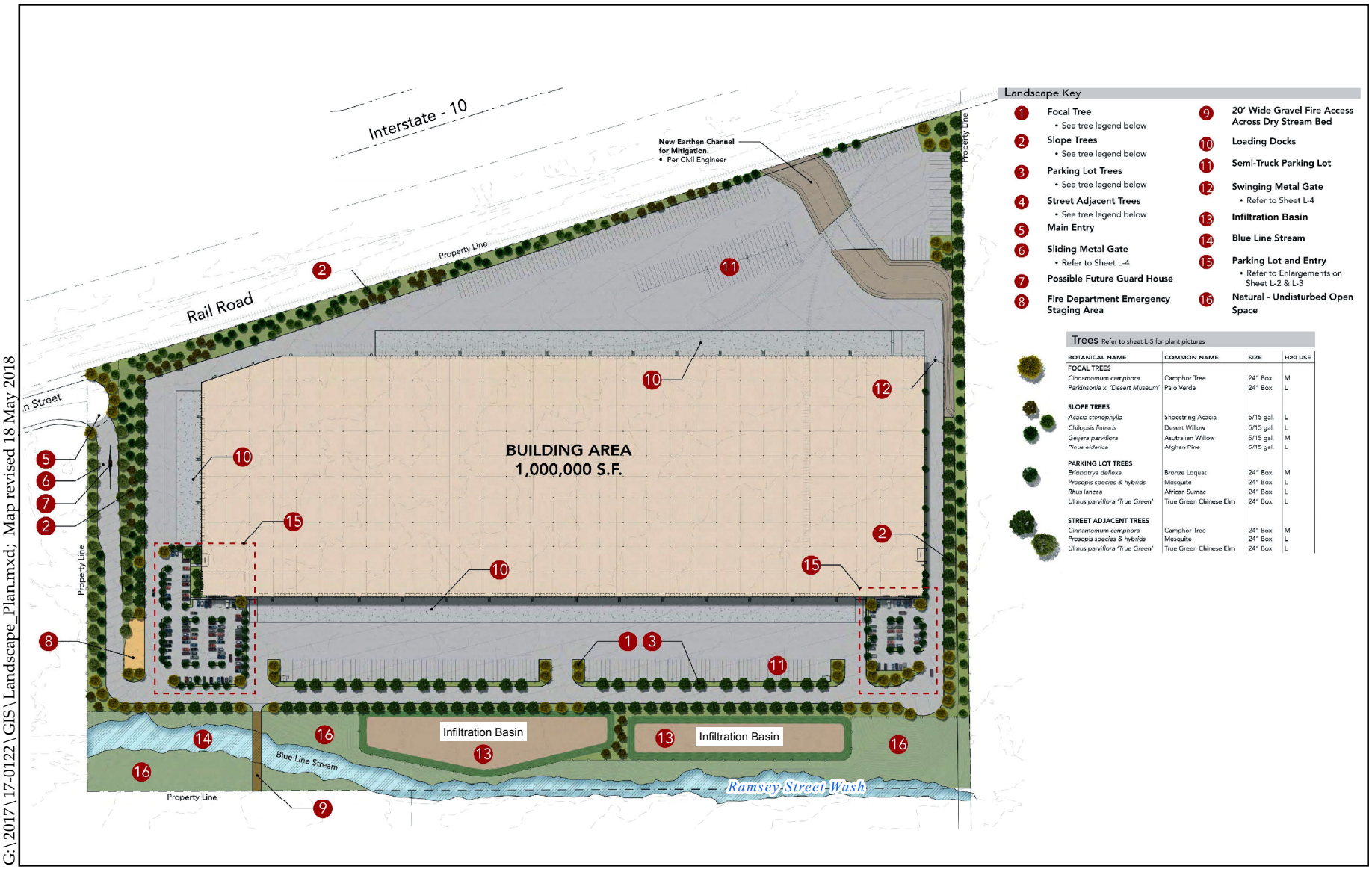
Source: HPA architecture, Oct. 2017.

Figure 1-8C - Conceptual South Elevations

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES



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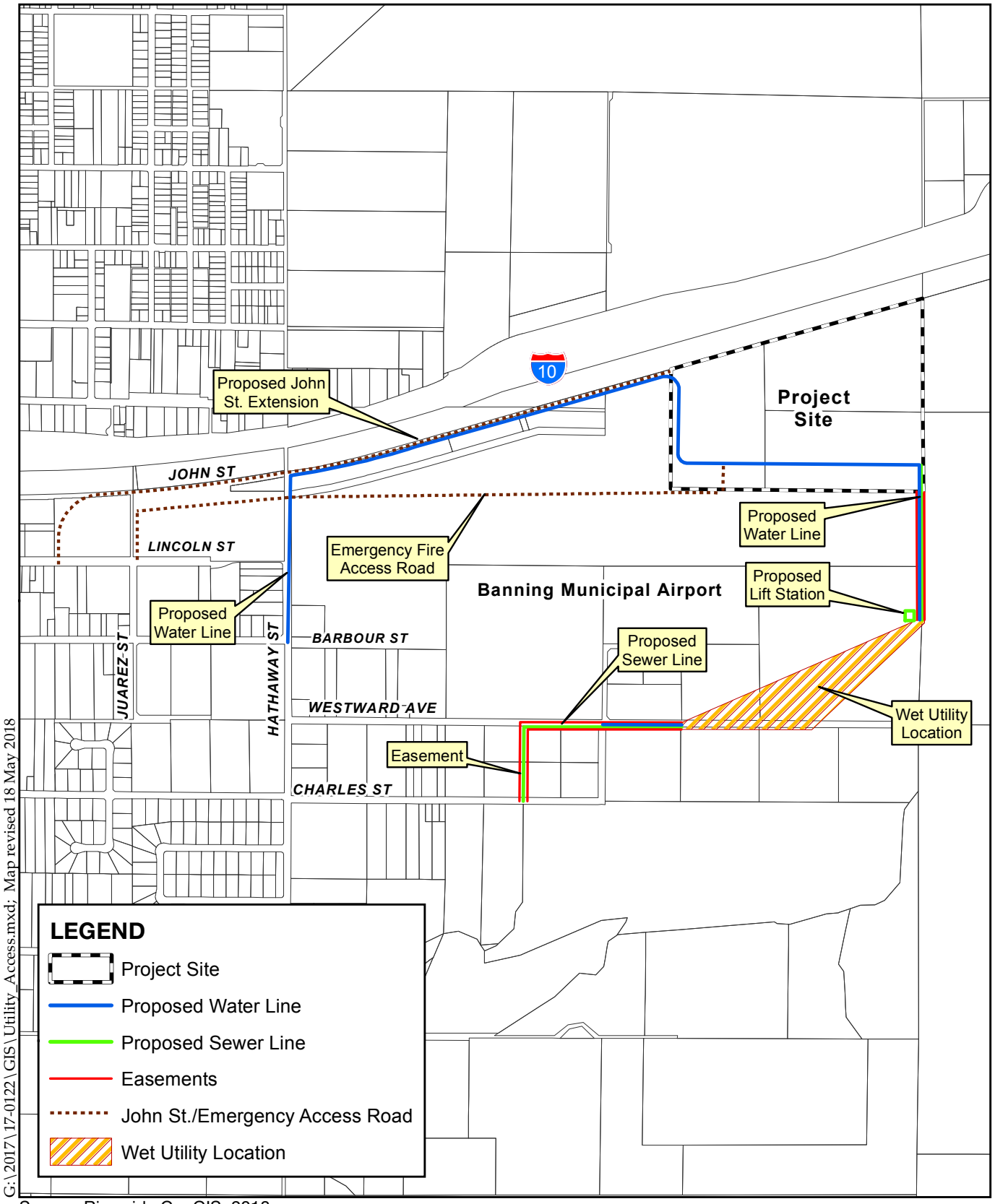
Source: Land Concern, Dec. 2017.

Not to Scale

Figure 1-9 - Project Landscape Plan

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



Source: Riverside Co. GIS, 2018

Figure 1-10 - Utilities and Access

Banning Distribution Center

0 500 1,000 1,500 2,000 Feet

ALBERT A. WEBB ASSOCIATES

1.5 BANNING GENERAL PLAN DEIR

In June 2005, the City adopted the Banning General Plan Draft Environmental Impact Report (GP DEIR). The General Plan DEIR encompasses approximately 23.2 square miles of the City of Banning and its sphere of influence. This area provides convenient access to I-10, a major east-west interstate roadway.

Chapter III of the GP DEIR also outlines land use category-specific land use planning and design standards to assist in accommodating future development proposals and provides adequate transitions to neighboring land uses. The proposed Project will be required to comply with all design guidelines, landscape guidelines, and relevant policies outlined in the City's General Plan, the City's Municipal Code, as well as applicable Mitigation Measures contained in the General Plan EIR.

1.6 RELATED APPLICATIONS

The proposed Project includes Tentative Parcel Map (TPM) 34335, which was originally approved in 2007 and has been extended through a number of past City Council actions. It has a current expiration date of October 22, 2018. The TPM merged the three parcels involved in the Distribution Center Project Site into one parcel. The TPM is not, however, part of the project scope involved in this EIR. Processing on an additional TPM extension will require a separate action by the City Council.

The DEIR serves as an informational document for use by public agencies, the general public, and decision makers. This DEIR discusses the impacts of development pursuant to the proposed Project and related components and analyzes project alternatives. This DEIR will be used by the City and responsible agencies in assessing environmental impacts of the proposed Project.

The following approvals and permits are required from the City to implement the proposed Project:

- Certification of the EIR with the determination that the EIR has been prepared in compliance with the requirements of CEQA;
- GPA/ZC (GPA 17-2501; ZC 17-3501);
- Design Review; and
- Plot Plan.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the proposed Project include, but are not limited to:

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

Approvals and permits that may be required by other agencies who will use this EIR include:

- South Coast Air Quality Management District – Fugitive dust control plan.
- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- Banning Municipal Airport for access easement(s).
- Review by Riverside County Airport Land Use Commission (ALUC).
- U.S. Army Corps of Engineers, Clean Water Act Section 404 Permit.
- Regional Water Quality Control Board, Colorado Region, Clean Water Act Section 401 Water Quality Certification.
- California Department of Fish and Wildlife, a Fish and Game Code Section 1602 Streambed Alteration Agreement.

Future development may require utility services provided by these purveyors:

Purveyor	Type of Services
City of Banning	water, sewer, recycled water
Verizon	telephone
City of Banning	electricity
Southern California Gas Company	natural gas
Waste Management Waste Services	solid waste disposal
Time Warner Communications	cable television and internet

1.7 PROJECT OBJECTIVES

Per Section 15124 (b) of the *CEQA Guidelines*, an EIR must include a statement of the objectives of a project which help the City develop a reasonable range of alternatives. The Objectives need to outline the general purpose of the Project. The purpose of the proposed Project is to construct and operate a warehouse building. The Project Objectives are as follows:

- Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway.
- Maximize efficient goods movement throughout the region by locating a warehouse in proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two roundtrips per day.
- Develop and operate a warehouse that meets industry standards for operational design criteria.
- Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities and expansion of the tax base.
- Provide local employment for residents of the City to improve the jobs-housing balance within the City.

1.8 CUMULATIVE SETTING

CEQA requires that an EIR examine the cumulative impacts associated with a project, in addition to project-specific impacts. The discussion of cumulative impacts must reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts to a project alone (State CEQA Guidelines Section 15130(b)).

As stated in Section 15130(a) of the State CEQA Guidelines, an EIR "shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "Cumulatively considerable" means that "the incremental effects of an individual 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 as defined in Section 15130" (State CEQA Guidelines Section 15065(c)). Section 15355 of the State CEQA Guidelines states that "cumulative impacts" occur from "…the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

The EIR must examine "reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project" (State CEQA Guidelines Sections 15130(a)(3) and 15130(b)(5)). A cumulative impact is not considered significant if the impact can be mitigated to below the level of significance through mitigation, including providing improvements and/or contributing funds through mitigation fee payment programs.

State CEQA Guidelines Section 15130(b)(1) requires that a discussion of cumulative impacts be based on either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency ("the list method"); or a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact ("summary of projections method").

This EIR utilizes the "list method" approach in most of the cumulative analyses contained within each impact analysis section of Section 4 of this document, and therefore focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of combined impacts caused by other past, present, or reasonably foreseeable future projects. The cumulative impact scenario considers other projects proposed within the Project area that have the potential to contribute to cumulatively considerable impacts when considered with the proposed Project. Based on discussions with City staff, the projects identified in **Table 1-B – Cumulative Development Projects within the Study Area in 2019** are located in the Project area and may have the potential to contribute to cumulative effects. The location of the "cumulative development projects" in relation to the Project site is shown in **Figure 1-11 – Cumulative Projects within the Study Area in 2019.** The land to the east of the Project site is Morongo tribal land and is not within the sphere of influence of the City of Banning.

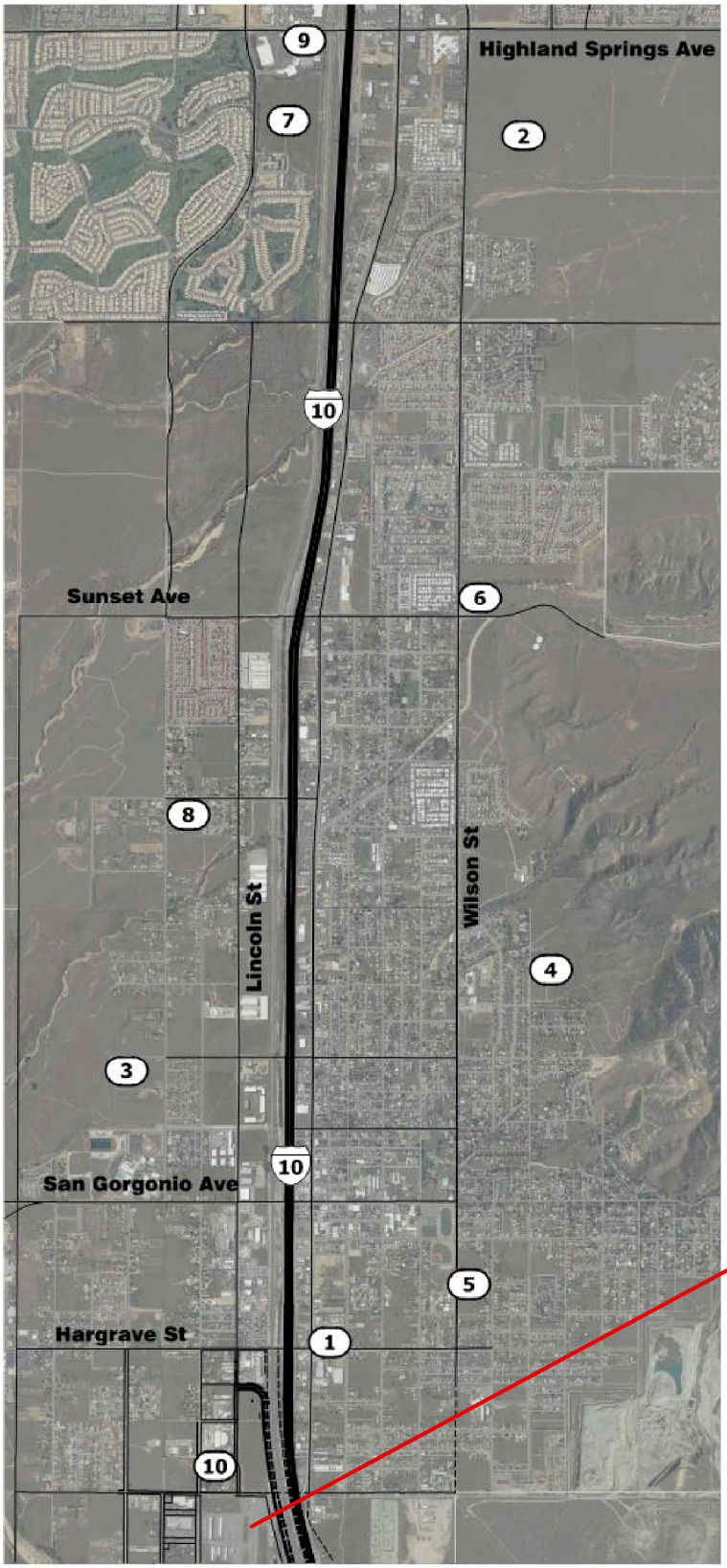
The geographic scope (or cumulative impact area) used for each environmental issue may vary depending upon the potential area of effect. For example, the geographic scope for air quality would be regional (the South Coast Air Basin) while the geographic scope for cumulative traffic/circulation impacts would be intersections in the Project vicinity that could be affected by the cumulative projects. The appropriate scope for each respective environmental issue is explained under the Cumulative Impacts discussion in individual sections of the impact analysis (Section 4 of the DEIR).

Table 1-B– Cumulative Projects within the Study Area in 2019

Project	Land Use	Qty	Unit	AM Peak Hour	PM Peak Hour	Daily
1. La Quinta Hotel	Hotel	71	Rooms	38	43	580
	Internal Trips (9-35%)			*(2)*	*(17)*	*(19)*
	Fast-Food Restaurant with Drive-Through Window	2.8	TSF	127	91	1,389
	Internal Trips (3-17%)			*(5)*	*(15)*	*(20)*
	Pass-by Trips (PM:43%)			*0*	*(32)*	*(32)*
	High-Turnover (Sit-Down) Restaurant	1.2	TSF	13	12	153
	Internal Trips (3-17%)			*0*	*(2)*	*(2)*
	Pass-by Trips (AM:49% PM:50%)			*(6)*	*(4)*	*(10)*
	PROJECT TOTAL			*165*	*76*	*2,039*
2. Pardee Butterfield Specific Plan (20%)	Shopping Center	78	TSF	134	507	5,778
	Internal Trips (7-18%)			*(3)*	*(93)*	*(96)*
	Pass-by Trips (PM:34%)			*0*	*(140)*	*(140)*
	Single-Family Detached Housing	1029	DU	772	1,029	9,796
	Internal Trips (1-9%)			*(3)*	*(93)*	*(96)*
	PROJECT TOTAL			*900*	*1,210*	*15,242*
3. Rancho San Gorgonio Specific Plan (By 2019)[1]	Single-Family Detached Housing	570	DU	428	570	5,426
	Elementary School	800	Stu	360	120	1,032
4. Tent Tract Map 33540	Single-Family Detached Housing	172	DU	129	172	1,637
	Cemetery	7	Acres	1	6	33
5. Tent Tract Map 36710	Single-Family Detached Housing	48	DU	36	48	457
6. Tent Tract Map 36939	Single-Family Detached Housing	98	DU	74	98	933
7. Tent Parcel Map 33326	Shopping Center	510	TSF	421	1,785	19,582
	Pass-by Trips (PM:34%)			*0*	*(586)*	*(586)*
	PROJECT TOTAL			*421*	*1,199*	*18,996*
8. Tent Tract Map 33013	Single-Family Detached Housing	6	DU	5	6	57
9. 300 S. Highland Springs Ave, Pad A	Shopping Center	7.964	TSF	33	110	1,311
	Pass-by Trips (PM:34%)			*0*	*(36)*	*(36)*
	PROJECT TOTAL			*33*	*74*	*1,275*
10. Airport Industrial Work Lofts	Residential Condominium/Townhouse	22	DU	10	12	128
	General Office Building	14.28	TSF	23	22	158
	Warehousing	13.53	TSF	4	4	48
	Specialty Retail Center	13.53	TSF	18	37	600
	Internal Reduction 10%			*(6)*	*(8)*	*(93)*
	PROJECT TOTAL			*49*	*67*	*841*
TOTAL				2,601	3,646	47,966

TSF = 1,000 Square Feet Gross Floor Area, DU = Dwelling Units, Stu = Students.

[1]Development assumptions for Rancho San Gorgonio Specific Plan based on the Rancho San Gorgonio Specific Plan Traffic Study, April 2016.



LEGEND

1. La Quinta Hotel
2. Pardee Butterfield Specific Plan
3. Rancho San Gorgonio Specific Plan
4. Tentative Tract Map 33540
5. Tentative Tract Map 36710
6. Tentative Tract Map 36939
7. Tentative Parcel Map 33326
8. Tentative Tract Map 33013
9. 300 S Highland Springs Ave, Pad A
10. Airport Industrial Work Lofts

G:\2017\17-0122\GIS\TIA Graphics\TIA_Cumulative_Dev.mxd; Map revised 21 May 2018

Source: Fig. 4-E, Revised Traffic Impact Analysis, Webb Assoc., April 2018

Figure 1-11 - Cumulative Projects within the Study Area in 2019

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES

1.9 AREAS OF CONTROVERSY

State *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency must be stated in the EIR summary. Issues of interest to the public and public agencies were identified during the 30-day public comment period of the Initial Study and Notice of Preparation (NOP), as well as comments received during the public scoping meeting held on February 6, 2018, for the proposed project at the City of Banning.

An NOP for the DEIR was distributed to state, regional, and local agencies on January 22, 2018, for a 30-day review period ending on February 20, 2018. The objective of distributing an NOP is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the DEIR. An Initial Study was distributed in tandem with the NOP. The Initial Study/NOP was distributed to the State Clearinghouse, as well as to the agencies, and organizations considered likely to be interested in the proposed project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project.

The Initial Study, NOP, distribution list, and comment letters are included in Appendix A and B of this DEIR. By the close of the 30-day public review period, eleven responses to the NOP had been received which will be addressed in the DEIR. A summary of NOP comments has been included in Section 4.0 (Environmental Analysis). To date, no significant areas of controversy have been identified.

Section 15123(b)(3) of the State *CEQA Guidelines* requires that a DEIR identify issues to be resolved; this includes the choice among alternatives and how to mitigate significant impacts. The major issues to be resolved for the proposed project include decisions by the City of Banning as to whether:

- this DEIR adequately describes the potential environmental impacts of the proposed project;
- the recommended mitigation measures should be adopted or modified;
- additional mitigation measures need to be applied;
- the project should or should not be approved as proposed; or
- the project should be modified based on the alternatives considered in this DEIR.

1.10 SUMMARY OF ENVIRONMENTAL IMPACTS

The following table, **Table 1-C, EIR Summary Matrix**, provides a summary of impacts related to the proposed project. The table identifies environmental impacts resulting from the project, pursuant to the State CEQA Guidelines Section 15123(b)(1).

Table 1-C – EIR Summary Matrix

Impact Category	Impact Threshold	Mitigation Measure	Impact After Mitigation
Air Quality	Conflict with or obstruct implementation of the applicable air quality plan	No mitigation necessary	Not applicable.
	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	**MM AQ 1**: To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g. bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Banning's Building and Safety Division for compliance with this mitigation measure prior to issuance of a building permit. **MM AQ 2**: To reduce NO_X emissions associated with off-road construction equipment, the construction schedule for Site Preparation (clear and grub) and Grading of the Project site shall not overlap. During on-site Site Preparation and Off-site Grading (John Street) activities, heavy-duty construction equipment greater than 75 horsepower shall be certified to meet or exceed United States Environmental Protection Agency (USEPA) Tier 3 standards. Proof of	Significant and Unavoidable

		compliance shall be reviewed by the Public Works Department Engineering Division prior to issuance of a grading permit. **MM AQ 3**: Although the Project does not include refrigerated warehouse space, trucks accessing the Project site may have auxiliary power units (APU) and/or transport refrigeration units (TRUs). Therefore, electrical hookups shall be installed at all loading docks, and to reduce/replace APU use while trucks are parked along the docks, to allow trucks with APU and/or TRUs with electric standby capabilities to plug in when TRUs are in use to reduce diesel fuel consumption and resulting NO_X emissions. The City shall verify electrical hookups have been installed prior to occupancy. **MM AQ 4**: All facilities shall post signs informing users of requirements limiting idling to five minutes or less pursuant to Title 13 of the California Code of Regulations, Section 2485 in order to reduce diesel fuel consumption and resulting NO_X emissions. No overnight/long-term parking will be allowed. The City shall verify signage has been installed prior to occupancy. **MM AQ 5**: Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered in order to reduce diesel fuel consumption and resulting NO_X emissions.	
	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	See **MM AQ 1** through **MM AQ 5** above.	Significant and Unavoidable

	ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).		
	Expose sensitive receptors to substantial pollutant concentration.	No mitigation necessary.	Not applicable.
	Create objectionable odors affecting a substantial number of people	No mitigation necessary	Not applicable.
Biological Resources	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 the U.S. Fish and Wildlife Service.	**MM BIO 1**: A 30-day burrowing owl preconstruction survey consistent with the MSHCP Guidelines (MSHCP 2006) prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The 30-day burrowing owl preconstruction survey shall include identifying and flagging any active American badger burrows. A report of the findings shall be prepared by the Project Biologist and submitted to the City of Banning prior to any permit or approval for ground disturbing activities. If burrowing owls are detected onsite during the 30-day preconstruction survey, then construction activities shall be limited to no closer than 300 feet from the active burrows until the Project Biologist has confirmed that nesting efforts are completed or not initiated. In addition to monitoring breeding activity, if construction is proposed to be initiated during the breeding season (February 15	Less than Significant

		– August 31) and active relocation is proposed, a Burrowing Owl Mitigation Plan will be developed based on the County of Riverside Environmental Programs Division, CDFW, and USFWS requirements for the relocation of individuals to the Lake Mathews Preserve. If active American badger burrows are detected and flagged onsite during the 30-day preconstruction survey, then construction activities will be limited within the vicinity of the burrows until the Project Biologist has confirmed the burrow is vacated. **MM BIO 2:** The removal of trees and vegetation shall be prohibited during the migratory bird nesting season (February 15 through August 31), unless a migratory bird nesting survey is completed in accordance with the following requirements: a) A migratory bird nesting survey of all trees to be removed shall be conducted by the a qualified avian biologist approved by the City, to be retained by the Project applicant, within three days prior to initiating tree removal or vegetation clearing within 500 feet of a mature tree. b) A copy of the migratory nesting bird survey results report shall be provided to the City of Banning Planning Division by the Project Biologist prior to vegetation clearing. If the survey identifies the presence of active nests, then the Project Biologist shall provide the City Planning Division with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the City Planning Division and shall be no less than a 300-foot radius	

		around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by the Project Biologist. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the Project Biologist has provided the City Planning Division with verification that the nests are no longer occupied and the juvenile birds can survive independently from the nests.	
	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.	**MM BIO 3:** Prior to any ground disturbing activities within jurisdictional waters as well as MSHCP riverine areas identified in Figure 4.3-8, the Project proponent shall obtain the necessary authorization from the regulatory agencies for proposed impacts to jurisdictional waters. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW. Permit authorizations would include best management practice measures such as implementing soil erosion and sediment controls, avoiding construction during or immediately following a rain event, returning temporary construction areas to pre-existing elevations and replanting with native seed mix followed by at least one year of exotic weed removal in the affected area. These measures would lessen impacts to the onsite drainages. **MM BIO 4:** Prior to issuance of grading permits, and as required by the Project's DBESP, the Project proponent shall provide the City	Less than Significant

		Planning Division a Habitat Mitigation and Monitoring Plan (HMMP) for Drainages 3 and 5 as depicted on Figure 4.3-6. Success criteria for the HMMP will include: 85 percent coverage of the existing native plant species, no more than 10 percent cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. Propagules shall be collected from the Project site by the Project Biologist prior to vegetation clearance to use for revegetation in the two mitigation areas. This can be done during the preconstruction surveys described in MM BIO 1. The two onsite mitigation areas shall be monitored by a Project Biologist retained by the Project proponent for a minimum of five years and monitoring reports shall be provided to the City, RCA, USFWS, and CDFW. If it is determined that on-site mitigation is not feasible, additional alternatives could include, but are not limited to off-site purchase of land or payment into an acceptable mitigation bank as determined by the Wildlife Agencies and Western Riverside County Regional Conservation Authority (RCA), in-lieu fee program, or RCA conservation area. **MM BIO 5**: Prior to the issuance of any occupancy permit, the Project proponent shall provide evidence to the City Planning Division that the two mitigation areas depicted on Figure 4.3-7 have been placed under a deed restriction. The avoided areas of Drainage 1/Ramsey Street Wash on the Project site will also be included in the deed restriction.	
	Have a substantial adverse effect on federally protected wetlands as	No mitigation necessary.	Not applicable.

	defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal) through direct removal, filling, hydrological interruption, or other means.		
	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or establish native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	See **MM BIO 2**, above.	Less than Significant
	Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance	No mitigation necessary.	Not applicable.
	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community	See **MM BIO 1**, above.	Less than Significant

	Plan, or other approved local, regional, or state conservation plan		
Cultural Resources	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines	**MM CR 1:** If cultural resources are found during project construction, all ground-disturbing activities within 100 feet of the find shall be halted. A Registered Professional Archaeologist shall prepare a Cultural Resources Management Plan in consultation with the consulting tribes and the City Planning Department to include relinquishment of all artifacts through one of the following methods: a) Reburial in consultation with the appropriate culturally affiliated Native American tribe or band. The reburial area shall be away from any future impacts. Reburial shall not occur until all cataloguing, analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a Final Report, which shall be provided to the City Planning Department upon completion; or b) Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will provide professional curation and ensure artifacts are made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred to the curation facility, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of these actions shall be provided to the City Planning Department in the form of a letter from the curation	Less than Significant

		facility identifying that archaeological materials have been received and that all fees have been paid.	
	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines	**MM CR 2**: Prior to the issuance of grading permits, the developer shall enter into a Native American monitoring agreement with one of the consulting tribes for the project. The Native American Monitor shall be on-site during all initial ground disturbing activities including clearing, grubbing, vegetation removal, grading and trenching. The Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.	Less than Significant
	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	**MM CR 3**: Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained paleontological monitor representative) during on-site and off-site subsurface excavation that exceeds three (3) feet in depth. Selection of the paleontologist shall be subject to approval of the City of Banning Director of Community Development and no grading activities shall occur at the site until the paleontologist has been approved by the City. Monitoring shall be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The approved	Less than Significant

		paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage. A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Banning Planning Department, would signify completion of the program to mitigate impacts to paleontological resources.	
	Disturb any human remains, including those interred outside of formal cemeteries	**MM CR 4**: In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity shall cease and the landowner shall comply with State Health and Safety Code §7050.5 and Public Resources Code §5097.98. In the event human remains are found and identified as Native American,	Less than Significant

		the landowner shall also notify the City Planning Department so that the City can ensure PRC §5097.98 is followed.	
Greenhouse Gas Emissions	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	**MM GHG 1**: To reduce the Project's GHG emissions from energy consumption, high efficiency lighting shall be installed at the Project site. Prior to building permit issuance, the City shall verify building plans contain these features.	
	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	No mitigation necessary.	Not applicable.
Hydrology and Water Quality	Violate any water quality standards or waste discharge requirements.	No mitigation necessary.	Not applicable.
	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	No mitigation necessary.	Not applicable.

	which would not support existing land uses or planned uses for which permits have been granted).		
	Substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site.	No mitigation necessary.	Not applicable.
	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 off-site.	No mitigation necessary	Not applicable.
	Create or contribute runoff water which would exceed	No mitigation necessary	Not applicable.

	the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff.		
	Otherwise substantially degrade water quality.	No mitigation necessary	Not applicable.
	Place within a 100-year flood hazard area structure which would impede or redirect flood flows.	No mitigation necessary	Not applicable.
Noise	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	**MM NOISE 1**: In order to reduce noise levels during construction, the project proponent's construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. **MM NOISE 2**: During Project construction, the project proponent's contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest to the construction activities. **MM NOISE 3**: During Project construction, equipment shall be shut off and not left to idle when not in use. **MM NOISE 4**: During Project construction, the contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and sensitive receptors during all Project construction.	Less than Significant

		MM NOISE 5: During Project construction, jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and be directed away as far as possible from sensitive receptors.	
	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project	No mitigation necessary	Not applicable.
	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project	See **MM NOISE 1** through **MM NOISE 5** above.	Less than Significant
	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, expose people residing or working in the project area to excessive noise levels	No mitigation necessary	Not applicable.
Traffic and Transportation	Conflict with an applicable plan, ordinance or policy	**MM TRANS 1**: The following intersection improvements are proposed to bring the LOS for the Hargrave Street/I-10 westbound	Less Than Significant

	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.	ramps intersection to an acceptable level from Existing Conditions through Existing plus Ambient Growth plus Cumulative Conditions plus Project: *Hargrave Street/I-10 westbound ramps intersection*. Improve the intersection to install an all-way stop control at the intersection of Hargrave Street and I-10 westbound ramps with the following geometrics: Northbound: One shared left-turn and through lane. Southbound: One shared through and right-turn lane. Eastbound: Not applicable. Westbound: One shared left turn, through and right turn lane. **MM TRANS 2**: The following intersection improvements are proposed to bring the LOS for the Hargrave Street/I-10 eastbound ramps intersection to an acceptable level from Existing Conditions through Existing plus Ambient Growth plus Cumulative Conditions plus Project: *Hargrave Street/I-10 eastbound ramps intersection*. Improve the intersection to install an all-way stop control at the intersection of Hargrave Street and I-10 eastbound ramps with the following geometrics: Northbound: One shared left-turn and through lane. Southbound: One shared through and right-turn lane. Eastbound: Not applicable. Westbound: One shared left turn, through and right turn lane. **MM TRANS 3**: The proposed Project will also include intersection improvements on Lincoln Street and John Street, to insure that the new intersection operates at an acceptable level, as follows:	

		John Street/Lincoln Street. Improve the intersection to install a one-way stop control at the intersection of John Street and Lincoln Street with the following geometrics: Northbound: Not Applicable. Southbound: One left turn lane. One right turn lane. Stop controlled. Eastbound: One left turn lane. One through lane. Westbound: One shared through and right turn lane. **MM TRANS 4**: The Project shall participate in the phased construction of off-site traffic signals through payment of that project's fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include, DIF (Development Impact Fee). The fees shall be collected and utilized as needed by the City of Banning to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.	
	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	See MM **TRANS 1** and **MM TRANS 2**, above.	Less than Significant

Tribal Cultural Resources	Cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code Section 21074 as wither a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American Tribe, and that is: • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or • A resource determined by the lead agency, in its discretion and supported by substantial evidence	**MM TCR 1**: If cultural resources are found during project construction, all ground-disturbing activities within 100 feet of the find shall be halted. A Registered Professional Archaeologist shall prepare a Cultural Resources Management Plan in consultation with the consulting tribes and the City Planning Department to include relinquishment of all artifacts through one of the following methods: a) Reburial in consultation with the appropriate culturally affiliated Native American tribe or band. The reburial area shall be away from any future impacts. Reburial shall not occur until all cataloguing, analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a Final Report, which shall be provided to the City Planning Department upon completion; or b) Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will provide professional curation and ensure artifacts are made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred to the curation facility, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of these actions shall be provided to the City Planning Department in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **MM TCR 2**: Prior to the issuance of grading permits, the developer shall enter into a Native American monitoring agreement with one	Less than Significant

	to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	of the consulting tribes for the project. The Native American Monitor shall be on-site during all initial ground disturbing activities including clearing, grubbing, vegetation removal, grading and trenching. The Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. **MM TCR 3**: In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity shall cease and the landowner shall comply with State Health and Safety Code §7050.5 and Public Resources Code §5097.98. In the event human remains are found and identified as Native American, the landowner shall also notify the City Planning Department so that the City can ensure PRC §5097.98 is followed.	
Utilities and Service Systems	Require or result in the construction of new water or wastewater treatment or facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	No mitigation necessary.	Not applicable.
	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction	No mitigation necessary.	Not applicable.

	of which could cause significant environmental effects		
	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed	No mitigation necessary.	Not applicable.
	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.	No mitigation necessary.	Not applicable.

1.11 ALTERNATIVES TO THE PROPOSED PROJECT

One of the most important aspects of the environmental review process is the identification and assessment of reasonable alternatives that have the potential for avoiding or minimizing the significant impacts of a proposed project. The CEQA Guidelines (§15126[d]) emphasize the selection of a reasonable range of technically feasible alternatives, adequate assessment of these alternatives to allow for a comparative analysis and consideration by decision-makers, and identification of an "environmentally superior" alternative. The CEQA Guidelines state that the discussion of alternatives shall focus on alternatives capable of eliminating or reducing significant adverse environmental effects of a proposed project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

The Lead Agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives required in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Pursuant to CEQA, "feasible" has been defined as "...capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

1.12 ALTERNATIVE SUMMARY

Two (2) alternatives were identified for further analysis in this Draft EIR. Summaries of each alternative have been provided and more detailed descriptions of each alternative are provided in Section 7.0, Alternatives, of this Draft EIR.

The two alternatives analyzed in this Draft EIR are:

- Alternative 1: No Project Alternative
- Alternative 2: Existing General Plan Land Use Designation– Airport-Facilities

1.12.1 Alternative 1 No Project Alternative

Under the No Project Alternative 1, no development would take place within the Project site limits. No ground-disturbing activities would take place, nor would any form of structure be erected. None of the off-site infrastructure improvements would be needed under the No Project Alternative.

The following discussion compares the impacts of Alternative 1 with the impacts of the proposed Project, as detailed throughout Section 4.0, Environmental Impacts, of this DEIR. Several of the environmental impacts would be generally similar to the proposed Project. For impacts that will not be generally similar, a conclusion is provided as to whether this alternative would result in one of the following:

1. Reduction or elimination of the impact;
2. A greater impact than the Project;
3. The same impact as the Project; or,
4. A new impact in addition to the impacts of the proposed Project impacts.

1.12.2 Alternative 2 Existing Land Use – Airport-Facilities

Alternative 2 would involve development of the Project site using the current land use designations, Public Facilities-Airport (PF-A), and would not include any industrial development on the portion of the site currently designated for Industrial. On the Project site, 20.2 acres are zoned Public Facility-Airport and the remaining 44 acres are zoned Airport Industrial. The development of the site under this alternative would be only related to the operation of the airport, including possible facilities such as administrative offices, hangars, tie-downs, runways, restaurants, and flight schools as well as ancillary retail/service businesses related to the airport. The allowable site coverage for PF-A is lower than what is proposed by the Project; PF-A allows up to 25% of the site to be developed with structures, as compared to a maximum of 75% building coverage for the Proposed Project. Under this alternative it would be assumed that a total of 696,960 square feet of buildings could be constructed. Offsite infrastructure would still be required to serve the uses envisioned under this Alternative.

The following discussion compares the impacts of Alternative 2 with the impacts of the proposed Project, as detailed in Section 4.0, Environmental Impacts, of this DEIR. Several of the environmental impacts would be generally similar to the proposed Project. For impacts that will not be generally similar, a conclusion is provided as to whether this alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the Project;
- The same impact as the Project; or,
- A new impact in addition to the impacts of the proposed Project impacts.

2.0 INTRODUCTION

This Draft Environmental Impact Report (DEIR) is being prepared pursuant to the California Environmental Quality Act (CEQA) that assesses the potential environmental effects of the Banning Distribution Center and all associated on- and off-site supporting improvements, which are herein collectively referred to as the "Project or proposed Project", which are proposed by the City of Banning (herein after "City") for a 63.9 gross-acre site in the southeastern portion of the City.

The City of Banning is the Lead Agency under CEQA for this Project pursuant to Sections 15051 and 15367 of the State Guidelines for Implementation of the California Environmental Quality Act (*CEQA Guidelines*), and will use this document to objectively review and assess the proposed Project prior to approving or disapproving the Project. As discussed further in the "Compliance with CEQA" section of this section, this DEIR is tiered from *Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance SCH No. 20050110039* which is hereby incorporated by reference.

2.1 BACKGROUND

The Project site consists of three vacant, undeveloped parcels; 532-110-006, 532-130-001, and 532-130-002. These three parcels were originally part of tentative parcel map 34335 (TPM 34335) which was approved by the City of Banning in 2007. The City of Banning prepared a Mitigated Negative Declaration for TPM 34335 which was approved by the City's Planning Director in 2007. This TPM was set to expire in 2017; it was extended until October 22, 2018 at the November 14, 2017 City Council meeting.

Concurrent to the preparation of the EIR, a General Plan Amendment (GPA) and Zone Change (ZC) were submitted to the City of Banning on June 15, 2017. A general plan amendment and zone change are needed to change two of the parcel designations and zoning to match the rest of the site. The land use and zoning of Public Facilities – Airport (PF-A) to Airport Industrial (AI) on the southern portion of the subject site (APN 532-130-001 and 532-130-002) is part of the project applications being considered in this EIR. The site plan submittal dated November 17, 2017 for the proposed Project shows parking and a detention basin on the area presently designated as PF-A; the remainder of the site and building proposed is located on parcels which are zoned and designated as Airport Industrial.

2.2 PURPOSE AND SCOPE

The intentions of CEQA are to: (1) inform governmental decision-makers and the public about the potentially significant environmental effects of proposed activities; (2) identify the ways that environmental damage can be avoided or substantially reduced; (3) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and (4) disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose, if significant environmental effects are involved (State *CEQA Guidelines*, Section 15002).

The purpose of this DEIR is to evaluate potential environmental impacts resulting from the construction and operation of the proposed Banning Distribution Center located north of the Banning Municipal Airport and south of Interstate 10 as well as all associated on- and off-site supporting improvements. The City of Banning is the Lead Agency under CEQA and is responsible for the preparation of this DEIR. This DEIR is an informational document intended for use by the City of Banning, decision-makers, and members of the general public in evaluating the potential environmental effects associated with the proposed Project. This study has been prepared pursuant to *CEQA Guidelines*, and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.3 COMPLIANCE WITH CEQA

2.3.1 EIR FORMAT

This DEIR has been formatted as described below:

- **Section 1.0 Executive Summary**

Summarizes the background and description of the proposed Project, areas of controversy and issues to be resolved, a summary of the environmental impacts, and a summary of the Project alternatives.

- **Section 2.0 Introduction**

Describes the summary requirements of CEQA as required by Section 15123 of the State *CEQA Guidelines*, Project background, CEQA procedures, summary of the effects found not to be significant during CEQA preparation, and the intended uses of the EIR.

- **Section 3.0 Project Description**

Satisfies the project description requirements of CEQA by discussing the project location, the project objectives, a general description of the project's environmental setting, and a statement of document purpose and intended use.

- **Section 4.0 Environmental Analysis**

For each impact analyzed, provides a description of the thresholds determined to have a less than significant or no impact through the Initial Study and those thresholds that could have a potentially significant impact. Each impact section describes the existing setting, applicable Project setting, methodology to determine if an impact could occur, the level of significance before and after any mitigation is incorporated. It also includes potential cumulative impacts associated with the Project and other proposed development in the study area.

- **Section 5.0 Energy Conservation**

Discusses the energy needs of the Project and cumulative projects and the regions ability to meet the capacity, as well as alternative energy sources.

- **Section 6.0 Summary of Impacts Found to be Less Than Significant**

Describes impacts that were determined to not be significant in the Initial Study and were not discussed in detail in this EIR.

- **Section 7.0 Summary of Impacts Found to be Significant and Unavoidable**

Describes impacts that were determined in this EIR to have a significant, irreversible change on the environment associated with the proposed Project.

- **Section 8.0 Alternatives**

Describes the Alternatives analyzed and their impacts to the proposed Project.

- **Section Other CEQA Topics**

Describes growth inducing impacts from the Project.

- **Appendices**

The appendices for this DEIR support the research and findings in this report.

  - Appendix A: Initial Study/Notice of Preparation
  - Appendix B: NOP Comments
  - Appendix C: Air Quality/GHG Analysis Study
  - Appendix C.2: Health Risk Modeling Data
  - Appendix C.3 CalEEMod Output File

- Appendix D: MSHCP Consistency Report
- Appendix D.2: Burrowing Owl Focused Survey
- Appendix E: DBESP Report
- Appendix F: Tree Impact Memorandum
- Appendix G: Jurisdictional Delineation Report
- Appendix H: Cultural Resources Report
- Appendix I: Drainage Study
- Appendix J: Water Supply Assessment
- Appendix K: Phase I Environmental Site Assessment and Update
- Appendix L: Water Quality Management Plan
- Appendix M: Noise Report
- Appendix N: Traffic Impact Report
- Appendix O: Energy Calculations

2.3.2 CEQA PROCEDURES

The EIR process typically consists of three parts – the Notice of Preparation (including the Initial Study), Draft EIR, and Final EIR. Pursuant to Section 15063 of the *CEQA Guidelines*, the City of Banning prepared an Initial Study (Environmental Assessment) for the Project in order to determine if the Project may have a significant effect on the environment. Based upon the findings of fact contained within the Initial Study, the City concluded that the Project may cause potentially significant impacts and that an EIR should be prepared. A Notice of Preparation (NOP) for a Draft EIR and a description of potential adverse impacts were distributed to the State Clearinghouse, responsible agencies, and other interested parties on or about January 22, 2018. A notice advising of the availability of the NOP was also posted by the Riverside County Clerk on January 22, 2018. Pursuant to Section 15082 of the State *CEQA Guidelines*, recipients of the NOP were requested to provide responses within 30 days after their receipt of the NOP. Copies of the NOP (including the Initial Study) and the NOP distribution list are located in Appendix A to this DEIR. The City received eight letters of comment in response to the NOP. Copies of comments regarding the NOP, received by the City, are included in Appendix B. A scoping meeting was held on February 6, 2018 at the city of Banning pursuant to the requirements of Section 15082(c)(1) of the State *CEQA Guidelines*.

This document provides for the Draft EIR stage of the EIR process. As the "Lead Agency" for the purposes of CEQA compliance, the City of Banning has the principal responsibility for processing and approving the Project. As set forth in Section 15021 of the State *CEQA Guidelines*, as "Lead Agency", the City of Banning also has the duty to avoid or minimize significant environmental damage where feasible. Furthermore, Section

15021(d) states that, "CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian." Other public agencies (i.e., Responsible and Trustee Agencies) that may use this EIR in their decision-making or permit processing, will consider the information in this EIR along with other information that may be presented during the CEQA process. In accordance with CEQA, the public agencies will be required to make findings for each environmental impact of the Project that cannot be mitigated to a less than significant level. If the Lead Agency determines the benefits of the proposed Project outweigh unavoidable significant environmental effects, the agency will be required to adopt a Statement of Overriding Considerations stating the reasons supporting their action notwithstanding the Project's significant environmental effects.

After the public review is over for the Draft EIR, then the City will embark on the Final EIR process which will include responding to any written comments received during the 45-day public review period on the Draft EIR. The Final EIR will be a separate document.

2.3.3 BREADTH OF ENVIRONMENTAL ANALYSIS

Pursuant to the provisions of Section 15152 of the *CEQA Guidelines*, the environmental analysis contained within this DEIR shall consist of effects which were not examined as significant effects on the environment in the Banning GP EIR; or which are susceptible to substantial reduction or avoidance by the choice of specific revisions in the Project, by the imposition of conditions, or other means. As appropriate, the general discussions contained within the Banning GP EIR will be incorporated by reference and summarized within this DEIR. (*CEQA Guidelines*, Sections 15150 and 15152)

2.4 EFFECTS NOT FOUND TO BE SIGNIFICANT DURING PREPARATION OF THE NOP

CEQA provides that an EIR shall focus on the potentially significant effects on the environment, discussing the effects with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an initial study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless information inconsistent with the finding in the initial study is subsequently received.

Section 21100(c) of the Public Resources Code states that an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were consequently not discussed in detail in the EIR. Section 15128 of the State *CEQA Guidelines* adds, "Such a statement may be contained in an attached copy of an Initial Study."

The Initial Study prepared and circulated for public review regarding the Banning Distribution Center (Appendix A) concluded that the proposed development would not result in significant impacts to the following: Aesthetics, Agriculture and Forestry Resources, Geology/Soils, Hazards and Hazardous Materials, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, and Recreation. These issue areas are not discussed further in this EIR. The basis for elimination of each relevant impact in these issue areas is documented in the Initial Study document (Appendix A).

The NOP determined that several issue areas may have potentially significant effects on the environment, and consequently are discussed further in Section 4.0. Impacts related to the following issues were found to be potentially significant in the Initial Study: Air Quality, Biological Resources, Cultural Resources, Hydrology/Water Quality Greenhouse Gas Emissions, Noise, Transportation/Traffic, Tribal Cultural Resources, and Utilities/Service Systems.

2.5 USES OF THIS EIR

The DEIR will be made available for review to the public and public agencies for 45 days to allow for the preparation of comments regarding the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the Project might be avoided or mitigated (Section 15204 of the *CEQA Guidelines*).

The City will use the EIR and supporting documentation for implementation of the proposed Project through the approval of land use proposals. Regulatory agencies will use the EIR and supporting documentation in its decision to issue permits related to development of the subject property.

3.0 PROJECT DESCRIPTION

This Draft Environmental Impact Report (DEIR) is being prepared to analyze the potential environmental effects of the construction and operation of a 1-million square foot non-refrigerated high-cube warehouse building (Banning Distribution Center) on approximately 63.9 acres located north of the Banning Municipal Airport and south of Interstate 10 as well as all associated on- and off-site supporting infrastructure improvements, which are herein collectively referred to as the "Project" or "proposed Project." The proposed building is being built with no specific tenant identified. The EIR analysis included herein therefore makes assumptions of the type of project that could be occupying the site. These assumptions are made on the conservative side so that a "worst-case" analysis is provided. Additional discretionary actions that the City of Banning will be considering as part of the project approvals include: design review, a plot plan, general plan amendment and zone change.

The following detailed Project description serves as a basis for analyzing the Project's impacts on the existing physical environment in Section 4.0 of the EIR.

3.1 PROJECT SITE LOCATION AND ACCESS

As shown in **Figure 3-1 – Regional Map**, the Project site is generally located in the southeast portion of the City of Banning, in northwestern Riverside County, California. The City of Banning (herein after "City") encompasses approximately 20 square miles and is located midway between the San Bernardino and San Jacinto Mountains. The bulk of developable land within the City is located in a flat basin, with rolling foothills to the north and south.

The Project site is located north of the Banning Municipal Airport, and south of Interstate 10 (I-10) freeway and the Union Pacific Railroad line as shown in **Figure 3-2 – Aerial Map**. Access to the site will be available from John Street which will be extended and improved as part of the Project. The Project site is located approximately one-mile east of Hargrave Street, and approximately 400 feet south of Interstate 10 (I-10). Primary access to the Project site from I-10 is taken from the Hargrave Street on- and off-ramps. Paved surface street access to the site begins north of East Lincoln Street, between South Hargrave Street and South Juarez Street, for approximately 679 feet until connecting to the existing John Street. From there, John Street will be extended northeast for approximately 5,009 feet until it connects to the Project site for a total of 5,688 linear feet.

The project will include construction of a gravel emergency access road, since the site will not be able to have access to the east (Tribal land located east of the site). An

unpaved, gravel emergency access road begins north of the intersection of East Lincoln Street and South Juarez Street for approximately 422 feet then heads east for approximately 6,864 feet until connecting to the southwest portion of the Project site 3,871 linear feet. The emergency access road also includes an at-grade crossing of Ramsey Street Wash (See **Figure 3-2**).

Extensions of water and sewer infrastructure are needed to serve the Project site. The locations of these shared utility lines begins north of Charles Street and the City's Water Reclamation Facility until it connects to East Westward Avenue and then heads east and northeast. From there, the shared utility lines head north along the eastern edge of the Banning Municipal Airport runway, until reaching the Project site (See **Figure 3-2**).

The Project site is located in Section 11 and portions of the off-site improvements are located in Sections 11 and 14 of Township 3 South, Range 1 East, as shown on the Cabazon, California, United States Geological Survey (USGS) 7.5 minute quadrangle. Elevation on the Project site ranges from 2,105 to 2,240 feet above sea level. The geographic coordinates near the middle of the site are 33˚ 55.520' North latitude and -116 ˚ 50.767' West longitude (See **Figure 3-3 – USGS Topography Map**).

3.2 PROJECT SITE DESCRIPTION

The Project site is relatively flat, consists of approximately 63.9 acres, and is located to the north and east of, and directly adjacent to, the Banning Airport in the City of Banning, California. The site is vacant, undeveloped and currently vegetated with desert scrub habitat. Several ephemeral drainages traverse the site and the surrounding area as shown in **Figure 3-4 – Existing On- and Offsite Drainages**. These drainages have been numbered, and are referred by this numbering in other relevant sections of this EIR. As shown in **Figure 3-5– Views of the Project Site in Existing Condition**, views of the Project site in its existing condition include views of Ramsey Street Wash/Drainage 1 (offsite) from the western boundary of the Project site (Photo 1), views of Ramsey Street Wash/Drainage 1 from the southwestern corner of the main Project site (Photo 2), and an offsite view of Drainage 3 from the northern portion of the Project site (Photo 3).

3.2.1 EXISTING LAND USES

The currently undeveloped and vacant Project site consists of three Assessor's Parcel Numbers (APNs):

- 532-110-006
- 532-130-001
- 532-130-002

As discussed earlier, southern portions of parcels 532-130-001 and 532-130-002 have an existing zone and land use designation that needs to be changed. These parcels are being processed for a zone change and general plan land use amendment to change from Public Facilities – Airport (PF-A) to Airport Industrial (AI). **Table 3-A – Surrounding Land Uses** and **Figure 3-6 – General Plan Land Use and Zoning** identify the surrounding zoning and land use designations. South of the airport, land use is zoned Industrial (I) and Very Low Density Residential (VLDR). To the west of the airport at the extension of John Street, land use is zoned Airport Industrial (AI) and Industrial (I). Land uses include a plastic fabrication business, a small multi-tenant industrial park, automotive repair and scattered residential uses. The I-10 freeway and a Union Pacific Railroad line are located to the north of the site and the Morongo Indian Reservation is located directly east of the site. The Morongo Indian Reservation/Tribal land is not within the City's sphere of influence.

Table 3-A – Surrounding Land Uses

Location	Land Use	General Plan/(Zoning)
North	Union Pacific Railroad (Railroad) and Interstate 10 (I-10)	Public Facilities – Railroad/Interstate/(PF-RI)
South	Banning Municipal Airport facility	Public Facilities – Airport/(PF-A)
East	Vacant Land owned by the Morongo Band of Mission Indians	None. Not in City's Sphere of Influence.
West	Banning Municipal Airport facility	Public Facilities – Airport/(PF-A) Airport Industrial/(A-I)

Source: City of Banning General Plan

3.2.2 GENERAL PLAN AND ZONING DESIGNATIONS

The proposed Project site's land use and zoning designations are Airport Industrial (AI) and Public Facilities-Airport (PF-A) in the City's General Plan (**Figure 3-6**). The distribution warehouse is currently located within the Airport Industrial (AI) land use designation and zoning which allows for this type of use. However, the southern portion of the Project site (APNs 532-130-001 and 530-130-002) are currently designated Public Facilities-Airport (PF-A) which allows for uses specifically related to airport operations. Since an end user is not known at this time and it is unlikely that the distribution warehouse will be part of the Banning Airport operations, a General Plan Amendment

(GPA; GPA 17-2501) and Zone Change (ZC; ZC 17-3501) to change the land use designation and zoning for APNs 532-130-001 and 530-130-002 from Public Facilities-Airport (PF-A) to Airport Industrial (AI) is included as part of the Project's entitlements. **Figure 3-6A – Proposed General Plan Land Use and Zoning** illustrates proposed land use and zoning designations on the Project Site. This area proposed for a GPA and ZC is proposed for surface parking and infiltration basins which will retain run off from rain events up to and including the 3-hour storm event per the City of Banning's regulations (Municipal Code 13.24).

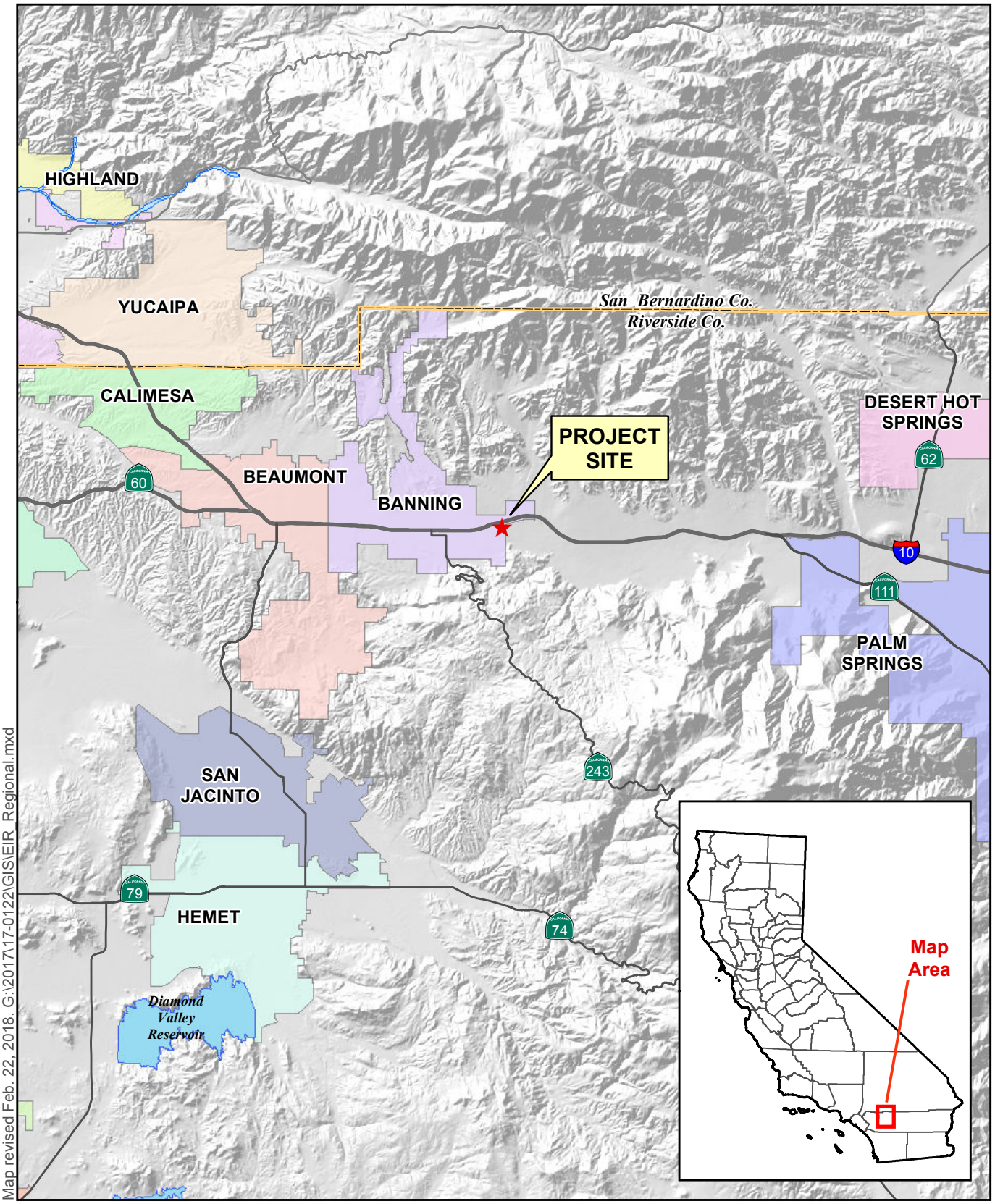
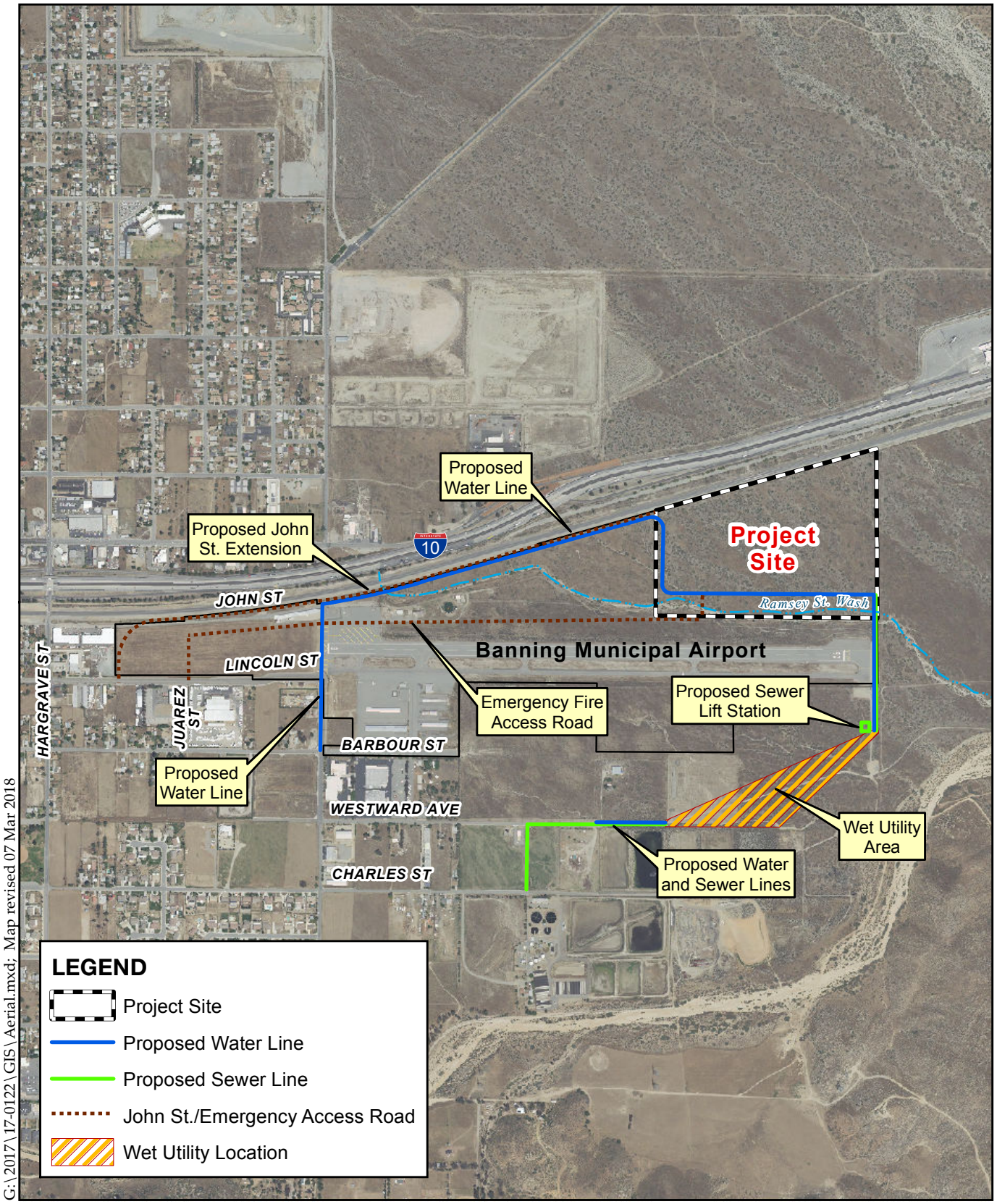


Figure 3-1 - Regional Map

Banning Distribution Center

0 2 4 6 Miles

ALBERT A. WEBB ASSOCIATES



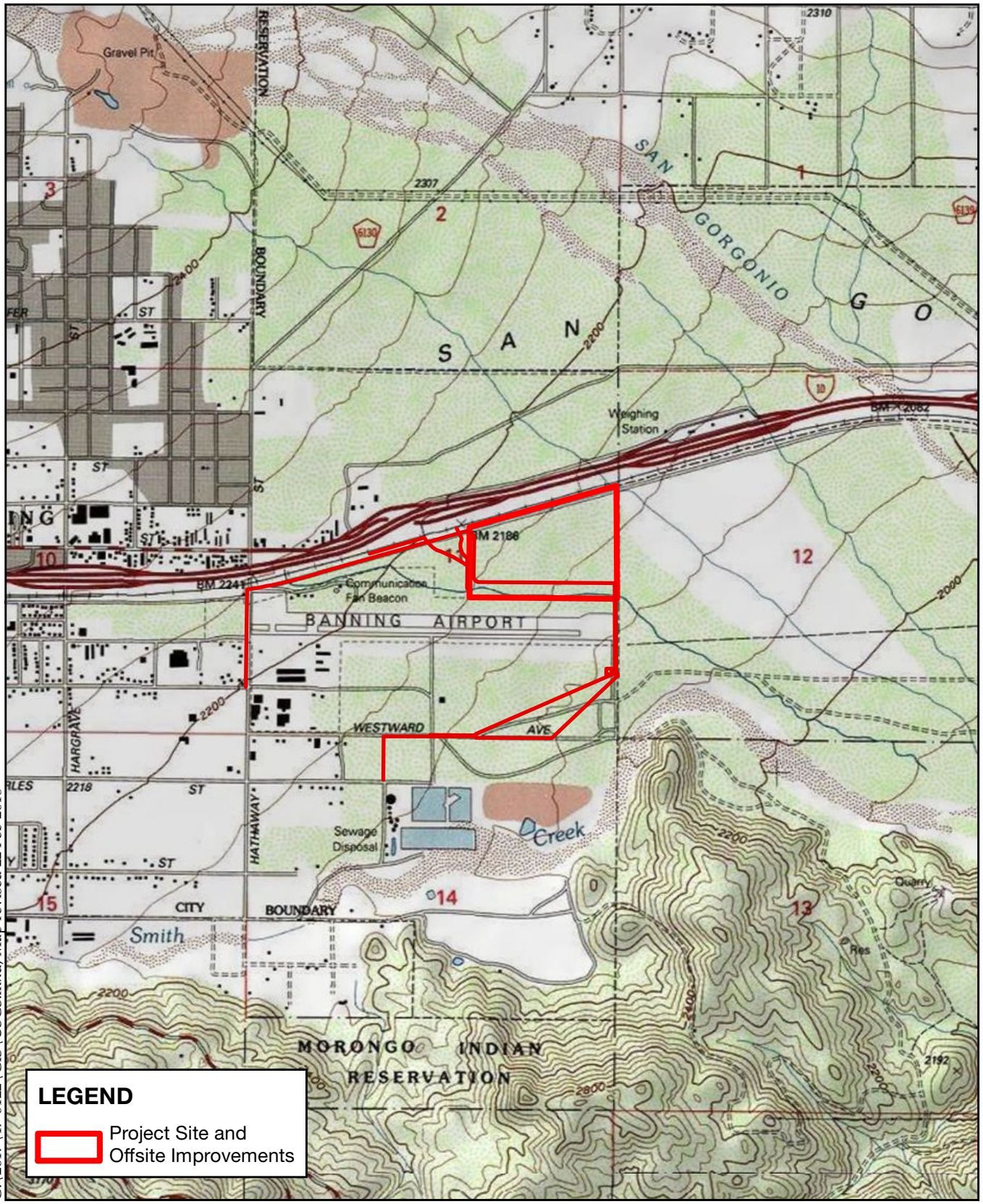
G:\2017\17-0122\GIS\Aerial.mxd; Map revised 07 Mar 2018

Sources: Riverside Co. GIS, 2018;
USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 3-2 - Aerial Map
Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



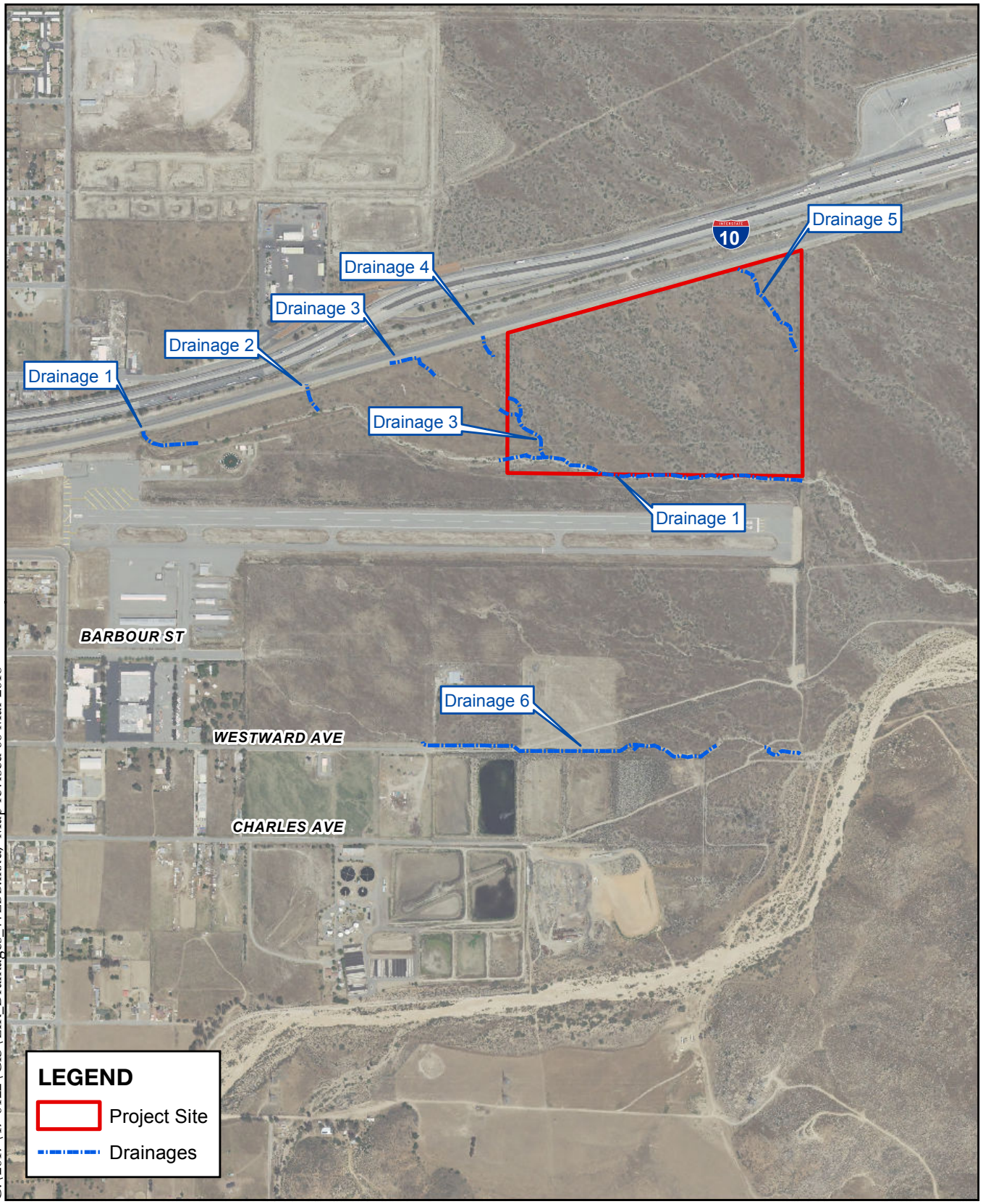
G:\2017\17-0122\GIS\USGS.mxd; Map revised 22 Feb 2018

Sources: ESRI / USGS 7.5min Quad
DRG: CABAZON

0 1,000 2,000 3,000 Feet

Figure 3-3 - USGS Topography Map
Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_Drainages_WEBB.mxd; Map revised 06 Mar 2018

Sources: Amec Foster Wheeler, June 2017; Riverside Co. GIS, 2018; USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 3-4 - Existing On- and Off-Site Drainages

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Photo 1 - Looking west at Drainage 1 (off-site) from the western boundary of the Project site.



Photo 2 - Looking east at Drainage 1 from the southwestern corner of the main Project site.



Photo 4 - Looking south at Drainage 3 from the northern portion of the Project site (offsite view).



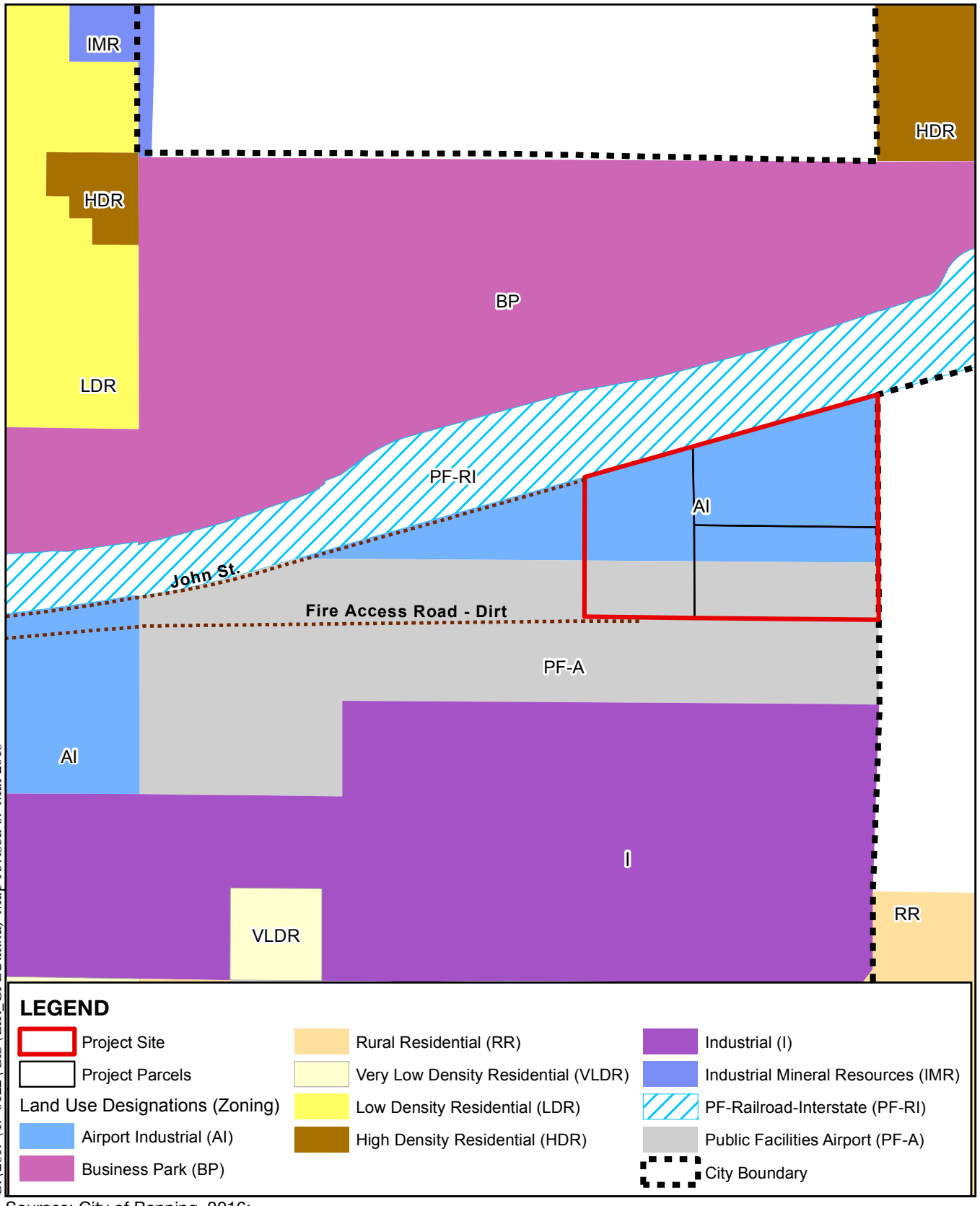
Map revised 5/18/2018. G:\2017\17-0122\GIS\EIR_Site_Photos.mxd

Source: Appendix A, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. Dec. 2017

Figure 3-5 - Views of Project Site in Existing Condition

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



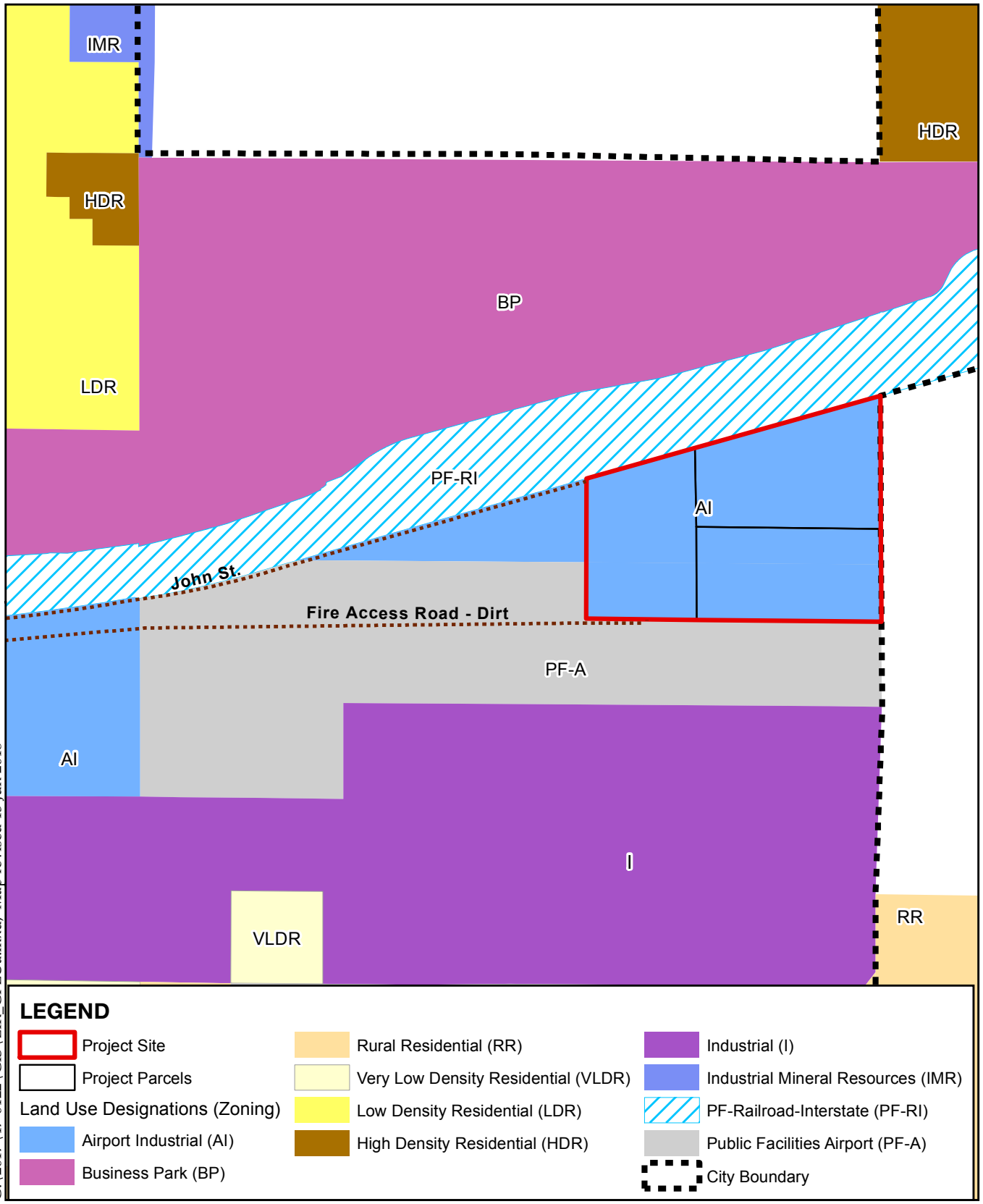
G:\2017\17-0122\GIS\EIR_GPLU.mxd; Map revised 07 Mar 2018

Sources: City of Banning, 2016;
Riverside Co. GIS, 2018.

Figure 3-6 - General Plan Land Use and Zoning

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\EIR_GPLUa.mxd; Map revised 15 Jun 2018

Sources: City of Banning, 2016; Riverside Co. GIS, 2018.

Figure 3-6a - Proposed General Plan Land Use and Zoning

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

3.3 PROJECT CHARACTERISTICS

The proposed Project includes characteristics and actions that may have environmental impacts. The following sections clarify Project characteristics which will be necessary to adequately analyze potential Project impacts.

3.3.1 CONSTRUCTION

Construction is anticipated to take 16 months and begin January 2019 and end April 2020. Construction activities anticipated and therefore analyzed within the analysis of this EIR are as follows:

- Grading
- Off-site Grading (John Street, gravel emergency fire access road)
- Off-site Paving (John Street)
- Building Construction
- Off-site Construction (lift station, water and sewer lines)
- Paving
- Architectural Coating

Grading includes site preparation activities such as clear and grub and also accounts for on-site infrastructure installation. The Project site is proposed to balance on site, with no soil import or export required. However, during site preparation activities, truck hauling trips were included to account for debris (vegetation) removal. Removal of approximately one-tenth of a foot of the Project site is assumed, which equates to approximately 10,300 cubic yards of debris removal. Debris removal is assumed to occur over a one week period at the beginning of grading. Given that, approximately 129 truckloads of debris would be exported daily.

Off-site infrastructure improvements will also be required. These improvements include construction of John Street, construction of the off-site extensions of water lines, sewer lines, and a lift station (discussed in more detail below), as well as the emergency access road. This corresponds to approximately 9.11 acres of off-site paving, for John Street and portions of the off-site sewer line, as well as approximately 4.7 acres of unpaved off-site improvements for portions of the off-site sewer line and lifts station, water line, and gravel emergency access road. Approximately 1,500 cubic yards of gravel will be imported during construction of the off-site emergency access road, which will remain unpaved.

Equipment used during construction include excavators, graders, rubber tired dozers, scrapers, tractors/loaders/backhoes, pavers, paving equipment, rollers, cranes, forklifts, generator sets, welders, and air compressors.

3.3.2 INDUSTRIAL BUILDING AND LANDSCAPING

The Project proposes development of a 1-million square feet speculative (i.e. the building's tenant has not been determined) building on approximately 63.9 acres. The building consists of 990,000 square-feet of high-cube (non-refrigerated) industrial/warehouse space and approximately 10,000 square feet of office space on the southwest and southeast corners of the proposed building for a total of 1 million square feet (see **Figure 3-7 – Project Site Plan**). The site plan is conceptual in nature and that minor modifications may occur during detailed final project review. The warehouse building will feature 88 dock doors on the northern side of the building, 25 dock doors on the western side, and 96 dock doors on the southern side of the proposed building. The design is modern industrial and includes concrete tilt-up wall construction with metal cap and window glazing and roof parapets. The visual characteristics of the industrial building are shown on **Figure 3-8A – Conceptual West Elevation, Figure 3-8B – Conceptual North Elevations,** and **Figure 3-8C – Conceptual South Elevations.**

The Project site will also provide a total of 174 automobile parking stalls; this includes 166 standard parking stalls, eight American Disabilities Act-compliant (ADA) handicapped parking stalls, and 321 truck and trailer parking stalls. The Project will include approximately 660,860 square feet of landscaping, which includes shade trees in the parking lots, trees along the property lines on all sides, landscaped infiltration basins located in the south portion of the site and portions of Ramsey Street wash that are on the Project site. The landscape plan includes focal trees that will be placed at the entrance to the site at John Street, corners of the property as well as at building and parking lot entrances (see **Figure 3-9 – Project Landscape Plan**).

3.3.3 ON- AND OFF-SITE INFRASTRUCTURE

- **Water and Sewer**

The Project site will need to be served by water and sewer which are not currently available to the site. In order to serve the site, potable water and sewer lines, along with a sewer lift station, will be constructed as part of the project **(Figure 3-10 – Utilities and Access)**.

The Project includes a 5,968 linear foot sewer line and associated lift station; the lift station is approximately 0.4 mile from the southern edge of the Project site. A water line

will be constructed that will total approximately 9,350 linear feet. The initial 4,714 linear feet of the water line starts where the line will tie into the existing water line at the intersection of S. Hathaway Street and E. Barbour Street, then north on Hathaway Street and east on the extension of John Street. The remaining 4,636 linear feet will be east and south of the Project site, terminating at the intersection of Scott Street and W. Westward Avenue (**Figure 3-10**). As shown on **Figure 3-10**, there is a "Wet Utility Location" depicted which represents approximately area of the proposed alignment for the water and sewer lines in that particular area. This EIR evaluated the impacts of the water and sewer lines appearing somewhere within the "wet utility location" area, because the exact alignment is still not known by the engineers.

- **Storm Drain and Drainage**

In order to minimize the discharge and transport of pollutants from the developed site and in order to comply with the City of Banning stormwater requirements (Municipal Code 13.24), the site will be constructed to retain 100% of the 100-year, 3-hour storm runoff volume with the incorporation of two infiltration basins at the southern portion of the Project site, just north of the Ramsey Street Wash (**Figure 3-9 – Project Landscape Plan**). The infiltration basins would be capable of storing storm volumes in excess of the water quality volumes. The infiltration basins will be equipped with an emergency overflow feature to Ramsey Street Wash in the event they are overtopped.

The site has been subdivided into two Drainage Management Areas (DMAs) by the designing engineers. DMA-1 consists of 20.1 acres of warehouse building, parking and landscape areas. DMA-1 generates water quality treatment volume of 16,781 cubic feet which will be directed to the proposed infiltration basin (Basin 1) via combination of surface flow and underground storm drain. DMA-2 consists of 37.8 acres of warehouse building, parking and landscape areas. DMA-2 generates water quality treatment volume of 41,164 cubic feet which will be directed to the proposed infiltration basin (Basin 2) via combination of surface flow and underground storm drain.

- **Roadways/Circulation**

The proposed Project offsite roadways include a paved 5,688 linear foot extension of John Street from the Project's west property line to Lincoln Street. The Project also includes a 3,871 linear foot gravel emergency access roadway at the southwestern corner of the property which will include construction of a low-water crossing that allows emergency access through the Ramsey Street Wash, and onto Banning Airport property. The Project also includes the construction of the intersection of Lincoln Street and John Street. One driveway is proposed to access the Project site at the end of John Street for vehicles and trucks (see **Figure 3-10 – Utilities & Access**).

- **Sustainability Features**

The Project site will meet all applicable standards under California's Green Building Code (CalGreen) and Title 24. The Project site shall implement concepts of efficient design and material use that are consistent with Leadership in Energy and Environmental Design (LEED) Certification Levels. This will be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient:

- **Energy Efficiency**

  - Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
  - Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
  - Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
  - Install light colored "cool" roofs over office area spaces.
  - For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
  - For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
  - For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air

leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- **Renewable Energy**

  - Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy to the City for review.

- **Water Conservation and Efficiency**

  - Create water-efficient landscapes.
  - Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code.
  - Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
  - Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
  - Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

- **Solid Waste Measures**

  - Reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
  - Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
  - The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

- **Transportation and Motor Vehicles**

  - The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
  - The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
  - Provide adequate bicycle parking near building entrances.

- **On-Site Equipment and Loading Docks**

  - The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than five minutes.
  - Truck idling shall not exceed five minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than five minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
  - Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **Construction**

  - Require Construction Equipment to Turn Off When Not in Use.
  - Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project.
  - Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

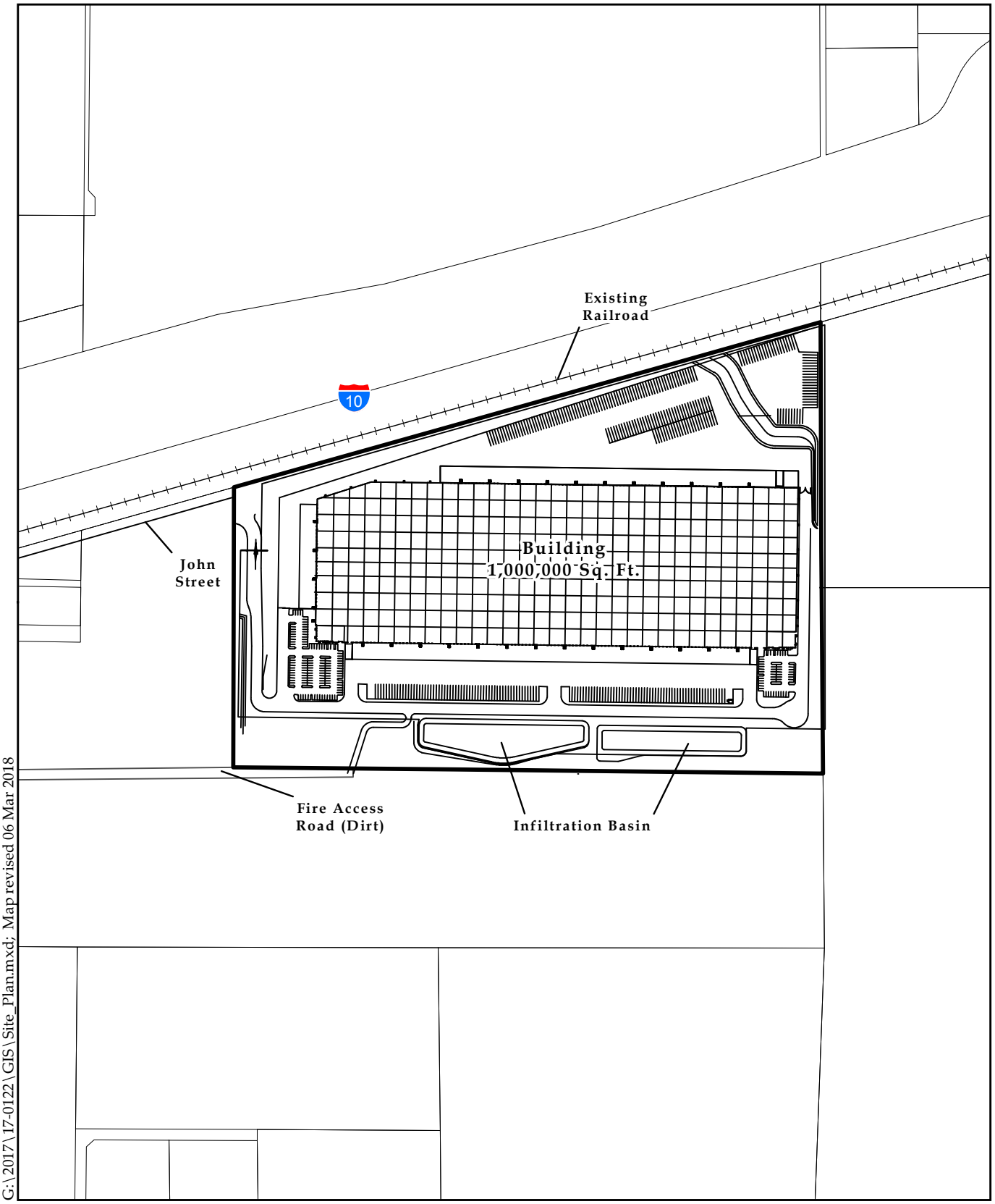


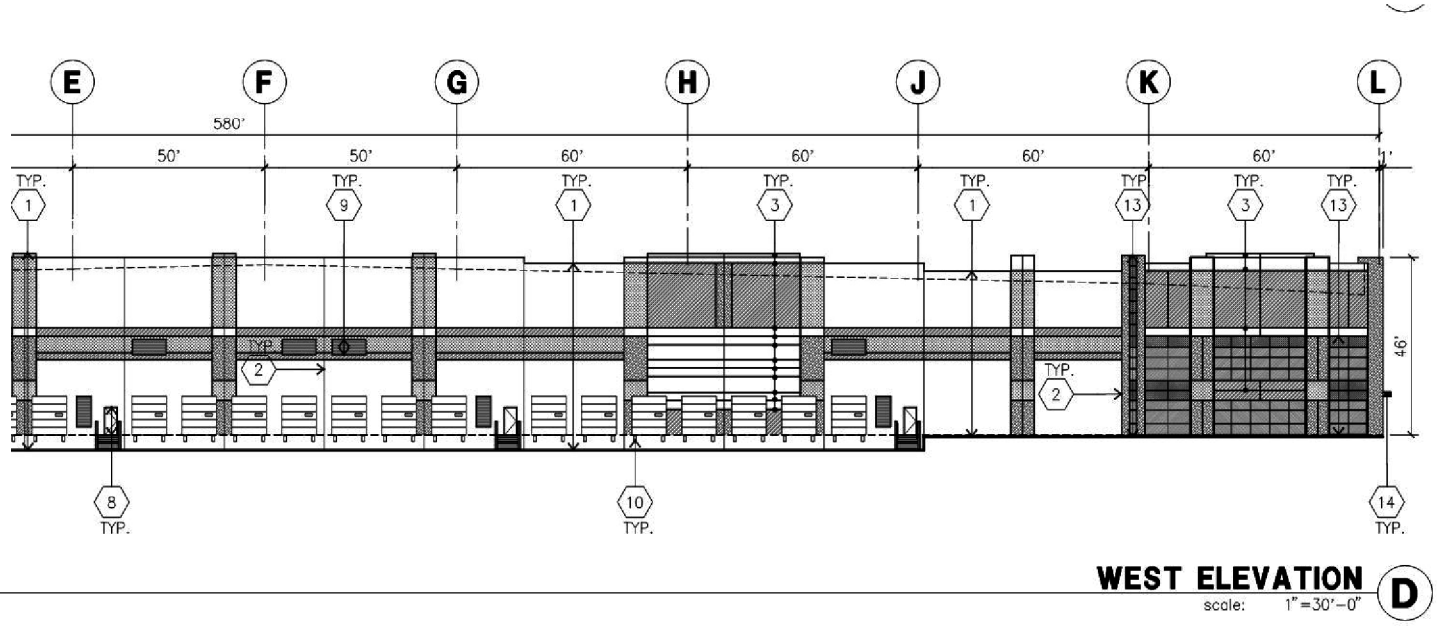
Figure 3-7 - Project Site Plan

Banning Distribution Center

N

0 200 400 600 800 Feet

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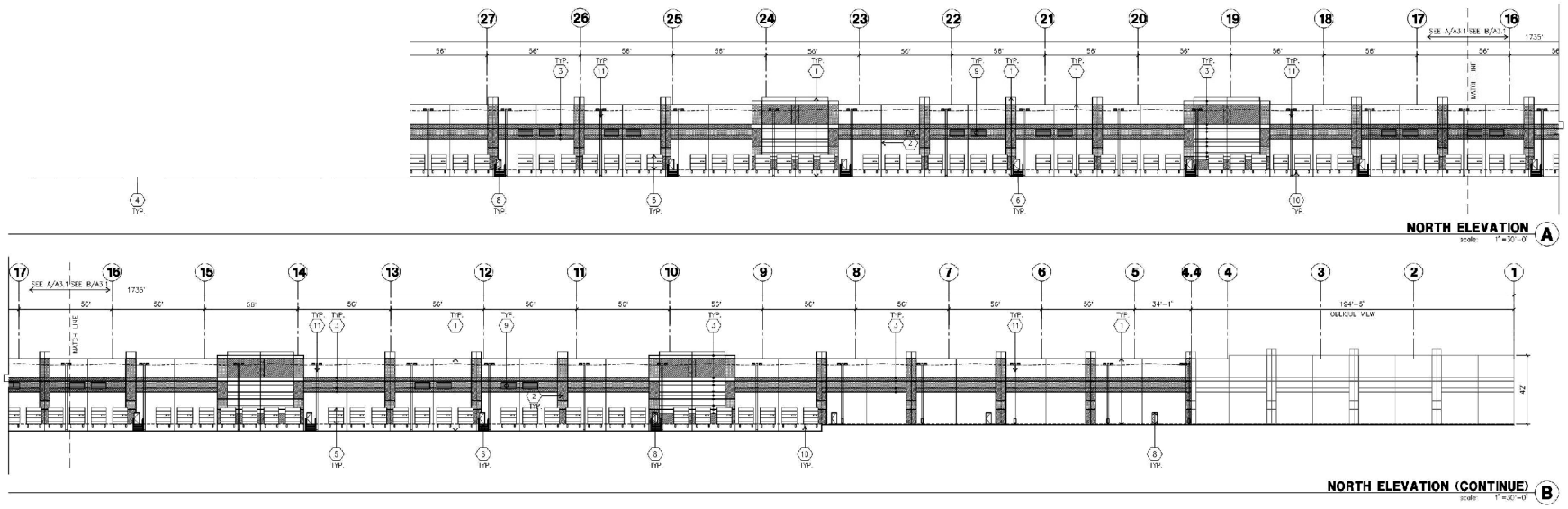
Source: HPA architecture, Oct. 2017.

Figure 3-8A - Conceptual West Elevation

Banning Distribution Center

Not to Scale

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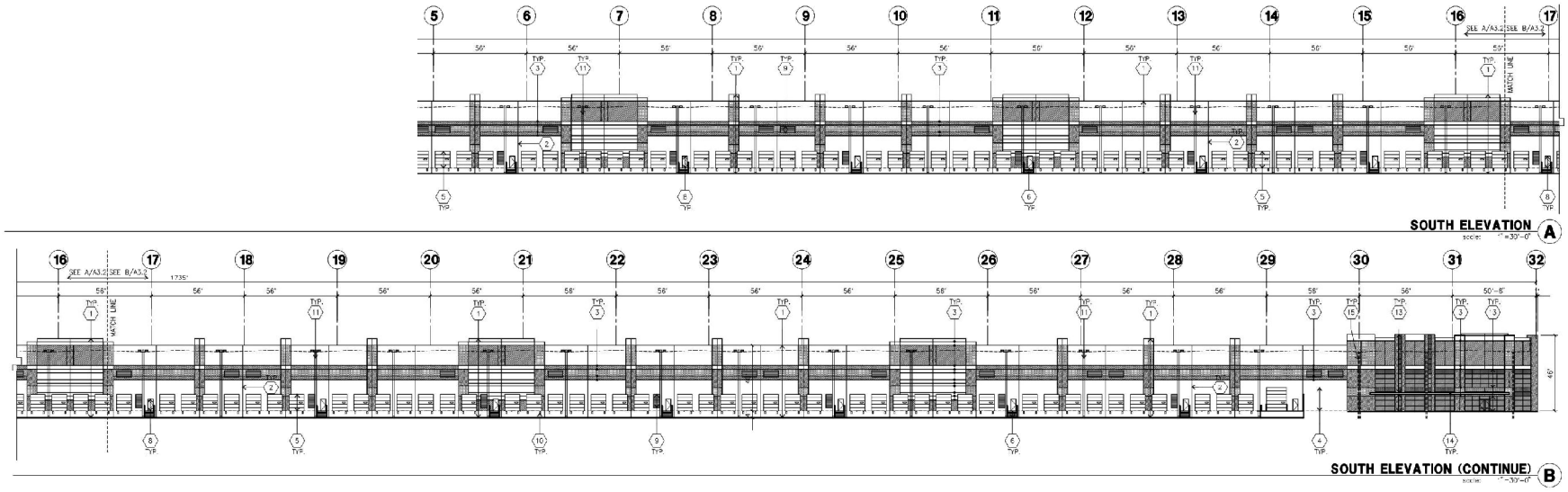
Source: HPA architecture, Oct. 2017.

Figure 3-8B - Conceptual North Elevations

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES



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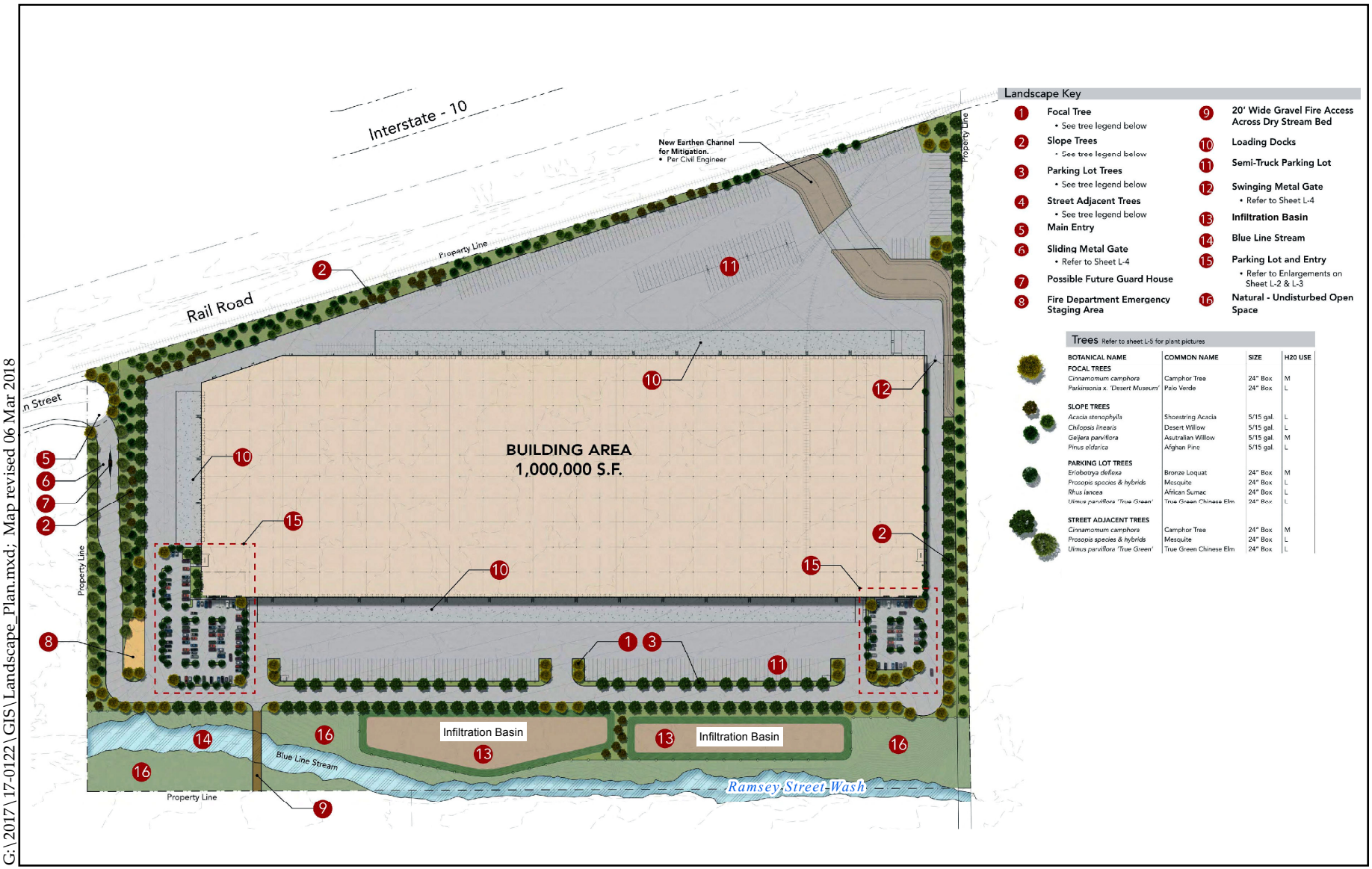
Source: HPA architecture, Oct. 2017.

Figure 3-8C - Conceptual South Elevations

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES



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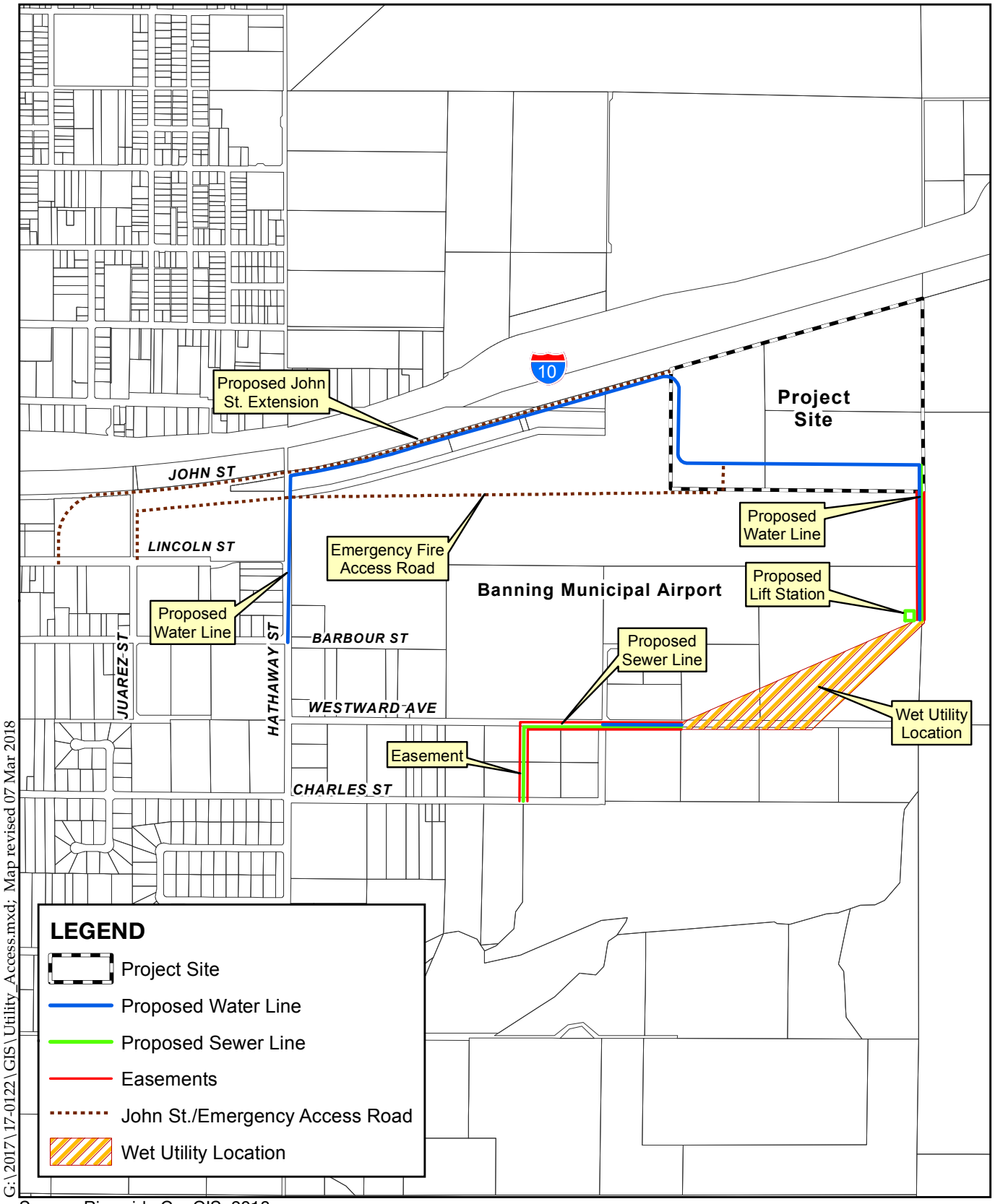
Source: Land Concern, Dec. 2017.

Not to Scale

Figure 3-9 - Project Landscape Plan

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



Source: Riverside Co. GIS, 2018

Figure 3-10 - Utilities and Access

Banning Distribution Center

0 500 1,000 1,500 2,000 Feet

ALBERT A. WEBB ASSOCIATES

3.4 PROJECT OBJECTIVES

Per Section 15124 (b) of the *CEQA Guidelines*, an EIR needs to include a statement of the objectives of a project which help the City develop a reasonable range of alternatives. The Objectives need to outline the general purpose of the Project. The purpose of the proposed Project is to construct and operate a warehouse building. The Project Objectives are as follows:

- Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway.
- Maximize efficient goods movement throughout the region by locating a warehouse in proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two roundtrips per day.
- Develop and operate a warehouse that meets industry standards for operational design criteria.
- Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities and expansion of the tax base.
- Provide local employment for residents of the City to improve the jobs-housing balance within the City.

3.5 CUMULATIVE SETTING

CEQA requires that an EIR examine the cumulative impacts associated with a project, in addition to project-specific impacts. The discussion of cumulative impacts must reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts to a project alone (State CEQA Guidelines Section 15130(b)).

As stated in Section 15130(a) of the State CEQA Guidelines, an EIR "shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "Cumulatively considerable" means that "the incremental effects of an individual project area considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects as defined in Section 15130" (State CEQA Guidelines Section 15065(c)). Section 15355 of the State CEQA Guidelines states that "cumulative impacts" occur from "…the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable

future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

The EIR must examine "reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project" (State CEQA Guidelines Sections 15130(a)(3) and 15130(b)(5)). A cumulative impact is not considered significant if the impact can be mitigated to below the level of significance through mitigation, including providing improvements and/or contributing funds through mitigation fee payment programs.

State CEQA Guidelines Section 15130(b)(1) requires that a discussion of cumulative impacts be based on either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency ("the list method"); or a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact ("summary of projections method").

This EIR utilizes the "list method" approach in most of the cumulative analyses contained within each impact analysis section of Section 4 of this document, and therefore focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of combined impacts caused by other past, present, or future projects. The cumulative impact scenario considers other projects proposed within the Project area that have the potential to contribute to cumulatively considerable impacts when considered with the proposed Project. Based on discussions with City staff, the projects identified in **Table 3-B – Cumulative Development Projects within the Study Area in 2019** are located in the Project area and may have the potential to contribute to cumulative effects. The location of the cumulative development projects in relation to the Project site is shown in **Figure 3-11 – Cumulative Projects within the Study Area in 2019**; the figure is on the page following **Table 3-B**. The land to the east of the Project site is Morongo tribal land and is not within the sphere of influence of the City of Banning.

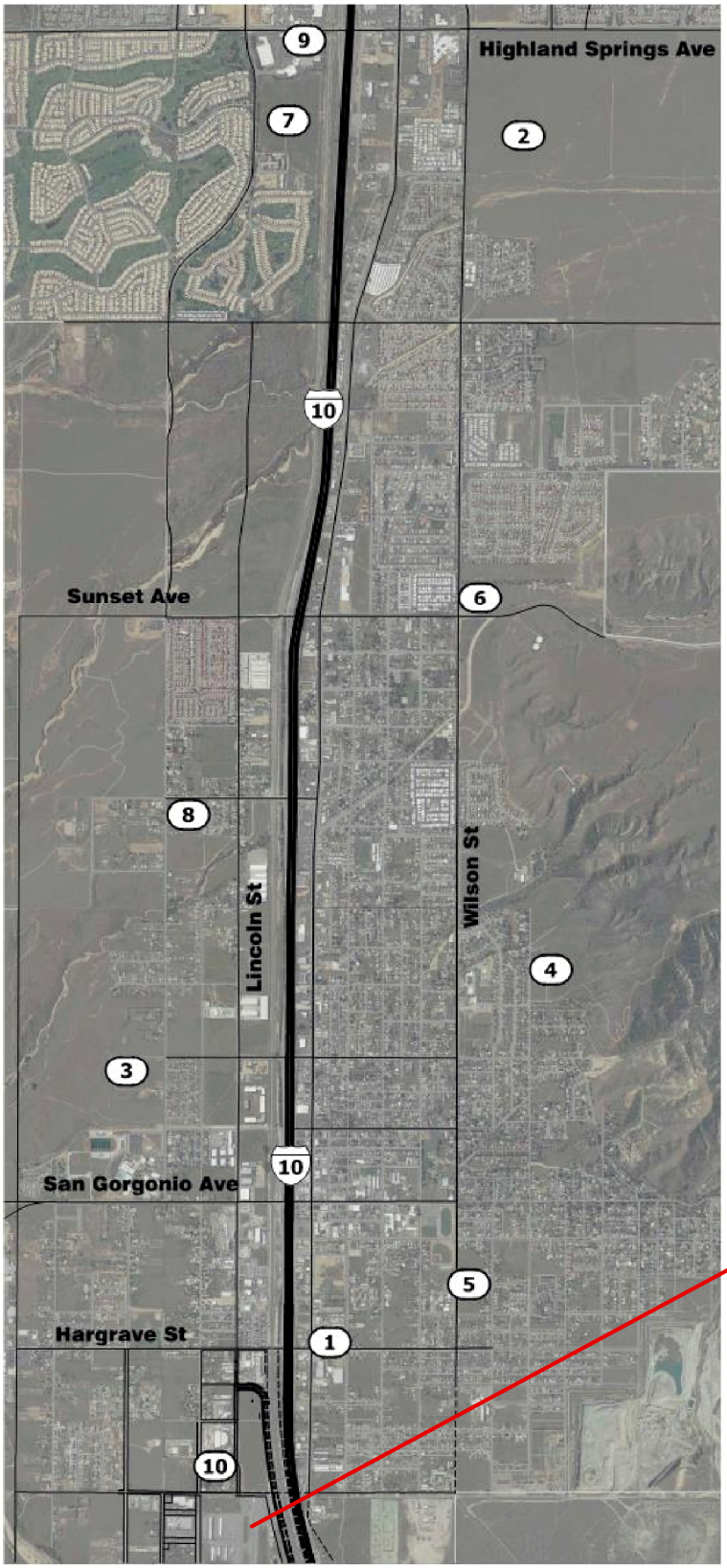
The geographic scope (or cumulative impact area) used for each environmental issue is different depending upon the potential area of effect. For example, the geographic scope for air quality would be the South Coast Air Basin (Basin), while the geographic scope for cumulative and the geographic scope for traffic/circulation would be the intersections in the Project vicinity that could be affected by the cumulative projects. The appropriate scope is explained under the cumulative impacts discussion in connection with each respective environmental impacts discussion.

Table 3-B – Cumulative Projects within the Study Area in 2019

Project	Land Use	Qty	Unit	AM Peak Hour	PM Peak Hour	Daily
1. La Quinta Hotel	Hotel	71	Rooms	38	43	580
	Internal Trips (9-35%)			*(2)*	*(17)*	*(19)*
	Fast-Food Restaurant with Drive-Through Window	2.8	TSF	127	91	1,389
	Internal Trips (3-17%)			*(5)*	*(15)*	*(20)*
	Pass-by Trips (PM:43%)			*0*	*(32)*	*(32)*
	High-Turnover (Sit-Down) Restaurant	1.2	TSF	13	12	153
	Internal Trips (3-17%)			*0*	*(2)*	*(2)*
	Pass-by Trips (AM:49% PM:50%)			*(6)*	*(4)*	*(10)*
	PROJECT TOTAL			*165*	*76*	*2,039*
2. Pardee Butterfield Specific Plan (20%)	Shopping Center	78	TSF	134	507	5,778
	Internal Trips (7-18%)			*(3)*	*(93)*	*(96)*
	Pass-by Trips (PM:34%)			*0*	*(140)*	*(140)*
	Single-Family Detached Housing	1029	DU	772	1,029	9,796
	Internal Trips (1-9%)			*(3)*	*(93)*	*(96)*
	PROJECT TOTAL			*900*	*1,210*	*15,242*
3. Rancho San Gorgonio Specific Plan (By 2019)[1]	Single-Family Detached Housing	570	DU	428	570	5,426
	Elementary School	800	Stu	360	120	1,032
4. Tent Tract Map 33540	Single-Family Detached Housing	172	DU	129	172	1,637
	Cemetery	7	Acres	1	6	33
5. Tent Tract Map 36710	Single-Family Detached Housing	48	DU	36	48	457
6. Tent Tract Map 36939	Single-Family Detached Housing	98	DU	74	98	933
7. Tent Parcel Map 33326	Shopping Center	510	TSF	421	1,785	19,582
	Pass-by Trips (PM:34%)			*0*	*(586)*	*(586)*
	PROJECT TOTAL			*421*	*1,199*	*18,996*
8. Tent Tract Map 33013	Single-Family Detached Housing	6	DU	5	6	57
9. 300 S. Highland Springs Ave, Pad A	Shopping Center	7.964	TSF	33	110	1,311
	Pass-by Trips (PM:34%)			*0*	*(36)*	*(36)*
	PROJECT TOTAL			*33*	*74*	*1,275*
10. Airport Industrial Work Lofts	Residential Condominium/Townhouse	22	DU	10	12	128
	General Office Building	14.28	TSF	23	22	158
	Warehousing	13.53	TSF	4	4	48
	Specialty Retail Center	13.53	TSF	18	37	600
	Internal Reduction10%			*(6)*	*(8)*	*(93)*
	PROJECT TOTAL			*49*	*67*	*841*
TOTAL				2,601	3,646	47,966

TSF = 1,000 Square Feet Gross Floor Area, DU = Dwelling Units, Stu = Students.

[1] Development assumptions for Rancho San Gorgonio Specific Plan based on the Rancho San Gorgonio Specific Plan Traffic Study, April 2016.



LEGEND

1. La Quinta Hotel
2. Pardee Butterfield Specific Plan
3. Rancho San Gorgonio Specific Plan
4. Tentative Tract Map 33540
5. Tentative Tract Map 36710
6. Tentative Tract Map 36939
7. Tentative Parcel Map 33326
8. Tentative Tract Map 33013
9. 300 S Highland Springs Ave, Pad A
10. Airport Industrial Work Lofts

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Source: Fig. 4-E, Revised Traffic Impact Analysis, Webb Assoc., April 2018

Figure 3-11 - Cumulative Projects within the Study Area in 2019

Banning Distribution Center

Not to Scale

ALBERT A. WEBB ASSOCIATES

3.6 INTENDED USES OF THIS EIR

3.6.1 DISCRETIONARY ACTIONS AND APPROVALS

The DEIR serves as an informational document for use by public agencies, the general public, and decision makers. This DEIR discusses the impacts of development pursuant to the proposed Project and related components and analyzes project alternatives. This DEIR will be used by the City and responsible agencies in assessing environmental impacts of the proposed Project.

The following approvals and permits are required from the City to implement the proposed Project:

- Certification of the EIR with the determination that the EIR has been prepared in compliance with the requirements of CEQA;
- GPA/ZC (GPA 17-2501; ZC 17-3501);
- Design Review; and
- Plot Plan.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the proposed Project include, but are not limited to:

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

Approvals and permits that may be required by other agencies who will use this EIR include:

- South Coast Air Quality Management District – Fugitive dust control plan.
- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- Banning Municipal Airport for access easement(s).
- Review by Riverside County Airport Land Use Commission (ALUC).
- U.S. Army Corps of Engineers, Clean Water Act Section 404 Permit.

- Regional Water Quality Control Board, Colorado Region, Clean Water Act Section 401 Water Quality Certification.
- California Department of Fish and Wildlife, a Fish and Game Code Section 1602 Streambed Alteration Agreement.

4.0 ENVIRONMENTAL ANALYSIS

4.1 INTRODUCTION

Section 4 of this EIR addresses each environmental effect that was determined to be potentially significant during preparation of the Initial Study (IS) and Notice of Preparation (NOP) prepared for this Project and mitigation measures proposed to minimize significant effects.

The following-referenced sections of this DEIR provide a detailed discussion of the issue areas that were found to have potentially significant impacts during preparation of the IS/NOP:

- Air Quality (Section 4.2)
- Biological Resources (Section 4.3)
- Cultural Resources (Section 4.4)
- Greenhouse Gas Emissions (Section 4.5)
- Hydrology and Water Quality (Section 4.6)
- Noise (Section 4.7)
- Transportation and Traffic (Section 4.8)
- Tribal Cultural Resources (Section 4.9)
- Utilities and Service Systems (Section 4.10)
- Energy Conservation (Section 5.0)

Sections 15126, 15126.2 and 15126.4 of the *CEQA Guidelines* require consideration and discussion of significant environmental effects and mitigation measures proposed to minimize significant effects. All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation (Section 15126) and an EIR shall identify and focus on the potential significant environmental effects of the proposed Project (Section 15126.2).

4.1.1 EFFECTS FOUND NOT TO BE SIGNIFICANT DURING PREPARATION OF THE INITIAL STUDY

CEQA provides that an EIR shall focus on the significant effects on the environment, discussing the effects with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an initial study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless information inconsistent with the finding in the initial study is subsequently received.

Section 21100(c) of the Public Resources Code states that an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were consequently not discussed in detail in the EIR. Section 15128 of the State *CEQA Guidelines* adds, "Such a statement may be contained in an attached copy of an Initial Study."

The Initial Study prepared and circulated for public review regarding the Banning Distribution Center is included as Appendix A of this DEIR. The Initial Study concluded that the proposed development would not result in significant impacts to the following:

- Aesthetics
- Agriculture and Forestry Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population/Housing
- Public Services
- Recreation

These issue areas are not discussed further in this EIR. The basis for elimination of each relevant impact in these issue areas is documented in the appended Initial Study document.

The IS determined that several issue areas may have potentially significant effects on the environment, and were consequently are discussed further in Section 4 of this DEIR. Impacts related to the following issues were found to be potentially significant in the Initial Study and are there included as sections in this EIR as outlined above: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Transportation/Traffic, Tribal/Cultural Resources and Utilities/Service Systems.

- **Notice Of Preparation Comment Letters**

The public review period for the NOP/Initial Study began January 22, 2018 and ended February 20, 2018. The following is a list of all those entities from which comments on the NOP/Initial Study were received and a brief summary of the issues raised. None of the comments received had the effect of changing the issue areas to be discussed in the DEIR. These letters can be found in Appendix B.

Author	Subject	Date
Lozeau Drury, LLP on behalf of Laborers International Union of North America, Local Union 1184 (LiUNA)	Request to be added to the distribution list for the Project.	January 26, 2018
Native American Heritage Commission	Recommend consulting with Native American tribes regarding the Project and compliance with AB 52 and SB 18.	January 25, 2018
State Clearinghouse and Planning Unit	Transmittal to Reviewing Agencies regarding the Project.	January 22, 2018
South Coast Air Quality Management District	SCAQMD analysis recommendations	February 15, 2018
Sierra Club, Moreno Valley Group	• Traffic Routes • Growth-inducing impacts • Animal habitat on-site • Project lighting • Building height • Noise • Drainage • Air Quality and GHG emissions • Cumulative impacts	February 19, 2018
Southern California Association of Governments	• Noticing • Consistency with regional transportation plans • Growth factors	February 20, 2018
State of California Department of Fish and Wildlife	• Inventory of species on-site • Assessment of biological resources on-site	February 20, 2018

Author	Subject	Date
	• Lighting • Noise • Defensible space • Cumulative analysis • Mitigation measures • Habitat restoration plans • Nesting birds • Western Riverside County MSHCP • California Endangered Species Act • Lake and Streambed Alteration Program • Water use	
Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters	• Air Quality • Biological resources • Greenhouse gas emissions • Water quality impacts • Land use and planning • Transportation	February 23, 2018

4.2 AIR QUALITY

4.2.1 INTRODUCTION

The focus of the following discussion is related to the potential for the proposed Project to have impacts related to compliance with applicable air quality plans and standards, cumulative increases of criteria air pollutants, and the exposure of sensitive receptors to substantial pollutant concentrations and objectionable odors. The discussion also includes the existing physical setting of the Project area, sensitive land uses in proximity of the Project site, the air quality regulatory framework, and long-term air quality attainment goals for the region.

The analysis in this section is based, in part, on the *Air Quality/Greenhouse Gas Analysis for Banning Distribution Center Project, City of Banning* (the AQ-GHG Study). The AQ-GHG Study, which is included as Appendix C.1 to this DEIR, evaluated whether the expected criteria air pollutant emissions that would be generated as a result of construction and long-term operations (i.e., vehicle emissions) of the proposed Project would cause significant impacts to air quality. The AQ-GHG Study was prepared within the context of the California Environmental Quality Act (CEQA; California Public Resources Code Sections 21000 *et seq.*). The methodology follows the *CEQA Air Quality Handbook* (1993) prepared by the South Coast Air Quality Management District (SCAQMD) for quantification of emissions and evaluation of potential impacts to air resources. As recommended by SCAQMD and City staff, the California Emissions Estimator Model (CalEEMod^{TM}) version 2016.3.2 computer program was used to quantify Project-related emissions.

Dispersion modeling was also prepared to evaluate the health risk impacts to existing sensitive receptors in the Project vicinity from diesel particulate matter from the heavy duty trucks that would presumably be servicing the future warehouse tenant at the Project site. Information regarding the methodologies used to estimate health risks is summarized in the proceeding analysis and the calculations and modeling output are included as Appendix C.2 of this DEIR.

In response to the Notice of Preparation (NOP), three letters were received regarding air quality. The letters from South Coast Air Quality Management District, Sierra Club Moreno Valley Group and Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters are available in Appendix B of this DEIR. The South Coast Air Quality Management District letter addressed numerous air quality-related issues, including recommendations for modeling, truck trip rates, alternatives and suggested mitigation

measures. Sierra Club Moreno Valley Group encourages strong mitigation measures to mitigate diesel and construction emissions. Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters requests detailed discussions on the Project's emissions and cumulative effects. These comments have been addressed herein.

4.2.2 PHYSICAL SETTING

- **Surrounding Conditions**

The proposed Project site is located within the South Coast Air Basin (the Basin), which is under the jurisdiction of the SCAQMD. The Basin consists of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. Regional and local air quality within the Basin is affected by topography, atmospheric inversions, and dominant onshore flows. Topographic features such as the San Gabriel, San Bernardino, and San Jacinto Mountains form natural horizontal barriers to the dispersion of air contaminants. The presence of atmospheric inversions limits the vertical dispersion of air pollutants. With an inversion, the temperature initially follows a normal pattern of decreasing temperature with increasing altitude; however, at some elevations, the trend reverses and temperature begins to increase as altitude increases. This transition to increasing temperature establishes the effective mixing height of the atmosphere and acts as a barrier to vertical dispersion of pollutants (SCAQMD 1993).

Dominant onshore flow provides the driving mechanism for both air pollution transport and pollutant dispersion. Air pollution generated in coastal areas is transported east to inland receptors by the onshore flow during the daytime until a natural barrier (the mountains) is confronted, limiting the horizontal dispersion of pollutants. The result is a gradual degradation of air quality from coastal areas to inland areas, which is most evident with the photochemical pollutants such as ozone formed under reactions with sunlight (SCAQMD 1993).

- **Climate**

Terrain and geographical location determine climate in the Basin. The Project site lies within the terrain south of the San Gabriel and San Bernardino Mountains and north of the Santa Ana Mountains. The climate in the Basin is typical of southern California's Mediterranean climate, which is characterized by dry, warm summers and mild winters. Winters typically have infrequent rainfall, light winds, and frequent early morning fog and clouds that turn to hazy afternoon sunshine.

The following includes factors that govern micro-climate differences among inland locations within the Basin: 1) the distance of the mean air trajectory from the site to the ocean; 2) the site elevation; 3) the existence of any intervening terrain that may affect airflow or moisture content; and 4) the proximity to canyons or mountain passes. As a general rule, locations farthest inland from the ocean have the hottest summer afternoons, the lowest rainfall, and the least amount of fog and clouds. Foothill communities in the Basin have greater levels of precipitation, cooler summer afternoons and may be exposed to wind funneling through nearby canyons during Santa Ana winds. Terrain will generally steer local wind patterns (SCAQMD 1993).

Precipitation and Temperature

Annual average temperatures in the Basin are typically in the low to mid-60s (degrees Fahrenheit). Temperatures above 100 degrees are recorded for all portions of the Basin during the summer months (SCAQMD 1993).

The Western Regional Climate Center (WRCC) climatological station closest to the Project site is the Beaumont #2 Station located just over 7 miles to the west of the Project site in the City of Beaumont. As shown in **Table 4.2-A – Meteorological Data**, climatological data from this station spanning from 1939 – 2016 shows an annual average high of 76.6° F and an annual average low of 46.9° F, with January as the coldest month (mean daily minimum temperatures of 38.4° F) and July as the warmest month of the year (mean daily maximum temperatures of 95.5° F).

The rainy season in the Basin is November to April. Summer rainfall can occur as widely scattered thunderstorms near the coast and in the mountainous regions in the eastern area of the Basin. Rainfall averages vary throughout the Basin. For example, the City of Riverside averages 9 inches of rainfall, while the City of Los Angeles averages 14 inches. Rainy days vary from 5 to 10 percent of all days in the Basin, with the most frequent occurrences of rainfall near the coast (SCAQMD 1993).

Over this same period of time, the climatological data from the Beaumont #2 station shows an annual average precipitation of 17.81 inches. The highest monthly average precipitation occurs during January and February. However, year to year patterns in rainfall are unpredictable due to fluctuations in the weather. General meteorological data for the Banning area, as measured at the Beaumont weather station, are shown in **Table 4.2-A – Meteorological Data**.

Table 4.2-A – Meteorological Data

Month	Temperature (°F)		Average Precipitation (inches)
	Average High	Average Low	
January	60.3	38.4	3.52
February	63.1	38.8	3.40
March	65.8	39.9	3.12
April	71.9	42.7	1.44
May	78.6	47.5	0.55
June	87.5	52.2	0.14
July	95.5	58.2	0.23
August	95.0	58.8	0.27
September	90.1	55.5	0.51
October	80.1	49.1	0.65
November	69.0	42.9	1.72
December	61.7	39.2	2.26
Annual	**Average: 76.6**	**Average: 46.9**	**Total: 17.81**

Source: Western Regional Climate Center, 1939 – 2016 Monthly Climate Summary, available at http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca0609

Winds

The interaction of land (offshore) and sea (onshore) breezes control local wind patterns in the area. Daytime winds typically flow from the coast to the inland areas, while the pattern typically reverses in the evening, flowing from the inland areas to the ocean. Air stagnation may occur in the early evening and early morning during periods of transition between day and nighttime flows.

Approximately 5 to 10 times a year the Project site vicinity experiences strong, hot, dry desert winds known as the Santa Ana winds. These winds, associated with atmospheric high pressure, originate in the upper deserts and are channeled through the passes of the San Bernardino Mountains and into the inland valleys. Santa Ana winds can last for a period of hours or days, and gusts of over 60 miles per hour have been recorded.

High winds, including Santa Ana winds, affect dust generation characteristics and create the potential for off-site air quality impacts, especially with respect to airborne nuisance and particulate emissions. Local winds in the Project area are also an important meteorological parameter because they control the initial rate of dilution of locally-generated air pollutant emissions.

- **Categories of Emission Sources**

Air pollutant emissions sources are typically grouped into two categories: stationary and mobile sources. These emission categories are defined and discussed in the following subsections.

  - **Stationary Sources**

Stationary sources are divided into two major subcategories: point and area sources. Point sources consist of a single emission source with an identified location at a facility. A single facility could have multiple point sources located on-site. Stationary point sources are usually associated with manufacturing and industrial processes. Examples of point sources include boilers or other types of combustion equipment at oil refineries, electric power plants, etc. Area sources are small emission sources that are widely distributed, but are cumulatively substantial because there may be a large number of sources. Examples include residential water heaters; painting operations; lawn mowers; agricultural fields; landfills; and consumer products, such as barbecue lighter fluid and hair spray (SCAQMD 1993).

  - **Mobile Sources**

Mobile sources are motorized vehicles, which are classified as either on-road or off-road. On-road mobile sources typically include automobiles and trucks that operate on public roadways. Off-road mobile sources include aircraft, ships, trains, and self-propelled construction equipment that operate off public roadways. Mobile source emissions are accounted for as both direct source emissions (those directly emitted by the individual source) and indirect source emissions, which are sources that by themselves do not emit air contaminants but indirectly cause the generation of air pollutants by attracting vehicles. Examples of indirect sources include office complexes, commercial and government centers, sports and recreational complexes, and residential developments (SCAQMD 1993).

- **Air Pollution Constituents**

  - **Criteria Pollutants**

Air pollutants are classified as either primary, or secondary, depending on how they are formed. Primary pollutants are generated daily and are emitted directly from a source into the atmosphere. Examples of primary pollutants include carbon monoxide (CO), nitrogen dioxide (NO_2) and nitric oxide (NO)—collectively known as oxides of nitrogen

(NO_X), sulfur dioxide (SO_2), particulates (PM-10 and PM-2.5) and various hydrocarbons (HC) or volatile organic compounds (VOC), which are also referred to as reactive organic gases (ROG). The predominant source of air emissions generated by the Project development is expected to be vehicle emissions. Motor vehicles primarily emit CO, NO_X, and VOC/ROG/HC (Volatile Organic Compounds/Reactive Organic Gases/Hydrocarbons).

Secondary pollutants are created over time and occur within the atmosphere as chemical and photochemical reactions take place. An example of a secondary pollutant is ozone (O_3), which is one of the products formed when NO_X reacts with HC, in the presence of sunlight. Other secondary pollutants include photochemical aerosols. Secondary pollutants such as ozone represent major air quality problems in the Basin.

The Federal Clean Air Act of 1970 established the National Ambient Air Quality Standards (NAAQS). Six "criteria" air pollutants were identified using specific medical evidence available at that time, and NAAQS were established for those chemicals. The State of California has adopted the same six chemicals as criteria pollutants, but has established different allowable levels. The six criteria pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulates less than 10 microns in size, and sulfur dioxide. The following is a further discussion of the criteria pollutants, and their precursors, that are applicable to the Project.

Carbon Monoxide (CO)

A colorless, odorless toxic gas produced by incomplete combustion of carbon-containing substances. Concentrations of CO are generally higher during the winter months when meteorological conditions favor the build-up of primary pollutants (EPA 2018). Automobiles are the major source of CO in the Basin, although various industrial processes also emit CO through incomplete combustion of fuels. In high concentrations, CO can cause serious health problems in humans by limiting the red blood cells' ability to carry oxygen (SCAQMD 1993).

Oxides of Nitrogen (NO_X)

Those that are important in air pollution are nitric oxide (NO) and nitrogen dioxide (NO_2). NO is a colorless, odorless gas formed by a combination of nitrogen and oxygen when combustion takes place under high temperatures and pressures. NO_2 is a reddish-brown gas formed by the combination of NO with oxygen. Combustion in motor vehicle engines, power plants, refineries and other industrial operations, as well as ships, railroads, and aircraft are the primary sources of NO_X. NO_2 at atmospheric concentrations is a potential irritant that can cause coughing in healthy people; can alter respiratory responsiveness

and pulmonary functions in people with preexisting respiratory illness; and potentially lead to increased levels of respiratory illness in children (EPA 2018).

Ozone (O_3)

A colorless, toxic gas that irritates the lungs and damages materials and vegetation. During the summer's long daylight hours, plentiful sunshine provides the energy needed to fuel photochemical reactions between NO_2 and VOC which result in the formation of O_3. Conditions that lead to high levels of O_3 are adequate sunshine, early morning stagnation in source areas, high surface temperatures, strong and low morning inversions, greatly restricted vertical mixing during the day, and daytime subsidence that strengthens the inversion layer (all of which are characteristic of western Riverside County). Ozone represents the worst air pollution-related health threat in the Basin as it affects people with preexisting respiratory illness, as well as, reduces lung function in healthy people. Studies have shown that children living within the Basin experience a 10–15 percent reduction in lung function (SCAQMD 1993).

Atmospheric Particulate Matter (PM)

Made up of fine solid and liquid particles, such as soot, dust, aerosols, fumes, and mists. PM-10 consists of particulate matter that is 10 microns or less in diameter, and PM-2.5 consists of particulate matter of 2.5 microns or less in size. Both PM-10 and PM-2.5 can be inhaled into the deepest part of the lung, attributing to health effects. The presence of these fine particles by themselves cause lung damage and interfere with the body's ability to clear its respiratory tract. Said particles can also act as a carrier of other toxic substances (SCAQMD 1993).

Sources that contribute to particulate matter pollution include: road dust, windblown dust, agriculture, construction, fireplaces and wood burning stoves, and vehicle exhaust. Specifically, SCAQMD data indicates that the largest component of PM-10 particles in the area comes from dust (unpaved roads, unpaved yards, agricultural lands, and vacant land that has been disked). PM-2.5 particles are mostly manmade particles resulting from combustion sources. According to SCAQMD, one component of PM-2.5 pollution comes from ammonium nitrate (NH_4NO_3) particulates. NO_X, emitted throughout the Basin by vehicles, reacts with ammonia produced from livestock and horses to form ammonium nitrate. Organic carbon particles generated from paints, degreasers, and vehicles are another component of PM-2.5 pollution. The last notable constituent of PM-2.5 sources is elemental carbon, which is used as a surrogate for diesel particulates (EPA 2018).

Sulfur dioxide (SO_2)

A colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. SO_2 can result in temporary breathing impairment in asthmatic children and adults engaged in active outdoor activities. When combined with PM, SO_2 can cause symptoms such as shortness of breath and wheezing; and, with long-term exposure, it can lead to the exacerbation of existing cardiovascular disease and respiratory illnesses (EPA 2018). Although SO_2 concentrations have been reduced to levels well below state and federal standards, further reductions in SO_2 emissions are needed because SO_2 is a precursor to sulfate and PM-10.

Lead (Pb)

Lead concentrations once exceeded the state and federal air quality standards by a wide margin, but have not exceeded state or federal air quality standards at any regular monitoring station since 1982. Health effects associated with lead include neurological impairments, mental retardation, and behavioral disorders. At low levels, lead can damage the nervous systems of fetuses and result in lowered IQ levels in children (EPA 2018). Though special monitoring sites immediately downwind of lead sources recorded very localized violations of the state standard in 1994, no violations have been recorded at these stations since 1996. Unleaded gasoline has greatly contributed to the reduction in lead emissions in the Basin. Since the proposed Project will not involve the use or production of leaded gasoline, or other sources of lead emissions, this criteria pollutant is not expected to be a factor with Project implementation and isn't discussed further.

Reactive Organic Gases/Volatile Organic Compounds (ROG/VOC)

It should be noted that there are no state or federal ambient air quality standards for VOCs because they are not classified as criteria pollutants. VOCs are regulated; however, a reduction in VOC emissions reduces certain chemical reactions, which contribute to the formation of ozone. VOCs are also transformed into organic aerosols in the atmosphere, contributing to higher PM-10 and lower visibility levels. Although health-based standards have not been established for VOCs, health effects can occur from exposures to high concentrations of VOC because of interference with oxygen uptake. In general, ambient VOC concentrations in the atmosphere, even at low concentrations, are suspected to cause coughing, sneezing, headaches, weakness, laryngitis, and bronchitis. Some hydrocarbon components classified as VOC emissions are thought or known to be hazardous. Benzene, for example, is a hydrocarbon component of VOC emissions that is known to be a human carcinogen (SCAQMD 2005).

- **Toxic Air Contaminants**

Toxic air contaminants (TACs) are chemicals generally referred to as "non-criteria" air pollutants which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. TACs are generally present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at very low concentrations. For those TACs that cause cancer, there is no concentration that does not present some low-level risk. In other words, there is no threshold below which adverse health impacts are not expected to occur. This contrasts with the criteria pollutants for which acceptable levels of exposure can be determined, and for which the state and federal governments have set ambient air quality standards. The majority of the estimated health risk from TACs can be attributed to relatively few compounds, the most important being PM from diesel-fueled engines, known as diesel particulate matter (DPM). In addition to DPM, benzene and 1,3-butadiene are also significant contributors to overall ambient public health risk in California.

The SCAQMD has been conducting a detailed TAC emission inventory, air sampling, and dispersion modeling in a series of studies called the "Multiple Air Toxics Exposure Study" (MATES-II, SCAQMD 2000), MATES-III (SCAQMD 2008a), and MATES-IV (SCAQMD 2014) (collectively, "MATES Studies").

The MATES Studies provided information on the importance of various TACs in terms of their relative health risks, as well as their spatial distribution across the Basin. The MATES-IV information can be used to characterize the "background" health risks from both regional and local TAC emission sources based on the available toxics emission inventory for the year 2012. The MATES-IV interactive map results indicate that the existing cancer risk attributable to TACs in the Project site vicinity is estimated to be 379 in one million.[1] However, after release of the draft MATES IV Report, the Office of Environmental Health Hazard Assessment (OEHHA) adopted revised methodology to estimate carcinogenic risk. On average, the calculated risk is about 2.5 times higher with the revised 2015 methodology. SCAQMD notes that this is not a change in exposure levels and that the relative risks compared to MATES III are not changed. (MATES IV, p. ES-2).

In the current MATES- IV, DPM contributes approximately 68 percent of the average cancer risk in the Basin (MATES Appendices, p. VII-1). This cancer risk level is

[1] http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-iv

approximately 16 percent lower than the background cancer risks based on the MATES-III study that used the toxics emission inventory for the year 2005, which further illustrates the trend of declining health risk from TACs.

This sharp decline is attributable largely to emission reduction programs implemented by the SCAQMD, the CARB, and the U.S. Environmental Protection Agency (EPA), particularly with regard to DPM.

Diesel Emissions

Diesel engines utilize compression, contrary to standard gasoline engines which use conventional spark plugs, to ignite fuel. Engines that use compression typically run at higher temperatures than gasoline engines, thereby causing the oxygen and nitrogen present in air during intake, to form oxides of nitrogen (NO_X). To combat NO_X production in a diesel engine, the engine temperature can be reduced however, increased amounts of particulate matter (PM) and hydrocarbons (HC) are produced as byproducts of the now uncombusted fuel. Hydrocarbons, once in the atmosphere, react with NO_X to produce ozone (O_3), among other pollutants.

Diesel exhaust composition is dependent on many factors: fuel composition, engine type, lubricating oils, and emission control systems. Diesel exhaust is a complex mixture of thousands of gases and fine particles. The gaseous fraction of diesel exhaust is comprised of typical combustion gases such as oxygen, carbon dioxide, nitrogen, and water vapor. However, air pollutants such as carbon monoxide, sulfur oxides (SO_X), nitrogen oxides (NO_X), volatile hydrocarbons, and low-molecular weight polycyclic aromatic hydrocarbons (PAH) and PAH-derivatives are also components of the gaseous fraction. Additionally, some of the gaseous components, such as benzene, are known carcinogens.

The particle fraction of diesel exhaust is comprised of aggregates of carbon particles with inorganic and organic substances adhered to them. The inorganic fraction of diesel exhaust particles consists of solid carbon (or elemental carbon) particles ranging in size from 0.01 to 0.08 microns in diameter. The organic fraction consists of soluble organic compounds such as aldehydes, alkanes, alkenes, PAH, and PAH derivatives. The total component of a diesel particle (inorganic + organic) is in the fine particle range of 10 microns in size or less (width of a human hair), but 92 percent of these diesel particles are even smaller, at less than one micron in diameter. Diesel particles can remain airborne for up to 10 days because of their small size. Therefore, they do not fall out or precipitate easily, and remain an air quality problem for some time after being emitted. Scientists use elemental carbon as a surrogate since there is no current technology available to monitor directly for diesel particles. The addition of diesel particulate toxicity

dramatically increases carcinogenic risk and DPM accounts for approximately 68 percent of total cancer risk according to the most recent SCAQMD MATES-IV study (MATES Appendices, p. VII-1).

It is important to understand that the cancer risks estimated by the SCAQMD represent the probability that a person develops cancer; the estimated risks do not represent mortality rates.

- **Project Site Conditions**

The air quality on site is affected by adjacent sources of pollution which include, exhaust from I-10 freeway traffic, diesel from train engines and air traffic at the Banning Municipal Airport.

- **Sensitive Receptors**

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution, as identified by the SCAQMD, may include children, the elderly, and people with cardiovascular and chronic respiratory diseases. Sensitive receptors may include residences, schools, playgrounds, athletic facilities, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive receptors in the Project vicinity primarily include existing residences to the west and southwest areas of the Project site; these sensitive receptors are over a mile west of the Project site but are adjacent to the Project's offsite improvements.

- **Monitored Air Quality**

The Project site is located within SCAQMD Source Receptor Area (SRA) 29. The most recent published data for SRA 29 is presented in **Table 4.2-B, Air Quality Monitoring Summary – 2014 - 2016 (SRA 29)**. This data indicates that the baseline air quality conditions in the Project area include occasional events of very unhealthful air. However, the frequency of smog alerts has dropped significantly in the last decade. Atmospheric concentrations of ozone and particulate matter are the two most significant air quality concerns in the Project area. Locally, no second stage alert (0.35 ppm/hour) has been called by SCAQMD in over twenty years. In fact, the last second stage alert was in Upland in 1988.

Table 4.2-B – Air Quality Monitoring Summary from 2014-2016 (Source Receptor Area -SRA 29)

	Pollutant/Standard	Monitoring Years		
		2014	2015	2016
No. Days Exceeded	**Ozone (O_3):**			
	Health Advisory - 0.15 ppm	--	0	--
	California Standard:			
	1-Hour - 0.09 ppm	22	16	26
	8-Hour - 0.07 ppm	58	49	54
	Federal Primary Standards:			
	8-Hour - 0.070 ppm	58	46	52
	Max 1-Hour Conc. (ppm)	0.114	0.124	0.128
	Max 8-Hour Conc. (ppm)	0.097	0.097	0.106
No. Days Exceeded	**Carbon Monoxide (CO)[a]:**			
	California Standard:			
	1-Hour - 20 ppm	0	0	0
	8-Hour - 9.0 ppm	0	0	0
	Federal Primary Standards:			
	1-Hour - 35 ppm	0	0	0
	8-Hour - 9.0 ppm	0	0	0
	Max 1-Hour Conc. (ppm)	2	2.5	1.7
	Max 8-Hour Conc. (ppm)	1.9	1.7	1.3
No. Days Exceeded	**Nitrogen Dioxide (NO_2) :**			
	California Standard:			
	1-Hour - 0.18 ppm (180 ppb)	0	0	0
	Federal Standard:			
	Annual Arithmetic Mean (53.4 ppb)	8.5	8.7	7.9
	Max. 1-Hour Conc. (ppb)	52.3	47.2	46.9
No. Days Exceeded	**Sulfur Dioxide (SO_2) [a]:**			
	California Standards:			
	1-Hour – 0.25 ppm (250 ppb)	0	0	0
	Federal Primary Standards:			
	1-Hour – 0.075 ppm (75 ppb)	0	0	0
	Max. 1-Hour Conc. (ppb)	5.6	1.9	5.6
No. Days Exceeded	**Suspended Particulates (PM-10):**			
	California Standards:			
	24-Hour - 50 µg/m^3	0	2	3
	Federal Primary Standards:			
	24-Hour – 150 µg/m^3	0	0	0
	Annual Arithmetic Mean (µg/m^3)	20.7	22.2	24.0
	Max. 24-Hour Conc. (µg/m^3)	45	139	65
No. Days Exceeded	**Fine Particulates (PM-2.5) [a]:**			
	Federal Primary Standards:			
	24-Hour – 35µg/m^3	5	9	4
	Federal/State Annual Arithmetic Mean (12 µg/m^3)	12.48	11.89	12.54
	Max. 24-Hour Conc. (µg/m^3)	48.9	54.7	39.12

Notes: (--) indicates no data available; ppm = parts per million; ppb = parts per billion; µg/m^3 = micrograms/cubic meter
[a] Metro Riverside County 1 air monitoring station (SRA 23) data summaries used because this pollutant not monitored for SRA 29.

Attainment Status

The EPA has established national ambient air quality standards NAAQS for the six criteria pollutants described in **Table 4.2-B** to protect human health, with an adequate margin of safety. Likewise, the California EPA (CalEPA) has developed statewide standards for each of the criteria pollutants. If the concentration of one or more criteria pollutants within a geographic area is found to exceed the established statewide or NAAQS threshold level for one of the criteria pollutants, the area is considered to be in nonattainment for that pollutant.

SRA 29 and the proposed Project site are located within a portion of the Basin that is designated as nonattainment for PM-10 by the state, as well as nonattainment for ozone, and PM-2.5 under both the state and federal standards (see **Table 4.2-C – Attainment Status**). As a result, the SCAQMD is required to develop an Air Quality Management Plan (AQMP) for the Basin to bring the area into attainment for all criteria pollutants.

Table 4.2-C – Attainment Status

Criteria Air Pollutant	Attainment Designation	
	State	Federal
1-Hour Ozone	Nonattainment	Nonattainment (Extreme)
8-Hour Ozone	Nonattainment	Nonattainment (Extreme)
Carbon monoxide (1-Hour and 8-Hour)	Attainment	Attainment (Maintenance)
Nitrogen dioxide	Attainment	Attainment (Maintenance)
Sulfur dioxide	Attainment	Unclassifiable/Attainment
PM-10	Nonattainment	Attainment (Maintenance)
PM-2.5	Nonattainment	Nonattainment (Serious)

Source: https://www.arb.ca.gov/desig/desig.htm

4.2.3 REGULATORY SETTING

The Federal and State Ambient Air Quality Standards (AAQS) establish the context for the local air quality management plans (AQMP) and for determination of the significance of a project's contribution to local or regional pollutant concentrations. Federal and State AAQS are presented in **Table 4.2-B**. The AAQS represent the level of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most susceptible to further respiratory distress such as asthmatics, the elderly, very young children, people already weakened by other diseases or illness, and persons engaged in strenuous work or exercise, all referred to as “sensitive receptors.” SCAQMD defines a "sensitive receptor"

as a land use or facility such as schools, childcare centers, athletic facilities, playgrounds, retirement homes, and convalescent homes (SCAQMD 1993).

- **Federal**

The EPA is responsible for enforcing the Federal Clean Air Act (CAA), the legislation that governs air quality in the United States. The EPA is also responsible for establishing the National NAAQS. NAAQS are required under the 1977 CAA and subsequent amendments. The EPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The EPA has jurisdiction over emission sources outside state waters (e.g., beyond the outer continental shelf) and establishes emission standards, including those for vehicles sold in states other than California, where automobiles must meet stricter emission standards set by CARB.

The 1970 Amendments to the Clean Air Act also included a provision to address air toxics.

- **State**

    - **California Air Resources Board (CARB)**

In addition to being subject to the requirements of CAA, air quality in California is also governed by more stringent regulations under the California Clean Air Act (CCAA). The CARB, which became part of the CalEPA in 1991, is responsible for administering the CCAA and establishing the California Ambient Air Quality Standards (CAAQS). The CCAA, as amended in 1992, requires all air districts in the state to achieve and maintain the CAAQS, which are generally more stringent than the federal standards and incorporate additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

The CARB has broad authority to regulate mobile air pollution sources, such as motor vehicles. It is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. The CARB established passenger vehicle fuel specifications, which became effective in March 1996. The CARB oversees the functions of local air pollution control districts and air quality management districts, which, in turn, administer air quality activities at the regional and county levels. The state standards are summarized in **Table 4.2-B**.

The CCAA requires the CARB to designate areas within California as either attainment or non-attainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as non-attainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events are not considered violations of a state standard and are not used as a basis for designating areas as non-attainment. The CAAQS attainment status is shown in **Table 4.2-C**.

California also regulates toxic air contaminants (TACs) through its air toxics program, mandated in Chapter 3.5 (Toxic Air Contaminants) of the Health and Safety Code (H&SC Sections 39660, et seq.) and Part 6 Air Toxics "Hot Spots" Information and Assessment (H&SC Sections 44300, et seq.). The CARB, working in conjunction with the Office of Environmental Health Hazard Assessment (OEHHA), identifies toxic air contaminants. Air toxic control measures may then be adopted to reduce ambient concentrations of the identified toxic air contaminant below a specific threshold based on its effects on health, or to the lowest concentration achievable through use of best available control technology for toxics (T-BACT). The program is administered by the CARB. Air quality control agencies, including the SCAQMD, must incorporate air toxic control measures into their regulatory programs or adopt equally stringent control measures as rules within six months of adoption by the CARB.

Diesel Risk Reduction Plan

In 1998, the CARB listed diesel particulate as a TAC. The CARB, a sub-agency of the CalEPA, took the lead on addressing diesel emissions in the State of California. The first step to significantly reduce diesel emissions occurred in September 2000 when the CARB approved the "Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles" or Diesel Risk Reduction Plan. The two main goals of the Diesel Risk Reduction Plan are: 1) to get new diesel fueled engines to use state-of-the-art emission controls as well as low-sulfur diesel fuel and, 2) for existing diesel engines to be retrofitted with emission control features. Effects of meeting these goals set by the CARB would be reducing the health effects experienced by Californians from diesel exhaust.

Under the CARB's Diesel Risk Reduction Program, mobile diesel emissions have their own set of reduction programs, as opposed to stationary diesel sources (generators) which are addressed separately under the Reduction Plan. One of the incentive programs for mobile diesel sources is the Carl Moyer Program which is a clean engine incentive

program. This program provides money in the form of grants to cover the incremental portion of the cost to purchase cleaner burning engines or retrofitting existing ones.

Other programs include a program designed to develop and implement strategies to reduce emissions from new on-road heavy-duty diesel engines. The primary method of implementing this program will be through the development of emission control regulations and test procedures for those new engines. The California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles were amended on September 1, 2017 and reduce emission from new on-road heavy-duty diesel engines.

Strategies for reducing diesel emissions from existing on-road heavy duty engines are mainly implemented through three sections of this program: retrofit assessment, heavy-duty testing and field support, and retrofit implementation. CARB staff have developed a regulation to reduce diesel particulate matter and other emissions from existing on-road heavy-duty diesel powered vehicles operating in California. These regulations were adopted by the CARB in December 2008 and last amended in December 2014. Beginning January 1, 2012, the Statewide Truck and Bus rule began requiring heavier trucks to be retrofitted diesel exhaust filters, and requires older truck replacement which started in January 2015. By 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent.

Air Quality and Land Use Handbook

In addition to the above listed programs and regulations, the CARB's *Air Quality and Land Use Handbook* (CARB 2005) provides recommendations for siting new sensitive land uses. These recommendations include a 1,000-foot buffer between new sensitive land uses and 500-foot buffer from freeways or urban roads with 100,000 vehicles per day. The Handbook also recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. These are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations.

In April 2017, CARB published a technical advisory, Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB 2017). This technical advisory is related to infill development but provides information on strategies

to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. Key strategies include traffic management measures, site design features, and indoor high efficiency filtration.

Heavy-Duty Vehicle Greenhouse Gas Reduction Measure

Some statewide regulations proposed to reduce one form of pollutant have the added benefit of reducing other forms of pollution. For example, when the CARB approved the Heavy-Duty Vehicle Greenhouse Gas Reduction Measure in 2008 and the most recent amendments in December 2014 to reduce greenhouse gas emissions from heavy-duty trucks, it also reduces NO_X emissions. This measure requires a compliance schedule for trucks to be certified under the USEPA SmartWay Program, which reduces fuel consumption by improving fuel efficiency through improvements to tractor and trailer aerodynamics and low-rolling resistance tires (See Section 4.5, Greenhouse Gas Emissions, for further detail).

Diesel-Fueled Vehicle Idling Limitations

CARB has promulgated several Airborne Toxic Control Measures (ATCMs) related to idling. Each ATCM is codified in the California Code of Regulations (CCR). Applicable ATCM to the Project are included herein. On February 1, 2005, a requirement limiting the idling of diesel-fueled commercial vehicles to five minutes at any location pursuant to Section 2485 of Chapter 10 within Title 13 of CCR was adopted. Similarly, Section 2449 prohibits construction equipment and truck idling times shall be prohibited in excess of five minutes on site.

Off-Road Vehicle Regulations

Off-road diesel vehicles are also regulated under the CARB for both in-use (existing) and new engines. Off-road diesel vehicles include construction equipment. There have been four sets of off-road standards implemented by the CARB, known as Tiers. Tier 1 standards began in 1996. Tier 2 and 3 were adopted in 2000 and were more stringent than the first tier. Tier 2 and 3 standards were completely phased in by 2006 and 2008, respectively. In December 2004, the CARB adopted the Tier 4 or fourth phase of emission standards for late model year engines. These emission standards are nearly identical to those finalized by the USEPA in May 2004. These standards, which commenced in 2011, are estimated to decrease PM and NO_X emissions by 90 percent below pre-2011 levels.

Since most off-road vehicles today have no emission controls and can last 30 years or longer, the CARB approved a regulation in 2007 to reduce emissions from existing off-road diesel vehicles used in construction and other industries. This regulation establishes emission rates targets that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to meet these targets. The regulation took effect on the larger fleets first, with average compliance dates in 2010, while medium and small fleet requirements achieved compliance in 2013 and 2015, respectively. This regulation also includes the Surplus Off-Road Opt-in for NO_X (SOON) program. The local air districts may opt into the SOON program to reduce NO_X emissions beyond what is required by the regulation. Staff at the SCAQMD proposed Rule 2449 to implement the SOON program. This rule was adopted by the SCAQMD in 2008. Opting in to this program was anticipated to achieve a 12 ton per day reduction in NO_X by 2014.

- **Title 24 Building Standards**

Energy Efficiency Standards

Energy Conservation Standards for new residential and commercial buildings were originally adopted by the California Energy Resources Conservation and Development Commission in June 1977 and most recently revised in 2016. In general, Title 24 standards require the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. Conserving energy reduces building electricity and natural gas usage. Combustion of any type of fuel emits criteria pollutants and greenhouse gas emissions. (See Section 4.5, Greenhouse Gas Emissions, for additional information)

The 2016 Building Energy Efficiency Standards contained in Part 6 of Title 24 in the California Code of Regulations (CCR) (also known as the California Energy Code), and associated administrative regulations in Part 1 (collectively referred to here as the Standards) went into effect January 1, 2017. The 2016 Building Energy Efficiency Standards are 28 percent more efficient than previous standards for residential construction and 5 percent better for nonresidential construction than the previous 2013

standards.[2] The standards offer builders better windows, insulation, lighting, ventilation systems and other features that reduce energy consumption in homes and businesses.

California Green Building Code

Part 11 of the California Building Standards Code in Title 24 of the CCR[3] is also known as the CALGreen Code. The development of the CALGreen Code is intended to: (1) cause a reduction in greenhouse gas emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the directives by the Governor. As stated above, conserving energy reduces building electricity and natural gas usage. Energy sources are evaluated herein and in Section 4.5, Greenhouse Gas Emissions of this Draft EIR. The following sections of the CALGreen Code are applicable to this Project:

CALGreen Section 5.106.4

Bicycle parking. Comply with Sections 5.106.4.1 and 5.106.4.2; or meet local ordinance or the University of California Policy on Sustainable Practices, whichever is stricter.

5.106.4.1 Short-term bicycle parking. If the project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

5.106.4.2 Long-term bicycle parking. For buildings with over 10 tenant-occupants, provide secure bicycle parking for 5 percent of motorized vehicle parking capacity, with a minimum of one space. Acceptable parking facilities shall be convenient from the street and may include: 1. Covered, lockable enclosures with permanently anchored racks for bicycles; 2. Lockable bicycle rooms with permanently anchored racks; and 3. Lockable,

[2] http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2015-06-10_hearing/2015-06-10_Adoption_Hearing_Presentation.pdf.

[3] 2016 Title 24 Part 11 of the California Building Standards Code can be accessed at: https://codes.iccsafe.org/public/chapter/content/2058/.

permanently anchored bicycle lockers. Note: Additional information on recommended bicycle accommodations may be obtained from Sacramento Area Bicycle Advocates.

CALGreen Section 5.106.5.2

Designated parking for clean air vehicles. In new projects or additions or alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles. Projects with 201 parking spaces or over require at least 8 percent of total number of parking spaces. The Project will comply with section 106.5.2, Designated parking for clean air vehicles, by including clean air/ van pool stalls for eight percent of parking stalls.

CALGreen Section 5.106.5.3

Construction shall facilitate installation of electric vehicle supply equipment (EVSE). When EVSEs are installed it shall be in accordance with the California Building Code.

5.106.5.3.2 Multiple charging space requirements. When multiple charging spaces are required, raceways are required to be installed at the time of construction and shall be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the charging equipment and into listed suitable cabinet(s), box(es), enclosure(s) or equivalent.
3. Plan design shall be based upon 40-ampere minimum branch circuits.
4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage.
5. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

- **Regional**

    - **South Coast Air Quality Management District (SCAQMD)**

The 1977 Lewis Air Quality Management Act merged four air pollution control districts to create the SCAQMD to coordinate air quality planning efforts throughout Southern

California. It is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Programs include air quality rules and regulations that regulate stationary sources, area sources, point sources, and certain mobile source emissions. The SCAQMD is also responsible for establishing stationary source permitting requirements and for ensuring that new, modified, or relocated stationary sources do not create net emission increases.

The SCAQMD monitors air quality over its jurisdiction of 10,743 square miles, including the Basin, which covers an area of 6,745 square miles and is bounded by the Pacific Ocean to the west; the San Gabriel, San Bernardino and San Jacinto Mountains to the north and east; and the San Diego County line to the south. The Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD also regulates the County portion of the Salton Sea Air Basin and Mojave Desert Air Basin. The SCAQMD has developed a variety of plans and rules aiming to improve air quality within the Basin, as discussed below.[4]

Air Quality Management Plan

All areas designated as non-attainment under the CCAA are required to prepare plans showing how they will meet the air quality standards. The SCAQMD prepares the Air Quality Management Plan (AQMP) to address CAA and CCAA requirements by identifying policies and control measures.

SCAQMD updated its AQMP for the Basin in 2016, which included a new approach focusing on available, proven, and cost effective alternatives to traditional strategies, while seeking to achieve multiple goals in partnership with other entities promoting reductions in greenhouse gases and toxic risk, as well as efficiencies in energy use, transportation, and goods movement. The most effective way to reduce air pollution impacts on the health of the nearly 17 million residents within the Basin, including those in disproportionally impacted and environmental justice communities that are concentrated along transportation corridors and goods movement facilities, is to reduce emissions from mobile sources, the principal contributor to air quality challenges within the Basin. For that reason, the SCAQMD has been and will continue to be closely

[4] SCAQMD Rulebook can be accessed at: http://www.aqmd.gov/home/regulations/rules/scaqmd-rule-book.

engaged with CARB and the U.S. EPA who have primary responsibility for these sources. The 2016 AQMP recognized the critical importance of working with other agencies to develop funding and other incentives that encourage the accelerated transition of vehicles, buildings, and industrial facilities to cleaner technologies in a manner that benefits not only air quality, but also local businesses and the regional economy. These "win-win" scenarios are key to implementation of the 2016 AQMP with broad support from a wide range of stakeholders. The 2016 AQMP includes integrated strategies and measures to meet the National Ambient Air Quality Standards (NAAQS).

The Southern California Association of Governments (SCAG) assists by preparing the transportation portion of the AQMP. This includes the preparation of a Sustainable Communities Strategy (SCS) that responds to planning requirements of SB 375 and demonstrates the region's ability to attain greenhouse gas reduction targets set forth in state law. The SCS identifies regional and local efforts to promote new housing and employment in high-quality transit areas that will support development patterns that complement the evolving transportation network. The SCS was incorporated into the 2016 Regional Transportation Plan, adopted by SCAG on April 7, 2016. The AQMP for the Basin establishes a program of rules and regulations directed at attainment of the state and national air quality standards. Ultimately, a project's operational cumulative impact is judged against its consistency with the applicable Air Quality Management Plan. Conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans.

Rule 220

SCAQMD Rule 220 gives the Executive Officer the power to exempt a source from prohibitions outlined in SCAQMD Regulations IV and XI, Prohibitions and Source Specific Standards respectively, if they can make the finding that the installation of controls and/or process changes required to achieve compliance with the subject prohibitory rule will result in a net adverse impact on air quality. One of the conditions of the permits on exemptions issued under Rule 220 is that alternative controls and/or process changes which will result in the greatest practical net emission reduction be included for project operation.

Rule 402

SCAQMD Rule 402 (Nuisance) prohibits the discharge of air containments in such quantities that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, but does not apply to odors emanating from agricultural operations necessary for growing of crops or the raising of fowl or animals.

Rule 403

The Project will be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. SCAQMD Rule 403 establishes these procedures. Compliance with this rule is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils at least twice a day, managing haul road dust by application of water, covering all haul vehicles before transport of materials, restricting vehicle speeds on unpaved roads to 15 mph, and sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent, stabilizing ground cover on finished sites. It is also required to establish a vegetative ground cover on disturbance areas that are inactive within 30 days after active operations have ceased. Alternatively, an application of dust suppressants can be applied in sufficient quantity and frequency to maintain a stable surface. In addition, projects that disturb 50 or more acres of soil or move 5,000 cubic yards of materials per day are required comply with SCAQMD Rule 403(e) which includes requirements such as submitting a Fugitive Dust Control Plan or a Large Operation Notification Form 403 N to SCAQMD, appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class. Based on the size of this Project's site (64 acres), a Fugitive Dust Control Plan or a Large Operation Notification Form would be required. Proof of compliance with Rule 403 will be required prior to issuance of a grading permit with an approved dust control plan.

Rule 481

SCAQMD Rule 481 applies to all spray painting and spray coating operations and equipment and requires all spray coating equipment to be (1) operated inside an approved control enclosure, (2) applied using high velocity-low pressure (HVLP), electrostatic and/or airless spray equipment, or (3) applied using which has an equal effectiveness to either of the two approved methods.

Rule 1108

SCAQMD Rule 1108 applies to cutback and emulsified asphalt used at project sites.

Rule 1143

SCAQMD Rule 1143 aims to reduce emissions of VOCs from the use, storage, and disposal of consumer paint thinners and multi-purpose solvents commonly used in

thinning of coating materials, cleaning of coating application equipment and other solvent cleaning operations by limiting their VOC content. Additionally, Rule 1143 requires several best management practices to reduce VOCs during use and application of paint thinners and other solvents. For example, this Rule requires containers to be closed when not in use. This Rule also establishes requirements for appropriate labelling and disclosure of contents for containers and storage areas of these corrosive, flammable substances.

Rule 1186

SCAQMD Rule 1186 is intended to reduce the amount of particulate matter entrained in the ambient air as a result of vehicular traffic on paved and unpaved public roads, and at livestock operations. This includes requirements for local governments that contract for street sweeping services to utilize only certified street sweeping equipment.

Rule 1113

SCAQMD Rule 1113 governs the sale of architectural coatings and limits the volatile organic content (VOC) content in paints and paint solvents. This rule will dictate the VOC content of paints available for use during the construction of the buildings.

Rule 1303

SCAQMD Rule 1303 prohibits issuance of permits for any relocation or for any new or modified source which results in an emission increase of any nonattainment air contaminant, any ozone depleting compound, or ammonia unless a best available control technology (BACT) is employed for the new or relocated source as specified by the Clean Air Act or other regulations.

- **Local**

    - **City of Banning General Plan**

The Air Quality, Land Use, and Energy and Mineral Resources Elements of the Banning General Plan contain goals, policies and objectives that are considered applicable to the proposed Project and relevant to air quality concerns, as identified below.

Air Quality Element

Policy 4	Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.

Land Use Element - Commercial and Industrial

Policy 8 Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor-trailers are minimized.

Energy and Mineral Resources Element

Goal Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.

Policy 2 Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.

- **Other Plans, Regulations or Ordinances**

There are no other local regulations or ordinances which address air quality impacts.

- **City of Banning Municipal Code**

Chapter 17.24 of the Municipal Code assures the uniform and aesthetic development of the City through careful site planning and development of desirable projects.

17.24.070 - Environmental resources/constraints.

All development proposals shall be reviewed for compliance with the California Environmental Quality Act (CEQA). If the proposal is determined to qualify as a project under CEQA, the project proponent may be required to submit specialized studies to determine the effect on specific resources and hazards, including, but not limited to, biological resources, cultural resources, geotechnical hazards, hydrology, air quality, noise, and traffic. No project shall be approved without first satisfying the requirements of CEQA.

Chapter 18.06 establishes Grading Application Requirements.

18.06.100 - Dust prevention and control plan.

Dust control and prevention procedures shall be employed while construction activity occurs to minimize wind-borne particles. At the minimum, all grading operations, land

clearing, loading, stockpiling, landscaping, vehicular track-out and haul routes shall comply with South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust Emissions) and the Grading Manual.

Chapter 18.09 sets up the requirements for a grading permit and grading activities.

Section 18.09.200 Time of Operations.

A. Grading operations within one-quarter mile of an occupied residence shall not be conducted between the hours of 6:00 p.m. and 7:00 a.m., Monday through Friday; or between the hours of 6:00 p.m. and 7:00 a.m. on Saturdays. Further, no such activity shall be undertaken on Sunday or nationally recognized holidays. The city engineer may extend the hours permitted for grading or equipment operations if the city engineer determines that such operations are not detrimental to the health, safety or welfare of the inhabitants of nearby structures. Permitted hours of operation may be shortened by the city engineer's finding of a previously unforeseen effect on the health, safety or welfare of the surrounding community.
B. Public works projects of any federal, state or local entity or emergency work by public utilities are exempt from the provisions of this ordinance. Residents working on their property are exempt from the prohibition of construction activities on Sundays and holidays but shall comply with the hourly restrictions set forth for Saturday when working on Sundays and holidays.

4.2.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future.

SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. (SCAQMD 2003a) The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI greater than 1.0 while the cumulative is greater than 3.0. Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable and based on SCAQMD's regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact.

4.2.5 PROJECT DESIGN FEATURES

The proposed Project incorporates the following design features that minimize potential impacts to air quality:

- **Energy Efficiency**

Reducing energy consumption from electricity and natural gas usage reduces indirect electricity emissions at power plants and emissions from the combustion of natural gas.

- Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
- Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
- Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
- Install light colored "cool" roofs over office area spaces.
- For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.

- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- **Renewable Energy**

Facilitating the installation for on-site renewable energy would reduce electricity demand at power plants reducing indirect electricity emissions.

- Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy to the City for review.

- **Water Conservation and Efficiency**

Reducing water consumption reduces the indirect electricity emissions from the power plants.

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

- **Solid Waste Measures**

Reducing solid waste disposed in landfills reduces emissions associated with the transport of solid waste.

- Reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.

- The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

- **Transportation and Motor Vehicles**

Reducing fuel consumption and vehicle miles travelled reduces mobile source emissions.

- The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
- The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
- Provide adequate bicycle parking near building entrances.

- **On-Site Equipment and Loading Docks**

Efficient use of equipment and the use of cleaner equipment will reduce fuel emissions.

- The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than five minutes.
- Truck idling shall not exceed five minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than five minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
- Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **Construction**

Efficient use of equipment and the use of local and green materials will reduce emissions.

- Require Construction Equipment to Turn Off When Not in Use.
- Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project.

- Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

4.2.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and defers to the thresholds of significance identified in Appendix G of the State *CEQA Guidelines*.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Project may be deemed to have a significant impact with respect to Air Quality if it would:

- (Threshold A) conflict with or obstruct implementation of the applicable air quality plan;
- (Threshold B) violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- (Threshold C) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); or
- (Threshold D) expose sensitive receptors to substantial pollutant concentrations.
- (Threshold E) create objectionable odors affecting a substantial number of people.

4.2.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Air Quality, Land Use and Energy and Mineral Resources Elements

Impact Analysis:

The Project's consistency with the applicable City's General Plan air quality goals and policies provided in **Table 4.2-D – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.2-D – Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Goal/Policy No.	**Policy/Program**	**Statement of Consistency**
Air Quality Element		
Policy 4	*Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.*	An AQ/GHG analysis (Appendix C.1) was prepared to evaluate the Project's local and regional air quality impacts and mitigation measures were proposed to reduce impacts to the extent feasible. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to adhering to the City's development review process.
Land Use Element, Commercial and Industrial		
Policy 8	*Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor-trailers are minimized.*	The Traffic Impact Analysis TIA prepared for the proposed Project, dated December 2017 (Appendix N), analyzes the truck traffic that will utilize two intersections to take the onramps of the I-10. The proposed Project site is 0.97 mile away from the I-10 freeway. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to good access to Interstate 10.
Energy and Mineral Resources Element		
Goal	*Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their*	The Project includes design features and mitigation measures to reduce energy consumption and increase

Consistency with City of Banning General Plan Policies and Program		
Goal/Policy No.	**Policy/Program**	**Statement of Consistency**
	long-term availability and affordability.	sustainability, as discussed herein and in Section 4.5, Greenhouse Gas Emissions. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to the use and management of electricity.
Policy 2	*Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.*	The Project includes a design feature that promotes alternative energy sources, as discussed herein and in Section 4.5, Greenhouse Gas Emissions. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to alternative energy systems.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Air Quality Plan**

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

The Air Quality Management Plan (AQMP) for the Basin sets forth a comprehensive program designed to bring the Basin into compliance with all federal and state air quality standards. The AQMP's control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics consistent with local General Plans, in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or employment projections.

According to the City's GP Land Use Map, the proposed Project has a land use designation of Airport Industrial (AI) and Public Facilities-Airport (PF-A). The proposed Project involves the construction of a high-cube warehouse consistent with the City's AI designation which overlays the majority of the site, including the building footprint.

The proposed Project entitlement requests include a General Plan Amendment changing the land use on a portion of the site to AI from PF-A. However, as discussed in Section 8.2 of this DEIR, any potential increase in population or employment resulting from this Project would have been accounted for in the SCAG forecasts because the building footprint is located within the AI designation and it is consistent with the City's GP. As such, the Project will be consistent with the growth projections anticipated by the City General Plan and would not exceed the job growth projections used by the SCAQMD to develop the AQMP. Thus, the Project will not conflict with the AQMP.

The AQMP contains control measures and air pollution reduction strategies. The reduction strategies rely upon a fair-share emissions reductions from federal, state and local levels and is composed of stationary and mobile sources emission reductions from traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies and reductions from federal sources, which include aircraft, locomotives and ocean-going vessels. These strategies are to be implemented in partnership with the CARB and USEPA. These strategies are implemented at various levels and, as such, the Project will not conflict or obstruct their implementation because the Project would be subject to any applicable strategies.

Therefore, the Project will not conflict with or obstruct implementation of the AQMP. The impact would be **less than significant and no mitigation is required**.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Violation of Air Quality Standards**

Threshold B: Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Air quality impacts can be divided into short-term and long-term impacts. Short-term impacts are usually related to construction and grading activities. Long-term impacts are usually associated with build-out conditions and long-term operations of a project. Both short-term and long-term air quality impacts can be analyzed on a regional and localized level. Regional air quality thresholds examine the effect of project emissions on the air quality of the Basin, while localized air quality impacts examine the effect of project emissions on the neighborhood around the Project site. The following information was derived from the AQ-GHG Study which is found in Appendix C.1 of this DEIR.

The construction and operation analysis was performed using CalEEMod™ (California Emissions Estimation Model, Version 2016.3.2, the official statewide land use computer

model designed to provide a uniform platform for estimating potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations of land use projects under CEQA. The model quantifies direct emissions from construction and operations (including vehicle use), as well as indirect emissions, such as emissions from energy use. The mobile source emission factors used in the model (EMFAC2014) includes the Pavley standards and Low Carbon Fuel standards into the mobile source emission factors. The model also identifies Project design features, regulatory measures, and mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from the selected measures.

Impact Analysis:

- **SCAQMD's Regional Significance Threshold (RST) Analysis**

The thresholds shown in **Table 4.2-E – SCAQMD CEQA Regional Significance Thresholds**, below, are from the SCAQMD's CEQA Handbook and are the standard regional thresholds for determining significance under CEQA sanctioned by the SCAQMD. These regional significance thresholds were developed by SCAQMD based on the estimated daily emissions of a major stationary source.

Table 4.2-E – SCAQMD CEQA Regional Significance Thresholds

Emission Threshold	Units	VOC	NO_X	CO	SO_X	PM-10	PM-2.5
Construction	lbs/day	75	100	550	150	150	55
Operations	lbs/day	55	55	550	150	150	55

Source: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2

- **Short-Term Impacts – RST Analysis**

Short-term emissions associated with construction of the Project will consist of fugitive dust and other particulate matter, as well as exhaust emissions generated by construction-related vehicles. Short-term impacts will also include emissions generated during construction as a result of operation of personal vehicles by construction workers, asphalt degassing and architectural coating (painting) operations.

Project-related short-term emissions were evaluated using the CalEEMod version 2016.3.2 computer program. The model evaluated emissions resulting from grading, building construction, paving, and architectural coating. The total construction period is expected to be approximately sixteen months beginning no sooner than January 2019. The default parameters within CalEEMod were used except as identified below and these

default values reflect a worst-case scenario, which means that Project emissions are expected to be equal to or less than the estimated construction emissions. In addition to the default values used, the following assumptions relevant to construction were used to model short-term construction emissions:

1. Construction is anticipated to begin in January 2019 with grading and end with architectural coating (painting) in April 2020:

Table 4.2-F – Estimated Construction Schedule

Construction Activity	Start Date	End Date	Total Working Days
Grading	January 1, 2019	March 31, 2019	64 days
Off-site Grading (John St.)	January 1, 2019	January 31, 2019	23 days
Off-site Paving (John St.)	January 25, 2019	February 7, 2019	10 days
Building Construction	April 1, 2019	March 31, 2020	262 days
Off-site Construction	April 1, 2019	August 28, 2019	108 days
Paving	March 1, 2020	March 31, 2020	22 days
Architectural Coatings	March 1, 2020	April 30, 2020	44 days

Source: AQ-GHG Study

2. The equipment to be used for each activity is shown below based on CalEEMod defaults. Each piece of equipment is assumed to operate 8 hours per day:

Table 4.2-G – Construction Equipment

Construction Activity	Off-Road Equipment	Unit Amount
Grading	Excavators	2
	Graders	1
	Rubber Tired Dozers	1
	Scrapers	2
	Tractors/Loaders/Backhoes	2
Off-site Grading (John St.)	Graders	1
	Rubber Tired Dozers	1
	Scrapers	1
	Tractors/Loaders/Backhoes	2
Off-site Paving (John St.)	Pavers	1
	Paving Equipment	1
	Rollers	2
Building Construction	Cranes	1
	Forklifts	3
	Generator Sets	1

Construction Activity	Off-Road Equipment	Unit Amount
	Tractors/Loaders/Backhoes	3
	Welders	1
Off-site Construction	Rubber Tired Dozers	1
	Tractors/Loaders/Backhoes	2
Paving	Pavers	2
	Paving Equipment	2
	Rollers	2
Architectural Coatings	Air Compressors	2

Source: AQ-GHG Study

3. Grading includes site preparation activities such as clear and grub and also accounts for on-site infrastructure installation. The Project site is proposed to balance, with no soil import or export required. However, during site preparation activities, truck hauling trips were included to account for debris removal. Removal of approximately one-tenth of a foot of the Project site is assumed, which equates to approximately 10,300 cubic yards of debris (vegetation) removal resulting from clear and grub activities. Debris removal is assumed to occur over a one week period at the beginning of grading. Based on the CalEEMod default truck capacity of 16 cubic yards, approximately 129 truckloads of debris would be exported daily. Off-road equipment used during site preparation is (1) rubber tired dozer and two (2) scrapers.
4. Off-site infrastructure improvements will also be required. These improvements include construction of John Street, construction of water line, sewer line, and the lift station, as well as the fire access road. This corresponds to approximately 9.11 acres of off-site paving, for John Street and portions of the off-site sewer line, as well as approximately 4.7 acres of unpaved off-site improvements for portions of the off-site sewer line and lifts station, water line, and gravel fire access road.
5. To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the Project will utilize the mitigation option of watering the Project site three times daily which achieves a control efficiency of 61 percent for PM-10 and PM-2.5 emissions.
6. Two (2) one-way vendor trips were specifically included during grading and paving on- and off-site activities to account for water truck trips.
7. Four (4) one-way hauling trips were added to the off-site construction activities for John Street and other off-site infrastructure to account for material delivery and removal of excavated soils and/or construction waste.
8. Approximately 1,500 cubic yards of gravel will be imported during construction of the off-site fire access road, which will remain unpaved.

The construction equipment estimated to be used for each activity is identified in the AQ-GHG Study. **Table 4.2-H – Unmitigated Estimated Daily Construction Emissions** summarizes the estimated construction emissions.

Table 4.2-H – Unmitigated Estimated Daily Construction Emissions

Activity	Peak Daily Emissions (lb/day)					
	VOC	NO_X	CO	SO_2	PM-10	PM-2.5
SCAQMD Daily Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Grading – 2019	6.34	**109.18**	45.10	0.19	14.86	**4.10**
Off-site Grading (John St.)– 2019	3.28	**37.00**	19.85	0.04	5.58	**3.00**
Off-site Paving (John St.) – 2019	3.44	**10.61**	10.08	0.02	0.77	**0.58**
Building Construction – 2019	10.53	78.91	83.06	0.28	**17.72**	6.00
Off-site Construction – 2019	1.84	18.09	10.86	0.02	**4.04**	2.29
Building Construction – 2020	**9.55**	72.01	**76.79**	**0.28**	17.42	5.72
Paving – 2020	**3.78**	14.33	**15.32**	**0.03**	0.94	0.74
Architectural Coatings	**223.64**	5.26	**14.37**	**0.03**	2.91	1.00
Maximum[1]	**236.96**	**156.76**	**106.48**	**0.34**	**21.76**	**8.78**
Exceeds Threshold?	**Yes**	**Yes**	**No**	**No**	**No**	**No**

Note: [1] Maximum emissions are the greater of either Grading 2019, Off-site Grading 2019 and Off-site Paving 2019, or, Building Construction 2019 and Off-site Construction 2019, or Building Construction 2020, Paving 2020 and Architectural Coating 2020.
Bolded emissions indicate maximum.
Source: Table 2 of the AQ-GHG Study

Evaluation of **Table 4.2-H** indicates that criteria pollutant emissions from construction activities will not exceed any of the SCAQMD regional daily thresholds during Project construction except for the SCAQMD regional daily threshold for VOC from architectural coatings and NO_X emissions from grading operations alone and when combined with overlapping activities from off-site grading and paving.

- Long-Term Impacts – RST Analysis

Long-term emissions are evaluated for Project buildout. The Project is assumed to be operational in 2020. Mobile emissions refer to on-road motor vehicle emissions at Project buildout, which include passenger vehicles and delivery trucks. These emissions are estimated by using the trip generation rates provided in the *Traffic Impact Analysis Banning Distribution Center (Design Review 16-7002)* (Appendix N). Additionally, CalEEMod truck trip length defaults were increased to 100 miles to represent the average trip length; which is the distance to the Ports of Los Angeles/Long Beach. For purposes of this analysis, it was assumed that the warehouse will not be used for e-commerce, will be un-refrigerated, and thus not require transport refrigeration units

(TRUs). On-site service equipment (i.e., forklifts) are assumed to be electric and consequently do not have any direct emissions of criteria pollutants.

Area source emissions include stationary combustion emissions of natural gas used for space and water heating, yard and landscape maintenance (assumed to occur throughout the year in Southern California). CalEEMod computes area source emissions based upon default factors and land use assumptions. CalEEMod default energy consumption was used and reflects the 2016 Title 24 standards.

Project-related operational emissions were computed and the results are presented below in **Table 4.2-I – Unmitigated Estimated Daily Project Operation Emissions (Summer)** and **Table 4.2-J – Unmitigated Estimated Daily Project Operation Emissions (Winter)**.

Table 4.2-I – Unmitigated Estimated Daily Project Operation Emissions (Summer)

Activity	Peak Daily Emissions (lb/day)					
	VOC	NO_X	CO	SO_2	PM-10	PM-2.5
SCAQMD Daily Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Area	23.12	0.00	0.19	0.00	0.00	0.00
Energy	0.06	0.55	0.46	0.00	0.04	0.04
Mobile	13.35	254.57	179.97	1.28	68.15	19.90
Total	**36.53**	**255.12**	**180.62**	**1.28**	**68.19**	**19.94**
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.
Source: Table 3 of the AQ-GHG Study

Table 4.2-J – Unmitigated Estimated Daily Project Operation Emissions (Winter)

Activity	Peak Daily Emissions (lb/day)					
	VOC	NO_X	CO	SO_2	PM-10	PM-2.5
SCAQMD Daily Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Area	23.12	0.00	0.19	0.00	0.00	0.00
Energy	0.06	0.55	0.46	0.00	0.04	0.04
Mobile	13.23	262.51	168.90	1.25	68.16	19.90
Total	**36.41**	**263.06**	**169.55**	**1.25**	**68.20**	**19.94**
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.
Source: Table 4 of the AQ-GHG Study

Evaluation of the modeling results presented in the above tables indicates that criteria pollutant emissions from operation of the proposed Project will exceed the SCAQMD regional daily threshold for NO_X during both summer and winter.

- RST Analysis Conclusion

Based on the RST for the proposed Project, short-term (construction) emissions will exceed the daily regional thresholds set by SCAQMD for VOC from architectural coatings and NO_X emissions from grading operations alone and when combined with overlapping activities from off-site grading and paving. With the incorporation of mitigation measure **MM AQ 1** and **MM AQ 2** short-term Project construction VOC and NO_X emissions associated with painting activities off road construction equipment will be reduced below applicable thresholds, as shown in **Table 4.2-K – Mitigated Estimated Daily Construction Emissions**, below.

Long-term operational emissions will only exceed the daily regional threshold set by SCAQMD for NO_X. Implementation of mitigation measures **MM AQ 3** through **MM AQ 5** will reduce operational emissions of NO_X from transportation emissions; however, they do not have quantitative reductions associated with them available in CalEEMod. Consequently, operational emissions of NO_X will exceed the SCAQMD threshold, even after implementation of mitigation measures.

Table 4.2-K – Mitigated Estimated Daily Construction Emissions

Activity	Peak Daily Emissions (lb/day)					
	VOC	NO_X	CO	SO_2	PM-10	PM-2.5
SCAQMD Daily Construction Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Site Preparation 2019[1]	2.50	73.07	31.84	0.17	11.26	3.48
Grading – 2019[2]	4.85	54.82	34.33	0.06	6.75	3.74
Off-site Grading (John St.) – 2019	0.99	18.59	21.56	0.04	3.51	2.15
Off-site Paving (John St.) – 2019[2]	3.44	10.61	10.08	0.02	0.77	0.58
Building Construction – 2019[2]	10.53	**78.91**	83.06	0.28	**17.72**	**6.00**
Off-site Construction – 2019[2]	1.84	**18.09**	10.86	0.02	**4.04**	**2.29**
Building Construction – 2020[2]	**9.55**	72.01	**76.79**	**0.28**	17.42	5.72
Paving – 2020[2]	**3.78**	14.33	**15.32**	**0.03**	0.94	0.74
Architectural Coatings – 2020	**34.02**	4.16	**14.37**	**0.03**	2.91	1.00
Maximum	**47.35**	**97.00**	**106.48**	**0.34**	**21.76**	**8.29**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: Source: AQ-GHG Study Table 13 – Mitigated Estimated Daily Construction Emissions

[1] Site preparation includes one rubber tired dozer and two scrapers operating eight hours per day and approximately 129 truckloads of debris exported daily for five days.

[2] Represents unmitigated emissions reported in Table 2 or the AQ-GHG Study.

[3] Maximum emissions are the greater of either: 1) the sum of Site Preparation 2019 and Off-site Grading (John St.); 2) Grading 2019, Off-site Grading 2019 and Off-site Paving 2019; 3) Building Construction 2019 and Off-site Construction 2019, or 4) Building Construction 2020, Paving 2020 and Architectural Coating 2020. **Bolded emissions indicate maximum**.

- **SCAQMD's Localized Significance Threshold (LST) Analysis**

As part of the SCAQMD's environmental justice program, staff at SCAQMD developed localized significance threshold (LST) methodology (SCAQMD 2008b) that can be used by public agencies to determine whether or not a project may generate significant adverse localized air quality impacts (both short-term and long-term). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area (SRA).

The pollutants analyzed under the localized significance threshold (LST) are CO, NO_X, PM-10, and PM-2.5 (SCAQMD 2008b). Of these pollutants, the "attainment pollutants" (CO and NO_X) are derived using an air quality dispersion model to back-calculate the daily emissions that would cause or contribute to a violation in ambient air quality for the SRA within which the Project is located (SRA 29). The non-attainment PM-10 and PM-2.5 pollutant measurements are derived using an air quality dispersion model to back-calculate the emissions that would be necessary to worsen the existing violation in SRA 29, using the allowable change in concentration thresholds approved by the SCAQMD. Consequently, the tabulated LSTs represent the maximum mass emissions from a project that would not cause or contribute to an exceedance of state or federal ambient air quality standards (AAQS) for the above pollutants, and were developed based on ambient concentrations of these pollutants for each SRA in the Basin.

- Short-Term LST Analysis

Localized significance thresholds were developed in recognition of the fact that criteria pollutants such as CO, NO_X, and PM-10 and PM-2.5 in particular, can have local impacts at nearby sensitive receptors as well as regional impacts.

The localized assessment methodology limits the emissions in the analysis to those generated from on-site activities. SCAQMD has provided LST lookup tables[5] to allow users to readily determine if the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts for projects five acres or

[5] Available at http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds

smaller. These tables can be used as a screening tool to determine if more detailed dispersion modeling is necessary. Although the Project site will disturb approximately 64 acres, based on SCAQMD guidance it is anticipated that a maximum of only four acres will be disturbed per day during construction of the Project site. The proposed Project also includes the off-site construction of John Street and an emergency access road along Lincoln Street, as well as water lines that run along Hathaway Street and sewer lines along Westward Avenue. While the grading equipment for the off-site infrastructure would result in a disturbance area of two-acres per day, consistent with SCAQMD guidance, the LST for the one-acre site was used. Because the LST Look-Up Tables only provide thresholds for one-acre, two-acre, or five-acre sites, the SCAQMD linear regression formula was utilized to predict the LST for a four-acre site. Additional detail is found in the AQ-GHG Study.

The LST thresholds are estimated for each SRA using the maximum daily disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters). The closest sensitive receptor to the Project construction site is the existing residence approximately 425 meters (1,394 feet) to the south of the Project site (**Figure 3-2 – Project Location**). However, there are several sensitive receptors located adjacent to the off-site improvements including residences directly adjacent to the off-site water line along Hathaway Street and residences located directly across Lincoln Street at the terminus of the extension of John Street at Lincoln Avenue. There is also a church facility at the corner of Lincoln Avenue and Hargrave Street approximately 120 meters from John Street. The closest receptor distance on the LST look-up tables is 25 meters (85 feet). According to the LST Methodology, projects with boundaries closer than 25 meters to the nearest receptor should use LSTs for receptors located at 25 meters. To ensure a conservative analysis, a 4-acre LST threshold was calculated and a receptor distance of 25 meters was utilized for the maximum daily construction emissions that include both on- and off-site construction activities that overlap. The results are summarized in **Table 4.2-L – Unmitigated LST Results for Maximum Construction Emissions**. LST results for a one-acre site using the 25 meter receptor distance was also estimated to show the localized emissions from construction of the off-site improvements separately to ensure impacts were not underestimated. The results are summarized in **Table 4.2-M – Unmitigated LST Results for Off-site Construction Emissions**.

Table 4.2-L – Unmitigated LST Results for Maximum Construction Emissions

Activity	Peak Daily Emissions (lb/day)			
	NO_X	CO	PM-10	PM-2.5
LST Threshold for 4 acre at 25 meters	**178**	**1,966**	**14**	**8**
Grading[1]	100.62	61.41	17.73	7.69
Building Construction[2]	39.21	37.50	4.92	3.45
Paving	14.07	14.65	0.75	0.69
Maximum	**100.62**	**61.41**	**17.73**	**7.69**
Exceeds Threshold?	**No**	**No**	**Yes**	**No**

Note: SCAQMD LST for 4-acre site predicted using Appendix K of SCAQMD LST Methodology, see AQ-GHG Study.
[1]Grading emissions include the maximum of on-site grading and off-site grading or on-site grading and off-site paving as these activities could overlap.
[2]Building construction includes on-site and off-site construction in 2019 as these activities could overlap or on-site construction in 2020 alone.
Source: AQ-GHG Study, Table 6

Table 4.2-M – Unmitigated LST Results for Off-site Construction Emissions

Activity	Peak Daily Emissions (lb/day)			
	NO_X	CO	PM-10	PM-2.5
LST Threshold for 1 acre at 25 meters	**103**	**1,000**	**6**	**4**
Off-site Grading (John Street)	36.24	18.79	5.32	2.93
Off-site Paving (John Street)	9.86	9.24	0.56	0.51
Off-site Construction	16.75	8.89	3.54	2.15
Maximum[1]	**46.10**	**28.03**	**5.88**	**3.44**
Exceeds Threshold?	**No**	**No**	**No**	**No**

Note: Source: AQ-GHG Study Table 5 LST Results for Daily Off-Site Construction Emissions
[1] Maximum emissions are the greater of either Off-site Grading and Off-site Paving 2019 or Off-site Construction as these activities overlap.

As indicated in **Tables 4.2-L** and **4.2-M**, Project-related short-term construction emissions are below the SCAQMD-established LSTs, except for PM-10 emissions.

- Long-Term LST Analysis

According to the LST methodology, LSTs only apply to the operational phase if a project includes stationary sources or attracts mobile sources that may spend long periods of time idling at the site, such as warehouse/transfer facilities. Consequently, because the proposed Project will operate as a distribution center and has the potential to attract mobile sources that can reasonably be assumed will idle at the site, a long-term LST analysis was prepared for this Project. The off-site lift station is part of the City's Master

Plan and will only have 40 horsepower capacity at full build-out; however, this facility will be permitted by the SCAQMD to ensure that it will not be a significant new source of emissions.

CalEEMod version 2016.3.2 was utilized to estimate the Project's emissions from trucks traveling on the Project site. An on-site distance of one mile was conservatively assumed to be traveled for each one of the Project's truck trips identified in the Traffic Impact Analysis (Appendix N). The output is attached to the AQ-GHG Study (Appendix C.1) and summarized below. Idling emissions from trucks at loading docks is not available in CalEEMod; consequently, PM-10 and PM-2.5 idling emissions were calculated separately to account for 15-minutes of on-site idling per truck per day. The results were added to the total PM-10 and PM-2.5 emissions from CalEEMod and presented in the table below.

The closest sensitive receptor to Project operations is the existing residence approximately 425 meters to the south of the Project site. Consequently, a receptor distance of 200 meters was used to ensure a conservative analysis. The results are summarized in **Table 4.2-N – Unmitigated LST Results for Operational Emissions**, below.

Table 4.2-N – Unmitigated LST Results for Operational Emissions

Activity	Peak Daily Emissions (lb/day)			
	NO_X	CO	PM-10	PM-2.5
LST Threshold for 5 acre at 200 meters	**434**	**10,383**	**44**	**14**
On-Site Truck Travel	46.04	15.88	1.44	0.44
Exceeds Threshold?	**No**	**No**	**No**	**No**

Source: AQ-GHG Study, Table 7

Consequently, as indicated in **Table 4.2-N**, Project-related long-term operational emissions will not exceed any SCAQMD operational LST.

- LST Analysis Conclusion

Based on the LST analysis, the short-term construction of the Project will exceed SCAQMD LST at sensitive receptors within the Project vicinity for PM-10 emissions. Implementation of **MM AQ 2** reduces the LST emissions of PM-10 from overlapping activities. The mitigated LST emissions are shown in **Table 4.2-O - Mitigated LST for Maximum Daily Construction Emissions**.

Table 4.2-O– Mitigated LST for Maximum Daily Construction Emissions

Pollutant	Peak Daily Emissions (lb/day)			
	NO_X	CO	PM-10	PM-2.5
LST Threshold for 4-acre at 25 meters	**178**	**1,966**	**14**	**8**
Site Preparation[1]	18.46	20.69	8.39	2.57
Grading[2]	54.52	33.38	6.51	3.67
Off-site Grading (John St.)	17.86	20.81	3.32	2.10
Off-site Paving (John St.)[2]	9.86	9.24	0.56	0.51
Building Construction[2,3]	39.46	37.50	4.92	3.45
Maximum[4]	**82.24**	**63.43**	**11.71**	**6.29**
Exceeds Threshold?	**No**	**No**	**No**	**No**

Source: AQ-GHG Study Table 14 – Mitigated LST Results for Maximum Daily Construction Emissions
[1]Site preparation includes one rubber tired dozer and two scrapers operating eight hours per day and approximately 129 truckloads of debris exported daily for five days.
[2] Represents unmitigated emissions reported in Table 6.
[3] Building construction includes the maximum of either on-site and off-site construction in 2019 as these activities could overlap or on-site construction, paving, and architectural coatings in 2020.
[4] Maximum emissions are the greater of either: 1) the sum of Site Preparation 2019 and Off-site Grading (John St.); 2) Grading 2019, Off-site Grading 2019 and Off-site Paving 2019; 3) Building Construction 2019 and Off-site Construction 2019, or 4) Building Construction 2020, Paving 2020 and Architectural Coating 2020.

As shown in **Table 4.2-O**, the short-term LST is not exceeded after **MM AQ 2** is incorporated.

The long-term operation of the Project will not result in localized air quality impacts to sensitive receptors in the Project vicinity for NO_X, CO, PM-10 or PM-2.5. No mitigation is required for long-term LST impacts.

- **CO Hot Spots**

In order to ensure that the State and Federal ambient air quality standards for CO are not violated, the SCAQMD recommends that projects with a potential to generate heavy volumes of traffic, and which can lead to high levels of CO, use hot spot modeling to determine the potential to create a CO "Hot Spot". A carbon monoxide (CO) "hot spot" is a localized concentration of CO that is above the state or federal 1-hour or 8-hour ambient air quality standards (AAQS). Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. Based on the information presented below, a site-specific CO "hot spot" analysis is not needed to determine whether the addition of Project related traffic will contribute to an exceedance of either the state or federal AAQS for CO emissions in the Project area.

The analysis prepared for CO attainment in the South Coast Air Basin by the SCAQMD can be used to assist in evaluating the potential for CO exceedances in the South Coast Air Basin. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 Air Quality Management Plan (2003 AQMP) and the Revised 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan). As discussed in the 1992 CO Plan, peak carbon monoxide concentrations in the South Coast Air Basin are generally due to unusual meteorological and topographical conditions, and not due to the impact of particular intersections (2003 AQMP Appendix V, p. V-4-32). Considering the region's unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of the 1992 CO Plan and subsequent plan updates and air quality management plans.

In the 1992 CO Plan, a CO hot spot analysis was conducted for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included: Long Beach Blvd. and Imperial Highway (Lynwood); Wilshire Blvd. and Veteran Ave. (Westwood); Sunset Blvd. and Highland Ave. (Hollywood); and La Cienega Blvd. and Century Blvd. (Inglewood). These analyses did not predict a violation of CO standards. The busiest intersection evaluated in the 1992 CO Plan and subsequent 2003 AQMP was that at Wilshire Blvd. and Veteran Ave., which has a daily traffic volume of approximately 100,000 vehicles per day (2003 AQMP Appendix V, Table 4-7). The Los Angeles County Metropolitan Transportation Authority (MTA) evaluated the LOS in the vicinity of the Wilshire Blvd./Veteran Ave. intersection and found it to be level E at peak morning traffic and Level F at peak afternoon traffic (MTA, Exhibit 2-5 and 2-6).

Considering Project-related traffic as well as existing conditions, ambient growth, and cumulative project traffic, the highest average daily trips estimated in the Project-specific Traffic Impact Analysis (Appendix N) would be 12,587 trips on Hargrave Street between East Ramsey Street to the Interstate 10 westbound ramps, which is lower than the values studied by SCAQMD. Additionally, the Project-specific TIA showed that all study intersections would operate at LOS D or better with existing plus ambient growth plus cumulative development project plus Project traffic conditions. Consequently, it can reasonably be concluded that Project-related traffic would not have daily traffic volumes exceeding those at the intersections modeled in the 2003 AQMP, nor would there be any reason unique to the meteorology to conclude that intersections affected by the Project would yield higher CO concentrations if modeled in detail. Thus, the Project would not result in CO hot spots.

In conclusion, based on the RST analysis for the proposed Project, the short-term construction emissions will not exceed any thresholds for any criteria pollutants with the

incorporation of mitigation measure **MM AQ 1** and **MM AQ 2**, and the long-term operation emissions will exceed the threshold for NOx, even with the incorporation of mitigation measures **MM AQ 3** through **MM AQ 5**. Although short-term regional air quality impacts will be less than significant with incorporation of mitigation, long-term regional air quality impacts are significant and unavoidable.

Based on the LST analysis of the proposed Project, the short-term construction will not result in localized air quality impacts to sensitive receptors in the Project vicinity for NO_X, CO, PM-10 or PM-2.5 after implementation of **MM AQ 2** and the long-term operation of the Project will not result in localized air quality impacts to sensitive receptors in the Project vicinity for NO_X, CO, PM-10 or PM-2.5. Additionally, the proposed Project will not form any CO hot spots in the Project area. For these reasons, localized air quality impacts from short-term construction and long-term operation are considered less than significant.

Additionally, the Project incorporates Project design features such as clean air parking spaces noted in Section 4.2.4 and must comply with the regulations listed in Section 4.2.2 and Conditions of Approval. Because long-term operation of the proposed Project will exceed the SCAQMD threshold for NO_X, impacts are considered to be significant and unavoidable after implementation of mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project.

Level of Significance before Mitigation:

Significant related to short-term construction emissions of VOC and NO_X on a regional level and PM-10 on a localized level and long-term operation emissions of NO_X.

Mitigation Measures:

MM AQ 1 To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g. bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of

Banning's Building and Safety Division for compliance with this mitigation measure prior to issuance of a building permit.

MM AQ 2 To reduce NO_X emissions associated with off-road construction equipment, the construction schedule for Site Preparation (clear and grub) and Grading of the Project site shall not overlap. During on-site Site Preparation and Off-site Grading (John Street) activities, heavy-duty construction equipment greater than 75 horsepower shall be certified to meet or exceed United States Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Public Works Department Engineering Division prior to issuance of a grading permit.

The following mitigation measures are recommended to reduce NO_X emissions from Project operation:

MM AQ 3 Although the Project does not include refrigerated warehouse space, trucks accessing the Project site may have auxiliary power units (APU) and/or transport refrigeration units (TRUs). Therefore, electrical hookups shall be installed at all loading docks, and to reduce/replace APU use while trucks are parked along the docks, to allow trucks with APU and/or TRUs with electric standby capabilities to plug in when TRUs are in use to reduce diesel fuel consumption and resulting NO_X emissions. The City shall verify electrical hookups have been installed prior to occupancy.

MM AQ 4 All facilities shall post signs informing users of requirements limiting idling to five minutes or less pursuant to Title 13 of the California Code of Regulations, Section 2485 in order to reduce diesel fuel consumption and resulting NO_X emissions. No overnight/long-term parking will be allowed. The City shall verify signage has been installed prior to occupancy.

MM AQ 5 Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered in order to reduce diesel fuel consumption and resulting NO_X emissions.

Level of Significance after Mitigation:

Construction (Short-Term) Impacts:

Less than Significant.

Operational (Long-Term) Impacts:

Significant and Unavoidable for long-term operational NO_X emissions.

- **Cumulatively Considerable Criteria Pollutants**

Threshold C: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Impact Analysis:

As previously stated in **Table 4.2-C**, the portion of the Basin within which the Project is located is designated as a non-attainment area for PM-10 under State standards, and for ozone and PM-2.5 under both State and federal standards. Ozone is not directly emitted into the atmosphere; rather, it forms via a reaction of VOC and NO_X in the atmosphere. Consequently, in evaluating this threshold it is also important to consider these emissions and their potential to contribute to ozone pollution in the region even if the region is not in non-attainment for these constituent pollutants.

SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable and based on SCAQMD's regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact (SCAQMD 2003a). With implementation of mitigation measure **MM AQ 1 and MM AQ 2** to reduce NO_X and VOC emissions, none of the SCAQMD mass daily significance thresholds are exceeded during Project construction, as discussed under Threshold B. The mass daily significance threshold for NO_X would be exceeded during Project operation even with implementation of mitigation measures **MM AQ 3** through **MM AQ 5**. In terms of localized air quality impacts, none of the SCAQMD LST thresholds are exceeded with implementation of **MM AQ 2**. Thus, the Project would have a cumulatively considerable increase in emissions due to operational NO_X.

The Project incorporates Project design features such as clean air parking spaces noted in Section 4.2.4 and must comply with the regulations listed in Section 4.2.2 and Conditions of Approval. The Project would have a cumulatively considerable increase in operational NO_X emissions even with implementation of mitigation measures identified above, consequently the impact is significant and unavoidable after implementation of

mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project.

Level of Significance before Mitigation:

Significant for long-term operational NO_X emissions.

Mitigation Measures:

Refer to **MM AQ 1** through **MM AQ 5** under Threshold B, above. These mitigation measures will address impacts associated with NO_X emissions.

Level of Significance after Mitigation:

Significant and Unavoidable for long-term operational NO_X emissions.

- **Sensitive Receptors**

Threshold D: Would the project expose sensitive receptors to substantial pollutant concentration?

Impact Analysis:

As discussed above under Threshold B, with the implementation of **MM AQ 2**, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors within the Project vicinity for any criteria pollutants except for PM-10 emissions. Operation of the Project will also not result in creation of a CO hot spot. The remainder of this analysis focuses on the exposure of sensitive receptors to both cancer and non-cancer risks related to diesel exhaust from the heavy duty trucks that would presumably use the Project site.

Health risk assessments are commonly used to estimate the health risks to the surrounding community from projects that will be a source of diesel emissions and hence increase the amount of diesel particulate matter (DPM) in the area. Those individuals who are sensitive to air pollution include children, the elderly, and persons with preexisting respiratory or cardiovascular illness. For purposes of CEQA, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24 hours; such as residences, hospitals, or convalescent facilities. However, sensitive receptors may also include schools, playgrounds, athletic facilities, and childcare centers. Commercial and industrial facilities are not included in the definition because employees do not typically remain onsite for 24 hours.

The CARB Air Quality and Land Use Handbook contains recommendations that will "help keep California's children and other vulnerable populations out of harm's way with respect to nearby sources of air pollution" (CARB 2005), including recommendations for distances between sensitive receptors and certain land uses. The Handbook states that its recommendations are advisory and should not be interpreted as "buffer zones." CARB recognizes the opportunity for more detailed site-specific analyses and there is no "one size fits all" solution to land use planning. The Handbook recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center. The Project does not propose sensitive uses and the existing land use designations in the Project vicinity consist of Airport Industrial and Industrial uses, which are not sensitive land uses (see **Figure 3-6 – General Plan Land Use)**. The closest sensitive land use is the very low density residential uses located approximately 2,700 feet to the southwest of the Project site (**Figure 3-6**). However, because the Project's trucks would traverse roadways adjacent to existing residential and sensitive uses, health risk assessment (HRA) modeling was prepared for the Project in order to assess the potential health risk to the surrounding land uses (see Appendix C.2 for calculation details and output).

- **Methodology**

This health risk assessment was performed using the AERMOD model and in accordance with the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003b). SCAQMD recommends using the USEPA's AERMOD model for mobile source emissions impact assessments by modeling the individual roadways as multiple adjacent volume sources, consistent with the USEPA Haul Road Workgroup Recommendations (USEPA 2012). The HRA followed these recommendations.

Risks associated with the Project's sources of DPM (i.e., loading areas and truck travel to and from the site on local roadways and arterials) were determined at the nearest receptor impact locations, including the residences to the west and southwest of the Project site (see **Figure 4.2-1 – HRA Discrete Receptor Locations**). Eleven (11) separate discrete receptors located at sensitive receptors and off-site worker receptors within the Project vicinity were modeled. Receptors 1 through 6 are located at the edge of the existing residential uses on Hargrave Street between the I-10 freeway and Lincoln Avenue. Receptor 7 is a church located on the southeast corner of Hargrave Street and Lincoln Avenue. Receptor 8 is an existing residence located on Lincoln Avenue, southwest of the proposed extension of John Street. Receptors 9 through 11 are off-site worker receptors located at the non-residential uses on Hargrave Street, Lincoln Avenue, and

Barbour Street. Local dispersion modeling parameters are consistent with other projects in the South Coast Air Basin and follow SCAQMD modeling guidance for AERMOD.

Cancer and non-cancer risks estimated in Appendix C.2 of the DEIR are conservatively calculated by the model using the 2015 risk assessment guidelines established the Office of Environmental Health Hazard Assessment (OEHHA) and adopted by SCAQMD in 2017, which assume different exposure periods and pathways for residential uses and workers. (OEHHA 2015; SCAQMD 2017) These assumptions are listed below:

- The residents at the sensitive receptor locations are assumed to remain outdoors (or have continual contact with outside air) at home for 24-hours a day, 365 days a year, for 30 continuous years.
- The worker multi-pathways include only inhalation, soil ingestion, and dermal exposure for an exposure period of 25 years to determine the health risks associated with Project construction on workers in the nearby industrial and distribution facilities.

The SCAQMD thresholds of significance for TAC evaluated herein are a maximum incremental cancer risk of 10 in one million and a non-cancer hazard index of 1.0 or greater.



G:\2017\17-0122\GIS\HRA_Receptors.mxd; Map revised 21 Mar 2018

Sources: Riverside Co. GIS, 2018;
USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 4.2-1 - HRA Discrete Receptor Locations

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

- Cancer Risks

Cancer risks are based upon mathematical calculations which estimate the probability of the number of people who will develop cancer after exposure to DPM. This probability is generally expressed in terms of the number of people who will develop cancer per one million people who are exposed. It is important to understand that this cancer risk represents the probability that a person develops some form of cancer; the estimated risk does not represent actual mortality rates.

The cancer risks from DPM occur exclusively through the inhalation pathway; therefore, the maximum individual cancer risk (MICR) can be estimated from the following equation:

$$*MICR_{DPM} = CP_{DPM} * DI_{DPM}$$

where,

$MICR_{DPM}$ Cancer risk from diesel particulate matter (DPM); the probability of an individual developing cancer as a result of exposure to DPM.

CP_{DPM} [1] Cancer Potency factor for DPM $(mg/kg\text{-}day)^{-1}$; estimated probability that a person will contract cancer as a result of inhalation of a DPM concentration of 1mg per kilogram of bodyweight continuously over a period of 70 years CP_{DPM} value of 1.1 $(mg/kg\text{-}day)^{-1}$

DI_{DPM} Dose through inhalation (mg/kg-day)

- obtained by multiplying C_{air} x ASF x ED x FAH x DBR x (EF/70) x 10^{-6}
  - C_{air} is the Annual Average 24 hour per day concentration of DPM in air ($\mu g/m^3$) (calculated by AERMOD).
  - ASF is the age specific factor.
  - ED is the exposure duration in years.
  - FAH is the fraction of time at home.
  - DBR is the daily breathing rate
  - To be most protective, the DBR was adjusted for each age group, [2]
  - EF is the exposure factor[2]
    - Most sensitive value of 0.96 used.
    - Off-site receptor value of 0.68 was used.

* Table of data used in calculations can be found in Appendix C.2 of the DEIR.

1. From Table 2.0 of the 2017 SCAQMD Permit Application Package "N" (For Use in Conjunction with the Risk Assessment Procedures for Rules 1401, 1401.1 and 212 Version 8.1 [SCAQMD 2017]).

2. From Table 4.0 of 2017 SCAQMD Permit Application Package "N".

The specific calculations and assumptions used to determine the cancer risks are included in Appendix C.2 of this document.

To model the unmitigated Project-only scenario, local roadway segments were modeled based on the truck distribution identified in the TIA (Appendix N) as well as onsite truck travel and idling at loading areas. All Project trucks were assumed to idle at their respective truck bays for 15 minutes. The maximum unmitigated cancer risks to sensitive receptors within the Project vicinity due to DPM emissions from Project-related diesel truck traffic and onsite activities was estimated to be 8.4 excess cancer cases in one million at Receptor 6, shown on **Figure 4.2-1**.The area of highest risk to modeled off-site worker receptors, at a level of 0.4 per million, was located at Receptor 10. The reported maximum modeled DPM concentration is located on the Project site and equates to an excess cancer risk of 1.5 in one million.

Estimated cancer risks do not exceed the SCAQMD threshold of 10 in one million. Therefore, excess cancer risks to both industrial/commercial and sensitive receptors are considered less than significant and no mitigation is required.

- Non-Cancer Risks

Non-cancer risks can be described as acute (short-term, generally one-hour peak exposures) or chronic (long-term exposure) health impacts. SCAQMD recognizes and uses the acute and chronic reference exposure levels (REL) developed by OEHHA for determining non-cancer health impacts of toxic substances. Exceeding the acute or chronic REL does not necessarily indicate that an adverse health impact will occur; however, levels of exposure above the REL have an increasing but undefined probability of resulting in an adverse health impact, particularly in sensitive individuals. For Diesel Particulate Matter (DPM), there is no value for the acute REL and the chronic REL is 5 $\mu g/m^3$.

Therefore, non-cancer health risks are expected when people are exposed to short-term DPM concentration greater than 5 $\mu g/m^3$. Since the hazard index is the ratio between the DPM concentration at each receptor (estimated using AERMOD) and the chronic REL, then non-cancer health risks are significant if the hazard index exceeds 1.0. This

threshold for significance is sanctioned by SCAQMD and CARB explicitly to determine the non-cancerous health impacts attributable to projects that introduce new sources of diesel exhaust emissions in an area.

The relationship for the non-cancer health effects of DPM is given by the following equation:

$$\mathbf{HI_{DPM} = C_{DPM} / REL_{DPM}}$$

where,

HI_{DPM} Hazard Index; an expression of the potential for non-cancer health effects.

C_{DPM} Annual average DPM concentration in $\mu g/m^3$.

REL_{DPM} Reference exposure level (REL) for DPM; the DPM concentration at which no adverse health effects are anticipated.

The maximum DPM concentration of 0.02495 $\mu g/m^3$ occurs on the Project site. Using the equation above, the hazard index is 0.005, which is approximately 0.5 percent of the allowable threshold of 1. Therefore, non-cancer risks are considered less than significant and no mitigation measures are required.

- **Conclusion**

None of the cancer or non-cancer thresholds are exceeded as a result of Project operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project operation, and impacts are considered **less than significant**.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Objectionable Odors**

Threshold E: Would the project create objectionable odors affecting a substantial number of people?

The proposed Project presents the potential for the generation of objectionable odors in the form of diesel exhaust during construction in the immediate vicinity of the proposed Project site. The area immediately surrounding the proposed Project site is vacant land and does not contain any sensitive receptors. There are several sensitive receptors located adjacent to the off-site improvements including residences directly adjacent to the off-site water line along Hathaway Street and residences located directly across Lincoln Street at the terminus of the extension of John Street at Lincoln Avenue. There is also a church facility at the corner of Lincoln Avenue and Hargrave Street approximately 120 meters from John Street. Recognizing the temporary natures of construction activities involved in any specific portion of the Project, the Project will not expose substantial numbers of people to objectionable odors. Therefore, the Project's short term impact will be **less than significant impact**.

The Project's warehouse use is not included on CARB's list of facilities known to be a common source of odor complaints (CARB 2005). Further, odor intensity decreases as distance from the source increases because it allows fresh air to mix with the odors and there are no sensitive receptors in the immediate vicinity of the Project site. The closest sensitive receptor to the proposed warehouse is the existing residence approximately 425 meters (1,394 feet) to the south of the Project site. Thus, the Project will not expose substantial numbers of people to objectionable odors. **Therefore, long-term odor impacts from Project operations are considered less than significant**.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

4.2.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.2.3 for relevant assumptions regarding the cumulative Air Quality setting.

Impact Analysis:

A stated in section 4.2.3, SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. The only case where the significance thresholds for project-specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions which is related to chronic non-cancer risk. The project-specific significance threshold is an HI greater than 1.0 while the cumulative is greater than 3.0. Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. Based on SCAQMD's regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact. Because only NO_X emissions associated with the proposed Project operation will exceed the SCAQMD regional significance threshold, the Project will also have a cumulatively considerable air quality impact related to NO_X emissions. As discussed under Threshold B, above, no other criteria pollutants exceeded SCAQMD's regional or local thresholds of significance after implementation of mitigation. Similarly, the cancer and non-cancer thresholds were not exceeded as a result of Project construction or operation which means the health risk impacts are not cumulatively considerable.

Level of Significance before Mitigation:

Significant related to long-term NO_X emissions.

Mitigation Measures:

Refer to **MM AQ 3** through **MM AQ 5** under Threshold B, above. These mitigation measures will address impacts associated with NO_X emissions.

Level of Significance after Mitigation:

Significant and Unavoidable for long-term NO_X emissions.

4.2.9 SIGNIFICANT UNAVOIDABLE IMPACTS

The following impacts remain Significant after all Mitigation has been applied:

- Project specific impacts related to the proposed Project's operation NO_X emissions
- Cumulative impacts related to the proposed Project's operation NO_X emissions

4.2.10 REFERENCES

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4.3 BIOLOGICAL RESOURCES

4.3.1 INTRODUCTION

The following discussion analyzes whether the proposed Project will have a substantial adverse effect, either directly or through habitat modifications, on any of the following: (A) species identified as a candidate, sensitive, or special status species; (B) riparian habitat or other sensitive natural communities; or (C) federally protected wetlands. This section also analyzes whether the proposed Project will (D) interfere substantially with the movement of native resident or migratory fish or wildlife species, or with wildlife corridors; (E) conflict with any local biological policies; or (F) conflict with adopted local, regional, or state habitat conservation plans.

In response to the Notice of Preparation (NOP), three comment letters were received regarding biological resources. The letters from California Department of Fish and Wildlife (CDFW), Sierra Club Moreno Valley Group, and Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters are available in Appendix B of this Draft Environmental Impact Report (DEIR). Comments received have been addressed herein.

The following discussion is based on the *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis Report*, *Western Burrowing Owl Survey Report, Determination of Biologically Equivalent or Superior Preservation (DBESP) Report*, *Mature Tree Assessment Letter Report*, and *Jurisdictional Delineation Report* (collectively referred to as the "biological resource reports") that have been prepared for the proposed Project by Wood Environment & Infrastructure Solutions (formerly Amec Foster Wheeler Environment & Infrastructure [Amec]). These technical studies were used for the analysis of potential impacts to biological resources, and are included herein as Appendices D, D.2, E, F, and G, respectively.

Amec conducted field surveys on the Project site and off-site areas on May 24, 2016 and May 9, 2017 ("habitat assessment"). Amec utilized Geographic Information System (GIS) software to map the Project site in relation to the MSHCP areas. The Riverside County Integrated Project (RCIP) Conservation Summary Report Generator was queried to determine habitat assessment and potential survey requirements for the Project site. Prior to the habitat assessment, review of aerial photography and a literature review was conducted by Amec including records from the California Native Plant Society (CNPS) on-line inventory database and on-line Web Soil Survey (United States Department of Agriculture, Natural Resources Conservation Service) (Amec(a), p. 4-1).

The MSHCP Conservation Summary Generator, aerial photography, and literature review provides a baseline from which to evaluate the biological resources potentially occurring within the study area, and within the local and regional vicinity. The *Habitat Assessment Report for the Messenger Industrial Park-Banning Airport Project* (Rocks, 2006)[1] was also reviewed by Amec to identify any additional sensitive species that may have been previously observed within the Project site.

Additionally, Amec conducted a query of the CDFW California Natural Diversity Database (CNDDB) records based on a five-mile radius surrounding the Project site ("study area") in order to compile a list of special-status plant and wildlife species and their habitats known to occur near the Project site.

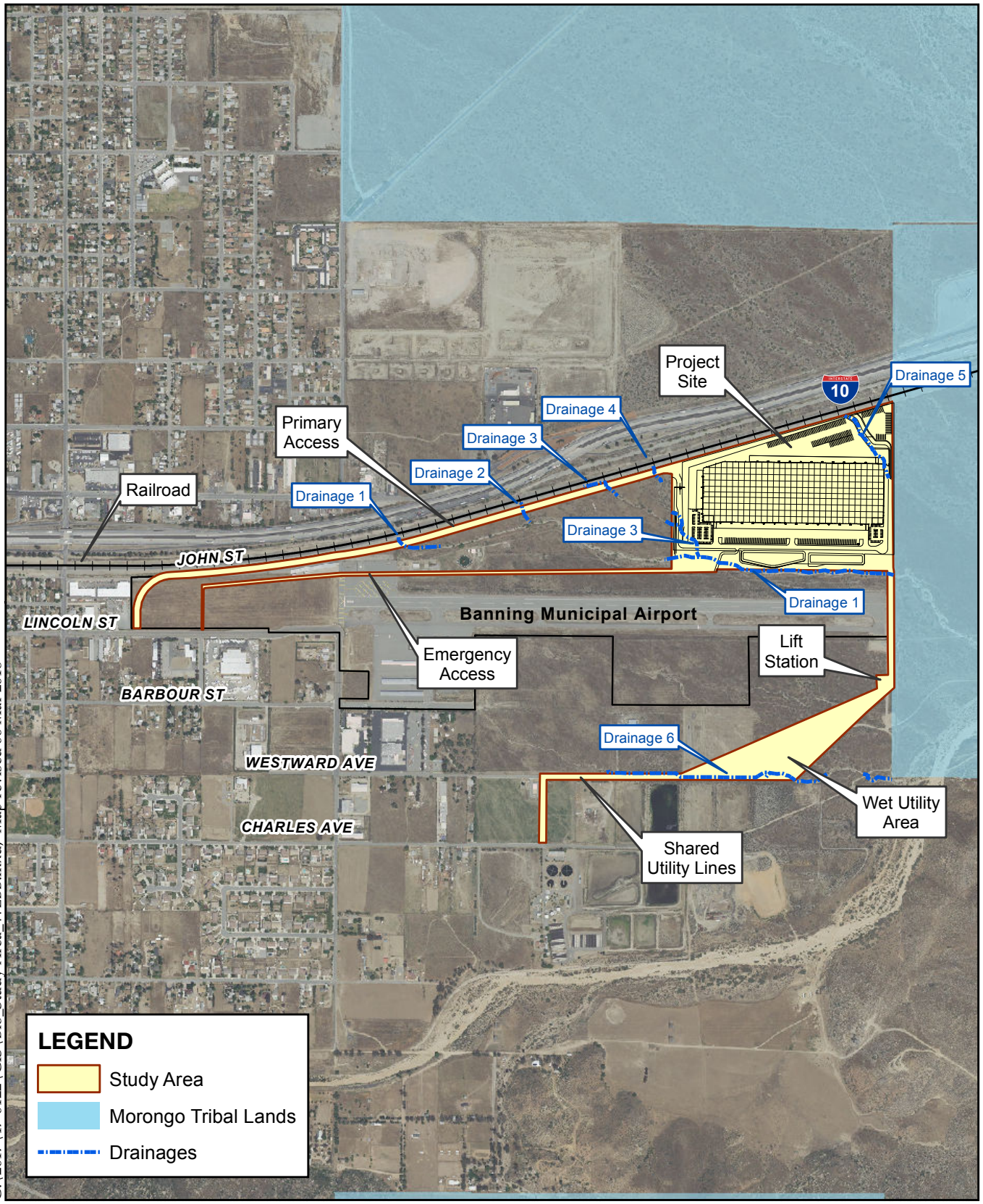
4.3.2 PHYSICAL SETTING

- **Surrounding Conditions**

Existing land uses surrounding the Project site include railroad right-of-way and I-10 to the north, the Banning Airport to the west and to the south, and vacant land owned by the Morongo Band of Mission Indians ("Tribal land") to the east (see **Figure 4.3-1 – Biological Study Area**).

The Project site is located in Riverside County, in what is known as the San Gorgonio Pass Region. The San Gorgonio Pass Region is located in the transition zone between the eastern edge of the inland valleys and the western edge of the Colorado Desert sub-region of the Sonoran Desert (GP EIR, p. II-9).

[1] "Messenger Industrial Park" was the prior name of this project site.



G:\2017\17-0122\GIS\Bio_Study Area_WEBB.mxd; Map revised 06 Mar 2018

Sources: Amec Foster Wheeler, June 2017; Riverside Co. GIS, 2018; USDA NAIP, 2016.

0 600 1,200 1,800 2,400 Feet

Figure 4.3-1 - Biological Sudy Area

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- **Project Site Conditions**

The location of the proposed warehouse and off-site improvement areas ("study area") are currently undeveloped, with no existing structures. The study area is dominated by desert scrub with patches of disturbed non-native grassland. Several drainage features characterized as ephemeral washes (i.e. flow only during and shortly after rainfall events) intercept with the Project site. As discussed further herein, they are sparsely vegetated with shrubs and a scattering of trees, and do not contain enough vegetative cover to be considered independent vegetation communities.

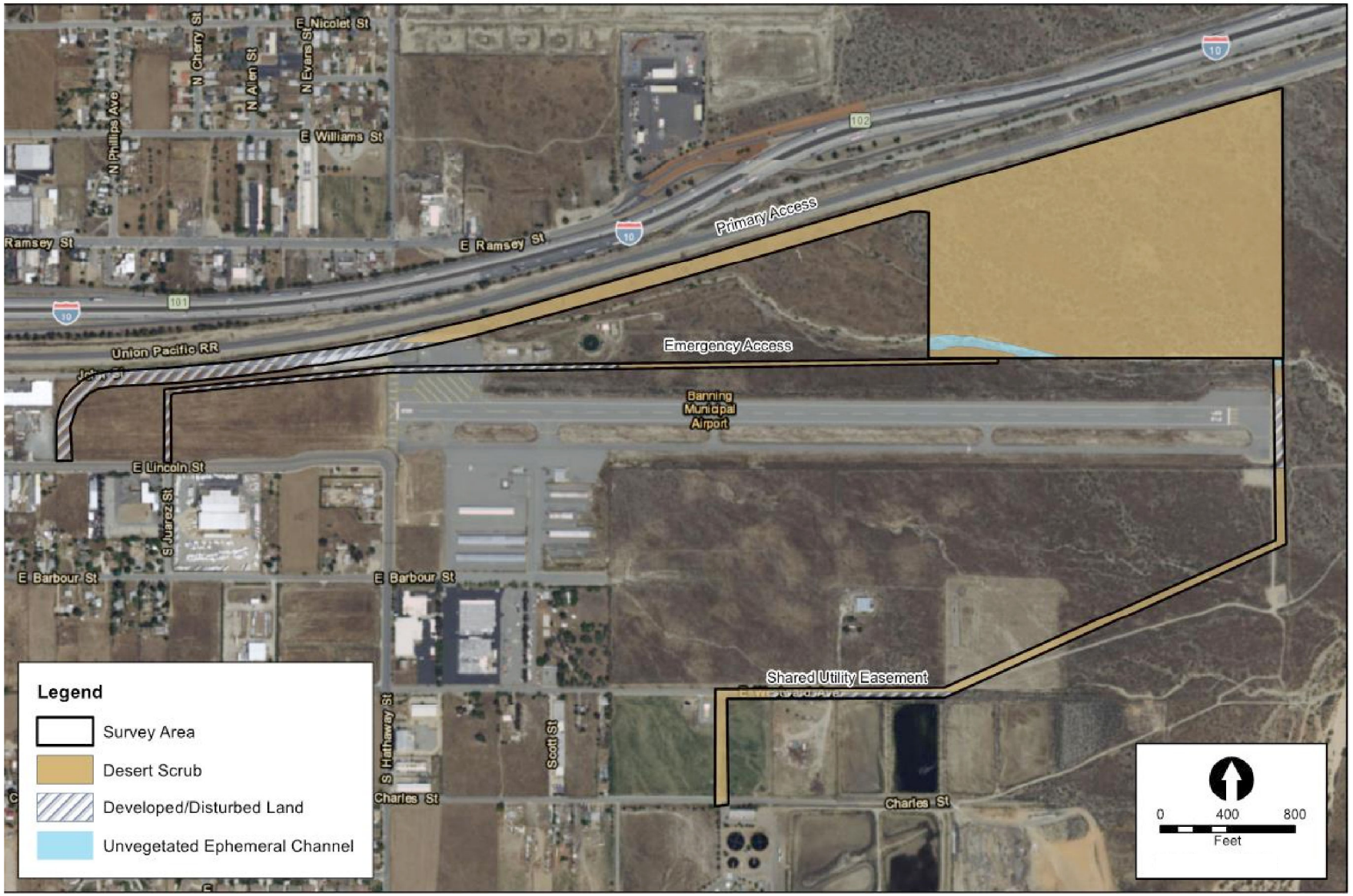
The Project will impact a total of six jurisdictional drainage features (Drainages 1 through 6), as shown in **Figure 4.3-1**. Drainages 1 through 5 are located within the footprint of proposed John Street and warehouse development. Drainage 6 is located within the off-site underground water/sewer lines area. A majority of Ramsey Street Wash/Drainage 1 will be avoided.

- **Vegetation**

The areas surveyed by Amec biologists include the Project site and off-site areas that would be impacted by the Project's off-site road and water/sewer utilities infrastructure, as shown in **Figure 4.3-1**. The plant list compiled by Amec during the habitat site assessment consists of 61 plant species (Amec(a), Appendix A). Additional photographic exhibits showing vegetation at the Project site are provided in the Habitat Assessment and MSHCP Consistency Report provided in Appendix D.

The Project site is predominantly mapped as desert scrub, as shown on **Figure 4.3-2 – Project Site Vegetation** . The common desert scrub plants observed on-site include desert encelia (*Encelia farinosa*), California buckwheat (*Eriogonum fasciculatum*), and deer weed (*Acmispon glaber*). The remainder of the Project site which includes portions of the primary access road, emergency access road, and shared utility easement contain patches of disturbed non-native grassland vegetation. The non-native grassland species observed on-site include Russian thistle (*Salsola tragus)*, wild mustard (*Hirschfeldia incana)*, rip-gut grass (*Bromus diandrus)*, and red stemmed filaree (*Erodium cicutarium)* (Amec(a), p. 5-1).

The Project site intersects with portions of six drainages. Drainage 1 (i.e. Ramsey Street Wash) is sparsely vegetated with patches of scalebroom (*Lepidospartum squamatum),* catclaw acacia (*Acacia greggii),* western ragweed (*Ambrosia psilostachya)*, and tumbleweed (*Salsola tragus)* (Amec(c), p. 3-3).



G:\2017\17-0122\GIS\Bio Hydro\BIO_Vegetation.mxd; Map revised 09 May 2018

Source: Fig. 3, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017.

Figure 4.3-2 - Project Site Vegetation

Banning Distribution Center

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Drainage 2 is also sparsely vegetated with mostly unknown grass species and patches of California buckwheat (*Eriogonum fasciculatum)* and London rocket (*Sisymbrium irio)*. Lastly, Drainages 3 through 6 were observed to be unvegetated with cobbles and sand along the creek beds (Amec(c), pp. 3-3 to 3-5).

Several large native and non-native trees are present within Drainages 1 and 2 (Amec(d), Fig. 1). Within the Project site, Drainage 1 contains three Peruvian pepper trees (*Schinus molle)* and one arroyo willow (*Salix lasiolepis)*. The segment of Drainage 2 that is within the Project site contains one black willow (*Salix goodingii)* and one Fremont's cottonwood (*Populus fremontii)* tree. The presence of one or two individual trees does not constitute a vegetation community (Amec(c), p. 4-3).

- **Special Status Plant Species and Vegetation Communities**

The 14 special status plant species that are known to occur within a five-mile radius of the Project site are listed in **Table 4.3-A – Special Status Plant Species Potential for Occurrence**.

Table 4.3-A – Special Status Plant Species Potential for Occurrence

Species	Status (F=Federal, C=California)	Habitat	Flowering Period	BSA Occurrence Probability
Abronia villosa var. *aurita* chaparral sand- verbena	F: BLM, FS C: S2 CNPS: 1B.1 MSHCP: No	In sandy areas in chaparral, coastal dunes and desert dunes, 75 - 1,600 meters (elevation).	(January) March-September	Absent. No suitable dune habitat on-site. No records near the BSA. Not observed during survey.
Allium marvinii Yucaipa onion	F: FS C: S1 CNPS: 1B.2 MSHCP: Yes	Chaparral in openings on clay soils. 850-1070 meters.	April – May	Absent. No clay soils mapped in BSA.
Astragalus lentiginosus var. *coachellae* Coachella Valley milk-vetch	F: **END** C: S1 CNPS: 1B.2 MSHCP: No	Desert dunes and sandy Sonoran desert scrub. 40 - 655 meters.	February - May	Absent. No suitable habitat. Details on CNPS record unknown.
Astragalus pachypus var. *jaegeri* Jaeger's bush milk-	F: BLM, FS C: S2 CNPS: 1B.1	Sandy or rocky places in chaparral, cismontane woodland, coastal scrub, and valley & foothill grassland, 365 - 975 meters.	December - June	Low. A few patches of habitat present in

Species	Status (F=Federal, C=California)	Habitat	Flowering Period	BSA Occurrence Probability
vetch	MSHCP: Yes			BSA.
Calochortus plummerae Plummer's mariposa lily	F: ND C: S4 CNPS: 4.2 MSHCP: Yes	Cismontane woodlands, chaparral, coastal scrub, grasslands, lower montane coniferous forest; 100 - 1,700 meters.	May - July	Moderate. Patches of potential habitat in BSA.
Caulanthus simulans Payson's jewelflower	F: FS C: S4 CNPS: 4.2 MSHCP: Yes	Sandy, granitic areas in chaparral and coastal scrub, 90 - 2,200 meters.	(February) March-May (June)	Low. Only known local record upslope on San Jacinto Mountains.
Centromadia pungens ssp. *laevis* smooth tarplant	F: ND C: S2 CNPS: 1B.1 MSHCP: Yes	Annual herb found in alkaline areas within chenopod scrub, meadows, playas, riparian woodland, valley and foothill grassland below 480 meters.	April - November	Absent. No records near the BSA and no suitable habitat.
Chorizanthe parryi var. *parryi* Parry's spineflower	F: BLM, FS C: S2 CNPS: 1B.1 MSHCP: Yes	Sandy or rocky openings in chaparral, coastal sage scrub, cismontane woodland & valley foothill grassland; 275-1,220 meters.	April - June	Moderate. Patches of potential habitat present in BSA.
Chorizanthe xanti var. leucotheca white-bracted spineflower	F: N/A C: S3 CNPS: 1B.2 MSHCP: Yes	Coastal scrub, Mojavean desert scrub, and Pinyon and juniper woodland in sandy and gravelly areas; 300-1,220 meters.	April - June	Moderate. Patches of potential habitat present in BSA.
Deinandra mohavensis Mojave tarplant	F: BLM, FS C: **END**, S2 CNPS: 1B.3 MSHCP: Yes	Low sand bars in river beds; mostly in riparian areas or in ephemeral grassy areas. Riparian scrub, coastal scrub, chaparral. 640-1600 meters.	(May) June –October (January)	Low. Habitat present in BSA, but no records in immediate BSA.

Species	Status (F=Federal, C=California)	Habitat	Flowering Period	BSA Occurrence Probability
Horkelia cuneata var. *puberula* mesa horkelia	F: FS C: S1 CNPS: 1B.1 MSHCP: No	Sandy or gravelly soils in chaparral, or rarely in cismontane woodland or coastal scrub at 70 - 825 meters.	February – September	Absent. Marginal habitat patches specifically located within Drainage 1, which will mostly be avoided. Not observed during surveys.
Mentzelia tricuspis spiny-hair blazing star	F: ND C: S2 CNPS: 2B.1 MSHCP: No	Sandy, gravelly, slopes, and washes in Mojavean desert scrub, 150 - 1,280 meters.	March - May	Absent. No suitable Mojavean desert scrub habitat present. There is one old record in the vicinity, likely misidentified.
Petalonyx linearis Narrow-leaf sandpaper-plant	F: ND C: S2, S3 CNPS: 2B.3 MSHCP: No	Mojavean desert scrub at -25 – 1115 meters. Known from only one occurrence 3 miles south of the project site. Last seen in1999.	March-May	Absent. No suitable habitat present.
Symphyotrichum defoliatum San Bernardino aster	F: BLM, FS C: S2 CNPS: 1B.2 MSHCP: No	Vernally wet sites such as ditches, streams, and springs in many plant communities below 2,040 meters.	July - November	Absent. No records near the BSA and no suitable habitat onsite.

Source: Amec(b), pp. 5-10 – 5-11. <Make sources, notes like this and similar a smaller font, italics and single spaced consistently throughout EIR to minimize emphasis placed upon it.?

N, otes:

BSA = Biological Survey Area.

Definitions of occurrence probability:

Occurs: Observed on the site by Amec Foster Wheeler biologists, or recorded on-site by other qualified biologists.

High: Observed in similar habitat in region by qualified biologists, or habitat on the site is a type often utilized by the species and the site is within the known range of the species.

Moderate: Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species.

Low: Site is within the known range of the species but habitat on the site is rarely occupied by the species.

Absent: A focused study failed to detect the species, or, no suitable habitat is present.

Species	Status (F=Federal, C=California)	Habitat	Flowering Period	BSA Occurrence Probability

Unknown: Distribution and habitat use has not been clearly determined.

Federal designations: (F = federal Endangered Species Act or federal agency designations)

END: Federally listed, Endangered

THR: Federally listed, Threatened

CAN: Candidate for Federal listing

BLM = Bureau of Land Management Sensitive

FS: Forest Service sensitive

ND: No designation

State designations: (C = California Endangered Species Act or CDFG designations)

END: State listed, Endangered

THR: State listed, Threatened

CAN: Candidate for State listing

RARE: State listed, Rare

FP: Fully Protected Species

SSC: Species of Special Concern

WL: Watch List Species

ND: No designation

CDFW state rankings are a reflection of the overall condition of an element throughout its California range. The number after the decimal point represents a threat designation attached to the rank:

S1 = Critically Imperiled. Less than (<) 6 Element Occurrences (EOs) OR < 1,000 individuals OR < 2,000 acres

S1.1 = very threatened

S1.2 = threatened

S1.3 = no current threats known

S2 = Imperiled. 6-20 EOs OR 1,000-3,000 individuals OR 2,000-10,000 acres S2.1 = very threatened

S2.2 = threatened

S2.3 = no current threats known

S3 = Vulnerable. 21-80 EOs OR 3,000-10,000 individuals OR 10,000-50,000 acres S3.1 = very threatened

S3.2 = threatened

S3.3 = no current threats known

S4 = Apparently Secure. Uncommon but not rare in the state; some cause for long-term concern.

S5 = Secure. Common, widespread, and abundant in the state.

SH = All known California sites are historical, not extant

MSHCP designations (Riverside County only)

Yes: Covered by the plan

No: Not covered by the plan

Species	Status (F=Federal, C=California)	Habitat	Flowering Period	BSA Occurrence Probability

California Native Plant Society (CNPS) designations (Rare Plant Ranks):

Primary Categories (Lists)

1A: Plants presumed extirpated in California and either rare or extinct elsewhere 1B: Plants rare, threatened, or endangered in California and elsewhere

2A: Plants presumed extirpated in California, but common elsewhere

2B: Plants rare, threatened, or endangered in California, but more common elsewhere 3: Plants about which more information is needed - a Review List

4: Plants of limited distribution - a Watch List

Subdivisions within Categories (threat ranks)

0.1: Seriously threatened in California

0.2: Moderately threatened in California

0.3: Not very threatened in California

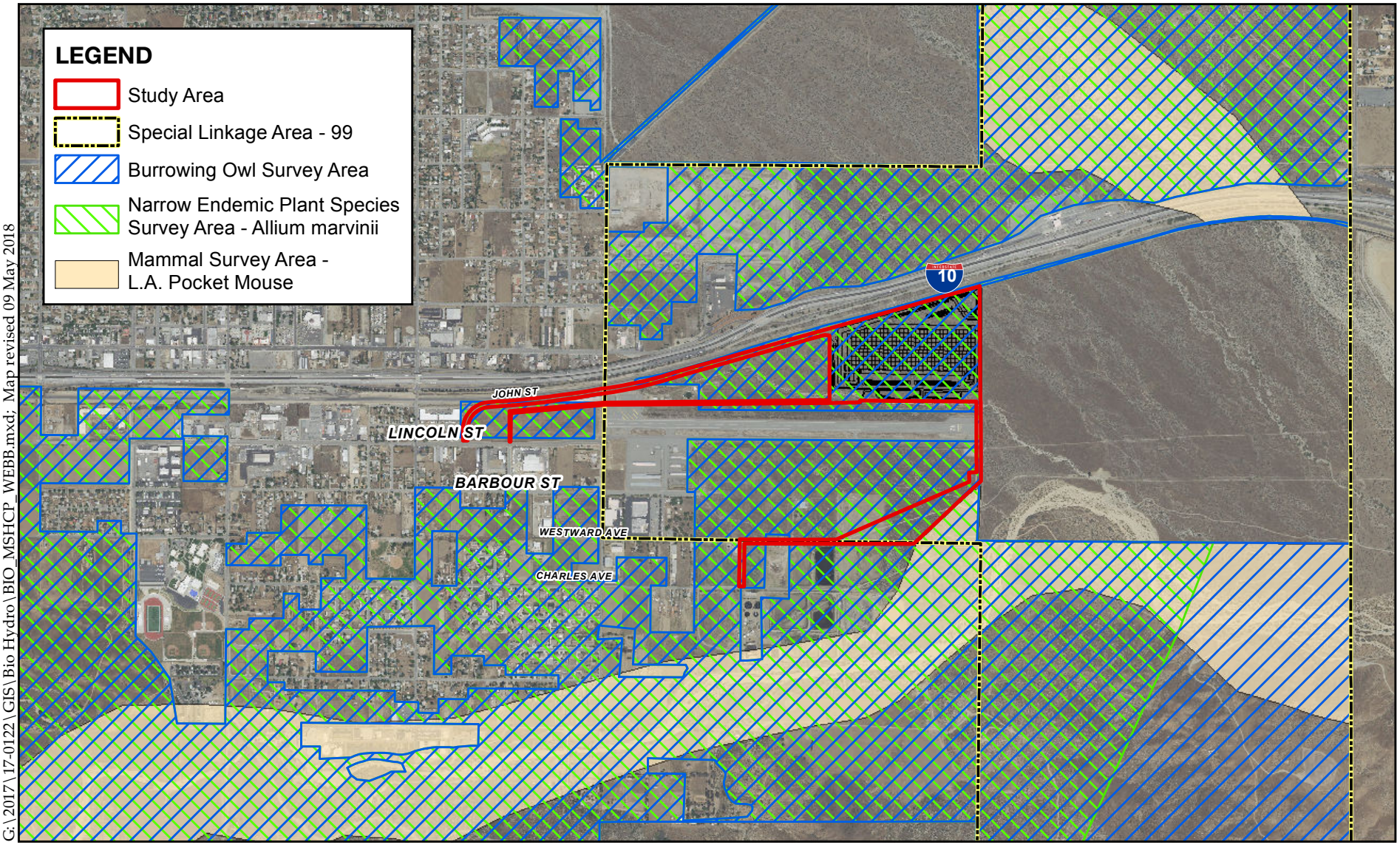
According to the CDFW (Special Plants): "all California Rare Plant Rank 1 and 2 and some Rank 3 and 4 plants may fall under Section 15380 of CEQA."

The City of Banning is located within the Western Riverside County MSHCP area and is a Permittee to the MSHCP; thus, the proposed Project is required to comply with applicable provisions of the MSHCP. The Project site is located within The Pass Area Plan of the MSHCP, but the Project site is not within an MSHCP Criteria Cell.

The Riverside County Conservation Summary Report Generator indicates that the Project site occurs within the MSHCP designated Narrow Endemic Plant Species Survey Area (NEPSSA) for Marvin's onion (*Allium marvinii*) and many-stemmed dudleya (*Dudleya multicaulis*), as shown on **Figure 4.3-3 – MSHCP Features**.

Special-status vegetation communities that support diminishing, rare, threatened, or endangered plant or wildlife species are of special concern to resource agencies. CDFW considers sensitive plant communities with a ranking of S-1, S-2, S-3 or S-4 to be declining at both the local and regional level. The MSHCP provides protection for a variety of sensitive vegetation communities and additional surveys may be required for a site if suitable habitat is documented onsite and/or if the property is located within a predetermined MSHCP Survey Area (i.e. Narrow Endemic Plant Species Survey Area).

Although scalebroom scrub is identified by the CDFW as a sensitive natural community ("vulnerable" or S-3 ranking), Drainage 1 does not have sufficient vegetation cover to be considered a vegetation community. (Amec(c), p. 3-3)



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Source: Riverside Co. GIS, 2018;
Amec Foster Wheeler, Dec. 2017;
USDA NAIP, 2016.

0 1,000 2,000 3,000 4,000 Feet

Figure 4.3-3 - MSHCP Features

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- **Wildlife**

Amec observed 29 wildlife species within the Project site or immediate vicinity during the habitat assessment (Amec(a), p. 5-10). Birds observed during the habitat assessment include (but are not limited to) species commonly seen in many areas of western Riverside County including red-tailed hawk (*Buteo jamaicensis*), American crow (*Corvus brachyrhynchos*), western meadowlark (*Sturnella neglecta*), and white-crowned sparrow (*Zonotrichia leucophrys*) (Amec(a), p. 5-10).

- **Special Status Wildlife Species**

Wildlife species may be designated with a special conservation status due to declining populations, vulnerability to habitat change or loss, or because of restricted distribution. Three special-status wildlife species were observed in the study area during the habitat assessment: loggerhead shrike (*Lanius ludovicianus*), horned lark (*Eremophila alpestris*), and San Diego black-tailed jackrabbit (*Lepus californicus bennettii*). All three species are covered under the MSHCP.

As previously mentioned, Amec compiled a list of special status animal species with potential to occur within a five-mile radius of the Project site, which includes federally and state listed threatened and endangered species, California Species of Special Concern, and other special-status species including California Fully Protected Species. The inventory includes two invertebrates, two amphibians, five reptiles, ten birds, and seven mammals, which are discussed below (Amec(a), pp. 5-15 to 5-18).

Invertebrates

Of the two special status invertebrates known from the study area, one is presumed absent due to lack of habitat and/or extirpation (Jerusalem cricket, *Stenopelmatus cahuilaensis*). The habitats of the second invertebrate, Crotch bumble bee (*Bombus crotchii*), are little known, but several of its host plants (e.g., milkweed (*Asclepias*), pincushion (*Chaenactis*), bluebonnets (*Lupinus*), medick or buclover (*Medicago*), scorpionweed (*Phacelia*), and chia (*Salvia* sp.) are known to occur within the survey area. Three of these plants (i.e. *Chaenactis, Lupinus, and Salvia* sp. were observed during the habitat assessment. The Crotch bumble bee is not a covered species by the MSHCP. It is listed by CDFW as critically imperiled ("S1S2"). None were observed during the site visits. (Amec(a), p. 5-13)

Amphibians

Two special status amphibian species, southern mountain yellow-legged frog (*Rana muscosa*) and western spadefoot (*Spea hammondii*), are known to occur within the vicinity of the study area and are both covered by the MSHCP; however, there is no suitable habitat within the study area for either of these species. (Amec(a), p. 5-13)

Reptiles

Five special status reptiles are known to occur within the vicinity of the study area: (Belding's) orange-throated whiptail (*Aspidoscelis hyperythra*), coastal western whiptail (*Aspidoscelis tigris stejnegeri*), (northern) red-diamond rattlesnake (*Crotalus ruber*), California (coastal) glossy snake (*Arizona elegans occidentalis*) and coast (San Diego) horned lizard (*Phrynosoma blainvillii*). Suitable habitat is present within the Project study area for all five reptile species. None were observed during the site visit. All but the California (coastal) glossy snake are covered by the MSHCP. (Amec(a), p. 5-13)

Birds

Ten special status bird species may occur within the study area; five of which are considered absent, including the ferruginous hawk (*Buteo regalis*), purple martin (*Progne subis*), yellow warbler (*Setophaga petechia*), Le Conte's thrasher (*Toxostoma lecontei*), and least Bell's vireo (*Vireo bellii pusillus*) due to lack of suitable habitat (Amec(a), p. 5-14). Two of the remaining special status bird species have been recorded within the study area and are considered present; they include California horned lark (*Eremophila alpestris actia*) and loggerhead shrike (*Lanius ludovicianus*). Both of these are fully covered species of the MSHCP.

Of the remaining three special status bird species, the coastal California gnatcatcher (*Polioptila californica californica*) is the only federally-listed species (threatened). This species has a moderate potential to occur, due to a known recorded occurrence in the vicinity of the Project site, but there is a general lack of suitable coastal sage scrub habitat that the gnatcatcher prefers on the Project site (Amec(a), p. 5-14). The coastal California gnatcatcher is a fully covered species in the MSHCP.

The remaining two special status bird species with potential to occur onsite include the Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*) and burrowing owl (*Athene cunicularia*). Suitable habitat for the Southern California rufous-crowned sparrow is present in the study area, and the species has been recorded nearby. Both of these species are fully covered by the MSHCP.

The Project site is within the MSHCP survey area for burrowing owl (a California Species of Special Concern). Because they roost and nest underground, burrowing owls are treated differently than most unlisted birds (i.e. not endangered/threatened) because they are uniquely vulnerable to ground disturbance. It is a requirement of the MSHCP that a pre-construction clearance survey be conducted immediately prior to construction to ensure no owls have migrated onto the site.

No suitable habitat (i.e. burrows) or other man-made structures (e.g. pipes, concrete refuge) that would be suitable for burrowing owl occupancy (i.e. roosting) were observed during the habitat assessment. However, marginal, low quality burrowing owl foraging habitat (i.e. scattered pockets of non-native grassland) was found within the Project site (Amec(a), p. 5-14). Therefore, focused urrow surveys were conducted concurrently by Amec in May 2018 in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside MSHCP* ([County of Riverside, 2006], Appendix D.2). The area surveyed included the entire Project site in addition to all suitable habitat within 500-feet of the Project site boundary. Site surveys were conducted on the following days: May 14, May 16, May 22, and May 24. The focused survey found nine suitable burrows within the survey area. No burrowing owls were observed during the focused burrowing owl surveys of the Project site or buffer area. Some fossorial animal burrows were found along the fence line adjacent to the Project site; however, no burrow showed characteristic signs of burrowing owl occupancy, such as excrement, pellets or feathers. At the present time, the burrowing owl is considered to be absent from the Project site and surrounding buffer area.(Amec(e), p. 5-1). A pre-construction clearance survey as required by the MSHCP will, however, be conducted immediately prior to construction to ensure no owls have migrated onto the Project site.

Mammals

Of the seven special status mammal species known to occur within the vicinity of the study area, the Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*) is the only one considered to be absent due to a lack of suitable habitat and no recorded occurrences in the Project area (Amec(a), p. 5-18). Extensive suitable habitat is within the Project study area for the San Diego black-tailed jackrabbit, which was observed on-site during the field survey and a covered species under the MSHCP.

Potential habitat is present on-site for the following three mammalian species that are not covered by the MSHCP but have a moderate potential to occur: pallid bat (*Antrozous pallidus)*, pallid San Diego pocket mouse (*Chaeutopidus fallax pallidus*) and American

badger (*Taxidea taxus*). Suitable foraging habitat of low quality (i.e. not roosting habitat such as rocky areas) is present onsite for the pallid bat (a California Species of Special Concern). Suitable habitat for the pallid San Diego pocket mouse (a California Species of Special Concern) was observed within Drainage 1/Ramsey Street Wash in the southwest corner of the Project site. The American badger (a California Species of Special Concern) is known to occur in large open-space areas throughout the San Gorgonio Pass area. Although no evidence of badgers was observed during the field survey, the presence of this species cannot be completely ruled out based on the size of suitable habitat within the Project site (Amec(a), p. 5-14).

In the off-site improvement area, the sewer lift station and a portion of the proposed water line and proposed sewer line, south of the Project site, were originally located within the MSHCP-required survey area and for Los Angeles pocket mouse (*Perognathus longimembris brevinasus* [LAPM] see **Figure 4.3-3**) and some marginally suitable habitat. The Los Angeles pocket mouse (LAPM) is a California Species of Special Concern and a covered species under the MSHCP. The location of the lift station and utility lines have been moved to avoid the LAPM survey area and the marginally suitable habitat (Amec(a), p. 5-21).

The special status invertebrates, amphibians, reptiles, birds, and mammals known to occur within the vicinity of the Biological Survey Area and their potential for occurrence on site are listed in **Table 4.3-B – Special Status Animals.** The southern mountain yellow-legged frog and least Bell's vireo are the only two animal species that are listed in **Table 4.3-B** as state endangered or threatened per the California Endangered Species Act. Neither species is present on the Project site.

Table 4.3-B – Special Status Animals

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Invertebrates			
Bombus crotchii Crotch bumble bee	F: ND C: S1 S2 MSHCP: No	Occurs in open grassland and scrub habitats. Host plants include Asclepias, Chaenactis, Lupinus, Medicago, Phacelia, and Salvia sp.	Low. Little is known about this species preferred habitat, but food plants occur on-site & records are scattered around the BSA.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Stenopelmatus cahuilaensis Coachella Valley Jerusalem cricket	F: ND C: S1 S2 MSHCP: No	Desert dune habitats	Absent. No suitable habitat in BSA. No recorded occurrences in the vicinity.
Amphibians			
Rana muscosa Southern mountain yellow-legged frog	F: END C: END, WL MSHCP: Yes	Aquatic habitats with sloping banks with rocks and vegetation to the water's edge. Seldom found away from water.	Absent. No suitable habitat in BSA. No recorded occurrences in the vicinity.
Spea hammondii western spadefoot	F: BLM C: SSC, S3 MSHCP: Yes	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Absent. No vernal pool or ponded habitat in BSA. No recorded occurrences in the vicinity.
Reptiles			
Arizona elegans occidentalis California (coastal) glossy snake	F: ND C: SSC, S2 MSHCP: No	Reported from a range of scrub and grassland habitats, often with loose or sandy soils.	Moderate. Suitable habitat present in BSA.
Aspidoscelis hyperythra (Belding's) orange-throated whiptail	F: FS C: WL, S2S3 MSHCP: Yes	Prefers chaparral, coastal sage scrub, juniper woodland, and oak woodland.	High. Known from recent records in vicinity of BSA. Ample suitable habitat in BSA.
Aspidoscelis tigris stejnegeri coastal western whiptail	F: ND C: SSC, S3 MSHCP: Yes	Wide variety of habitats including coastal sage scrub, sparse grassland, and riparian woodland; coastal and inland valleys and foothills; Ventura County to Baja California.	High. Suitable habitat present in BSA.
Crotalus ruber (northern) red-diamond rattlesnake	F: FS C: SSC, S3 MSHCP: Yes	Chaparral, woodland, grassland, & desert areas. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	High. Suitable habitat present in BSA.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Phrynosoma blainvillii coast (San Diego) horned lizard	F: BLM C: SSC, S3S4 MSHCP: Yes	Occurs in many scrub and woodland habitats, grasslands; loose soils. Prefers open country, especially sandy areas, washes, and floodplains. Requires open areas for sunning, bushes for cover, ants.	Moderate. Potential habitat patches present in BSA.
Birds			
Aimophila ruficeps canescens Southern California rufous-crowned sparrow	F: MBTA C: WL, S3, FGC MSHCP: Yes	Steep, rocky coastal sage scrub and open chaparral habitats, particularly scrubby areas mixed with grasslands. From Santa Barbara County to northwestern Baja California.	High. Suitable habitat present in BSA and there are recent nearby records.
Athene cunicularia burrowing owl	F: BCC, BLM, MBTA C: SSC, S3, FGC MSHCP: Yes	Occupies ground squirrel burrows in open, dry grasslands, agricultural, railroad rights-of-way, and margins of highways, golf courses, and airports. Often utilizes man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles. Nests in burrows, drainpipes, and piles of debris in grasslands, scrub habitats, and agricultural areas.	Low. Potential habitat scattered throughout BSA, but no suitable burrows. Recorded to occur within 5- miles of the site.
Buteo regalis ferruginous hawk	F: BCC, MBTA C: WL, S3S4, FGC MSHCP: Yes	Open terrain, grasslands, deserts.	Nesting: Absent BSA not in breeding range. Foraging: Moderate In winter and migration.
Eremophila alpestris actia California horned lark	F: MBTA C: WL, S4, FGC MSHCP: Yes	Open grasslands and fields, agricultural area, open montane grasslands with very short or no vegetation, including bare agricultural fields. During the breeding season, this species is found in short grassland, short-stature sage shrubland, and desert habitat.	Present. Observed in isolated patches of grasslands and disturbed roads in BSA.
Lanius ludovicianus loggerhead shrike	F: BCC, MBTA C: SSC, S4, FGC MSHCP: Yes	Found in open habitats with widely spaced vegetation.	Present. Observed in the southeastern corner of the BSA.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Polioptila californica californica coastal California gnatcatcher	F: **THR**, MBTA C: SSC, S2, FGC MSHCP: Yes	Inhabits sage scrub in low-lying foothills and valleys, and sparse chaparral habitats.	Moderate. Potential habitat patches present in BSA. Amec Foster Wheeler surveys in the surrounding area in recent years have found the species, but not observed on-site. The BSA is located at the eastern extent of this species range.[2]
Progne subis purple martin	F: MBTA C: SSC, S3, FGC MSHCP: Yes	Inhabits woodlands, coniferous forest often in tall, isolated tree/snag.	Absent. No suitable habitat in BSA, remnant population in our area breeds in montane settings.
Setophaga petechia yellow warbler	F: BCC, MBTA C: SSC, S3S4, FGC MSHCP: Yes	Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash,& alders	Absent. No recorded occurrences within the project site and no suitable habitat within the BSA.
Toxostoma lecontei LeConte's thrasher	F: BCC C: CSC (San Joaquin population only) State rank: S3 MSHCP: No	Resident of open desert wash, scrub, alkali scrub, succulent scrub habitats, nests in dense spiny shrubs and cacti in washes	Absent. (Site lacks dense, spiny shrubs for nesting habitat).

[2] The coastal California gnatcatcher is a fully covered species under the Western Riverside County MSHCP and because the City of Banning is a Permittee under the MSHCP, the City has Take over fully covered species including the coastal California gnatcatcher.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Vireo bellii pusillus least Bell's vireo	F: END, MBTA C: END, S2, FGC MSHCP: Yes	Inhabits riparian forests and willow thickets. Nests from central California to northern Baja California and winters in southern Baja California.	Absent. No recorded occurrences within the project site and no suitable habitat within the BSA.
Mammals			
Antrozous pallidus pallid bat	F: BLM, FS C: SSC, S3 WBWG: H MSHCP: No	Deserts, grasslands, shrublands, woodlands & forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	Moderate. Potential foraging habitat is present, but no roosting areas present.
Chaetodipus fallax fallax Northwestern San Diego pocket mouse	F: ND C: SSC, S3S4 MSHCP: Yes	Found in sandy herbaceous areas, usually associated with rocks or coarse gravel in coastal scrub, chaparral, grasslands, and sagebrush.	Moderate. Highest probability in the BSA is within the active wash area south of the project site.
Chaetodipus fallax pallidus Pallid San Diego pocket mouse	F: ND C: CSC State rank: S3S4 CVMSHCP: No	Found in sandy herbaceous areas, usually associated with rocks or coarse gravel in desert wash, desert scrub, desert succulent scrub, pinyon-juniper woodlands, etc. in desert border areas of Southern California into Mexico.	Moderate. Marginal quality sandy habitat only occurs within Drainage 1/Ramsey Street Wash in the southwest corner of the Project site. No succulent scrub, or pinyon- juniper woodlands occur on-site.
Lepus californicus bennettii San Diego black-tailed jackrabbit	F: ND C: SSC, S3S4 MSHCP: Yes	Variety of habitats including herbaceous and scrub areas, early stages of open forest and chaparral. Most common in relatively open habitats. Restricted to the cismontane areas of Southern California.	High. Extensive suitable habitat in the BSA, seen by Amec biologists in the general area.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability
Perognathus longimembris brevinasus Los Angeles pocket mouse	F: ND C: SSC, S1S2 MSHCP: Yes	Lower elevation grasslands and coastal sage communities in and around the Los Angeles Basin on open ground with fine, sandy soils.	Moderate. Highest probability in the BSA at the southeast corner of the shared utility line.
Taxidea taxus American badger	F: ND C: SSC, S3 MSHCP: No	Inhabits areas herbaceous, shrub, and open stages of most habitats with dry, friable soils.	Moderate. Where contiguous open habitats are present in the BSA.
Xerospermophilus tereticaudus chlorus Palm Springs round-tailed ground squirrel.	F: ND C: SSC, S2 MSHCP: No	Chenopod scrub, Sonoran desert scrub	Absent. No recorded occurrences within the project site and no suitable habitat within the BSA.

Source: Amec(b), pp. 5-15 – 5-18

Notes:

BSA = Biological Survey Area.

Definitions of occurrence probability:

Occurs: Observed on the site by Amec Foster Wheeler biologists, or recorded on-site by other qualified biologists.

High: Observed in similar habitat in region by qualified biologists, or habitat on the site is a type often utilized by the species and the site is within the known range of the species.

Moderate: Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species.

Low: Site is within the known range of the species but habitat on the site is rarely occupied by the species.

Absent: A focused study failed to detect the species, or, no suitable habitat is present.

Unknown: Distribution and habitat use has not been clearly determined.

Federal designations: (F = federal Endangered Species Act or federal agency designations)

END: Federally listed, Endangered

THR: Federally listed, Threatened

CAN: Candidate for Federal listing

MBTA: Migratory Bird Treaty Act

BEPA: Bald Eagle Protection Act (also protects Golden Eagles)

BCC: Birds of Conservation Concern

BLM = Bureau of Land Management Sensitive

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability

FS: Forest Service sensitive

ND: No designation

State designations: (C = California Endangered Species Act or CDFG designations)

END: State listed, Endangered

THR: State listed, Threatened

CAN: Candidate for State listing

RARE: State listed, Rare

FP: Fully Protected Species

SSC: Species of Special Concern

WL: Watch List Species

FGC: Bird species protected by Fish and Game Code

ND: No designation

CDFW state rankings are a reflection of the overall condition of an element throughout its California range. The number after the decimal point represents a threat designation attached to the rank:

S1 = Critically Imperiled. Less than (<) 6 Element Occurrences (EOs) OR < 1,000 individuals OR < 2,000 acres

S1.1 = very threatened

S1.2 = threatened

S1.3 = no current threats known

S2 = Imperiled. 6-20 EOs OR 1,000-3,000 individuals OR 2,000-10,000 acres

S2.1 = very threatened

S2.2 = threatened

S2.3 = no current threats known

S3 = Vulnerable. 21-80 EOs OR 3,000-10,000 individuals OR 10,000-50,000 acres

S3.1 = very threatened

S3.2 = threatened

S3.3 = no current threats known

S4 = Apparently Secure. Uncommon but not rare in the state; some cause for long-term concern.

S5 = Secure. Common, widespread, and abundant in the state.

SH = All known California sites are historical, not extant

MSHCP designations (Riverside County only)

Yes: Covered by the plan

No: Not covered by the plan

Western Bat Working Group (WBWG) designations:

H = High: Species which are imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats.

Species	Protective Status (F=Federal; C=California)	Habitat	BSA Occurrence Probability

M: = Medium: Species which warrant a medium level of concern and need closer evaluation, more research, and conservation actions of both the species and possible threats. A lack of meaningful information is a major obstacle in adequately assessing these species' status and should be considered a threat.

L: = Low: Species for which most of the existing data support stable populations, and for which the potential for major changes in status in the near future is considered unlikely. There may be localized concerns, but the overall status of the species is believed to be secure. Conservation actions would still apply for these bats, but limited resources are best used on High and Medium status species.

P: = Periphery: This designation indicates a species on the edge of its range, for which no other designation has been determined.

- **Wildlife Corridors**

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. They typically contain suitable cover, food, and/or water to support species and facilitate movement while in the corridor. The Project site does not lie within any designated MSHCP core linkages or proposed linkages; the nearest designated MSHCP core linkage lies approximately nine miles east (i.e., Constrained Linkage 22).

The Project site is, however, located within a MSHCP designated Special Linkage Area (SLA 99), as shown in **Figure 4.3-3**. The Special Linkage designation was placed in only a couple areas within the MSHCP acknowledging that there were special circumstances that made these areas not readily available to classify as a "Linkage or Proposed Constrained Linkage" in the MSHCP. However, the Special Linkages, like the Linkages and Proposed Constrained Linkages in the MSHCP are meant to connect Core habitat areas and provide live-in habitat where warranted. The SLA 99 is intended to connect land south of I-10 to lands north of I-10 and ultimately provide for a connection from the San Bernardino Mountains to the San Jacinto Mountains. As stated in the MSHCP, "This Special Linkage Area will contribute to assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage." The MSHCP requires projects within the SLA to assess during the California Environmental Quality Act (CEQA) process whether the proposed Project has connecting habitat for providing a corridor for wildlife movement. Environmental documentation prepared by the City for projects within this SLA will be forwarded to the Regional Conservation Authority (RCA) for informational purposes to provide for MSHCP coordination regarding this area (MSHCP, Sec. 3.0, p. 146).

- **Jurisdictional Resources**

Jurisdictional resources include for example, ephemeral washes in arid areas, isolated waters, wetlands, and vernal pools which are afforded special protections by the local Regional Water Quality Control Board (RWQCB), CDFW, and/or United States Army Corps of Engineers (USACE).

The Project site contains six drainage features that meet the requirements to be considered riverine areas (pursuant to the MHSCP) and potentially jurisdictional waterss of the U.S. and/or state (pursuant to the Clean Water Act and state Fish and Game Code). A jurisdictional delineation report was prepared to assess the impacts to drainage features within the Project site (Amec(b)). All of the drainage features that flow onto the Project site originate from natural run-off and sheet flow from north of the I-10 and railroad, as shown in **Figure 4.3-4 – Jurisdictional Delineation Features**. Flows are conveyed beneath the I-10 and railroad tracks through culverts and enter the northern boundary of the Project site. The drainage features, as they begin to flow within the Project site are within relatively undisturbed earthen channels which then flow off-site within earthen channels or sheet flow (Amec(b), p. 3-1). Photos of all drainages are included in **Figures 4.3-5a** through **4.3-5c – Site Photos**. Ramsey Street Wash (Drainage 1) is the largest of the drainages and crosses the southwest corner of the warehouse site.

Runoff from the Project site generally flows southeast for approximately a half mile before entering Smith Creek (Amec (b), p. 4-9). Please refer to Section 4.6 – Hydrology for descriptions of the local hydrology. Smith Creek (not located on the site) eventually flows outside of the Western Riverside County MSHCP area to the east and into the Cabazon Conservation Area of the Coachella Valley MSHCP, the boundary of which begins approximately one mile to the east of the site. This Project is not within the Coachella Valley MSHCP. Fluvial transport of sand (i.e. transport by way of river or wind) into the Cabazon Conservation Area from the mountains and foothills around the Coachella Valley is a conservation goal of the Coachella Valley MSHCP; it is not a conservation goal of the western Riverside MSHCP. Although the onsite riverine features connect hydrologically to the Cabazon Conservation Area, there is no requirement under the Western Riverside County MSHCP to address sand transport. The main drainage feature that provides sediment transport, Ramsey Street Wash, is being avoided by the Project.

All drainage features at the Project site contain sandy soils with gravel, cobbles, and boulders. There is no evidence of hydric soils and no wetland hydrology indicators.

Although some riparian vegetation occurs along the edges of the drainage features, the majority of the channels are relatively un-vegetated. All six drainage features are considered non-wetland waters of the U.S. and State, as well as riverine features under Section 6.1.2 of the MSHCP (Amec (a), p. 5-3).

A total of six trees that are all associated with some of the existing drainage features, are located within the Project footprint, as shown on **Figure 4.3-6 – Existing Trees**. As described in the *Mature Tree Assessment Report* provided in Appendix F, none of these trees are more than 50 years old, based on a review of historical aerial photos. They consist of three peppertrees (*Schinus molle*), one arroyo willow (*Salix lasiolepis*), one black willow (*Salix goodingii*), and one Freemont's cottonwood (*Populus fremontii).* (Amec(d), p. 2).



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Source: Fig. 5, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017

Figure 4.3-4 - Jurisdictional Delineation Features

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Photo 1 - Looking west at Drainage 1 (off-site) from the western boundary of the Project site.



Photo 2 - Looking east at Drainage 1 from the southwestern corner of the main Project site.



Photo 3 - Looking north at Drainage 2. Railroad tracks are in the background.



Photo 4 - Looking south at Drainage 3 from the northern portion of the Project site.



Source: Appendix A, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017

Map revised 5/9/2018. G:\2017\17-0122\GIS\Bio Hydro\Site_Photos_a.mxd

Figure 4.3-5a - Site Photos
Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Photo 5 - Looking north at Drainage 3. Fence line marks the western property boundary.



Photo 6 - Looking north at Drainage 4 from the western portion of the main Project site.



Photo 7 - Looking southeast at Drainage 5 near the northeastern corner of the Project site.



Map revised 5/9/2018. G:\2017\17-0122\GIS\Bio Hydro\Site_Photos_b.mxd

Source: Appendix A, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017

Figure 4.3-5b - Site Photos
Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Photo 8 - Looking north at Drainage 5 from the eastern portion of the Project site.



Photo 9 - Looking west at Drainage 6 from the southeastern corner of the utility line.



Photo 10 - Looking east at Drainage 6 from the western extent of the utility line.

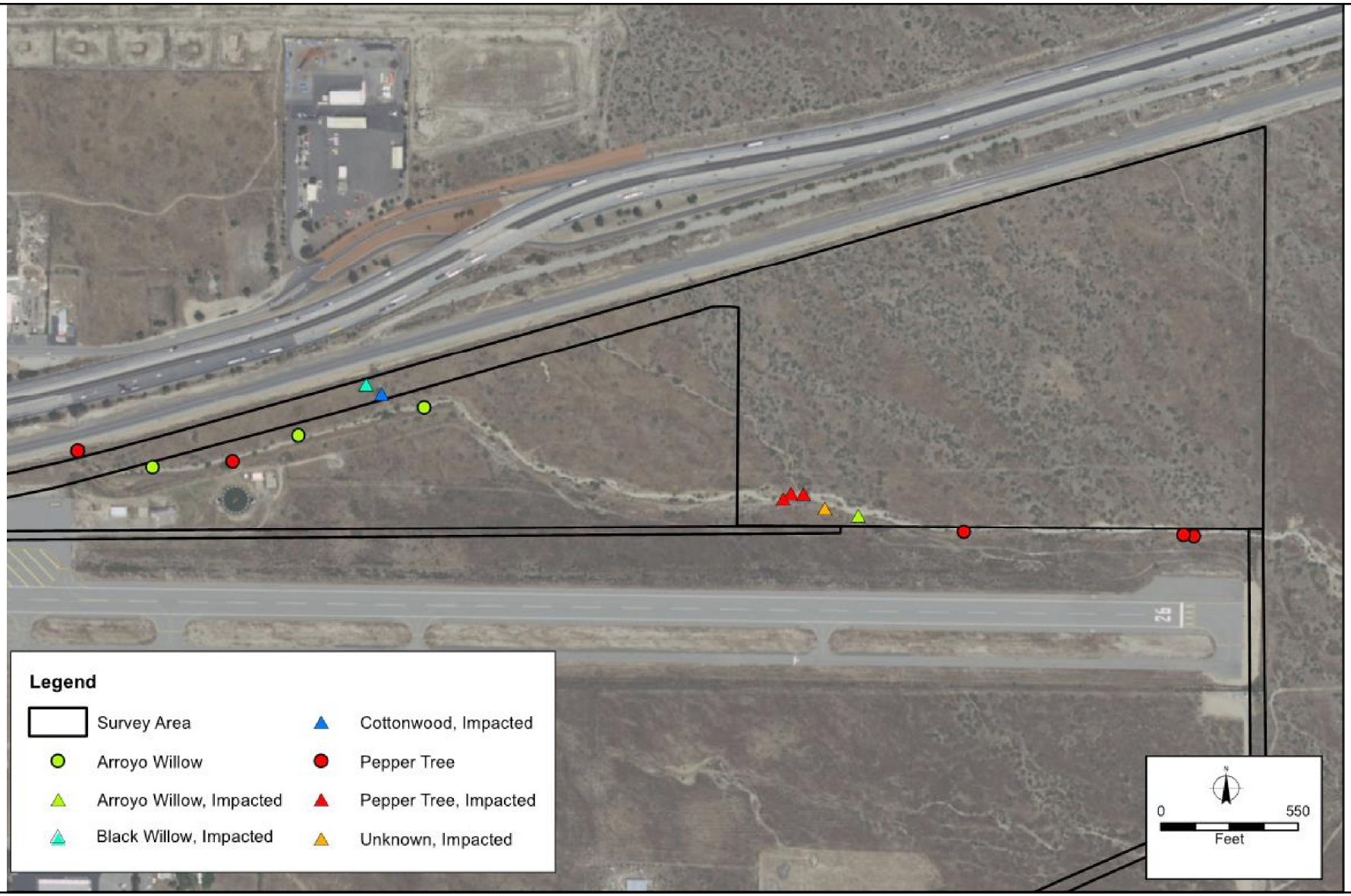


Source: Appendix A, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017

Map revised 5/9/2018. G:\2017\17-0122\GIS\Bio Hydro\Site_Photos_c.mxd

Figure 4.3-5c- Site Photos
Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



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Source: Fig. 2, Amec Foster Wheeler, Mature Tree memo, Dec. 2017

Figure 4.3-6 - Existing Trees on Site

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

4.3.3 REGULATORY SETTING

- **Federal**

  - **Endangered Species Act**

The federal Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.) prohibits "take" (harm or harassment [including to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct] of individuals of a protected species and, under certain circumstances, the destruction of habitat) of a federally listed endangered or threatened species and will require incidental take permits or authorization. All proposed development projects throughout the State are required to avoid known occurrences of listed plants and habitat for listed wildlife species or otherwise mitigate potential impacts to these species. In the County of Riverside, mitigation is accomplished through the requirements of Section 6 of the MSHCP (pp. 6-1 – 6-118).

  - **Migratory Bird Treaty Act**

The federal Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. Many areas in the Project vicinity (exceptions include portions of the "developed" areas) provide foraging habitat for many bird species, including special-status birds. The loss of foraging habitat is covered and mitigated for through participation with the MSHCP. Direct impacts to raptors and other migratory birds, including their active nests, are prohibited through the MBTA. The proposed Project will be required to comply with the MTBA, which prohibits the take of migratory and native bird species or their nests considered to utilize the site.

  - **Bald and Golden Eagle Protection Act**

The Bald and Golden Eagle Protection Act prohibits anyone without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." In addition to immediate impacts, the definition of "disturb" also covers impacts that result from human-induced alterations

initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

- **Clean Water Act**

The State of California regulates compliance with the federal Clean Water Act (CWA). Several sections of the CWA are pertinent to the Project, including: Section 401 (Water Quality Certification for discharges to regulated waters when a federal permit is also required), Section 402 (National Pollutant Discharge Elimination System), and Section 404 (discharges of dredged or fill material into waters of the U.S., including wetlands). Section 404 is administered by the U.S. Army Corps of Engineers (USACE). "Waters of the United States" are defined in USACE regulations at 33 C.F.R. Part 328.3(a). Navigable waters of the United States are those waters of the United States that are navigable in the traditional sense. Waters of the United States is a broader term than navigable waters of the United States and includes adjacent wetlands and tributaries to navigable waters of the United States and other waters where the degradation or destruction of which could affect interstate or foreign commerce. Wetlands generally include swamps, marshes, bogs, and similar areas (33 C.F.R Part 328.3(b)).

- **State**

- **California Endangered Species Act**

California Endangered Species Act (Fish and Game Code 2050 et seq.) (CESA) establishes that it is the policy of the state to conserve, protect, restore, and enhance Threatened or Endangered species and their habitats. CESA mandates that state agencies should not approve projects which would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. CESA requires state lead agencies to consult with the California Department of Fish and Wildlife (CDFW) during the CEQA process to avoid jeopardy to threatened or endangered species. CESA prohibits any person from taking or attempting to take a species listed as endangered or threatened (Fish and Game Code Section 2080). Section 2080 provides the permitting structure for CESA. The "take" of a state listed endangered or threatened species or candidate species will require incidental take permits as authorized by the CDFW.

- **California Fish and Game Code**

The CDFW, under Section 1600 of the Fish and Game Code, regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake, which supports fish or wildlife. CDFW defines a stream, including creeks and rivers, as "a body of water that flows at least periodically or intermittently through a bed or channel having surface or subsurface flow that supports or has supported riparian vegetation." Lakes under the jurisdiction of CDFW may also include man-made features.

California Fish and Game Code – Section 3503, Section 3511, and Section 3513

The CDFW administers the state Fish and Game Code. There are particular sections of the Fish and Game Code that are applicable to natural resource management. The following are pertinent to the Project: Section 3503 of the Fish and Game Code states it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird that is protected under the MBTA. The ish and Game Code Section 3503.5 further protects all birds in the orders Falconiformes and Strigiformes, birds of prey such as hawks and owls, and their eggs and nests from any form of take. The Fish and Game Code Section 3511 lists fully protected bird species where the CDFW is unable to authorize the issuance of permits or licenses to take these species, which includes the golden eagle. Lastly, Fish and Game Code Section 3513 states it is unlawful to take or possess any migratory nongame bird (or part thereof) as designated in the Migratory Bird Treaty Act (MBTA) except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

- **Porter-Cologne Water Quality Control Act**

The Porter-Cologne Water Quality Control Act gives Regional Water Quality Boards (RWQCB) broad authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. The RWQCB shares the USACE's methodology for delineating the limits of jurisdiction based on the identification of Ordinary High Water Mark indicators and utilizing the three-parameter approach for wetlands. The project site is located within the jurisdiction of the Colorado River Basin Regional Water Quality Control Board, which is located in Palm Desert.-Please refer to Section 4.6.3 in the Hydrology and Water Quality section of the DEIR for further regulatory discussion related to the Porter-Cologne Water Quality Control Act.

- **Regional**

    - **Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)**

The MSHCP serves as a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP), pursuant to Section (a)(1)(B) of the federal Endangered Species Act of 1973, as well as a Natural Communities Conservation Plan (NCCP) under the State NCCP Act of 2001. The MSHCP "encompasses all unincorporated Riverside County land west of the crest of the San Jacinto mountains to the Orange County line, as well as the jurisdictional areas of the Cities of Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto." The overall biological goal of the MSHCP is to conserve covered species and their habitats, as well as maintain biological diversity and ecological processes while allowing for future economic growth within a rapidly urbanizing region. (MSHCP, pp. 1-1 – 1-4)

Federal and state wildlife agencies approved permits required to implement the MSHCP on June 22, 2004. The City of Banning is signatory to the Implementing Agreement of the MSHCP, and as such, the City must demonstrate that proposed actions within its jurisdiction are consistent with the MSHCP and its associated Implementing Agreement. The MSHCP is intended to ultimately conserve approximately 500,000 acres of habitat, including land already in public or quasi-public ownership and about 153,000 acres of land in private ownership that will be purchased or conserved through other means.

The MSHCP includes a program for the collection of development mitigation fees, which in conjunction with state and federal funds finance the purchase of private lands for preservation, policies for the review of projects in areas where habitat must be conserved, and policies for the protection of riparian areas, vernal pools, and narrow endemic plants. It also includes a program for performing plant, bird, reptile, and mammal surveys.

The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the cost and delays of mitigating biological impacts on a project-by-project basis. It would allow the incidental take of currently listed species and their habitat from development and covered improvement projects. It would also allow the incidental take of species that might be listed in the future.

The area encompassed by the MSHCP is divided into 16 Area Plans; the cities of Banning, Beaumont, and Calimesa are entirely within The Pass Area Plan. The Pass Area

Plan identifies target acreages for conservation, applicable Cores and Linkages, Area Plan Subunits and conservation Criteria. The target conservation range within the City of Banning is 50 to 90 acres.

- **Local**

  - **City of Banning General Plan**

Biological Resources Element

The Biological Resources Element of the City of Banning General Plan contains policies and objectives that are considered applicable to the proposed Project, as identified below:

Goal	A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.
Policy 1	The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.
Policy 2	As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land's value as viable open space.
Policy 3	The City shall encourage and cooperate with other agencies in establishing multiple use corridors that take advantage of drainage channels and utility easements as wildlife corridors, public access and links between open space areas and the built environment.
Policy 4	Drainage channels, utility corridors and pipeline easements shall be preserved in natural open space to the greatest extent possible.
Policy 5	The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.

  - **City of Banning Municipal Code**

The following are summaries of chapters and sections of the City's Municipal Code which are pertinent to the proposed Project. The entirety of the Municipal Code (codified through Ordinance No. 1515, adopted October 10, 2017) is available online at https://library.municode.com/ca/banning/codes/code_of_ordinances.

Chapter 12.52 – Western Riverside County Multiple Species Habitat Conservation Plan

The purpose and intent of this chapter is to maintain and restore biological diversity and the natural ecosystem processes which support this diversity, to protect vegetation communities and natural areas within the city and/or Western Riverside County which support species covered under the MSHCP; to maintain a future of economic development within the city by providing a streamlined regulatory process from which development can proceed in an orderly process; and to protect the existing character of the city and the region through the implementation of a system of reserves which will provide for permanent open space, community edges, and habitat conservation for species covered by the MSHCP.

Chapter 17.32 – Landscaping Standards

The purpose of this chapter is to establish landscaping regulations that are intended to:

a. Protect and preserve the natural environment in the City of Banning, and to incorporate green space, vegetation, and shade into the urban landscape.
b. Enhance the aesthetic appearance of development in all areas of the City by providing standards for quality, quantity and functional aspects of landscaping and landscape screening.
c. Reduce the heat and glare generated by development
d. Increase the compatibility between residential land uses and those abutting commercial and industrial land uses.
e. Provide privacy within residential developments, and to provide privacy on the perimeter of residential areas from various residential, commercial or other uses outside of the development.
f. Protect the public health, safety and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, screening incompatible land uses, preserving the integrity of neighborhoods, and enhancing pedestrian, cyclist and vehicular traffic and safety.
g. Increase the livability of the City of Banning for children, adults, and visitors.

Section 17.32.060 – Removal or Destruction of Trees

a. Removal of healthy, shade providing, and aesthetically valuable trees shall be strongly discouraged, and shall be in conformance with the policies and programs of the General Plan. A tree removal and replacement plan shall be required for the removal and replacement of all trees in excess of 50 years of age, unless their removal is required to protect the public health and safety.

b. Each tree that is removed in a new subdivision is considered a part of the common wealth of the citizens of Banning, is an important component of the habitat of surrounding wildlife, and is of value to the City. Each identified tree removed shall be replaced with at least one 36 inch box specimen tree, in addition to any other required landscaping. Individual single family residential lots of less than one-half acre and commercial tree farms shall be exempt from this provision. (Zoning Ord. dated 1/31/06, § 9108.06.)

- **Other Plans, Regulations or Ordinances**

There are no other local regulations or ordinances that pertain to biological resources.

4.3.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. The cumulative impact analysis for the proposed Project is based on information contained in the City of Banning General Plan (Banning GP) and City of Banning General Plan Draft Environmental Impact Report (Banning GP EIR) (SCH No. 2006011039) certified by the City Council on January 31, 2006 and is hereby incorporated by reference. The Banning GP EIR is available for review at the locations cited for these documents in Section 4.3.10 (References) of this Section.

The geographical context for the analysis of cumulative biological impacts is the area encompassed by The Pass Area Plan of the MSHCP including the projects listed in **Table 3-B – Cumulative Projects within the Study Area in 2019** located in Section 3.0 (Project Description) of this DEIR, which accounts for all anticipated cumulative growth within this geographic area.

4.3.5 PROJECT DESIGN FEATURES

The proposed Project will avoid the majority of Drainage 1/Ramsey Street Wash that is within the boundary of the Project site. A secondary fire emergency access road and ford crossing that is approximately 30-feet wide and 210-feet long will be graded and covered in gravel from the warehouse parking lot and across Drainage 1/Ramsey Street Wash to the Banning Airport property (see **Figure 4.3-7 – Proposed Condition** and **Figure 3-9 – Landscape Plan (Project Description)**).

The Project includes relocating the segment of Drainage 3 located in the southwest corner of the warehouse site to flow around the site. In addition, the Project includes

widening of Drainage 5 located in the northeast corner of the warehouse site. As described in the DBESP (Appendix E), to mitigate Project impacts to Drainages 1, 3, and 5, the Project will construct two on-site habitat mitigation earthen drainage channels – one in the southwest corner and the other in the northeast corner of the warehouse site - to replace the biologic and hydrologic functionality of the washes. The proposed on-site habitat creation/restoration areas will vary from 20 to 50 feet wide with a total combined length of 1,987 linear feet, totaling approximately 1.2 acres (**Figure 4.3-7**).

The proposed Project will incorporate measures to minimize impacts to neighboring open space lands that are consistent with the MSHCP Section 6.1.4 Urban/Wildlands Interface Guidelines. In particular, all on-site stormwater and incidental runoff is being designed to be captured and infiltrated onsite, thus minimizing water quality and erosional impacts to downstream waterbodies. All onsite night lighting will comply with the City's Municipal Code Section 17.12.170(D) that requires light shielding for exterior lights to point downward and away from adjoining properties. In addition, the warehouse will not have dock doors on the east side of the building that faces Tribal land/open space, which will reduce night lighting and potential noise impacts from onsite vehicles. As shown on the site plans and specifications, the entire warehouse facility will be fenced with a security gate at the entrance from future John Street. Fencing will discourage activities that could adversely impact the mitigation channels, including the entry of domestic animals, illegal dumping and human intrusion. Lastly, grading cannot extend into Tribal land or city-owned property (i.e. Banning Airport), therefore manufactured slopes will not extend into off-site open space.

These design features will act to avoid or minimize potential impacts to surrounding biological resources.

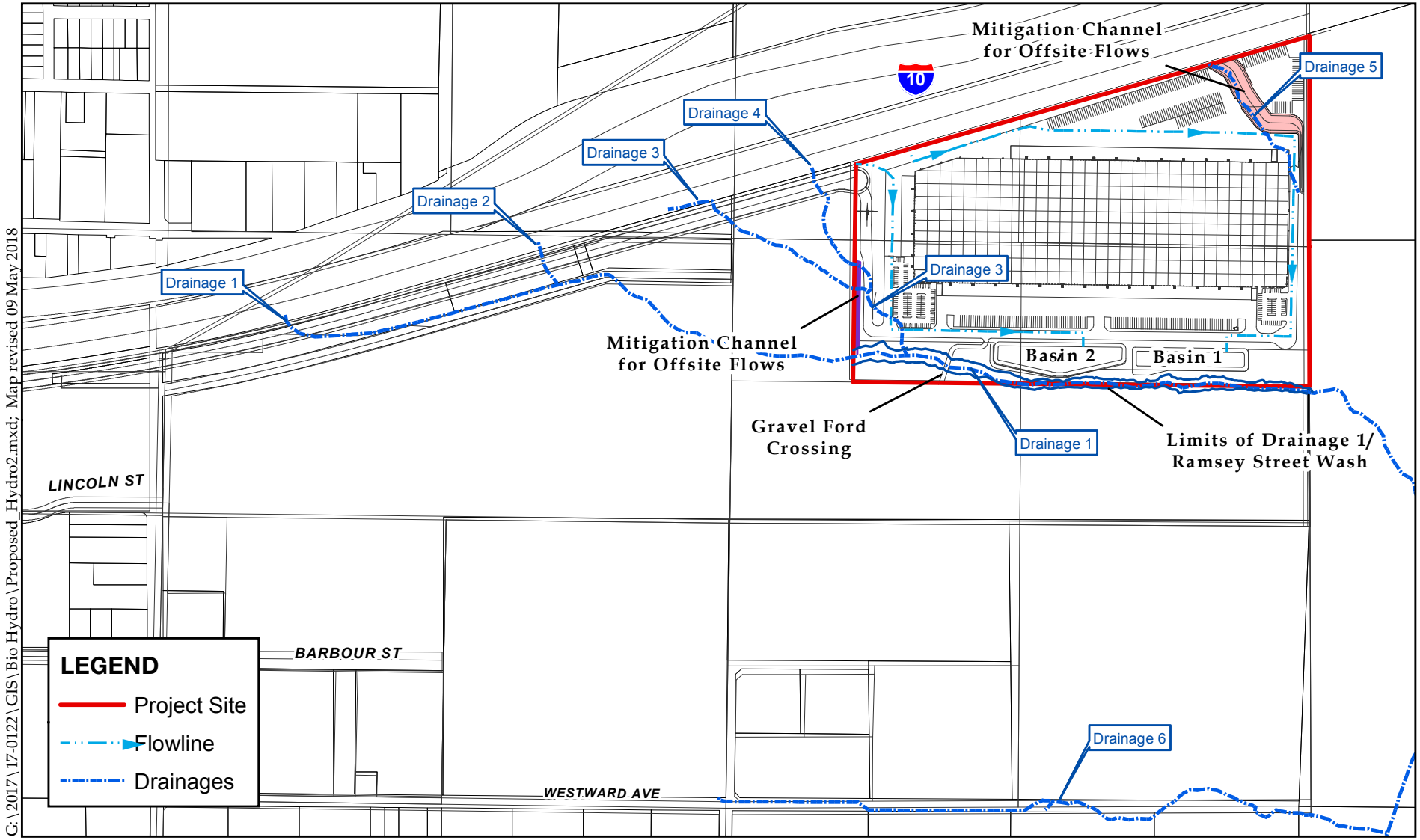


Figure 4.3-7 - Proposed Condition

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4.3.6 THRESHOLDS OF SIGNIFICANCE

In accordance with the requirements of the CEQA, the Project may be deemed to have a significant impact with respect to biological resources if it would:

- (Threshold 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 the U.S. Fish and Wildlife Service;
- (Threshold B) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;
- (Threshold 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) through direct removal, filling, hydrological interruption, or other means;
- (Threshold D) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or establish native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- (Threshold E) Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance;
- (Threshold F) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.

4.3.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Biological Resources Element

Impact Analysis:

The Project's consistency with the applicable biological resource goals and policies from the City's General Plan is provided in **Table 4.3-C – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.3-C – Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Goals and Policies		
Policy No.	**Goal or Policy**	**Statement of Consistency**
Biological Resources Element		
Goal	*A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.*	The proposed warehouse building is located where the City has planned for industrial land uses, and will be compatible with the activities at the existing Banning Municipal Airport, the I-10 freeway and Union Pacific Railroad line. Consequently, the Project will be consistent with this goal and have less than significant impacts related to the appropriate pattern of community development.
Policy 1	*The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.*	The Project will mitigate impacts to on-site drainage channels through creation of new earthen drainage channels. Also, offsite utilities have been relocated to avoid potential habitat for a sensitive species, the LAPM. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the City's continued participation in the preservation of habitat.
Policy 2	*As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land's value as viable open space.*	Biological assessments that evaluate Project impacts to plants, animals and wildlife corridors have been prepared. Offsite utilities are located to avoid potential impacts to wildlife. Mitigation for impacts to drainages is considered biologically equivalent or superior preservation of the functions and values currently provided by those drainages. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the City's evaluation of impacts on existing biological resources.
Policy 3	*The City shall encourage and cooperate with other agencies in establishing multiple use corridors that*	The Project will not change the biological function and value of Ramsey Street Wash and two unnamed drainages located onsite. The drainages within the alignment of future John

Consistency with City of Banning General Plan Goals and Policies		
Policy No.	**Goal or Policy**	**Statement of Consistency**
	take advantage of drainage channels and utility easements as wildlife corridors, public access and links between open space areas and the built environment.	Street will include drainage culverts that will allow movement of wildlife. The biological documentation and MSHCP fees will be provided, as required. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the City's effort to establish multiple-use corridors between open space areas and the built environment.
Policy 4	*Drainage channels, utility corridors and pipeline easements shall be preserved in natural open space to the greatest extent possible.*	The Project will not change the biological function and value of Ramsey Street Wash and two unnamed drainages located onsite. The drainages within the alignment of future John Street will be culverted. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the preservation of drainage channels, utility corridors and pipeline easements in natural open space.
Policy 5	*The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.*	Project development will provide site design features, including avoidance of Ramsey Street Wash, as well as payment of MSHCP fees. Mitigation measures including preconstruction biological surveys for nesting birds and burrowing owls will ensure the site is clear before construction begins. Mitigation also includes obtaining appropriate regulatory permits for impacts to drainages. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the City's protection and appreciation of biological resources.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Candidate, Sensitive, or Special Status Species**

Threshold A: Will the proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Impact Analysis:

A literature/database review of state and federally listed special status species was conducted for the area in and around the Project site (Amec(a)). The Project site was also surveyed for special status species by Amec on May 9, 2017 (Amec(a)).

- **Special Status Plant Species**

No special status plant species were observed onsite during the biological survey conducted by Amec on May 9, 2017. Based on Table 4.3-A, eight of the special status plant species are assumed to be absent from the study area due to lack of habitat, elevational range, extirpation, or extinction (chaparral sand verbena, Yucaipa onion, Coachella Valley milk-vetch, smooth tarplant, mesa horkelia, spiny-hair blazing star, Narrow-leaf sandpaper plant, and San Bernardino aster). The six remaining species with varying[3] potential to occur within five miles of the Project site include: Jaeger's bush milk-vetch, Plummer's mariposa lily, Payson's jewelflower, Mojave tarplant, white-

[3] Ranges from "Low" to "Moderate" potential, which are defined as follows: *Low: Site is within the known range of the species but habitat on the site is rarely occupied by the species. Moderate: Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species* (Amec(a), p. 5-12).

bracted spineflower, and Parry's spineflower. These species also have the potential to occur onsite; however, because these plant species are covered by the MSHCP and are not located within a designated survey area for these species, no further surveys are required. None of these plant species were observed onsite by Amec during the habitat assessment.

In summary, no special status vegetation communities were observed onsite during site surveys. As shown on **Figure 4.3-3**, the Project site is located within the MSHCP designated NEPSSA for Marvin's onion and many-stemmed dudleya; however, because suitable habitat (i.e., chaparral and/or clay soils) is not present on-site, focused surveys for these plant species are not required (Amec (a), p. 5-2).

- **Special Status Vegetation Communities**

The Project site intersects with portions of six drainages. Drainage 1 (i.e. Ramsey Street Wash) is sparsely vegetated with patches of scalebroom (*Lepidospartum squamatum),* catclaw acacia (*Acacia greggii),* western ragweed (*Ambrosia psilostachya)*, and tumbleweed (*Salsola tragus)*. Although scalebroom scrub is identified by the CDFW as a sensitive vegetation community ("vulnerable" or S-3 ranking), Drainage 1 does not have sufficient vegetation cover to be considered a vegetation community. (Amec(c), p. 3-3)

The Project site contains mostly a desert scrub vegetation community, with patches of disturbed non-native grassland. Desert scrub is not considered a sensitive vegetation community by CDFW.

- **Special Status Wildlife Species**

Three special status wildlife species were observed by Amec in the study area during the biological assessment: loggerhead shrike, horned lark, and San Diego black-tailed jackrabbit. All three species are covered adequately under the MSHCP and no additional protocol surveys are required. (Amec (a), p. 5-1). Impacts to these species are mitigated through the City's payment of MSHCP fees, which is required of the Project proponent as set forth by the MSHCP (City is a Permittee to the MSHCP). The MSHCP fees will be used by the RCA to purchase off-site lands that will mitigate for the loss of foraging habitat. Five special status reptiles are known to occur within the study area: (Belding's) orange-throated whiptail, coastal western whiptail, (northern) red-diamond rattlesnake, California (coastal) glossy snake and coast (San Diego) horned lizard. Suitable habitat is present within the Project study area for all five reptile species. None were observed by Amec during the habitat assessment. All but the California (coastal) glossy snake are covered by the MSHCP and no further surveys for these reptiles are warranted. Because

suitable habitat for the California (coastal) glossy snake will continue to be available within the drainages in the northeast and southwest corners of the Project site, and around the Project site, further studies are not warranted.

The Project site is within the MSHCP survey area for burrowing owl but no owls or suitable burrows were observed onsite. Marginal, low quality burrowing owl foraging habitat (i.e. scattered pockets of non-native grassland) was found within the Project site (Amec(a), p. 5-14). Due to the availability of low quality foraging habitat, focused Burrowing Owl surveys were conducted in May 2018. The Burrowing Owl focused survey was conducted per Western Riverside MSHCP protocol (County of Riverside, 2006). Site surveys were conducted on the following days: May 14, May 16, May 22 and May 24. The focused survey found nine suitable burrows but no burrowing owls were observed onsite or within 500-feet of the Project boundary. Some fossorial animal burrows were found along the fence line adjacent to the Project site, however no burrows showed characteristic signs of burrowing owl habitation such as excrement, pellets, or feathers around the outside of the burrows. The survey report can be found in Appendix D.2.

Due to the low potential for burrowing owls to occur on the site at any time in the future, and considering that construction is not scheduled to occur within the next six months, it is a requirement of the MSHCP, and Project mitigation measure **MM BIO 1**, that a pre-construction clearance survey be conducted within 30 days prior to commencement of construction activities to ensure no owls have migrated onto the site to prevent impacts to any burrowing owls.

Marginal quality habitat for pallid San Diego pocket mouse (a California species of special concern and not covered by the MSHCP) occurs within Drainage 1 (Ramsey Street Wash) (Amec(a), p. 5-17). The Project's permanent impacts to Drainage 1/Ramsey Street Wash are limited in area (approximately 1,630 square feet) and necessary to provide a required emergency access gravel road. Construction of the emergency access road will not reduce the species' population below a self-sustaining level (Amec(a), p. 5-14).

Suitable habitat for LAPM is present in Smith Creek, which coincides with the species' MSHCP Survey Area, as shown in **Figure 4.3-3**. Smith Creek is approximately 500 feet southeast from the proposed lift station site and well outside the limits of the Project. The LAPM is a California Species of Special Concern and a covered species under the MSHCP. The location of the proposed lift station and utility lines in the Project Site Plan have been moved to avoid the LAPM survey area, and to avoid some marginally suitable

habitat for LAPM (Amec(a), p. 5-21). Consequently, focused surveys for LAPM are not required.

The American badger (a California species of special concern and not covered by the MSHCP) is known to occur in large open-space areas throughout the San Gorgonio Pass area. Although no evidence of badgers was observed during the field survey, the presence of this species cannot be completely ruled out based on the size of suitable habitat within the Project site. Consequently, **MM BIO 1** will include surveying for active badger burrows which will be flagged if located during the 30-day preconstruction survey. Construction will not commence in the area of the active badger burrows until a qualified biologist determines the burrows are vacated.

For nesting birds, the Project site contains suitable nesting habitat for species that are protected under the MBTA. The removal of trees and vegetation shall be prohibited during the migratory bird nesting season (February 15 through August 31), unless a migratory bird nesting survey of all impact areas and a 500-foot buffer is completed pursuant to mitigation measure **MM BIO 2.** If active nests are found, the nests should be avoided and a no disturbance buffer zone established and observed until young have fledged. Nest avoidance and buffer zones are decided on a case by case basis and can sometimes be reduced depending on a variety of factors including topography, vegetation structure and the species in question. Construction activity may encroach into the buffer area at the discretion of the Project Biologist with CDFW concurrence.

Golden eagle was observed in the Project study area during the May 2017 habitat assessment site visit (Amec(a), Appendix A). Although golden eagles are adequately conserved covered species of the MSHCP, mitigation measures **MM BIO 1** and **MM BIO 2** will ensure the site is clear of all protected bird species.

Although some potentially suitable habitat for the Stephens' kangaroo rat SKR (i.e. sparse grassland) is present in limited areas of the Project site, SKR (federally endangered) is a covered species of the MSHCP and consequently no further study is required. The Project site is also located outside the boundary of the Habitat Conservation Plan for SKR (RCHCA) and outside the species range as determined by the USFWS (ECOS).

The Project incorporates Project Design Features that are consistent with the MSHCP Urban/Wildlands Interface Guidelines, as noted previously in Section 4.3.5. Likewise, the Project must comply with the regulations listed in Section 4.3.3. Impacts to special-status species will be less than significant with incorporation of mitigation measures **MM BIO 1** and **MM BIO 2.**

Level of Significance before Mitigation:

Significant impacts to burrowing owl, American badger and nesting birds.

Mitigation Measures:

MM BIO 1 A 30-day burrowing owl preconstruction survey consistent with the MSHCP Guidelines (MSHCP 2006) prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The 30-day burrowing owl preconstruction survey shall include identifying and flagging any active American badger burrows. A report of the findings shall be prepared by the Project Biologist and submitted to the City of Banning prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected onsite during the 30-day preconstruction survey, then construction activities shall be limited to no closer than 300 feet from the active burrows until the Project Biologist has confirmed that nesting efforts are completed or not initiated. In addition to monitoring breeding activity, if construction is proposed to be initiated during the breeding season (February 15 – August 31) and active relocation is proposed, a Burrowing Owl Mitigation Plan will be developed based on the County of Riverside Environmental Programs Division, CDFW, and U.S. Fish and Wildlife Service requirements for the relocation of individuals to the Lake Mathews Preserve.

If active American badger burrows are detected and flagged onsite during the 30-day preconstruction survey, then construction activities will be limited within the vicinity of the burrows until the Project Biologist has confirmed the burrow is vacated.

MM BIO 2 The removal of trees and vegetation shall be prohibited during the migratory bird nesting season (February 15 through August 31), unless a migratory bird nesting survey is completed in accordance with the following requirements:

a) A migratory bird nesting survey of the Project impact area and a 500-foot buffer shall be conducted by the a qualified avian biologist approved by the City, to be retained by the Project applicant, within three days prior to initiating tree removal or vegetation clearing.

b) A copy of the migratory nesting bird survey results report shall be provided to the City of Banning Planning Division by the Project Biologist prior to vegetation clearing. If the survey identifies the presence of active nests, then the Project Biologist shall provide the City Planning Division with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the City Planning Division and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by the Project Biologist. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the Project Biologist has provided the City Planning Division with verification that the nests are no longer occupied and the juvenile birds can survive independently from the nests.

Level of Significance after Mitigation:

Less than significant impacts to burrowing owl, American badger and nesting birds.

- **Riparian Habitat or Other Sensitive Natural Community**

Threshold B: Will the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Impact Analysis:

The Project study area contains six drainage features that are described as ephemeral riverine features which convey storm flows from the Project site to Smith Creek south of the Project site (see **Figure 4.3-4**) (Amec (a), p. 6-3). The drainages do not contain any hydrophytes (i.e. plants that grow only in or on water and one of the wetland indicators), but do support a scattering of some riparian plant species, including mulefat, arroyo willow trees (in Drainage 1), and one cottonwood tree in Drainage 2 (Amec(b), Appendix B_ and Amec(d), Fig. 2. Although the drainages intercepted by the Project site do not convey flows directly to a downstream conservation area of the Riverside County MSHCP, they do flow into Smith Creek, which is considered a wildlife

corridor that connects Cabazon with the Badlands and is a feature within the Coachella Valley MSHCP. The onsite riverine features are also potential routes of fluvial sand transport, which is a conservation goal of the Cabazon Conservation Area of the Coachella Valley MSHCP, the boundary of which begins approximately 1 mile to the east of the project site. The main drainage feature that provides sediment transport, Ramsey Street Wash, is being avoided by the Project.

When riparian/riverine areas are identified, the MSHCP requires that they are avoided to the extent feasible. When avoidance is not feasible, the potential direct and indirect impacts are to be minimized to the extent feasible. Unavoidable impacts are to be mitigated pursuant to the MSHCP such that lost biological functions and values as related to conservation of Covered Species are replaced by equivalent or superior preservation. The Project will have unavoidable impacts that will be mitigated for, as described in the Project's Determination of Biologically Equivalent or Superior Preservation (DBESP), which is provided in Appendix E (Amec(c)).

A jurisdictional delineation was conducted by Amec biologists on May 24, 2017 to determine the extent of Waters of the U.S. and State within the Project site (Appendix G). If impacted, these features would be potentially subject to regulation by the USACE pursuant to Section 404 of the CWA, the RWQCB under Section 401 of the CWA and the Porter Cologne Water Quality Control Act, and the CDFW under Section 1602 of the California Fish and Game Code (Amec(b)).

The delineation found that the Project will impact a total of six jurisdictional drainage features (Drainages 1 through 6), as shown in **Figure 4.3-4**. Drainages 1 through 5 are located within the footprint of the proposed road (John Street) and warehouse development resulting in both temporary and permanent impacts. Drainage 6 would be crossed by the underground water/sewer lines and only temporarily impacted. A majority of Ramsey Street Wash/Drainage 1 will be avoided. Photos of the drainages are shown in **Figures 4.3-5a** through **Figure 4.3-5c.**

All six drainage features are ephemeral washes that likely flow for less than three months per year. Consequently, the USACE will likely classify these features as non-relatively permanent waterway (non-RPW). All six features are tributary to Smith Creek, which is tributary to the Whitewater River. The USACE will likely classify the Whitewater River as a relatively permanent waterway (RPW). The Whitewater River flows into the Salton Sea approximately 50 river miles from the study area and exhibits both physical surface channel connectivity and hydrologic connectivity with the Salton Sea. The Salton Sea is classified as a traditional navigable waterway (TNW) as a result of a Supreme

Court decision (*Colvin v. United States*). Consequently, the USACE will likely consider all six onsite drainage features to be Waters of the U.S./State and jurisdictional under the CWA. (Amec (b), p. 5-14). Such as determination is typically made after the USACE reviews a complete permit application.

The proposed Project contains ephemeral drainages that will be impacted by the Project. Mitigation measure **MM BIO 3** will provide for notifications to the regulatory agencies, including CDFW, USACE, and RWQCB for appropriate approvals. None of the drainages affected by the Project offer riparian function or value. However, the drainages do contain riverine function and value to downstream areas, including Smith Creek and eventually the Cabazon Conservation Area (e.g. sand transport system) as described in the Coachella Valley MSHCP (located one mile to the east). The jurisdictional areas by drainage are summarized in **Table 4.3-D – Summary of Jurisdictional Areas.**

Table 4.3-D – Summary of Jurisdictional Areas

Drainage ID	USACE & RWQCB Jurisdiction (acres)	CDFW & MSHCP Jurisdiction (acres)	Length (feet)
Drainage 1	0.71	1.05	2,480
Drainage 2	0.01	0.01	180
Drainage 3	0.13	0.13	670
Drainage 4	0.03	0.03	350
Drainage 5	0.07	0.07	760
Drainage 6	0.42	0.42	2,100
Total	**1.37**	**1.71**	**6,540**

Source: Jurisdictional Delineation Report, Table 1 (Amec(b)).
WSC = Waters of the State of California

The total estimated area (including onsite and off-site improvement areas) of USACE (and RWQCB) jurisdiction within the Project site is 1.37 acres and the total estimated area (including onsite and off-site improvement areas) of CDFW (and MSHCP Riverine) jurisdiction is 1.71 acres. All drainages at the Project site area are classified as “Riverine, Intermittent, Streambed Intermittently Flooded” (or R4SBJ) and are considered non-section-10, non-wetland aquatic resources (Amec (b), p. 5-12).

To determine the impacts of the proposed Project on jurisdictional areas, the site plan and off-site improvement alignments were overlaid on the delineation boundaries. Permanent impacts were assessed for the proposed access road, warehouse footprint, and the emergency access roads. Temporary impacts are associated with additional construction work areas and the installation of the shared utility lines, which will be

completed by trenching. The permanent and temporary impact areas to each jurisdictional area by drainage is shown **Figure 4.3-8 – Jurisdictional Impacts** and summarized in **Table 4.3-E – Summary of Impacts to Jurisdictional Areas**.

Table 4.3-E – Summary of Impacts to Jurisdictional Areas

Drainage ID	USACE/RWQCB Jurisdiction		CDFW/MSHCP Riverine Jurisdiction		Length (feet)
	Permanent Impacts (acres)	Temporary Impacts (acres)	Permanent Impacts (acres)	Temporary Impacts (acres)	
Drainage 1	0.09	0.04	0.09	0.04	166
Drainage 2	0.01	0.00	0.01	0.00	94
Drainage 3	0.05	0.01	0.05	0.01	329
Drainage 4	0.01	0.00	0.01	0.00	178
Drainage 5	0.07	0.00	0.07	0.00	760
Drainage 6	0.00	0.02	0.00	0.42	140
Total	**0.23**	**0.07**	**0.23**	**0.47**	**1,667**

Source: Jurisdictional Delineation Report, Table 2.

Drainages 1 through 5 will have permanent impacts totaling 0.23 acres and temporary impacts totaling 0.05 acres (2,178 square feet). Drainage 6 will have only temporary impacts as the water/sewer utility lines will be buried underground and the impacted area will be restored to its pre-construction condition (**Figure 4.3-8**). (Amec(b), p. 19).

Notifications to the USACE, RWQCB, and CDFW will be required prior to any ground disturbance pursuant to mitigation measure **MM BIO 3**.



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Source: Fig. 6, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017

Figure 4.3-8 - Jurisdictional Impacts

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Amec determined that the drainage area within jurisdiction of CDFW is equivalent to the area labeled "riparian/riverine" by the MSHCP (**Table 4.3-B**), and the permanent/temporary impact areas should also be equivalent, as shown in **Table 4.3-C.** As required by the MSHCP, a DBESP has been prepared to identify habitat creation strategies to ensure that equivalent or superior preservation is provided to offset 0.23 acre of permanent impacts and 0.47 acre of temporary impacts to MSHCP riparian/riverine areas (Amec(c)).

As described in the DBESP (Appendix E), these impacts to Drainages 1, 3 and 5 will be mitigated by 1.20 acres of in-kind replacement of desert scrub habitat within two separate created drainage features, both of which will be constructed in existing upland areas and will convey nuisance flows and natural run-off around the proposed development to minimize erosion and maintain the pre-existing hydrology of off-site flows (see **Figure 4.3-7**). The first area is located along the western edge of the Project site boundary. It will be a 30-foot wide and approximately 400-foot long (0.27 acre) low-flow drainage feature to redirect flows from Drainages 3 and 4 to the south, around the Project site, and then empty into Drainage 1/Ramsey Street Wash. The second area will convey flows in a 20- to 30-foot wide channel in the northeastern corner of the site for a length of approximately 1,587 feet (0.93 acre). The total combined length of the habitat creation features is 1,987 linear feet and an area of 1.20 acres. Both created features eventually convey flows into Drainage 1/Ramsey Street Wash. Currently there are no active mitigation banks or in-lieu fee programs in this area (Amec(c), p. 5-1).

As discussed previously, some of the riverine function and value of Drainages 1, 3, and 5 will be lost by development of the proposed Project. As described in the DBESP (Appendix E), the habitat that will be created in the proposed mitigation channels is considered superior in comparison to the existing habitat within the drainages because it will (Amec(c), p. 6-1):

- Continue to convey local stormwater runoff and nuisance flows from north of the Project site;
- Be planted with native desert scrub habitat;
- Meander like a naturally occurring drainage;
- Allow for continued percolation in the native sandy/cobble soils; and
- Provide better quality habitat for nesting birds.

The restoration area must meet standardized success criteria as described in the Habitat Mitigation and Monitoring Plan (HMMP), which is required as part of mitigation measure **MM BIO 4** and the permit process for a Streambed Alteration Agreement with

the CDFW. The HMMP will be prepared by the applicant and submitted to the City, U.S. Fish and Wildlife Service (USFWS), and CDFW for review prior to construction. Under the MSHCP, the created habitat will be monitored by the Project proponent for a minimum of five years; monitoring reports shall be provided to the City and appropriate regulatory agencies on an annual basis. The creation of the additional drainage areas are being designed to provide mitigation that will suffice for MSHCP riverine policy, as well as USACE, RWQCB, and CDFW waters regulations.

The HMMP will include a condition that onsite seed collection for the purpose of revegetating the mitigation channels with locally collected propagules will be performed by the Project Biologist. Dominant vegetation within the mitigation area will consist of California encelia and coyote bush (*Baccharis pilularis*). The upland area adjacent to the riparian habitat will consist of California buckwheat, California sagebrush (*Artemisia californica*), interior golden bush (*Ericameria linearifolia*), and deerweed (*Acmispon glaber*).

Typically, habitat creation areas established for the purpose of mitigation for impacts to riparian/riverine areas under the MSHCP are placed in a conservation easement and managed with funds generated from a non-wasting endowment. However, due to the isolated nature of the created mitigation areas, a conservation easement may not be appropriate since it will not contribute lands within or adjacent to an existing conservation area. In this case, a deed restriction as described in mitigation measure **MM BIO 5** will be more appropriate.

The Project incorporates Project Design Features that are consistent with the MSHCP Urban/Wildlands Interface Guidelines, as noted in Section 4.3.5. The Project must comply with the regulations listed in Section 4.3.3. Through compliance with the conditions outlined in the Project's DBESP, which is included as mitigation measures **MM BIO 3** through **MM BIO 5**, impacts to riparian habitat or any other sensitive natural community will be **less than significant with mitigation.**

Level of Significance before Mitigation:

Significant impacts to riverine habitat.

Mitigation Measures:

MM BIO 3 Prior to any ground disturbing activities within jurisdictional waters as well as MSHCP riverine areas identified in Figure 4.3-8, the Project proponent shall obtain the necessary authorization from the regulatory

agencies for proposed impacts to jurisdictional waters. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW. Permit authorizations would include best management practice measures such as implementing soil erosion and sediment controls, avoiding construction during or immediately following a rain event, returning temporary construction areas to pre-existing elevations and replanting with native seed mix followed by at least one year of exotic weed removal in the affected area. These measures would lessen impacts to the onsite drainages. -

MM BIO 4 Prior to issuance of grading permits, and as required by the Project's DBESP, the Project proponent shall provide the City Planning Division a Habitat Mitigation and Monitoring Plan (HMMP) for Drainages 3 and 5 as depicted on Figure 4.3-6. Success criteria for the HMMP will include: 85 percent coverage of the existing native plant species, no more than 10 percent cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. Propagules shall be collected from the Project site by the Project Biologist prior to vegetation clearance to use for revegetation in the two mitigation areas. This can be done during the preconstruction surveys described in MM BIO 1. The two onsite mitigation areas shall be monitored by a Project Biologist retained by the Project proponent for a minimum of five years and monitoring reports shall be provided to the City, RCA, USFWS, and CDFW. If it is determined after 5 years that on-site mitigation is not successful, the City will consult with the Regional Conservation Authority and California Department of Fish and Wildlife to determine how to proceed to ensure biological success for the mitigation areas. These measures could include replanting, irrigation or changing plant palettes however exact measures will be determined as needed.

MM BIO 5 Prior to the issuance of any occupancy permit, the Project proponent shall provide evidence to the City Planning Division that the two mitigation areas depicted on Figure 4.3-7 have been placed under a deed restriction. The avoided areas of Drainage 1/Ramsey Street Wash on the Project site will also be included in the deed restriction.

Level of Significance after Mitigation:

Less than Significant impacts to riverine habitat.

- **Wetlands**

Threshold C: Will the Project 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) through direct removal, filling, hydrological interruption, or other means?

Impact Analysis:

The jurisdictional delineation conducted for the Project area, which is provided in Appendix G, found that none of the six drainages impacted by the Project contain federally-protected wetlands, as defined by Section 404 of the CWA (Amec(b), pp. 15-16). The delineation found that each of the six affected drainages are likely to be determined by the regulatory agencies (USACE, CDFW and RWQCB) as non-wetland Waters of the U.S. and non-wetland Waters of the State. Consequently, if activities would impact such drainage features, the Project Applicant would be required to notify the agencies, provide mitigation and obtain appropriate approvals.

The permanent impact from the Project to Waters of the U.S. and State is estimated at 0.23-acre per **Table 4.3-E**, resulting from activities in Drainages 1 through 5, consisting of the proposed access road, the warehouse footprint, and the emergency access roads. Temporary impacts to Waters of the U.S. total an additional 0.07-acre based on estimated temporary construction work areas. Temporary impacts to CDFW/MSHCP riverine areas total 0.47-acre based on both estimated temporary construction work areas and the water/sewer utility line installation. The linear impact to Drainages 1 through 5 totals 1,527 feet and the temporary impact to Drainage 6 totals 140 linear feet. (Amec(b), p. 19)

The two most common types of permits issued by the USACE under Section 404 of the CWA to authorize the discharge of dredged or fill material into Waters of the U.S are either a nation-wide permit (NWP) or an individual permit (IP). The proposed Project would likely qualify under NWP 39 – *Commercial and Institutional Developments* or NWP 43 – *Stormwater Management Facilities*. Both NWPs are limited to activities that impact no more than 0.5-acre of Waters of the U.S. and no more than 300 linear feet of streambed. The local District Engineer at the USACE can waive the 300-linear foot requirements of the NWPs for intermittent and ephemeral streams, and would likely do

so due to the low quality habitat associated with the drainage feature (Amec(b), p. 20). It is important to note that the regulatory agencies are ultimately responsible for jurisdictional determinations.

Because the vegetation onsite is generally characterized as desert scrub, and no USACE or CDFW wetland areas have been identified onsite, impacts to wetlands are considered less than significant.

Level of Significance before Mitigation:

Less than Significant to wetlands.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Wildlife Movement Corridors and Nursery Sites**

Threshold D: Will the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or establish native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact Analysis:

The Project is not located in an area known for migration or wildlife nursery sites. The Project is located within SLA 99 designated by The Pass Area Plan of the MSHCP, which states: "This Special Linkage Area will contribute to assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage. Tribal coordination regarding American Indian ands will be necessary in this area." The Project site is bounded by vacant Tribal land to the east, an active railroad line and I-10 freeway to the north and Banning Municipal Airport to the west and south, the Project site is surrounded by development to the north, south, and west. The configuration of the site being part of the SLA would not make sense from a biological standpoint given the lack of north/south connectivity to open space areas that provide viable habitat linkages. Consequently, the Project site does not represent a wildlife travel route, crossing, or regional movement corridor between open space habitats.

Development of the Project site will not interfere with movement of fish species because all six drainage features at the Project site are ephemeral washes that likely flow for less than three months per year and consequently would not provide suitable habitat for fish. No fish species have been recorded to occur within the vicinity of the Project site, and no fish or fish habitat was observed during field surveys (Amec(a), p. 5-13).

Trees and shrubs on and adjacent to the Project site may provide nesting habitat for avian species that may be migrating; however, implementation of mitigation measure **MM BIO 2** will minimize to less than significant impacts to these species during nesting season.

The Project incorporates Project Design Features such as avoidance of a portion of the drainage area on-site, light shielding, and minimization of runoff (i.e. consistency with the MSHCP Urban/Wildlands Interface Guidelines), as noted in Section 4.3.5, which will minimize urban/wildland impacts should the adjoining Tribal lands become part of the SLA in the future. Consequently, Project impacts to movement of native or migratory fish or wildlife species or their nursery sites will be **less than significant with mitigation**.

Level of Significance before Mitigation:

Significant impacts related to nesting birds potentially using the site.

Mitigation Measures:

See **MM BIO 2**.

Level of Significance after Mitigation:

Less than Significant.

- **Tree Preservation**

Threshold E: Will the Project conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?

Impact Analysis:

The City of Banning Municipal Code Section 17.32.060 regulates the removal or destruction of trees within city limits. In particular, the ordinance requires a "tree removal and replacement plan" if trees in excess of 50 years of age are removed, unless their removal is required to protect the public health and safety. Consequently, a

Mature Tree Assessment was conducted by Amec to determine whether trees in excess of 50 years of age are located within 50-feet of the Project footprint and off-site improvements (the "assessment area"), which is provided in Appendix F (Amec(d)). The analysis was done by comparing an aerial photograph of the assessment area from 2016 with a historic aerial photograph taken from 1967. Field notes from prior biological resource surveys conducted by Amec and internet resources such as HistoricalAerial.com and Google Earth identified the location of existing trees within the assessment area.

Based on a review of the available data, a total of 15 trees are identified within the assessment area, six of which are currently located within the Project boundaries, as shown on **Figure 4.3-6**. Two trees (Fremont's cottonwood and black willow) will be removed as a result of constructing John Street. The three pepper trees and arroyo willow within Drainage 1/Ramsey Street Wash will be avoided (except for a dirt road emergency crossing). All six of these trees within the Project site began growing on the site sometime after the 1967 photograph and consequently do not meet the minimum criteria to be considered a Mature Tree under the City of Banning Municipal Code (Amec(d), p. 2).

The remaining eight trees located within the assessment area will remain undisturbed as they are located outside the Project boundary. Four of these trees, as shown on **Figure 4.3-6**, meet the minimum requirement to be considered 'Mature Trees', since they were identified in both the 1967 and 2016 aerial photographs. They consist of one arroyo willow and three pepper trees. Because these four Mature Trees are located outside of both the Project site and off-site improvement footprints, they will not be impacted by the Project. (Amec(d), p. 2).

Based on the *Mature Tree Assessment*, no Mature Trees greater than 50 years in age will be impacted by Project development. The Project must comply with the regulations listed in Section 4.3.3. Consequently, development of the Project including offsite improvements will not conflict with an existing tree preservation policy or ordinance and impacts are **less than significant** and no mitigation is necessary.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Conservation Plans**

Threshold F: Will the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?

Impact Analysis:

The proposed Project site is located within the geographic area covered by the Western Riverside County MSHCP, and the City of Banning is a Permittee under the MSHCP. The MSHCP establishes Criteria Area boundaries in order to facilitate the process by which properties are evaluated for inclusion in the MSHCP Conservation Area. The Criteria Area is an area significantly larger than what may be needed for inclusion in the MSHCP Conservation Area. Proposed projects within the Criteria Area are evaluated using MSHCP Conservation Criteria. The Criteria Area is an analytical tool, which assists in determining which properties require conservation under the MSHCP.

The Project site is located within SLA 99 of The Pass Area Plan. Amec included an assessment for the SLA within the MSHCP Consistency Analysis report (Amec(a), p. 5-20). The assessment for the SLA found that because the Project site is located between the Banning Municipal Airport to the south and the I-10 corridor/Union Pacific Railroad rights-of-way to the north, it does not function as a north/south wildlife corridor. Although there are culverts under the I-10/railroad corridor, the length and width of said culverts are assumed to be inadequate for providing a viable linkage or crossing. Also, the Project site is bounded on the west by the Banning Municipal Airport property. The area east of the Project site is open space but within Tribal lands. Although localized wildlife species may utilize a portion of the Project site as a daily travel path, it is not part of a regional wildlife corridor, nor are there protected areas to the north or south of the site that would provide for wildlife corridor connections.

The Project site is not located in a Criteria Cell, which means that the Project site is not in an area contemplated to be set aside for conservation. The closest Criteria Cell to the site is Cell No. 1609, which is located approximately five miles southwest of the Project site. Consequently, the proposed Project is not subject to the MSHCP Habitat Evaluation and Acquisition Negotiation Strategy (HANS) or Joint Project Review (JPR) processes.

However, because the Project will impact MSHCP riparian/riverine resources, a DBESP was required and prepared for the Project (Appendix E).

In accordance with the MSHCP, the proposed Project was also reviewed for consistency with the MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool), Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface), Section 6.3.2 (Additional Survey Needs and Procedures), and Section 6.4 (Fuels Management). The Project's consistency with each of these sections is discussed below.

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

Section 6.1.2 of the MSHCP requires habitat assessments (and subsequent focused surveys where suitable habitat is present) for riparian bird species with MSHCP survey requirements. The only special status vegetation community that could potentially occur in the general Project area would consist of "southern cottonwood willow riparian forest," which has a CDFW ranking of S-3 (Amec(a), p. 5-19). This habitat is described as a riparian forest community dominated by Fremont cottonwood and any of several species of willow. These trees are generally greater than 20 feet high. Amec determined that this habitat is absent from the Project study area and therefore, no further studies are required. (Amec(a), p. 5-19). Based on the habitat assessment by Amec, the Project site does not support riparian habitat or vernal pools that provide suitable habitat for riparian bird species with MSHCP survey requirements, or vernal species such as fairy shrimp. Consequently, no additional focused surveys and/or mitigation measures are required in this regard (Amec(a), p. 5-21).

The Project will impact a total of six jurisdictional drainage features (Drainages 1 through 6), as shown in **Figure 4.3-1**. Drainages 1 through 5 are located within the footprint of the proposed road (John Street) and warehouse development resulting in both temporary and permanent impacts. Drainage 6 would be crossed by the underground water/sewer lines and only temporarily impacted. A majority of Ramsey Street Wash/Drainage 1 will be avoided.

A DBESP has been prepared for the Project pursuant to the requirements of the MSHCP, which is included in Appendix E (Amec(c)). A DBESP is needed because the Project will result in permanent impacts to 0.23-acre and temporary impacts to 0.47-acre of MSHCP riverine areas, as shown in **Table 4.3-E**. The affected drainages offer no riparian function or value that would benefit any downstream Conservation Areas within the Western Riverside County MSHCP, including flood storage and flood flow modification, nutrient

retention and transformation, and sediment trapping and transport. However, the drainages do contain riverine function and value to downstream areas, including Smith Creek and the Cabazon Conservation Area (sand transport system) as described in the Coachella Valley MSHCP (located one mile to the east). Some of the riverine function and value will be lost by development of the proposed Project. To mitigate for the loss of these functions and values, an on-site drainage feature will be created along the eastern edge of the Project site (for Drainage 5) and a second on-site drainage will be created along the western edge of the Project site (for Drainage 3), which will total 1.20-acres of in-kind replacement of desert scrub habitat (**Figure 4.3-7**).

The newly created features would be similar in design and function as the existing on-site drainage features. Each will consist of a low-flow channel dominated with desert scrub along the upper banks. The created mitigation habitat is considered superior habitat in comparison to the existing drainage because it will: continue to convey local storm run-off from the north of the Project site, it will be planted with more native desert scrub habitat, it will meander like a natural occurring drainage, and it will provide better quality habitat for nesting birds. Consequently, through implementation of these measures, along with the avoidance of Drainage 1/Ramsey Street Wash and by placing these areas in a deed restriction (per MM BIO 5), the Project will not conflict with MSHCP Section 6.1.2. Section 6.1.3 Protection of Narrow Endemic Plant Species

The Project site occurs within the MSHCP designated NEPSSA for Marvin's onion and many-stemmed dudleya. However, according to the surveys conducted by Amec on May 9, 2017, suitable habitat (i.e. chaparral and/or clay soils) is not present on-site. Consequently, focused surveys for these plant species are not required (Amec(a), p. 6-2) and the Project will not conflict with MSHCP Section 6.1.3.

- **Section 6.1.4 Guidelines Pertaining to Urban Wildlands Interface**

Section 6.1.4 outlines guidelines intended to minimize the indirect Project impacts associated with locating development in close proximity to a MSHCP Conservation Area. The Project site is not located in close proximity or adjacent to a MSHCP Conservation Area. The Project site is within SLA 99 and adjacent to vacant Tribal open space land to the east. Although not required by the MSHCP, the Project includes features consistent with the Urban/Wildlands Interface Guidelines, as described in **Table 4.3-F – Project Consistency with MSHCP Section 6.1.4**.

Table 4.3-F – Project Consistency with MSHCP Section 6.1.4

Guideline	Project Consistency
Drainages	The Project will comply with State water quality permitting requirements under Federal Clean Water Act (CWA) Section 402, which requires that discharges of urban runoff from a municipal separate storm sewer system (MS4) be regulated under a National Pollution Discharge Elimination System (NPDES) permit. The Project is located within the City of Banning, which is regulated by a NPDES permit for MS4 discharges (Order No. R7-2013-0011, NPDES No. CAS 617002). Although Banning is not hydrologically connected to downstream municipalities within the watershed covered by the MS4 permit, the proposed on-site storm water treatment system, which will not co-mingle with off-site flows from the north, includes two infiltration basins capable of infiltrating the design storm volume for the 100-year, 3-hour storm event pursuant to City requirements. All runoff generated on-site will be conveyed to the infiltration basins thus preventing the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might cause harm to the ecosystem. Regular maintenance of said basins is required by the applicant to ensure effective treatment systems. The portion of Drainage 1/Ramsey Street Wash that is within the boundary of the site will be avoided except for a gravel emergency fire access road. Off-site flows will be routed around the perimeter of the site in existing or replicated mitigation drainages that mimic the size and function of pre-construction flow patterns. The Project will comply with the Statewide construction general stormwater permit (Order No. 2009-0009-DWQ, NPDES No. CAS000002) through implementation of a Storm Water Pollution Prevention Plan with effective erosion and sediment controls for the duration of construction, including off-site facilities. Depending on the Standard Industrial Classification (SIC) code pertaining to the building tenant, the Project will comply with the Statewide general permit for stormwater discharges from industrial activities (Order No. 2014-0057-DWQ, NPDES No. CAS000001) for the duration of operations at the warehouse.
Toxics	The application of bio-products (e.g., manure) or toxic chemicals shall not be discharged to neighboring open space lands. All on-site stormwater runoff and incidental flows will be conveyed to two infiltration basins thus preventing the release of on-site runoff into the surrounding environment.

Lighting	Nighttime lighting will not be needed to support construction since construction hours will be limited between the hours of 7:00 AM and 6:00 PM per the City of Banning's Municipal Code Section 8.44.090. Lighting for the Project and construction will comply with the City's Municipal Code Section 17.12.170(D) that requires light shielding so that light will not spill beyond the boundaries of the site. The proposed Project will introduce new sources of nighttime light and glare into the area from improved street lighting and additional security lighting at the Project site. However, all lighting at the Project site will be designed pursuant to Section 17.12.170 of the City's Municipal Code, which includes requirements for industrial lighting, including shielded exterior lights that point downward and away from adjoining properties (Zoning Ord. § 9106.03(11)).
Noise	As described in Section 4.7- Noise, the ambient noise level at the site is greater than the City's residential noise standard of 55 dBA due to the I-10 and railroad corridor. The Project will be constructed during permissible construction hours (7:00 am to 6:00 pm) and will not exceed any significance thresholds for noise impacts during construction. Mitigation measures MM Noise-1 through MM Noise-5 will ensure construction noise will be consistent with the City's noise standards in the Municipal Code. No loading docks are located on the east side of the building, which faces open space.
Invasive Plants	Landscape plans shall avoid the use of invasive plant species adjacent to Conservation Lands and open-space. As shown in **Figure 3-9 – Project Landscape Plan**, the proposed landscape plans do not propose the use of invasive species.
Barriers	As shown on the site plans and specifications, the entire warehouse facility will be fenced and include a security gate at the entrance from future John Street.
Grading/Land Development	Grading cannot extend into Tribal land or city-owned property (i.e. Banning Airport); therefore, manufactured slopes will not extend off-site.

Source: MSHCP Consistency Report (Amec(a), pp. 6-2 – 6-3).

Through Project Design Features and existing regulations, the Project is consistent with MSHCP Section 6.1.4.

- **Section 6.3.2 Additional Survey Needs and Procedures**

The Project area lies within the MSHCP survey area for burrowing owl, which is an avian species of special concern that is protected by the MBTA and Fish and Game Code Section 3503. Amec conducted a habitat assessment for burrowing owl and a burrow survey on May 9, 2017 and determined that there is not suitable habitat onsite. Marginal, low quality burrowing owl foraging habitat (i.e. scattered pockets of non-native grassland) was found within the Project site (Amec(a), p. 5-14). Due to the

availability of low quality foraging habitat, focused Burrowing Owl surveys were conducted in May 2018. The Burrowing Owl focused survey was conducted per Western Riverside MSHCP protocol (County of Riverside, 2006). Site surveys were conducted on the following days: May 14, May 16, May 22 and May 24. The focused survey found nine suitable burrows but no burrowing owls were observed onsite or within 500-feet of the Project boundary. Some fossorial animal burrows were found along the fence line adjacent to the Project site, however no burrows showed characteristic signs of burrowing owl such as excrement, pellets, or feathers around the outside fo the burrows. The survey report can be found in Appendix D.2.C

Due to the potential for burrowing owls to colonize within the Project onsite and off-site improvement areas at any time in the future, and considering that construction is not scheduled to occur within the next six months, it is a requirement of the MSHCP, and Project mitigation measure **MM BIO 1**, that a 30- day pre-construction clearance survey be conducted prior to commencement of construction activities to ensure no owls have migrated onto the site to prevent impacts to any burrowing owls. (Amec(a), p. 5-11). These pre-construction survey requirements will provide adequate mitigation for any future colonization of burrowing owls on the site. The Project will not conflict with Section 6.3.2 of the MSHCP.

- **Section 6.4 Fuels Management**

Section 6.4 of the MSHCP focuses on hazard reduction for human safety in a manner compatible with public safety and conservation of biological resources. In compliance with the *Fuels Management Guidelines* of the MSHCP, the proposed Project will provide a secondary gravel fire access road and the warehouse will be designed according to the current California Fire Code with City amendments. In addition, the development boundary, as stated before, does not encroach into a MSHCP Conservation Area. Consequently, the Project does not conflict with MSHCP Section 6.4.

The proposed Project demonstrates that it does not conflict with MSHCP Sections 6.1.2, 6.1.3, 6.1.4, 6.3.2 and Section 6.4. The Project incorporates Project Design Features such as avoidance of drainage areas, light shielding, and minimization of runoff, as noted in **Table 4.3-F**. The Project must comply with the regulations listed in Section 4.3.3. With implementation of mitigation measure **MM BIO 1** to reduce potential impacts to burrowing owls to less than significant, the proposed Project will be consistent with MSHCP Section 6.3.2. Consequently, implementation of the proposed Project will not conflict with the provisions of the MSHCP and impacts will be less than significant with mitigation.

Level of Significance before Mitigation:

Significant impact related to the potential need to survey for burrowing owls that may colonize the site in the future.

Mitigation Measures:

See **MM BIO 1.**

Level of Significance after Mitigation:

Less than significant.

4.3.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.3.4 for relevant assumptions regarding the cumulative setting for biological resources.

Impact Analysis:

As stated in Section 4.3.3 (Biological Resources, Related Regulations), the overall biological goal of the MSHCP is to conserve covered species and their habitats, as well as to maintain biological diversity and ecological processes while allowing for future economic growth within a rapidly urbanizing region. Because the City and all cities within western Riverside County are signatories to the MSHCP, all projects within the City are required to comply with the MSHCP and conduct biological habitat assessments/focused surveys as necessary and to pay the local development mitigation fee. The MSHCP fees will be used by the RCA to purchase off-site lands that will mitigate for the loss of foraging habitat. Compliance with the MSHCP provides mitigation for direct, indirect, and cumulative impacts to covered species. The City of Banning reviews all public and private development and construction projects and other land use plans/activities within the MSHCP area to ensure compliance with the conservation criteria procedures and mitigation requirements set forth in the MSHCP.

As discussed above, the Project site and off-site alignments are undeveloped and do support habitat. Other vacant lands within the City and County/Tribal Lands to the east also offer the same open habitat values as the Project site. Regionally, the loss of open habitat to development has been evaluated and accommodated for by the MSHCP. As

required by the MSHCP, a Habitat Assessment and MSHCP Consistency Analysis, Jurisdictional Delineation, and Mature Tree Assessment Letter was prepared for the Project to assess potential biological resources impacts with implementation of the proposed Project. Additionally, because the Project will impact riparian/riverine habitat, a DBESP was prepared to identify habitat creation strategies to ensure that equivalent or superior preservation is provided to offset 0.23 acre of permanent impacts and 0.47 acre of temporary impacts to MSHCP riparian/riverine areas. The proposed Project is required to adhere to mitigation measures **MM BIO 1 through MM BIO 5** to reduce biological resources impacts to less than significant and pay the required development mitigation fees in support of the MSHCP. The Project site is surrounded by railroad right-of-way and I-10 to the north, the Banning Airport to the west and to the south, and vacant land owned by the Morongo Band of Mission Indians ("Tribal land") to the east. South of the airport, land use is zoned Industrial (I) and Very Low Density Residential (VLDR). To the west of the airport at the extension of John Street, land use is zoned Airport Industrial (AI) and Industrial (I). Land uses include a plastic fabrication business, a small multi-tenant industrial park, automotive repair and scattered residential uses. Given the existing surrounding development and designated land uses, the configuration of the site being part of the SLA would not make sense from a biological standpoint given the lack of north/south connectivity to open space areas that provide viable habitat linkages. Consequently, the Project site does not represent a wildlife travel route, crossing, or regional movement corridor between open space habitats.

Development of the Project site will not interfere with movement of fish species because all six drainage features at the Project site are ephemeral washes that likely flow for less than three months per year and consequently do not provide suitable habitat for fish.

Through compliance with the MSHCP, the proposed Project and other cumulative development projects in the vicinity will not result in a cumulative adverse effect, either directly or through habitat modifications, on any of the Covered Species listed in the MSHCP because implementation of the MSHCP requires habitat preservation for Covered Species in order to address their life cycle needs. Thus, through compliance with the MSHCP, including payment of fees, and based on the features of the MSHCP itself, direct, indirect, and cumulative impacts to Covered Species are mitigated below a level of significance.

Additionally, the proposed Project and cumulative development projects in the vicinity will not cause adverse cumulative impacts by conflicting with the provisions of any adopted HCP, NCCP or other approved local, regional, or state habitat conservation plan

either within or outside of the Plan area. Through compliance with the MSHCP cumulative impacts are considered less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Significance after Mitigation:

Not applicable.

4.3.9 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Not applicable.

4.3.10 REFERENCES

Amec Foster Wheeler, *Habitat Assessment and Western Riverside County MSHCP Consistency Analysis Report for the Banning Industrial Park Project City of Banning, Riverside County, California,* December 19, 2017. (Included herein as Appendix D) (Cited as Amec(a))

Amec Foster Wheeler, *Jurisdictional Delineation Report, Banning Industrial Park, City of Banning, Riverside County, California*, Revised June 2017. (Included herein as Appendix G) (Cited as Amec(b))

Amec Foster Wheeler, *Determination of Biologically Equivalent or Superior Preservation for the Banning Industrial Park Project City of Banning, Riverside County, California,* December 2017. (Included herein as Appendix E) (Cited as Amec(c))

Amec Foster Wheeler. *Mature Tree Assessment Letter Report for the Banning Industrial Park Project, located in the City of Banning, Riverside County, California.* December 21, 2017 (Included herein as Appendix F) (Cited as Amec(d))

City of Banning, *City of Banning General Plan, Chapter IV. Environmental Resources,* January 31, 2006. (Available at http://www.ci.banning.ca.us/DocumentCenter/View/664, accessed July 13, 2017.)

Coachella Valley Association of Governments, *Coachella Valley Multiple Species Habitat Conservation Plan, Figures 4-6a – 4-6e and Sections 4.0 and 9.0.* September 2007, amended 2016. (Available at http://www.cvmshcp.org/Plan_Documents_old.htm#plan, accessed May 17, 2018.) (Cited as CVAG)

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County of Riverside Environmental Programs Department, *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area*, 2006. (Available at http://rctlma.org/Portals/1/EPD/consultant/burrowing_owl_survey_instructions.pdf, accessed May 29, 2018)

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Riverside County Habitat Conservation Agency. *Stephens' Kangaroo Rat Reserves/Plan Area Map*. (Available at http://www.skrplan.org/docs/reserve_maps/SKRPlanArea.pdf, accessed May 17, 2018.) (Cited as RCHCA)

Rocks Biological Consulting. *Habitat Assessment Report for the Messenger Industrial Park-Banning Airport Project, Riverside County, CA.* March 8, 2006, Revised December 11, 2006. (Available at the City of Banning).

Wood Environment & Infrastructure Solutions (formerly Amec Foster Wheeler). *Western Burrowing Owl Survey Report, Banning Industrial Park Project, City of Banning, Riverside County, California.* May 2018. (Included herein as Appendix D.2) (Cited as Amec(e)).

4.4 CULTURAL RESOURCES

4.4.1 INTRODUCTION

Potential impacts related to historical, archaeological, paleontological resources were found to be potentially significant in the Initial Study/NOP prepared for this Project (Appendix A). The focus of the following discussion is related to whether the Project will cause a substantial adverse change in the significance of historical resources, unique archaeological resources, will directly or indirectly destroy a unique paleontological resource or site or unique geological features, or result in the disturbance of human remains, including those interred outside of formal cemeteries.

One letter was received during the NOP period regarding cultural resources from the Native American Heritage Commission. The letter noted lead agencies should conduct AB 52 and SB 18 outreach and provided a summary of each regulation; the letter can be found in Appendix B of this DEIR. Section 4.9 - Tribal Cultural Resources of this DEIR discusses AB 52 and SB 18 outreach related to this Project.

4.4.2 PHYSICAL SETTING

- **Surrounding Conditions**

The Project area is situated on the interfluvial plain immediately north of Smith Creek. Annual precipitation in the area ranges from 18 to 20 inches. Surrounding sediments are composed of older Quaternary Alluvium deposits, derived as fan deposits from the San Bernardino Mountains to the north and possibly from the San Jacinto Mountains to the south. The Project lies within the South Coast Bioregion, and is sparsely vegetated with scrub brush and grasses. A variety of reptiles, small mammals, birds, and insects coexist within the Project area (AE, p. 8).

The Project is located in the San Gorgonio Pass (elevation 2,616 ft.), which forms a natural break between the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. It is east-west trending lowland between the two mountain ranges. The surface of the lowland is composed of alluvial fan deposits, mainly from the San Bernardino Mountains. The northern foothills are underlain by upper Cenozoic nonmarine and marine sedimentary deposits (AE, p. 8).

The San Bernardino Mountains are in the Transverse Ranges geomorphic province. The Transverse Ranges are an east-west trending mountain range at the northeast end of the Los Angeles Basin. This range has some of the highest peaks south of the Sierra Nevada range The San Bernardino Mountains are about 65 mi (105 kilometers [km])

long and 30 mi (48 km) wide at their widest point. The San Jacinto Mountains are the northernmost of the Peninsular Ranges, which run 900 mi (1,500 km) from southern California to the southern tip of the Baja California Peninsula. At an elevation of 10,834 ft., San Jacinto Peak is the highest peak in the range (AE, p. 8).

- **Prehistoric Setting**

For purposes of this report, the discussion will begin at 9,500 B.P., because no evidence of the earlier Paleo-Indian Period (ca. 12,000 – 9,000 B.P.) has been found within the vicinity of the Project study area.

Early Archaic Period (ca. 9,500 to 7,000 B.P.)
The Early Archaic period saw a continuation of the weather patterns described above for the latest Pleistocene/Early Holocene period, with the desert interior apparently much more favorable for human occupation than the cismontaine valleys of Southern California. It has been postulated that small, highly mobile groups still traveled over a wide home range utilizing highly portable tool kits to procure and process critical resources, with brief and anticipated intervals of seasonal sedentism. Due to the arid conditions within the interior valley areas, prehistoric use of the general study area would still have been negligible; however, those populations exploiting the interior valleys would still have been tethered to the few reliable, drought-resistant water sources such as Lake Elsinore, Mystic Lake, and possibly the Cajalco Basin (AE, p. 10).

Two site components are firmly dated to the Early Archaic. One component includes a single human burial dating to 7380 ± 300 B.P. and capped by several large, highly shaped metates. The second is the lower cultural component, a small temporary camp dated with obsidian hydration data and stratigraphic information to the Early Archaic, contained a relatively sparse scatter of flaked and ground stone artifacts and faunal remains but no cultural features (AE, p. 10).

Few sites dating to the Early Archaic have been documented within the regional study area, supporting the theory of negligible use of the inland areas of Southern California at this time because of arid conditions. Many of these sites contain only scant evidence of Early Archaic use in the form of obsidian hydration rind measurements, suggesting ephemeral site use by small, highly mobile groups. However, some sites dating to this time period do contain evidence of fairly sedentary residential occupations, and evidence that site reuse was anticipated, suggesting a predictable availability of water and other critical resources. These sites have been found invariably near large, drought-resistant, inland water sources, and may have been destination points on a scheduled, seasonal round (AE, p. 11).

Middle Archaic Period (ca. 7,000 to 4,000 B.P.)

The Middle Archaic saw a reversal of the weather patterns which had prevailed throughout much of cismontane southern California for several millennia. By about 6000 B.P., local environmental conditions ameliorated while conditions in the deserts deteriorated, reaching maximum aridity of the postglacial period. A westerly air flow pattern returned to southern California, while the monsoonal weather patterns in the deserts retreated. As a result, the inland areas may have seen increased effective moisture, while the interior deserts, no longer receiving moist monsoonal flow and now in the rainshadow of the Transverse and Peninsular ranges, became quite arid. This suggests that cismontane southern California, including the Project study region, may have been a relatively more hospitable environment than the interior deserts during the middle Holocene (AE, pp. 11–12).

The artifact inventory of this period includes crude hammerstones, scraper planes, choppers, large drills, crescents, and large flake tools. This assemblage also includes large leaf-shaped projectile points and knives; manos and milling stones used for hard-seed grinding; and likely nonutilitarian artifacts, such as beads, pendants, charmstones, discoidals, spherical stones, and cogged stones (AE, p. 12).

Late Archaic Period (ca. 4,000 to 1,500 B.P.)

The beginning of the Late Archaic period coincides with the Little Pluvial, a period of increased moisture in the region, which allowed for more extensive occupation of the region and increased sedentism. Large occupation sites were usually located adjacent to permanent water sources, such as perennial springs or larger streams (AE, pp. 14–15).

Technologically, the artifact assemblage of this period was similar to that of the preceding Middle Archaic; new tools were added either as innovations or as “borrowed” cultural items. Diagnostic projectile points of this period include Humboldt, Gypsum, and Elko-series dart points. Other artifact types characteristic of this period include leaf-shaped arrow points, rectangular based knives, flake scrapers, T-shaped drills, milling slabs and manos, as well as core/cobble tools assemblages such as scraper planes, large choppers, and hammerstones. Shaft smoothers, incised slate and sandstone tablets and pendants, bone awls, Olivella shell beads, and Haliotis beads and ornaments are also found (AE, pp. 15–17).

A technological innovation introduced during this period was the mortar and pestle, used for processing acorns and hard seeds, such as those derived from the mesquite pod. This correlates with a warming and drying trend that began around 2,100 B.P., which appears to have resulted in resource intensification (AE, p. 16).

Saratoga Springs Period (ca. 1,500 to 750 B.P.)
In the early years of this period, cultural trends were largely a continuation of the developments that began during the Late Archaic Period, including an increased adaptation to the arid environment in the deserts and an increase in trade relations (AE, p. 17).

Lake Cahuilla is believed to have refilled the Coachella Valley around 1,450 B.P. and was the focus of cultural activities such as exploitation of fish, water fowl, and wetland resources during this period. Desert people, speaking Shoshonean languages, may have moved into Southern California at this time, the so-called "Shoshonean Intrusion." Brown and Buff Ware pottery first appeared on the lower Colorado River at about 1,200 B.P., and started to diffuse across the California deserts by about 1,100 B.P.; however, by about 1,060 B.P. environmental conditions became notably warmer and drier (AE, p. 19).

This period of intense drought, the Medieval Warm, extended throughout the Southwest and led to the withdrawal of Native American populations from marginal desert areas. Human occupation of the Lake Perris area declined during this time period, while what occupations there were seem to have been tethered to springs and other sources of water. Saratoga Springs-style projectile points, a large triangular form associated with use of the bow and arrow, began to appear in the area at this time. However, the sparse assemblages found from this period obscure the exact timing of the transformation from dart and atlatl to bow and arrow (AE, p. 19).

Late Prehistoric Period (ca. 750 to 400 B.P.)
The Medieval Warm extended into the Late Prehistoric Period, ending about 575 B.P. A period of lower temperatures and increased precipitation, known as the Little Ice Age, resulted in increased resource productivity in the inland region. At the end of the Medieval Warm, however, and lasting throughout the ensuing Protohistoric Period a period of cooler temperatures and greater precipitation ushered in the Little Ice Age during which time ecosystem productivity greatly increased along with the availability and predictability of water (AE, p. 20).

Also, Lake Cahuilla began to recede during this period and the large Patayan populations occupying its shores began moving westward into areas such as Anza Borrego, Coyote Canyon, the Upper Coachella Valley, the Little San Bernardino Mountains, and the San Jacinto Plain. The final desiccation of Lake Cahuilla, which had occurred by approximately 750 B.P., resulted in a population shift away from the lakebed into the Peninsular Ranges to the west, and the Colorado River regions to the east (AE, p. 20).

Protohistoric Period (ca. 400 to 150 B.P.)
Sedentism intensified during the Protohistoric Period, with small, but apparently fully sedentary villages forming. Increased hunting efficiency (through use of the bow and arrow) and widespread exploitation of acorns and other hard nuts and berries (indicated by the abundance of mortars and pestles) provided reliable and storable food resources. This, in turn, promoted greater sedentism. Related to this increase in resource utilization and sedentism are sites with deeper middens, suggesting central-based wandering or permanent habitation. These would have been the villages, or Rancherias, noted by the early nonnative explorers (AE, p. 21).

The most striking change in material culture in this period was the local manufacture of ceramic vessels and ceramic smoking pipes. Ceramic technology in the Project region appears to date to around 350 B.P. and abundant amounts of obsidian were imported into the region. Cottonwood Triangular points were supplemented by Desert Side-notched points during this period. Late in this period, some European trade goods were added to the previous cultural assemblages (Meighan 1954). Late in this period, some European trade goods (i.e., glass trade beads) were added to the previous cultural assemblages (AE, p. 21).

- **Ethnographic Setting**

Please see Section 4.9, Tribal Cultural Resources, for a discussion of ethnography related to the Project area.

- **Historic Setting**

The historical background of the Project focuses on the exploration, settlement, and development of the region, beginning with the Spanish Period in 1769 continuing through the American Period which began in 1848.

The Spanish Period, 1769 – 1822
The Historical Period in California formally began in 1769 with the Spanish occupation of Alta California and the founding of the San Diego de Alcala mission in San Diego when written records began to be compiled (AE, p. 27).

Exploration of the California coastline by ship during the sixteenth and seventeenth centuries was the basis for the Spanish claim to most of Alta and Baja California at that time. While a number of explorers and their men came ashore periodically, they did not venture a great distance inland. In the eighteenth century, Spain recognized that to strengthen its claim to the region, it would have to establish settlements along the northern coastline of Alta California to preclude encroachment by the Russian and

British fur-traders entering the region from the north. Consequently, in the latter half of the eighteenth century, Spain and the Franciscan Order founded a series of presidios, or military camps, and missions along the California coast, beginning with the founding of Mission San Diego de Alcala in 1769. They proceeded to establish a military presidio at Monte Rey (present-day Monterey) in northern California in 1770, their fourth mission at San Gabriel in 1771, and a fifth mission at San Luis Obispo by 1772. However, providing supplies, animals, and colonists to the Spanish missions and presidios by way of ship was difficult, time consuming, expensive, and dangerous. Thus, an overland route was necessary to initiate a strong colonizing effort in Alta California. In 1774, Captain Juan Bautista de Anza crossed the San Jacinto plains with a small party of soldiers and servants. Anza's expeditionary force crossed the Cahuilla Valley, skirted the Santa Rosa Mountains, made their way up through Coyote Canyon, descended into the San Jacinto Valley via Bautista Creek, and trekked northwest across the San Jacinto Valley into Moreno Valley, crossing the Santa Ana River near Jurupa (AE, pp. 27-28).

The Riverside area was considered to be a part of the San Diego District, a military designation associated with the San Diego presidio; most of the territory fell under the authority of the Mission San Luis Rey. Founded in 1798, Mission San Luis Rey was the eighteenth of California's 21 missions. During much of the Spanish Period, European settlement in Riverside County was slow and sporadic. By the end of the Spanish Period, few Europeans had settled permanently within the region. The broad grasslands associated with Mission San Luis Rey of the San Jacinto Valley were used to graze the cattle (AE, p. 28).

Mexican Period, 1822 – 1848

In 1821, after 10 years of intermittent rebellion and warfare, Mexico and the territory of California won independence from Spain. Following the Secularization Act of 1833, which called for the immediate privatization of Franciscan lands, the Mexican government secularized all of the California missions. During the two-year period of 1834–1836, this radical process quickly and effectively reduced the missions to parish churches. Although the original secularization schemes called for redistribution of mission lands to those Native Americans who were responsible for the physical construction of the mission empire, the vast mission land and livestock holdings were redistributed by the Mexican government into several hundred land grants to private, non-Native American ranchers. During the resultant Mexican Rancho Period (1834–1848), livestock and horticulture dominated the economics of Southern California. Ranchos were predominately devoted to the cattle industry and large tracts of land were used for grazing (AE, pp. 28–29).

American Period, 1848 – Present

With the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, California entered into the American Period and, in 1850, became a recognized state in the United States During the late 1840s, there began the decline of old California's cattle ranching industry, which for over half a century represented the currency and staple of the rancho system. By the 1850s to 1860s, cattle ranching in the general region had greatly declined, and ranchos changed ownership regularly. Through the years, settlement continued to develop across the inland valleys of what would eventually become western Riverside County. With the influx of new settlers and decline of the cattle industry, some of the larger ranchos were subsequently subdivided into smaller parcels. In 1852, San Diego organized into a county; in 1853, San Bernardino followed suit. Riverside County would be formed in 1893, carved out of portions of San Bernardino and San Diego counties (AE, p. 29).

Population rose dramatically as railroads, citriculture, ranching, and readily available land enticed more Americans and Europeans to settle in Southern California. By the late 1880s and early 1890s, conflicts and discontent between the cities of Riverside and San Bernardino led to the establishment of a new county. Portions of the Temecula and San Jacinto valleys, then in San Diego County, joined with the residents of Riverside to form a new county seat in May 1893, leading to the formation of Riverside County. The decade of the 1920s offered regional urban growth in southern California that was helpful to many farmers in the region. However, it also brought sustained national declines in the prices of many agricultural commodities due to major increases in agricultural production in the U.S. and elsewhere. Turnover in land ownership during the 1930s and the eventual recovery of agricultural prices by the eve of World War II (WWII) was followed by the disruptions of the exodus of younger people into military service or leaving to work in urban areas. Water from the Colorado River Aqueduct was piped to the region beginning in the early 1940s. Alfalfa, potatoes, watermelons, and sugar beets soon after became the mainstay of farming in many parts of the region (AE, p. 30).

The post-WWII era ushered in a boom in commercial, industrial, and residential development in and near the region's urban centers, followed by the construction of several freeways linking urban areas to one another. As urban areas were spread outward by development, once-rural areas took on a more semi-rural character, dotted by small "mini-ranch" subdivisions. In more recent years, housing and urban development have spread outward from urban areas and swallowed up former agricultural land at an exponential rate, forever changing the character of the region. Substantial growth over the last few decades has necessitated the construction of

numerous artificial lakes, reservoirs, and other forms of municipal water storage. During the first decade of 2000, inexpensive land and housing transformed many of the towns in southwestern Riverside County into "bedroom" communities for those working in Los Angeles and San Diego Counties. Increased population and automobile traffic has resulted in the need for construction of new roads, as well as expansion and improved safety of many of the pre-existing roads throughout the region. The over-expansion of the housing market, and ultimate crash in 2007, led to a shift in the region's development trend in recent years to increase infrastructure projects to support the population growth (AE, pp. 30–31).

City of Banning

Banning is located in the San Gorgonio Pass, the principle opening in the Coast Range (between the San Bernardino Mountains to the north and the San Jacinto Mountains to the south) that allows east/west travel between the coast and desert regions. As such, it was the route of early trails and stage roads, as well as the Southern Pacific Railroad and US Interstate Highway 10.

In the 1870s, the construction of the Southern Pacific Railroad through the San Gorgonio Pass drew further settlement to the area.

Banning, originally Moore City, was founded in early 1877, near the "confluence" of the railroad and the flume. By July of the same year, the name was changed to Banning. In 1884, the Banning Water Company was formed; it constructed a flume along San Gorgonio Street from Water Canyon to Banning

Incorporated in 1913, Banning continued to grow both as an agricultural area and as a resort. In the 1920s, Banning population was around 3,000. In that decade, almond trees, at the peak of their success in California, were grown on approximately 1,000 acres in and around Banning; the area was considered the largest almond-growing region in southern California. At the same time, Banning had maintained its reputation as a "health haven… as attested by the sanitariums and private rest homes in and near the city" (AE, pp. 31–32).

The news of the construction of the Colorado River Aqueduct by the Metropolitan Water District (MWD) was well received in Banning. The MWD field headquarters were located at the intersection of San Gorgonio Avenue and the Union Pacific Railroad. Construction work for MWD headquarters began in 1932. Through the years of the Great Depression, Banning was home to the MWD engineer's field office. During the seven years of construction of the aqueduct, the headquarters provided a boost to the

local economy, as did the construction workers who lived in the town and commuted to work.

At the beginning of WWII, General George C. Patton established a Desert Training Center in the Mojave Desert in eastern Riverside and San Bernardino counties. In Banning, a 1,000-bed hospital, aid station, and artillery range contributed to the training effort. During the war, 1.6 million people moved to California to work in war industries, and many of the servicemen trained in the state settled here after the war was over. By 1962, California had the highest population of any state. The region experienced a boom in housing subdivisions, commerce, and industry. The city of Banning, positioned along the Southern Pacific Railroad and U.S. Highway 60/70/99, grew substantially during the post-war boom period (USGS 1956). Banning also appealed to the elderly and became known as a retirement community during the 1960s. Sun Lakes Country Club, a large retirement village, is home to about 6,000 residents (AE, pp 32–33).

Banning Municipal Airport

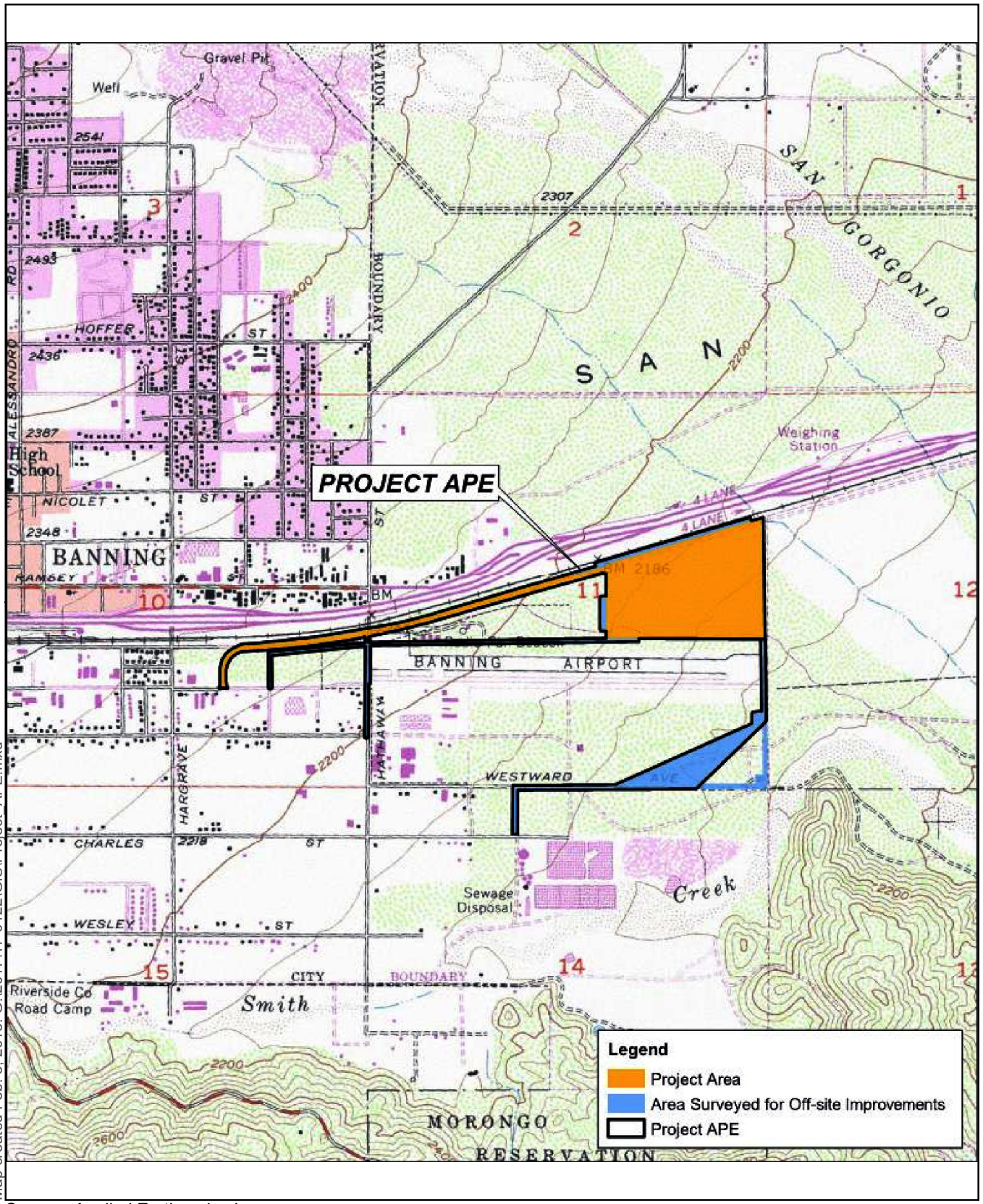
In 1927, the Banning Kiwanis Club established an airport for Banning on approximately 70 acres of land purchased from the Southern Pacific Railroad. The airport was named Rodgers Airport after Cal Rodgers, who landed his plane in Banning during the first transcontinental flight in 1911. Tickets for the dedication held on July 4, 1928, advertised an air circus and auto races. Events included "a non-stop race from Los Angeles to Banning, a 50-mi race around the airport, balloon fighting, [and] parachute spot landing". Following its annexation by the City of Banning in the mid-1930s, the airport was improved and enlarged to 127 acres (AE, p. 33).

During WWII, the Army Air Forces controlled the airport. While under military control, the facility was known as Banning Landing Strip. In 1943, the U.S. Army conducted a training program in airport construction at the Banning Landing Strip for Army engineers. Known as *Project X: How to Build an Air Field in Italy*, the program resulted in improvements to the runway with the extension of the paved landing strip to 5,200 ft. Aside from the landing area, no other facilities appear to have been present at the airport at this time. Following the end of WWII, control of the airport reverted back to the municipal government. In the following decade, the City of Banning made a number of infrastructural improvements to the airport. The 1956 USGS topographic quadrangle map for Cabazon, California (1:24,000) depicts an aircraft parking apron, communication fan beacon, two buildings, and a road in the northwest corner of the airport. By 1967, taxiways, the terminal building, and four aircraft hangars were constructed on the property south of the runway. Several additional hangars appear to have been built at the airport in the late 1980s and early 1990s (AE, pp.33–34).

- **Project Site Conditions**

The Project's Area of Potential Effects (APE) is defined as the geographic area within which the Project has the potential to directly or indirectly cause alterations to historic properties, per 36 CFR § 8001.16(d). In defining the APE, both direct and indirect impacts anticipated by the proposed Project were considered. As the Project entails construction of a high-cube warehouse and access road within an area bounded by industrial development, indirect effects, such as visual intrusion or noise, are considered temporary. Thus, the APE for this Project is defined as the area of direct impacts (this includes the on- and off-site improvement areas), which encompasses approximately 108 acres. In regard to the vertical limits of the Project APE, ground disturbance may reach a maximum depth of 33 below the current grade (AE, p. 7).

The APE includes the Project site and off-site areas planned for wet utilities. Most of the main Project site, which is proposed for development, is located just south of Interstate 10 (I-10) and the Southern Pacific Railroad and north of the Banning Municipal Airport (AE, p. 3). **Figure 4-4.1 – Project Area of Potential Effects** shows the Project site and offsite improvements.



Map created Feb. 5, 2018. G:\2017\17-0122\GIS\Project_APE.mxd

Source: Applied Earthworks, Inc., Cultural Resources Assessment, Nov. 2017.

Not to Scale

Figure 4.4-1 – Project Area of Potential Effects

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

- **Cultural Resource Investigation and Known Historical, and Archaeological Resources**

The objectives of the cultural resource investigations for the proposed Project conducted by Applied Earthworks (AE) were to: complete a cultural resource inventory of the approximately 64-acre Project site and offsite improvements to identify and document all cultural resources that may be impacted or adversely affected by the proposed Project, and evaluate the significance of the identified cultural resources on the Project site to determine if any identified resources are eligible for listing on the California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP).

Records Search and Findings

AE conducted an archaeological literature and records search at the Eastern Information Center (EIC) at the University of California, Riverside, for recorded cultural resources within a one-mile radius of the Project site; requested a Sacred Lands Files search from the Native American Heritage Commission (NAHC); and performed a cultural resources pedestrian survey of the Project site. The Pedestrian survey was conducted on May 24, 2016 (AE, pp. iv, 50).Prior to the pedestrian survey, a cultural resource literature and records search of the California Historical Resource Information System (CHRIS) was conducted at the EIC on May 4, 2016, encompassing the entire Project site and an additional one-mile radius. Records indicate 40 previous cultural resource investigations were conducted within a one-mile radius of the Project site between 1978 and 2015. One of these studies encompassed the entire Project site with five studies covering portions of the Project site. As a result of this and previous cultural resource investigations, 197 cultural resources have been documented within one-mile of the Project site. One of these previously identified cultural resources is reported to be located within the Project area. The cultural materials recorded in the scatter include 10 pieces of ceramics, three pieces of sun-colored amethyst glass dating between ca. 1880s to the 1920s, two pieces of olive-colored glass, and two or more pieces of thick colorless glass (CA-RIV-3443H/33-003443) (AE, p. 46). No newly identified prehistoric or historic-period cultural resources were found on the Project site during the Phase I survey (AE, p. 51).

Cultural Resource Outreach

As part of the cultural resource investigation (a separate process from AB 52) which is discussed in Section 4.9 off this DEIR, AE contacted the NAHC on March 27, 2016 for a review of the Sacred Lands File (SLF) to determine if any known Native American cultural properties (e.g., traditional use or gathering areas, places of religious or sacred activity, etc.) are present within or adjacent to the Project area. The NAHC responded

on May 2, 2016, noting that the SLF search failed to indicate the presence of Native American cultural resources in the immediate Project area. The NAHC requested that Native American individuals and organizations be contacted to elicit information and/or concerns regarding cultural resource issues related to the proposed Project. Correspondence describing the Project and asking these individuals and organizations for their input was sent via mail and electronic mail by Applied Earthworks, the cultural resources consultant as part of its non-governmental tribal outreach on May 25, 2016. A second attempt at correspondence was made on June 8, 2016 (AE, p. 48). The entirety of this outreach is discussed in Section 4.9.2 of this DEIR.

The City of Banning also conducted government-to-government tribal consultations in compliance with SB18 and AB52. Additional discussion of the tribal cultural resources and tribal consultation is contained in Section 4.9- Tribal Cultural Resource.

- **Historical Resources**

Pedestrian Survey Methods

An intensive cultural resources pedestrian survey of the Project property was completed on May 24, 2016 by AE. The survey of the offsite improvement areas was undertaken on May 9, May 24, and September 28, 2017. The offsite areas were carefully inspected by the archaeologists walking parallel transects spaced no more than 15 meters (50 ft) apart. All areas likely to contain or exhibit archaeologically or historically sensitive cultural resources were inspected carefully to ensure that visible, potentially significant cultural resources were discovered and documented. Additionally, surveyors investigated any unusual landforms, contours, soil changes, features (e.g., drainages), and other potential cultural site markers. A Daily Work Record was completed that documented survey personnel, hours worked, ground surface visibility, and any cultural resources identified (AE, p. 50).

For purposes of this Project, one or more cultural features or three or more artifacts greater than 45 years of age within a 30 meter (100 ft) radius was considered to constitute a cultural resource (or site). Cultural features or clusters of artifacts more than 30 meters away from the nearest known cultural resource were generally considered a separate site area. Less than three prehistoric or historical artifacts within a 30 meter radius, but outside of a known site, were considered an isolated find (AE, p. 50).

When encountered, newly identified cultural resources were recorded on State of California Department of Parks and Recreation Primary Records and Archaeological Site

Forms (DPR 523 [1995]). Systematic efforts were made to characterize and define the boundaries of the cultural resource, as well as any discrete activity locations and features. Site locations were plotted on the Cabazon CA 1:24,000 scale USGS 7.5' quadrangle using a Trimble GeoXH hand-held GPS unit using real-time satellite based augmentation system (SBAS) corrections achieving sub-meter accuracy. No artifacts were collected during the pedestrian survey (AE, p. 50).

AE attempted to re-identify the one cultural resource (CA-RIV-3443H /33-003443) that had been previously recorded within the Project APE. Given that the archaeological site had been recorded more than 10 years ago, the site record for the resource was updated appropriately using the methods described above (AE, p. 50).

Survey Findings

Two historic-aged archaeological resources and four historical built-environment resources were identified within the Project APE. The historic-aged archaeological resources include portions of two previously recorded refuse scatters (CA-RIV-3443H/33-003443 and CA-RIV-8364H/P-33-016208). Historical built environment resources include the Banning Municipal Airport (33-024895), two road segments (East Westward Avenue [33-026821] and John Street [33-026822]), and a portion of a historical transmission line (33-026820) (AE, p. 51). Further description of the resources is found below.

CA-RIV-3443H/ (33-003343)

This resource was recorded in 1988 as a sparse scatter of historical railroad-related refuse measuring approximately 100 x 60 m (E-W x N-S). A revisit to CA-RIV-3443H found that the portion of the site located within the Project APE measures approximately 45 x 27 m (E-W x N-S).An extensive level of disturbance was noted within the portion of CA-RIV-3443H in the Project APE; these disturbances include mechanical activities, disturbances from grazing cattle, and what appears to be one “pot-hole” dug by illicit artifact collectors. Examination of sediments exposed in the pot-hole suggests that site is limited to a surface scatter with little potential for buried cultural deposits (AE, p. 51).

While the artifacts that compose this site may be associated with railroad history and development of the region, there is no indication that this association is significant. No evidence was found to indicate that the refuse scatter is an important physical expression of specific events or periods of significance in the railroad’s history. Finally, the historic artifact scatter does not appear to contain subsurface remains and has limited research potential. Because CA-RIV-3443H does not have the potential to yield important historical information, it is not recommended eligible under NRHP (AE, p. 59).

CA-RIV-8364H/ (33-016208)

This resource was originally documented in July 2007 as a low-density scatter of historical refuse that measured 70 x 50 meters (230 x164 ft.) located on both sides of Charles Street approximately 200 ft. south of East Westward Avenue. The site was described as consisting of domestic household refuse that included consumer and kitchen items such as glass, ceramic, and tin canister fragments. Based on the presence of sun-colored amethyst glass and diagnostic markers' marks, dated the site to the 1920s and/or 1930s. A revisit to CA-RIV-8364H in November 2007 found that the refuse scatter was significantly larger than originally recorded As a result of the revisit, the site boundaries were expanded to 176 x 79 meters (580 x 260 ft.) (N-S x E-W) with the northern boundary located approximately 50 ft. south of Westward Avenue. Examination of the surface artifacts confirmed earlier observations that the bulk of the remains consisted of domestic refuse that included fragmented bottles, ceramics, tableware, and metal cans (AE, p. 59).

Disturbance is less evident in the portion of CA-RIV-8364H located north of the former East Westward Avenue alignment although artifacts in this area are also highly fragmented. After abandonment of East Westward Avenue, the eastern portions of the site were apparently being used as an illicit dump site of bulky items and construction demolition debris (AE, p. 54).

Results of the current cultural resource assessment confirm the earlier findings and indicate that the site does not meet any of the four criteria for listing on the NRHP or the CRHR. The portion of the site within the Project APE consists of a series of trash dumps and scatters along an abandoned section of East Westward Avenue that cannot be clearly associated with a particular property. Finally, the historical artifact scatter does not appear to contain subsurface remains and has limited research potential. Because CA-RIV-8364H does not have the potential to yield important historical information, it is not recommended eligible under NRHP (AE, p. 60).

Banning Municipal Airport (33-024895)

A portion of the Banning Municipal Airport (33-024895) is located within the Project APE. The airport encompasses approximately 295 acres, of which approximately 145 acres is developed. In addition to runways and taxiways, several facilities are located within the airport boundaries including a terminal building, one facility capable of housing a fixed base operator, nine hangars, a helipad, and fuel facilities.

Much of the Banning Municipal Airport located within the Project APE is undeveloped. However, portions of a paved area of asphalt measuring 500 ft. (E-W) by 55 ft. (N-S) were found to extend into the APE. The asphalt is in relatively poor condition with

grasses and weeds growing between cracks in the paved surface. Examination of historical aerials suggests that the paved area was part of an old aircraft parking apron or possible road that ran along the northern edge of the airport. The paved area is located immediately north of the helipad and is restricted from the rest of the airport by a chain-link fence (AE, p. 54).

The airport does not exhibit any architectural or engineering merits that would set it apart from other municipal airports in the region. The landing strip and associated buildings are of standard design and construction. As such, the Banning Municipal Airport does not meet the criteria for listing under NRHP (AE, p. 60).

East Westward Avenue (33-026821)

The Project APE also includes an approximately 3,500-ft-long section of the historical East Westward Avenue. The western 690-ft-long section of the roadway is a well-maintained asphalt-concrete paved road; the width of the roadbed in this area is 22 ft. The eastern extent of the original road alignment (2,810 ft.) is much narrower (12 ft.) and is constructed of a rudimentary pavement of coarse gravels and asphalt. No historic-period signage, guardrails, or other historical roadway features were observed along this road segment (AE, p. 55).

Historic maps indicate that the section of East Westward Avenue located east of South Hathaway Street has been in use since at least the early 1940s. As originally constructed, the east-west oriented road ran for one mile between Sections 11 and 14, Township 3S / Range 1E. Historic aerial photographs suggest that by the late 1960s, the easternmost portion of the road, which measured approximately 0.4 mi (2,100 ft.) in length, had been realigned farther to the north. The only evidence of the eastern portion of the original road observed in the Project APE was a faint two track in the western portion of old alignment. Erosion from the nearby Smith Creek appears to have destroyed the remaining portions of the road alignment (AE, p. 55).

The road does not represent the work of a prominent architect, designer, or builder, nor does it qualify as an important example of its type, period, region, or method of construction. Finally, the East Westward Avenue does not have the potential to yield any information important to the study of our local, state, or national history and is thus not eligible for listing under NRHP (AE. p. 61).

John Street (33-026822)

The Project APE includes a portion of John Street, a historic-period road that parallels I-10 and the Southern Pacific Railroad. The segment of John Street within the Project APE is paved with a width of approximately 20 ft. From its intersection with South Hargrave

Street, the roadway runs in an east to northeast direction for approximately 2,620 ft. at which point it terminates at the western end of the Banning Airport. The road appears to be regularly maintained. No historic-period signage, guardrails, or other historical roadway features were observed along this road segment (AE, p. 56).

Historical maps indicate that the section of John Street that ran between South Hargrave and South Hathaway streets has been in use since the mid-1950s. Historic aerial photographs suggest that this segment of road was paved by at least 1967. The eastern extent of the roadway appears to have been realigned following the construction of an airport hangar sometime in the 1970s or 1980s (AE, p. 56).

The road does not represent the work of a prominent architect, designer, or builder, nor does it qualify as an important example of its type, period, region, or method of construction. Finally, John Street does not have the potential to yield any information important to the study of our local, state, or national history (AE, pp. 61-62).

Transmission Line (33-026820)

An approximate 1,253-ft-long segment of a local power transmission line was documented along the southern portion of the Project APE. The transmission line runs in an east-west direction north of the original alignment of East Westward Avenue. The subject segment of the transmission line consists of seven wooden utility poles. Date nails showing pole construction dates range from 1958–1971 for the main transmission line with a 1929 date on an accessory pole (guy-line support). The wide range of manufacture dates suggests that the line may have been constructed of reused poles in the early 1970s. A metal tag labeled "City of Banning 4040" was observed on one of the poles. The easternmost pole has been cut and the line rerouted to the north. Inspection tags show the line is still in use (AE, p. 57).

Archival research found little information on the construction date of the transmission line. Based on the fact that the easternmost pole at 33-026820 has been cut with the line rerouted to the north, it is possible that this section of the transmission line has been removed. No evidence of the transmission line was observed on any of the USGS topographic quadrangle maps of the area (AE, p. 57).

The transmission line was built by the City of Banning, a municipality, and not individuals. Therefore, the structure is not directly associated with the productive life of an important historical figure (NRHP Criterion B/CRHR Criterion 2). The transmission line does not represent the work of a prominent architect, designer, or builder, nor does it qualify as an important example of its type, period, region, or method of construction (NRHP Criterion C/CRHR Criterion 3). Finally, the transmission line does not have the

potential to yield any information important to the study of our local, state, or national history (AE, p. 62).

4.4.3 REGULATORY SETTING

Numerous federal laws and regulations protect cultural resources and Native American concerns for such resources. With a few exceptions, many State of California laws and regulations that apply to cultural resources mirror the federal statutes.

- **Federal**

    - **Antiquities Act of 1906**

The only federal law protecting fossil resources on public lands is the Antiquities Act of 1906 (16 United States Code [USC] 431–433). Enacted when Theodore Roosevelt was president, the Antiquities Act was designed to protect nonrenewable fossil and cultural resources from indiscriminate collecting. Specific paleontological sites can be protected under the National Registry of Natural Landmarks (16 USC 461-467), and at least three paleontological Landmarks are known in California. NEPA (42 USC 4321) directs Federal agencies to use all practicable means to "…preserve important historic, cultural, and natural aspects of our national heritage…" It must be noted that Section 106 of the NHPA does not apply to paleontological resources unless they are found in culturally related contexts.

    - **National Historic Preservation Act (NHPA)**

The Project is subject Section 106 of the NHPA of 1966, as amended due to its requirement for a U.S. Army Corps of Engineers, Clean Water Act Section 404 permit. This requires potential cultural resources to be identified that may be affected by project actions, assess the significance of these resources and their eligibility for inclusion on the National Register of Historic Places (NRHP) as per 16 USC 470w (5), and consult with the Advisory Council on Historic Preservation (ACHP) regarding project effects on significant resources. Eligibility is based on criteria defined by the Department of the Interior. Generally, districts, archaeological sites, buildings, structures, and objects that possess integrity are potentially eligible for inclusion on the NRHP under the following criteria:

A) that are associated with events that have made a significant contribution to the broad patterns of our history; or
B) that are associated with the lives of persons significant in our past; or
C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess

high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D) that have yielded, or may be likely to yield, information important in prehistory or history. [36 CFR § 60.4]

If a cultural resource is determined to be an eligible historic property under 36 CFR § 60.4, then Section 106 requires that the effects of the proposed undertaking be assessed and considered in planning the undertaking.

- **State**

  - **California Environmental Quality Act**

This Project is subject to compliance with California Environmental Quality Act (CEQA), as amended. Cultural resource management work conducted as part of the proposed Project shall comply with the CEQA Statutes and Guidelines, which directs lead agencies to first determine whether cultural resources are "historically significant" resources. A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (California Code of Regulations [CCR], § 15064.5[b]). Generally, a cultural resource shall be considered "historically significant" if the resource is 45 years old or older, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and meets the requirements for listing on the California Register of Historical Resources (CRHR) under any one of the following criteria (Title 14 CCR, § 15064.5):

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history [Title 14 CCR, § 15064.5].

The cited statutes and guidelines specify how cultural resources are to be managed in the context of CEQA-approved projects. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Prehistoric and historical archaeological resources, as well as built-environment features, such as standing structures deemed "historically significant" must be considered in project planning and development.

Unique Archaeological Resources Criteria

CEQA requires the lead agency to consider whether a project will have a significant effect on unique archaeological resources and to avoid unique archaeological resources when feasible or mitigate any effects to less-than-significant levels per PRC Section 21083.2. The State *CEQA Statutes* (PRC Section 21083.2(g)) define a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Paleontological Resources

Paleontological resources cannot be replaced once they are destroyed. Consequently, paleontological resources are considered nonrenewable scientific resources and are protected under CEQA. According to Appendix G of the State *CEQA Guidelines*, a project could have a significant effect if it would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. In order to determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged). Consequently, mitigation of adverse impacts to paleontological resources is mandated by CEQA.

Human Remains

According to Section 15064.5 of the State *CEQA Guidelines*, all human remains are a significant resource. This section also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC Section 5097.

- **California Health and Safety Code (Sections 7050.5, 7051, and 7054)**

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the Public Resources Code), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of

a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

- **California Public Resources Code Section 5097.98**

California Public Resources Code Section 509.98 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the State *CEQA Guidelines*.

- **California Public Resources Code Section 5097.5**

California Public Resources Code Section 5097.5 protects, among other things, paleontological sites on State lands. Sections 4306 and 4309 of the California Administrative Code establish authority and processes to protect paleontological resources while allowing mitigation through the permit process. Potential impacts to paleontological resources must be assessed for any project subject to review under CEQA.

- **Local**

- **City of Banning General Plan**

Archeological and Cultural Resources Element

The Archeological and Cultural Resources Element of the City of Banning General Plan contains policies and objectives that are considered applicable to the proposed Project, as identified below.

Goal Documentation, maintenance, preservation, conservation and enhancement of archaeological and historic sites, artifacts, traditions and other elements of the City's cultural heritage.

Policy 1 The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities

Program 1.A All new development proposals, except single family dwelling on existing lots of record, shall submit a records search for historic and cultural resources as part of the planning process.

Responsible Agency: Planning Department Schedule: 2005-2006, Ongoing

Program 1.B Development or land use proposals which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase I studies and appropriate mitigation measures shall be incorporated into project approvals.

- **City of Banning Municipal Code**

There are no applicable local regulations in the City's municipal code related to cultural resources.

4.4.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. The cumulative area for cultural resources is the City of Banning, consistent with the analysis contained in the City's GP EIR. The cumulative boundary is the sphere of influence, which is the City limits.

As noted above, historic-aged resources found within the study area appeared not eligible for listing on the NRHP or the CRHR, the cultural resource records search indicated that the Projects APE is unlikely to contain significant buried archeological remains and most know prehistoric sites in the Project vicinity are a mile to the south along the foothills of the San Jacinto Mountain. The pedestrian survey found the terrain throughout much of the Project APE has been extensively disturbed by mechanical grading activities.

Cumulative development projects within the City will be required to comply with the resource protection requirements of the City's GP EIR, as applicable. Thus, cultural or paleontological resource reports will be required for each individual cumulative development project to assess the potential for significant impacts to these resources and to identify mitigation measures if necessary. Additionally, all cumulative development projects, as well as the proposed Project, will be required to comply with state code in the event of discovery of human remains, which will reduce impacts in this regard to less than significant. A list of cumulative projects provided by the City is shown in **Table 4.4-4 – Cumulative Projects within the Study Area in 2019**. Each of the projects in the cumulative table are those that have submitted applications or are entitled by the City; they are not operational as of the publication of this DEIR.

Table 4.4-A – Cumulative Projects within the Study Area in 2019

Project	Land Use	Qty	Unit	Net Trips		
				AM Peak Hour	PM Peak Hour	Daily
1. La Quinta Hotel	Hotel	71	Rooms	38	43	580
	Internal Trips (9-35%)			(2)	(17)	(19)
	Fast-Food Restaurant with Drive-Through Window	2.8	TSF	127	91	1,389
	Internal Trips (3-17%)			(5)	(15)	(20)
	Pass-by Trips (PM: 43%)			0	(32)	(32)
	High-Turnover (Sit-Down) Restaurant	1.2	TSF	13	12	153
	Internal Trips (3-17%)			0	(2)	(2)
	Pass-by Trips (AM: 49% PM: 50%)			(6)	(4)	(10)
	PROJECT TOTAL			165	76	2,039
2. Pardee Butterfield Specific Plan (20%)	Shopping Center	78	TSF	134	507	5,778
	Internal Trips (7-18%)			(3)	(93)	(96)
	Pass-by Trips (PM: 34%)			0	(140)	(140)
	Single-Family Detached Housing	1029	DU	772	1,029	9,796
	Internal Trips (1-9%)			(3)	(93)	(96)
	PROJECT TOTAL			900	1,210	15,242
3. Rancho San Gorgonio Specific Plan (By 2019)[1]	Single-Family Detached Housing	570	DU	428	570	5,426
	Elementary School	800	Stu	360	120	1,032
4. Tent Tract Map 33540	Single-Family Detached Housing	172	DU	129	172	1,637
	Cemetery	7	Acres	1	6	33
5. Tent Tract Map 36710	Single-Family Detached Housing	48	DU	36	48	457
6. Tent Tract Map 36939	Single-Family Detached Housing	98	DU	74	98	933
7. Tent Parcel Map 33326	Shopping Center	510	TSF	421	1,785	19,582
	Pass-by Trips (PM: 34%)			0	(586)	(586)
	PROJECT TOTAL			421	1,199	18,996
8. Tent Tract Map 33013	Single-Family Detached Housing	6	DU	5	6	57
9. 300 S. Highland Springs Ave, Pad A	Shopping Center	7.964	TSF	33	110	1,311
	Pass-by Trips (PM: 34%)			0	(36)	(36)
	PROJECT TOTAL			33	74	1,275
10. Airport Industrial Work Lofts	Residential Condominium/Townhouse	22	DU	10	12	128
	General Office Building	14.28	TSF	23	22	158
	Warehousing	13.53	TSF	4	4	48
	Specialty Retail Center	13.53	TSF	18	37	600
	Internal Reduction 10%			(6)	(8)	(93)
	Project Total			49	67	841
TOTAL				2,601	3,646	47,966

Source: TIA Table 4-4 (Appendix N)

TSF=1,000 Square Feet Gross Floor Area; DU=Dwelling Units; STU=Students.

4.4.5 PROJECT DESIGN FEATURES

Because there are no known historical resources or unique archaeological resources at the proposed Project site, there are no site design measures incorporated which would lessen impacts related to cultural resources. Mitigation measures included below would lessen impacts to unknown cultural resources which may occur below the surface at the Project site by requiring a tribal monitor onsite during excavation.

4.4.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and instead, defers to the thresholds of significance for cultural and paleontological resources identified in Appendix G to the *CEQA Guidelines*.

As identified in the Initial Study prepared for this Project, implementation of the proposed Project could have potentially significant impacts in the following areas and these topics are addressed in this DEIR:

- (Threshold A) cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State *CEQA Guidelines*;
- (Threshold B) cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 of the State *CEQA Guidelines*;
- (Threshold C) directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or,
- (Threshold D) disturb any human remains, including those interred outside of formal cemeteries.

4.4.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Archaeological and Cultural Resources Element

Impact Analysis:

The Project's consistency with the applicable City's General Plan goals and policies is provided in **Table 4.4-B – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.4-B – Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Policy/Program No.	***Policy/Program***	***Statement of Consistency***
Archaeological and Cultural Resources Element		
Goal	*Documentation, maintenance, preservation, conservation and enhancement of archaeological and historic sites, artifacts, traditions and other elements of the City's cultural heritage.*	The proposed Project complies with the Archeological and Cultural Resource Element by conducting a cultural and historical resources analysis to identify any potential archeological, historical or paleontological resources within the Project's APE. Consequently, the Project is consistent with this goal and would have a less than significant impact related to archaeological and cultural resource policies.
Policy 1	*The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities*	The proposed Project prepared a Cultural Resources Assessment report to identify any historical, archeological, or paleontological resources that may be affected within the Project's APE. The report is part of this EIR (Appendix H) and is available for the City and Public review. Consequently, the Project will be consistent with this Policy. Creating appropriate mitigation measures to lessen the impact on the historical, archeological, paleontological resources found, or those that may be found will have a less than significant impact related to archaeological and cultural

Consistency with City of Banning General Plan Policies and Program		
Policy/Program No.	***Policy/Program***	***Statement of Consistency***
		resource policies.
Program 1.A	*All new development proposals, except single family dwelling on existing lots of record, shall submit a records search for historic and cultural resources as part of the planning process. Responsible Agency: Planning Department Schedule: 2005-2006, Ongoing*	Part of the Cultural Resources Assessment report prepared for this Project includes a historic and cultural resources records search. The report prepared is consistent with Program 1.A. Preparing appropriate mitigation measures to less the impact on those resources discovered or those that may be found in the records search will have a less than significant impact related to archaeological and cultural resource policies.
Program 1.B	*Development or land use proposals which have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and, if necessary, comprehensive Phase I studies and appropriate mitigation measures shall be incorporated into project approvals.*	The proposed Project prepared a Phase 1 Environmental Site Assessment Report (Appendix H) and this EIR created mitigation measures to lessen the impact the Project may have to potentially disturb or destroy sensitive cultural resources. This Project is in consistent with Program 1.B. Consequently, the Project will be would have a less than significant impact related to archaeological and cultural resource policies.

Level of Significance before Mitigation:

Less than Significant

Mitigation Measures:

No mitigation is necessary with respect to consistency with General Plan policies.

Level of Significance after Mitigation:

Less than Significant

- **Historical Resources**

Threshold A: Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines?

Impact Analysis:

As noted in the Project Site Conditions - Historical Resources section above, four historic-aged built-environment resources and two historic-aged archaeological resources were identified within the Project APE. The historic-aged archaeological resources include portions of two previously recorded refuse scatters (CA-RIV-3443H/33-003443 and CA-RIV-8364H/P-33-016208). Historic-aged built environment resources include the Banning Municipal Airport (33-024895), two road segments (East Westward Avenue [33-026821] and John Street [33-026822]), and a portion of a historic-aged transmission line (33-026820) (AE, p. 51).

The six cultural resources identified above are recommended ineligible to National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) and therefore are not considered historic properties under Section 106 of the NHPA or historical resources under CEQA. Thus, they do not meet the definition of a historic resource per Section 15064.5. Nonetheless, there is always the potential that previously unidentified historical resources may be discovered during ground disturbance at a project site. Therefore, in the unlikely event of an inadvertent historical resource discovery, implementation of mitigation measure **MM CR 1** will reduce potential impacts to less than significant. Therefore, impacts will be less than significant with mitigation.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

MM CR 1 If cultural resources are found during project construction, all ground-disturbing activities within 100 feet of the find shall be halted. A Registered Professional Archaeologist shall prepare a Cultural Resources Management Plan in consultation with the consulting tribes and the City

Planning Department to include relinquishment of all artifacts through one of the following methods:

a) Reburial in consultation with the appropriate culturally affiliated Native American tribe or band. The reburial area shall be away from any future impacts. Reburial shall not occur until all cataloguing, analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a Final Report, which shall be provided to the City Planning Department upon completion; or

b) Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will provide professional curation and ensure artifacts are made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred to the curation facility, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of these actions shall be provided to the City Planning Department in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Level of Significance after Mitigation:

Less than Significant with Mitigation.

- **Archaeological Resources**

Threshold B*:* Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?

Impact Analysis:

No prehistoric archaeological resources were discovered within the Project area during the pedestrian survey of the site conducted on May 24, 2016 (AE, pp. 59–62). The terrain throughout much of the Project APE had been disturbed extensively by mechanical grading activities. Taken together, the data suggest that is unlikely that any intact subsurface archaeological deposits will be encountered during construction (AE, p. iv). Nonetheless, there is always the potential that previously unidentified archeological resources may be discovered during ground disturbance at a Project site.

In order to address the potential for archaeological resources on the site, a Phase I Cultural Resources Report was prepared for the proposed Project by AE. Preparation of this report involved a cultural resource literature search and site visit.

Since no archaeological resources were identified during the site visit and from the records search, as a means to evaluate the potential for any unknown archaeological resources that might be known to local tribes and not reported in the EIC records search, AE also requested a search of the Sacred Lands File (SLF) from the Native American Heritage Commission (NAHC). The results of this search indicate that there are no known Native American cultural resources within the immediate Project area (AE, p. ii). Twelve different Native American individuals and organizations were contacted to elicit information on Native American resources within the Project area.

Project implementation would have a less than significant impact to known archaeological resources; however, the Project could have a significant impact on contributing elements of a resource's NRHP or CRHR eligibility for as-of-yet unrecorded buried archeological resources. Implementation of mitigation measure **MM CR1** and **MM CR 2** would reduce adverse impacts to a less than significant level.

Level of Significance before Mitigation:

Potentially Significant Impact related to the fact that unknown previously undocumented archaeological resources could be identified during ground disturbance activities.

Mitigation Measures:

MM CR 1, MM CR 2 (see below)

MM CR 2 Prior to the issuance of grading permits, the developer shall enter into a Native American monitoring agreement with one of the consulting tribes for the project. The Native American Monitor shall be on-site during all initial ground disturbing activities including clearing, grubbing, vegetation removal, grading and trenching. The Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

Level of Significance after Mitigation:

Less Than Significant with Mitigation.

- **Paleontological Resources**

Threshold C*:* Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Analysis:

Paleontological resources are typically associated with older alluvial deposits which are considered to have a high sensitivity for containing fossils or unique paleontological geological units. Older Alluvium sediments are absent from the proposed Project as described in the City of Banning General Plan DEIR Exhibit III-12 , and instead the geology at the Project site consists of young or recent alluvium deposits. Young alluvium is composed of unconsolidated sediments containing a mixture of silt, sand, gravel, and boulders. Alluvium soil properties are interrelated with location and the manner by which this soil type was deposited. For instance, alluvium deposits at the base of mountains and hills are coarse grained, poorly sorted, usually contain organic debris and commonly deposited at a rapid rate (Banning GP p.V-5). Younger aluminum sediments are not paleontological fossil bearing sediments.

Construction-related and earth-disturbing activities at the Project site may have the potential to unearth an unknown paleontological resource however; through compliance with mitigation measure **MM CR 3**, any newly discovered paleontological resources would be subject to scientific recovery and evaluation to ensure that important scientific information that could be provided by these resources would not be lost and impacts to paleontological resources would be less than significant with mitigation.

Level of Significance before Mitigation:

Potentially Significant Impact related to the discovery of unknown paleontological resources uncovered during ground disturbance activities.

Mitigation Measures:

MM CR 3 Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained paleontological monitor representative) during on-site and off-site subsurface excavation that exceeds three (3) feet in depth. Selection of the paleontologist shall be subject to approval of the City of Banning Director of

Community Development and no grading activities shall occur at the site until the paleontologist has been approved by the City.

Monitoring shall be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The approved paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.

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

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

Level of Significance after Mitigation:

Less than Significant with Mitigation.

- **Human Remains**

Threshold D: Would the project disturb any human remains, including those interred outside of formal cemeteries?

Impact Analysis:

The Project site is not located in an area known to contain human remains, such as in a formal cemetery. In the unlikely event that suspected human remains are uncovered during construction, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to California Health &

Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and mitigation measure **MM CR 4**, below. Consequently, impacts to human remains, including those interred outside of formal cemeteries, will be less than significant with mitigation.

Level of Significance before Mitigation:

Potentially Significant Impact related to finding unknown and unexpected human remains.

Mitigation Measures:

MM CR 4 In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity shall cease and the landowner shall comply with State Health and Safety Code §7050.5 and Public Resources Code §5097.98. In the event human remains are found and identified as Native American, the landowner shall also notify the City Planning Department so that the City can ensure PRC §5097.98 is followed.

Level of Significance after Mitigation:

Less than Significant with Mitigation.

4.4.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future. Please refer to Section 4.4.4 for relevant assumptions regarding the cumulative Cultural Resource setting.

- **Impact Analysis:**

The cumulative area for historic resources, archaeological resources, paleontological resources and human remains is the City of Banning sphere of influence, consistent with the analysis contained in the City's GP EIR. All cumulative development projects within the City will be required to comply with the resource protection requirements of the City's GP EIR, as applicable. Banning GP Policy 1 states that the City will identify, document, and evaluate archeological, historical and cultural resources that may be affected by proposed development projects and other activities. Program 1.A and Program 1.B describe how the City will require all new developments to complete the following: submit a records search for historic resources that may be affected by proposed development projects and activities; submit a records search for historic and

cultural resources as part of the planning process; submit a comprehensive Phase I studies; and appropriate mitigation measures be incorporated into project approvals for projects which have the potential to disturb or destroy sensitive cultural resources (Banning GP, pp. IV-68–IV-69). Thus, cultural or paleontological resource reports will be required for each individual cumulative development project to assess the potential for significant impacts to these resources and to identify mitigation measures if necessary.

As discussed above, with the Implementation of mitigation measures **MM CR 1**, **MM CR2**, **MM CR 3**, and **MM CR 4**, the proposed Project will have a less than significant impact on cultural resources. Additionally, all cumulative development projects, as well as the proposed Project, will be required to comply with state code in the event of discovery of human remains, which will reduce impacts in this regard to less than significant.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

Mitigation measures **MM CR 1**, **MM CR2**, **MM CR 3**, and **MM CR 4.** .

Level of Significance after Mitigation:

Less Than Significant with Mitigation.

4.4.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not Applicable.

4.4.10 REFERENCES

Applied Earthworks, *Cultural Resource Assessment of 108 Acres for the Banning Industrial Project, City of Banning, Riverside County, California*, November 2017. (Included herein as Appendix H.) (Cited as AE)

City of Banning, *City of Banning General Plan,* adopted January 31, 2006 (Available at https://www.ci.banning.ca.us/468/General-Plan-Amendments, accessed on January 25, 2018) (Banning GP)

4.5 GREENHOUSE GAS EMISSIONS

4.5.1 INTRODUCTION

As determined in the Initial Study/NOP prepared for the proposed Project (Appendix A), the focus of the following analysis is related to potential impacts associated with generating greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment and conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The analysis in this section is based on the *Air Quality/Greenhouse Gas Analysis for the Banning Distribution Center Project, City of Banning* (AQ-GHG Report) prepared for this Project by Albert A. Webb Associates (included as Appendix C.1), and additional GHG modeling was prepared for 2030 (*CalEEMod Output Files*, included as Appendix C.3). The methodology is consistent with draft guidance prepared by the South Coast Air Quality Management District (SCAQMD) for quantification of emissions and evaluation of potential impacts related to GHG emissions. As recommended by SCAQMD staff, the California Emissions Estimator Model (CalEEMod^{TM}) version 2016.3.2 program was used to quantify project-related emissions. An individual project cannot generate enough GHG emissions to effect a discernible change in global climate. However, the proposed Project may participate in this potential impact by its incremental contribution combined with the cumulative increase of all other sources of GHGs which, when taken together, may influence global climate change. Because these changes may have serious environmental consequences, this section will evaluate the potential for the proposed Project to have a significant effect upon California's environment as a result of its potential contribution to the enhanced greenhouse effect.

In response to the Notice of Preparation (NOP), two letters were received regarding GHGs. The letters from Sierra Club Moreno Valley Group and Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters are available in Appendix B of this DEIR. Sierra Club Moreno Valley Group requests full disclosure of the GHG emissions and evaluation of the consistency with the City's Climate Action Plan. Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters requests analysis of the Project's GHG emissions and how the Project complies with regulations and requirements to reduce GHG emissions. These comments have been addressed herein.

4.5.2 PHYSICAL SETTING

The earth's natural warming process is known as the "greenhouse effect." Certain atmospheric gases act as an insulating blanket for solar energy to keep the global

average temperature in a suitable range. These gases are called "greenhouse gases" because they trap heat like the glass walls of a greenhouse. The greenhouse effect raises the temperature of the earth's surface by about 60 degrees Fahrenheit. With the natural greenhouse effect, the average temperature of the earth is about 45 degrees Fahrenheit; without it, the earth would be about minus 15 degrees. It is normal for the earth's temperature to fluctuate over extended periods of time. Over the past one hundred years, however, the earth's average global temperature has generally increased by one degree Fahrenheit. In some regions of the world, the increase has been as much as four degrees Fahrenheit.

Scientists studying the particularly swift rise in global temperatures during the late twentieth century believe that natural variability alone does not account for that rise. Rather, human activity spawned by the industrial revolution has resulted in increased emissions of carbon dioxide and other forms of GHGs, primarily from the burning of fossil fuels (during motorized transport, electricity generation, consumption of natural gas, industrial activity, manufacturing, etc.) and deforestation, as well as agricultural activity and the decomposition of solid waste. The most common GHG is carbon dioxide (CO_2), which constitutes approximately 84 percent of all GHG emissions in California (CEC 2006). Worldwide, the State of California ranks as the 12th to 16th largest emitter of CO_2 and is responsible for approximately two percent of the world's CO_2 emissions. Scientists refer to the global warming context of the past century as the "enhanced greenhouse effect" to distinguish it from the natural greenhouse effect (CEC 2006). While the increase in temperature is known as "global warming," the resulting change in weather patterns is known as "global climate change." Global climate change is evidenced in changes to wind patterns, storms, precipitation, and air temperature.

Global climate change is, by definition, a global issue and California's efforts to reduce GHG emissions will not alone change the impact of global climate change. Global concentrations of GHG rather than locational GHG emissions result in adverse climate change impacts that differentially occur throughout the world, and specific scientific metrics and methodologies to measure the climate change consequences (if any) of locally-specific impacts remain subject to considerable scientific uncertainty. For example, California emits only a tiny fraction of global GHG. The whole of the California economy's GHG emissions have dropped from approximately 1.35% percent of global GHG emissions in 1990 to 0.98% percent in 2011. California already has nearly the lowest level of GHG per capita of any state. Project-level emissions for activities that occur as a result of population-based variables (people needing housing, jobs, and services) that occur in California reduces global GHG emissions by facilitating more growth and development in California relative to other states.

- **Greenhouse Gases**

Gases responsible for global climate change in the Basin and their relative contribution to the overall warming effect are carbon dioxide (55 percent), chlorofluorocarbons (CFCs) (24 percent), methane (15 percent), and nitrous oxide (6 percent). It is widely accepted that continued increases in GHG will contribute to global climate change although there is uncertainty concerning the magnitude and timing of future emissions and the resultant warming trend (SCAQMD 2005).

"Stratospheric ozone depletion" refers to the slow destruction of naturally occurring ozone, which lies in the upper atmosphere (called the stratosphere) and which protects Earth from the damaging effects of solar ultraviolet radiation. Certain compounds, including CFCs, halons, carbon tetrachloride, methyl chloroform, and other halogenated compounds, accumulate in the lower atmosphere and then gradually migrate into the stratosphere. In the stratosphere, these compounds participate in complex chemical reactions to destroy the upper ozone layer. Destruction of the ozone layer increases the penetration of ultraviolet radiation to the Earth's surface, a known risk factor that can increase the incidence of skin cancers and cataracts, contribute to crop and fish damage, and further degrade air quality (SCAQMD 2005).

GHG and ozone-depleting gases include, but are not limited to, the following:

- **Carbon dioxide**

Carbon dioxide results from fossil fuel combustion in stationary and mobile sources. It contributes to the greenhouse effect, but not to stratospheric ozone depletion. In the Basin, approximately 48 percent of carbon dioxide emissions come from transportation, residential and utility sources which contribute approximately 13 percent each, 20 percent come from industry, and the remainder comes from a variety of other sources (SCAQMD 2005).

- **Methane**

Atmospheric methane is emitted from both non-biogenic and biogenic sources. Non-biogenic sources include fossil fuel mining and burning, biomass burning, waste treatment, geologic sources, and leaks in natural gas pipelines. Biogenic sources include wetlands, rice agriculture, livestock, landfills, forest, oceans, and termites. Methane sources can also be divided into anthropogenic and natural. Anthropogenic sources include rice agriculture, livestock, landfills, waste treatment, some biomass burning, and fossil fuel combustion. Natural sources are wetlands, oceans, forests, fire, termites, and geological sources. Anthropogenic sources currently account for more than 60 percent of the total

global emissions. It is a greenhouse gas and traps heat 40–70 times more effectively than carbon dioxide. In the Basin, more than 50 percent of human-induced methane emissions come from natural gas pipelines, while landfills contribute 24 percent. Methane emissions from landfills are reduced by SCAQMD Rule 1150.1 – Control of Gaseous Emissions from Active Landfills. Methane emissions from petroleum sources are reduced by a number of rules in SCAQMD Regulation XI that control fugitive emissions from petroleum production, refining, and distribution (SCAQMD 2005).

- **Other regulated greenhouse gases include Nitrous Oxide, Sulfur Hexafluoride, Hydrofluorocarbons, and Perfluorocarbons**

These gases all possess heat-trapping potentials hundreds to thousands of times more effective than carbon dioxide. Emission sources of nitrous oxide gases include, but are not limited to, waste combustion, wastewater treatment, fossil fuel combustion, and fertilizer production. Because the volume of emissions is small, the net effect of nitrous oxide emissions relative to carbon dioxide or methane is relatively small. Sulfur hexafluoride, hydrofluorocarbon, and perfluorocarbon emissions occur at even lower rates.

- **Chlorofluorocarbons**

Chlorofluorocarbons (CFCs) are emitted from blowing agents used in producing foam insulation. They are also used in air conditioners and refrigerators and as solvents to clean electronic microcircuits. CFCs are primary contributors to stratospheric ozone depletion and to global warming. Sixty-three percent of CFC emissions in the South Coast Air Basin come from the industrial sector. Federal regulations require service practices that maximize recycling of ozone-depleting compounds (both CFCs, hydro-chlorofluorocarbons and their blends) during the servicing and disposal of air-conditioning and refrigeration equipment. SCAQMD Rule 1415 – Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems requires CFC refrigerants to be reclaimed or recycled from stationary refrigeration and air conditioning systems. SCAQMD Rule 1405 – Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigant Processes requires recovery of reclamation of CFCs at certain commercial facilities and eliminates the use of some CFCs in the sterilization processes. Some CFCs are classified as TACs and regulated by SCAQMD Rule 1401 – New Source Review of Toxic Air Contaminants and SCAQMD Rule 1402 Control of Toxic Air Contaminants from Existing Sources.

- **Halons**

These compounds are used in fire extinguishers and behave as both ozone-depleting and GHG. Halon production ended in the United States in 1993. SCAQMD Rule 1418 – Halon Emissions from Fire Extinguishing Equipment requires the recovery and recycling of halons used in fire extinguishing systems and prohibits the sale of halon in small fire extinguishers.

- **Hydro-chlorofluorocarbons**

HCFCs are solvents, similar in use and chemical composition to CFCs. The hydrogen component makes HCFCs more chemically reactive than CFCs, allowing them to break down more quickly in the atmosphere. These compounds deplete the stratospheric ozone layer, but to a much lesser extent than CFCs. HCFCs are regulated under the same SCAQMD rules as CFCs.

- **1,1,1,-trichloroethane (TCA)**

TCA (methyl chloroform) is a solvent and cleaning agent commonly used by manufacturers. It is less destructive on the environment than CFCs or HCFCs, but its continued use will contribute to global warming and ozone depletion. 1,1,1-trichloroethane (TCA) is a synthetic chemical that does not occur naturally in the environment. No TCA is supposed to be manufactured for domestic use in the United States after January 1, 2002 because it affects the ozone layer. TCA had many industrial and household uses, including use as a solvent to dissolve other substances, such as glues and paints; to remove oil or grease from manufactured metal parts; and as an ingredient of household products such as spot cleaners, glues, and aerosol sprays. SCAQMD regulates this compound as a toxic air contaminant under Rules 1401 and 1402.

Unlike criteria air pollutants and TACs, which are pollutants of regional and local concern, climate change is a global problem and GHGs are global pollutants. Impacts of GHG emissions are a function of their total atmospheric concentration and most GHGs are globally well mixed atmospheric constituents. This means that the location of a particular GHG emission, in contrast to the situation for criteria pollutants, does not change its environmental impact.

- **<u>Global Warming Potentials</u>**

Individual GHGs have varying global warming potential and atmospheric lifetimes. The Intergovernmental Panel on Climate Change (IPCC) developed the Global Warming Potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of individual GHGs is determined through

a comparison with the GWP of CO_2. CO_2 has a GWP of one; CH_4 has a GWP of 28, meaning that on a molecule by molecule basis, CH_4 has 28 times the global warming potential of CO_2. CO_2-equivalents (CO_2E) are the emissions of a GHG multiplied by the GWP. The CalEEMod program calculates the CO_2E based on the GWPs reported in the IPCC Fifth Assessment Report (IPCC 2013). **Table 4.5-A – Global Warming Potentials and Atmospheric Lifetimes** shows the GWP and atmospheric lifetimes of various GHGs with relatively long atmospheric lifetimes from the IPCC 2013 report.

Table 4.5-A– Global Warming Potentials and Atmospheric Lifetimes

Gas	Atmospheric Lifetime	Global Warming Potential (100-Year Time Horizon)
Carbon Dioxide (CO_2)	--	1
Methane (CH_4)	12.4	28
Nitrous Oxide (N_2O)	121	265-298
Hydrofluorocarbons (HFCs) HFC-134a	13.4	1,300-1,550
Perfluoromethane (CF_4)	50,000	6,630-7,350
Chlorofluorocarbons (CFCs) CFC-11	45	4,660-5,350

Source: Intergovernmental Panel on Climate Change, Fifth Assessment Report, *Climate Change 2013– The Physical Science Basis*, 2013, Table 8.7

4.5.3 REGULATORY SETTING

- **Federal**

Although the U.S. was not a party to the original multi-national Kyoto Protocol, in 2002 a national policy goal of reducing the GHG emission intensity (tons of GHG emissions per million dollars of gross domestic product) of the U.S. economy by 18 percent by 2012 (NOAA) was set by the Bush Administration. The goal did not establish any binding reduction mandates. Rather, the United States Environmental Protection Agency (EPA) began to administer a variety of voluntary programs and partnerships with industries that produce and utilize synthetic gases to reduce emissions of particularly potent GHGs.

- **Supreme Court Ruling in Massachusetts et al. v. Environmental Protection Agency**

The Bush Administration's approach to addressing climate change was challenged in Massachusetts et al. v. Environmental Protection Agency, 549 US 497 (2007). In this decision, the U.S. Supreme Court held that the USEPA was authorized by the Clean Air Act to regulate CO2 emissions from new motor vehicles (MASS). The Court did not

mandate that the EPA enact regulations to reduce GHG emissions, but found that the only instance in which the EPA could avoid taking action were it found that GHGs do not contribute to climate change or if it offered a "reasonable explanation" for not determining that GHGs contribute to climate change.

On December 7, 2009, the EPA issued an "endangerment finding" under the Clean Air Act concluding that GHGs threaten the public health and welfare of current and future generations and that motor vehicles contribute to greenhouse gas pollution (EPA ECCF). These findings provide the basis for adopting new national regulations to mandate GHG emission reductions under the federal Clean Air Act. The EPA's endangerment finding paved the way for federal regulation of GHGs.

It was expected that Congress would enact GHG legislation primarily for a cap-and-trade system. However, proposals circulated in both the House of Representatives and Senate were controversial and it may be some time before Congress adopts major climate change legislation. Under the Consolidated Appropriations Act of 2008 (HR 2764), Congress established mandatory GHG reporting requirements for some emitters of GHGs. In addition, on September 22, 2009, the EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule. The rule requires annual reporting to the EPA of GHG emissions from large sources and suppliers of GHGs, including facilities that emit 25,000 metric tons or more a year of GHGs.

The following sections summarize the EPA's recent regulatory activities with respect to various types of GHG sources.

- **EPA and NHTSA Joint Rulemaking for Vehicle Standards**

In response to the Massachusetts v. EPA ruling discussed above, the Bush Administration issued an Executive Order on May 14, 2007, directing the USEPA, the Department of Transportation (DOT), and the Department of Energy (DOE) to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008.

On October 10, 2008, the National Highway Traffic Safety Administration (NHTSA) released a final environmental impact statement analyzing proposed interim standards for passenger cars and light trucks in model years 2011 through 2015. The NHTSA issued a final rule for model year 2011 on March 30, 2009 (NHTSA 2009).

On May 7, 2010, the EPA and the NHTSA issued a final rule regulating fuel efficiency and GHG pollution from motor vehicles for cars and light-duty trucks for model years 2012–2016 (EPA 2010). On May 21, 2010, President Obama issued a memorandum to the Secretaries of Transportation and Energy, the Administrators of the EPA, and the NHTSA calling for establishment of additional standards regarding fuel efficiency and GHG

reduction, clean fuels, and advanced vehicle infrastructure. (GPO FR 2010) In response to this directive, the EPA and NHTSA issued a Supplemental Notice of Intent announcing plans to propose stringent, coordinated federal greenhouse gas and fuel economy standards for model year 2017-2025 light-duty vehicles (GPO FR 2011). The agencies proposed standards projected to achieve 163 grams/mile of CO2 in model year 2025, on an average industry fleet wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The California Air Resources Board (CARB) announced its support of this national program (CARB 2011a). The final rule was adopted in October 2012 and NHTSA intends to set standards for model years 2022-2025 in a future rulemaking (NHTSA 2012a, NHTSA 2012b).

- **Heavy-duty Engines and Vehicles Fuel Efficiency Standards**

In addition to the regulations applicable to cars and light-duty trucks, on August 9, 2011, the USEPA and the NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks, which applies to vehicles from model year 2014-2018 (EPA 2011). The EPA and NHTSA adopted standards for CO2 emissions and fuel consumption respectively, tailored to each of three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this program will reduce GHG emissions and fuel consumption for affected vehicles by nine percent to 23 percent.

The EPA and NHTSA jointly adopted a second round of standards for medium- and heavy-duty vehicles that will cut carbon pollution and improve fuel efficiency, while bolstering energy security and spurring manufacturing innovation, in August 2016. The Phase 2 program promotes a new generation of cleaner, more fuel efficient trucks by encouraging the development and deployment of new and advanced cost-effective technologies through model year 2027. The Phase 2 program achieves 10 percent more GHG reductions (EPA 2016).

- **USEPA SmartWay^{SM} Program**

SmartWay is an EPA program that reduces transportation-related emissions by creating incentives to improve supply chain fuel efficiency. There are five primary elements of the program: (1) SmartWay Transport Partnership, a partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption and improve performance annually; (2) SmartWay Technology Program, a testing, verification, and designation program to help freight companies identify equipment, technologies and strategies that save fuel and lower emissions; (3) SmartWay Finance Program, a competitive grant program that makes investing in fuel-saving equipment easier for freight carriers; (4) SmartWay Vehicles, a program that ranks light-duty cars

and small trucks and identifies superior environmental performers with the SmartWay logo; and (5) SmartWay International Interests, which provides guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay (EPA SW).

- **Energy Independence and Security Act**

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law (EISA). Among other key measures, the Act would do the following, which would aid in the reduction of national mobile and non-mobile GHG emissions:

1. Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
2. Prescribe or revise standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.
3. While superseded by NHTSA and USEPA actions described above, EISA also set miles per gallon targets for cars and light trucks and directed the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of "green jobs."

- **Voluntary Programs**

The EPA administers a variety of voluntary programs and partnerships with GHG emitters in which the EPA partners with industries that produce and utilize synthetic gases to reduce emissions of particularly potent GHGs.

For example, the EPA's National Clean Diesel Campaign (NCDC) promotes diesel emission reduction strategies. The NCDC works to reduce the pollution emitted from diesel engines across the country through the implementation of varied control strategies by working with manufacturers, fleet operators, air quality professionals, environmental and community organizations, and state and local officials to reduce diesel emissions. NCDC activities include developing new emissions standards for locomotive and marine diesel engines, promoting the reduction of emissions for existing diesel engines including use of cleaner fuels, retrofitting and repairing existing fleets,

and idling reduction among others. The EPA also administers the State and Local Climate and Energy Program that provides technical assistance, analytical tools, and outreach support to state, local, and tribal governments (EPA NCDC).

- **Multi-State/Regional Area**

    - **The Western Regional Climate Action Initiative (WCI)**

The Western Regional Climate Action Initiative (WCI) is a partnership among seven states including California and four Canadian provinces to implement a regional, economy-wide cap-and-trade system to reduce global warming pollution. The WCI will cap GHG emissions from the region's electricity, industrial, and transportation sectors with the goal to reduce the heat trapping emissions that cause global warming to 15 percent below 2005 levels by 2020. When the WCI adopted this goal in 2007, it estimated this would require 2007 levels to be reduced worldwide between 50 and 85 percent by 2050. California is working closely with the other states and provinces to design a regional GHG reduction program that includes a cap-and-trade approach. CARB's planned Cap-and-Trade Program, discussed below, is also intended to link California and the other member states and provinces. As of January 1, 2014, California's Cap-and-Trade Program is linked to Quebec's pursuant to the Agreement Between the California Air Resources Board and the Gouvernement du Québec Concerning the Harmonization and Integration of Cap-and-Trade Programs Reducing Greenhouse Gas Emissions, in accordance with the direction in the CARB Resolution 13-7 (CARB 2013).

- **State**

California has adopted various administrative initiatives and also enacted a variety of legislation relating to climate change, much of which sets aggressive goals for GHG emissions reductions within the state. However, none of this legislation provides definitive direction regarding the treatment of climate change in environmental review documents prepared under CEQA. In particular, the amendments to the CEQA Guidelines do not require or suggest specific methodologies for performing an assessment or thresholds of significance, and do not specify GHG reduction mitigation measures. Instead, the CEQA amendments continue to rely on lead agencies to choose methodologies and make significance determinations based on substantial evidence, as discussed in further detail below (CNRA 2009a). In addition, no state agency has promulgated binding regulations for analyzing GHG emissions, determining their significance, or mitigating any significant effects in CEQA documents. Thus, lead agencies exercise their discretion determining how to analyze GHGs.

The discussion below provides a brief overview of the CARB and OPR documents and of the primary legislation that relates to climate change that may affect the emissions associated with the proposed Project. It begins with an overview of the primary regulatory acts that have driven GHG regulation and analysis in California.

- **Assembly Bill 32**

The California Global Warming Solutions Act of 2006 (AB 32) was signed into law in September 2006 after considerable study and expert testimony before the legislature. The law instructs the CARB to develop and enforce regulations for the reporting and verifying of statewide GHG emissions. The Act directed the CARB to set a GHG emission limit based on 1990 levels to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner (AB 32).

The heart of the bill is the requirement that statewide GHG emissions be reduced to 1990 levels by 2020. Based on the CARB's calculation of California's 1990 emissions levels, California must reduce GHG emissions by approximately 28.5 percent below "business-as-usual" (BAU) predictions of year 2020 GHG emissions to achieve this goal. The bill required the CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions. The CARB has accomplished key milestones set forth in AB 32, including the following:

- June 30, 2007. Identification of discrete, early-action GHG emissions reduction measures. On June 21, 2007, the CARB satisfied this requirement by approving three early action measures (CARB 2007b). These were later supplemented by adding six other discrete early action measures (CARB 2007c).
- January 1, 2008. Identification of the 1990 GHG emissions level and approval of a statewide limit equivalent to that level and adoption of reporting and verification requirements concerning GHG emissions. On December 6, 2007, the CARB approved a statewide limit on GHG emissions levels for the year 2020 consistent with the determined 1990 emissions inventory (CARB 2007a).
- January 1, 2009. Adoption of a scoping plan for achieving GHG emission reductions. On December 11, 2008, the CARB adopted Climate Change Scoping Plan: A Framework for Change (Scoping Plan), discussed in more detail below (CARB 2008).

- January 1, 2010. Adoption and enforcement of regulations to implement the "discrete" actions. Several early action measures have been adopted and became effective on January 1, 2010 (CARB 2007b, CARB 2007c).
- January 1, 2011. Adoption of GHG emissions limits and reduction measures by regulation. On October 28, 2010, the CARB released its proposed cap-and-trade regulations, which would cover sources of approximately 85 percent of California's GHG emissions (CARB 2010c). CARB's Board ordered CARB's Executive Director to prepare a final regulatory package for cap-and-trade on December 16, 2010 (CARB 2010d).
- January 1, 2012. GHG emissions limits and reduction measures adopted in 2011 became enforceable.
- On January 1, 2015, cap-and-trade compliance obligations are phased in for suppliers of natural gas, reformulated gasoline blendstock for oxygenate blending (RBOB), distillate fuel oils, and liquefied petroleum gas, with emissions that meet or exceed specified emissions thresholds.

As noted above, on December 11, 2008, the CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions for various categories of emissions. The CARB determined that achieving the 1990 emission levels would require a reduction of GHG emissions of by approximately 28.5 percent to achieve 2020 emissions levels in the absence of new laws and regulations (i.e. business as usual). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates all CARB and Climate Action Team early actions and additional GHG reduction measures by both entities, identifies additional measures to be pursued as regulations, and outlines the role of a Cap-and-Trade Program. The key elements of the Scoping Plan include: (CARB 2008)

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards,
- Achieving a statewide renewable energy mix of 33 percent,
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions,

- Establishing targets for transportation-related GHG emissions for regions throughout California, and pursuing policies and incentives to achieve those targets,
- Adopting and implementing measures pursuant to existing state laws and policies including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard,
- Creating targeted fees including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In 2011, the CARB released revised estimates of the expected 2020 emission reductions in consideration of the economic recession and the availability of updated information from development of measure-specific regulations. Incorporation of revised estimates in consideration of the economic recession reduced the projected 2020 emissions from 596 $MMTCO_2e$ to 545 $MMTCO_2e$ (CARB 2011c). Under this scenario, achieving the 1990 emissions level would require a reduction of GHG emissions of 118 $MMTCO_2e$, or 21.7 percent (down from 28.5 percent), to achieve in 2020 emissions levels in the BAU condition. The CARB also updated its BAU evaluation to account for new laws and regulations mandating GHG reductions that had been implemented subsequent to the original Scoping Plan, such as the cleaner car mandates required by Pavley (vehicle model-years 2009 - 2016) and the renewable portfolio standard (12% - 20%). Inclusion of these new GHG mandates further reduced the 2020 projected estimate of GHG emissions to 507 $MMTCO_2e$. As a result, based on both the economic recession and new GHG reduction implementation mandates, the CARB determined in 2011 that achieving the 1990 emission level (and 2020 emissions limit of 427 $MMTCO_2e$) would require a reduction of GHG emissions of 80 $MMTCO_2e$ or a reduction by approximately 15.8 percent (down from 28.5 percent) to achieve 2020 emissions levels in the BAU condition (CARB 2011c).

On October 1, 2013, the CARB released a discussion draft of the first update to the Scoping Plan. The discussion draft recalculates the 1990 GHG emissions level using the IPCC Fourth Assessment Report (AR4) released in 2007. The first draft update to the Scoping Plan states that based on the AR4 global warming potentials, the 427 $MMTCO_2e$ 1990 emissions level and 2020 GHG emissions limit would be slightly higher than identified in the Scoping Plan, at 431 $MMTCO_2e$ (CARB 2013). Based on (1) the revised estimates of expected 2020 emissions identified in the 2011 supplement to the Functional Environmental Document, and (2) updated 1990 emissions levels identified in the draft first update to the Scoping Plan, achieving the 1990 emissions level would

require a reduction of 78 $MMTCO_2e$ from the 509 $MMTCO_2e$ BAU level, or a reduction of approximately 15.3 percent (down from 28.5 percent) to meet the 431 $MMTCO_2e$ goal (CARB 2011c, 2013).

On February 10, 2014, the CARB released the Draft Proposed First Update to the Climate Change Scoping Plan. [1] The board approved the final "First Update to the Climate Change Scoping Plan" on May 22, 2014. The first update describes California's progress towards AB 32 goals stating that "California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32." Specifically, "if California realizes the expected benefits of existing policy goals (such as 12,000 megawatts [MW] of renewable distributed generation by 2020, net zero energy homes after 2020, existing building retrofits under AB 758, and others) it could reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80 percent below 1990 levels by 2050." [2] This first update retains from the October 2013 draft the recalculated 1990 GHG emissions level of 431 $MMTCO_2e$, as well as the 509 $MMTCO_2e$ 2020 BAU condition (CARB 2014). Thus, under CARB's most current document, reducing the BAU condition of 509 $MMTCO_2e$ to the 1990 emissions level of 431 $MMTCO_2e$ will require a reduction of 78 $MMTCO_2e$, or approximately a 15.3 percent reduction (compared to a 28.5 percent reduction as set forth in the original Scoping Plan).

California Executive Order B-30-15 issued in 2015 established a mid-term GHG reduction target for California of 40 percent below 1990 levels by 2030. Senate Bill 32 (SB 32), passed in 2016, legislates the Executive Order B-30-15 interim GHG targets. All state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. The CARB was directed to update the AB 32 Scoping Plan to reflect the 2030 target, and consequently, moved forward with the update process. The updated Climate Change Scoping Plan was adopted November 2017 to meet the SB 32 GHG emission reduction goals, as described further below. The Strategy for Achieving

[1] California Air Resources Board, Proposed First Update to the Climate Change Scoping Plan: Building on the Framework, February 2014 (Available at http://www.arb.ca.gov/cc/scopingplan/2013_update/draft_proposed_first_update.pdf, accessed April 7, 2014.)

[2] California Air Resources Board, First Update to the Climate Change Scoping Plan. May 2014. Available at: http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf. Accessed: June 2014.

California's 2030 Greenhouse Gas Target (Plan) builds on the state's successes to date, proposing to strengthen major programs that have been a hallmark of success, while further integrating efforts to reduce both GHGs and air pollution.

- **Senate Bill 375 and SCAG Regional Transportation Plan/Sustainable Community Plan**

SB 375 provides for a new planning process to coordinate land use planning, regional transportation plans, and funding priorities in order to help California meet the GHG reduction goals established in AB 32 (SB 375). SB 375 includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 also requires Metropolitan Planning Organizations (MPOs) relevant to the Project area (including the Southern California Association of Governments (SCAG)) to incorporate a "sustainable communities strategy" (SCS) into their regional transportation plans (RTPs) that will achieve GHG emission reduction targets by reducing vehicle miles traveled (VMT) from light duty vehicles through development of more compact, complete, and efficient communities. This VMT reduction goal is the reduction goal most targeted at the land use decision making at issue in the County's determination of approving the project.

SB 375 is similar to the Regional Blueprint Planning Program established by the California Department of Transportation, which provides discretionary grants to fund regional transportation and land use plans voluntarily developed by MPOs working in cooperation with Councils of Governments. The Scoping Plan adopted by the CARB in December of 2008, relies on the requirements of SB 375 to implement the carbon emissions reductions anticipated from land use decisions.

On September 23, 2010, the CARB adopted Regional Targets for the reduction of GHG applying to the years 2020 and 2035 (CARB 2010b). For the area under SCAG's jurisdiction including the project area, the CARB adopted Regional Targets for reduction of GHG emissions by eight percent for 2020 and by 13 percent for 2035. On February 15, 2011, the CARB's Executive Officer approved the final targets (CARB 2011b).

SCAG's SCS is included in the SCAG 2016-2040 Regional Transportation Plan Sustainable Communities Strategy (RTP/SCS) (SCAG 2016). The document was adopted by SCAG on April 7, 2016. The goals and policies of the RTP/SCS that reduce VMT focus on transportation and land use planning that include building infill projects, locating residents closer to where they work and play and designing communities so there is access to high quality transit service. The 2016-2040 RTP/SCS would result in an eight percent reduction in greenhouse gas emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040—compared with 2005 levels.

This meets or exceeds the state's mandated reductions established by the CARB and meets the requirements of SB 375 as codified in Government Code §65080(b) et seq., which are eight percent by 2020 and 13 percent by 2035. The 2016-2040 RTP/SCS is expected to reduce the number of VMT per capita by more than seven percent and Vehicle Hours Traveled (VHT) per capita by 17 percent (for automobiles and light/medium duty trucks) as a result of more location efficient land use patterns and improved transit service.

- **Senate Bill 605**

On September 21, 2014, Senate Bill 605 (SB 605) was signed by the Governor, requiring the CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state no later than January 1, 2016. As defined in the statute, short-lived climate pollutant means "an agent that has a relatively short lifetime in the atmosphere, from a few days to a few decades, and a warming influence on the climate that is more potent than that of carbon dioxide." SB 605, however, does not prescribe specific compounds as short-lived climate pollutants or add to the list of GHGs regulated under AB 32. In developing the strategy, the CARB must complete an inventory of sources and emissions of short-lived climate pollutants in the state based on available data, identify research needs to address any data gaps, identify existing and potential new control measures to reduce emissions, and prioritize the development of new measures for short-lived climate pollutants that offer co-benefits by improving water quality or reducing other air pollutants that impact community health and benefit disadvantaged communities. The draft strategy released by the CARB in September 2015 focuses on methane, black carbon, and fluorinated gases, particularly hydrofluorocarbons, as important short-lived climate pollutants. The draft strategy recognizes emission reduction efforts implemented under AB 32 (e.g., refrigerant management programs) and other regulatory programs (e.g., in-use diesel engines, solid waste diversion) along with additional measures to be developed. At this time, the CARB has not released its final strategy and it is not clear whether any of the projects emissions will be effected by the strategy but SB 605 is part of the larger statewide effort to reduce GHG emissions that will allow the state to meet its statewide GHG reduction goals. (SB 605)

- **Executive Order S-3-05 (Statewide GHG Targets)**

On June 1, 2005, California Executive Order S-3-05, which proclaimed that California is vulnerable to the impacts of climate change was signed by the Governor. It declared that increased temperatures could reduce snowpack in the Sierra Nevada Mountains; could further exacerbate California's air quality problems; and could potentially cause a rise in sea levels. In an effort to avoid or reduce the impacts of climate change,

Executive Order S-3-05 called for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.[3]

As discussed in further detail below, executive orders do not have the same status as a law because in California's constitutional system, it is the Legislature, not the Governor, who is entrusted with the role of making statewide laws. (SAHMC 1997, p. 836; CA 1990.). The Legislature declined to include the Executive Order's 2050 goal in AB 32 (discussed below), and again declined to use the EO's 2050 goal in adopting SB 375 (discussed below); nor has it incorporated it in any implementing legislation or applicable plans. Additionally, although the CARB has the requisite authority to adopt whatever regulations are necessary beyond the AB 32 horizon year 2020 to meet the target set forth in S-3-05, the agency has not done so. Since the Legislature has never enacted EO S-3-05's 2050 target, and no expert agency has interpreted CEQA to require it, the 2050 target has only the force and effect of an executive order issued by a former Governor. There is no authority that suggests that the constitutional authority to establish CEQA significance thresholds resides in the Governor. CEQA is a statute, and the authority to amend and revise its requirements falls first to the Legislature. The Legislature alone has the authority to enact, amend, or revise legislation, absent some express delegation of authority to the Governor or an executive branch agency through statutory enactments. (PECG 2010, p. 1015.) If the Legislature has delegated any of its authority to define CEQA's requirements, it delegated that authority to OPR and not to the Governor's office.

Moreover, CARB's Scoping Plan to implement AB 32 looked beyond 2020 to assess whether implementing the Scoping Plan would achieve the State's long-term climate goals and determined that it would: "Climate scientists tell us that the 2050 target represents the level of greenhouse gas emissions that advanced economies must reach if the climate is to be stabilized in the latter half of the 21st century. Full implementation of the Scoping Plan will put California on a path toward these required long-term reductions. Just as importantly, it will put into place many of the measures needed to keep us on that path." (CARB 2008, p.117.) The 2014 Scoping Plan Update confirms this: "California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32"; and it recognizes the potential for California to "reduce emissions by 2030 to levels squarely

[3] http://www.climatechange.ca.gov/state/executive_orders.html

in line with those needed in the developed world and to stay on track to reduce emissions to 80 percent below 1990 levels by 2050." (CARB 2014, p. 2.) However, the 2014 Scoping Plan Update also concludes that additional actions will be needed to continue reducing emissions and meet the 2050 goals in the face of anticipated population and economic growth. (CARB 2014) In fact, overwhelming scientific evidence supports the conclusion that significant technological innovation, well beyond the scope of an individual development project, are absolutely necessary components of any plausible path to achieving the EO S-3-05's 2050 target. These new innovations to change fuel technology and energy generation are entirely outside the jurisdiction and control of the City. Achieving these goals will require wholesale shifts in fuel and energy technology, neither of which are currently available, rendering any further analysis of a given development project's impacts relative to the 2050 target too speculative for purposes of determining CEQA significance.

- **Executive Order B-30-15 (Statewide Interim GHG Targets)**

California Executive Order EO B-30-15 (April 29, 2015) set an "interim" statewide emission target to reduce greenhouse emissions to 40 percent below 1990 levels by 2030, and directed state agencies with jurisdiction over greenhouse gas emissions to implement measures pursuant to statutory authority to achieve this 2030 target and the 2050 target of 80 percent below 1990 levels.[4] Specifically, the Executive Order directed the CARB to update the Scoping Plan to express this 2030 target in metric tons, which was approved in 2017 (see discussion below). This Executive Order is subject to all the same limitations and infeasibility as discussed above for EO S-03-05. However, Senate Bill 32 (discussed below) legislates EO B-30-15 interim GHG targets. Additionally, SB 350 was signed into law and (discussed below) it requires the state to double energy efficiency savings in electricity and natural gas by retail customers by 2030 and raises the Renewable Portfolio Standard (RPS) so that half of the state's electricity must be procured from renewable sources by 2030.

- **Senate Bill 32**

Enacted in 2016, Senate Bill (SB) 32 codifies the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030. CARB is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions

[4] https://www.gov.ca.gov/docs/4.1.15_Executive_Order.pdf

level in 1990, to be achieved by 2020 and to adopt rules and regulations to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. SB 32 was coupled with a companion bill: Assembly Bill (AB) 197. Designed to improve the transparency of CARB's regulatory and policy-oriented processes.

In December 2017, CARB approved California's 2017 Climate Change Scoping Plan (referred to herein as the Scoping Plan or 2017 Scoping Plan and cited as CARB 2017). The 2017 Scoping Plan identifies how the State can reach the 2030 climate target to reduce GHG emissions by 40 percent from 1990 levels, and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels. (CARB 2017).

The 2030 GHG emissions limit set by the 2017 Scoping Plan is 260 $MMTCO_2e$. The BAU (or Reference Scenario) is estimated at approximately 389 $MMTCO_2e$, which is expected to exceed the 2030 limit by about 129 $MMTCO_2e$. Implementation of the known commitments listed below is expected to result in emissions that are 60 $MMTCO_2e$ above the target in 2030. This means the known commitments do not decline fast enough to achieve the 2030 target. Consequently, the Post-2020 Cap-and-Trade Program would need to deliver the additional GHG reductions to ensure the 2030 target is achieved.

The following list contains highlights of the Scoping Plan measures:

- Extending the Low Carbon Fuel Standard to an 18 percent reduction in carbon intensity;
- Renewables Portfolio Standard (RPS) to 50 percent by 2030 and double the energy savings required in electricity and natural gas end uses.
- Increase zero emission vehicles (ZEV), including plug-in hybrid electric, battery electric, and hydrogen fuel cell vehicles to 1.5 million in 2025 and 4.2 million in 2030;
- Further increase GHG stringency for all light-duty vehicles beyond existing Advanced Clean Cars regulations;
- Increase reductions in GHGs from medium-duty and heavy-duty vehicles via the Phase 2 Medium and Heavy-Duty GHG Standards;
- Implement innovative clean transit and last mile delivery requirements that increase zero emission buses and trucks;
- Reduce generation of short-lived climate pollutants by reducing methane and hydrofluorocarbon emissions by 40 percent and reducing anthropogenic black carbon emissions by 50 percent;

- Implement the Sustainable Freight Action Plan by improving freight efficiency by 25 percent, deploy over 100,000 freight vehicles and equipment capable of zero emission operation, and maximize both zero and near-zero emissions freight vehicles and renewable-powered equipment; and
- Post-2020 Cap-and-Trade Program will be continued with declining annual caps to ensure the State's 2030 target is achieved.

- **Senate Bill 97 (CEQA Guidelines)**

SB 97 required OPR to prepare amended CEQA Guidelines for submission to the California Natural Resources Agency (CNRA) regarding GHG analysis and feasible mitigation of the effects of GHG emissions as required by CEQA. These amendments became effective as of March 18, 2010. The adoption of SB 97 and subsequent CEQA amendments are widely recognized as confirmation that lead agencies are required to include an analysis of climate change impacts in CEQA documents.

CEQA Guidelines GHG Amendments

The CEQA Guidelines GHG Amendments adopted pursuant to SB 97 state in Section 15064.4(a) that lead agencies should "make a good faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. Section 15064.4(a) notes that an agency may identify emissions by either selecting a "model or methodology" to quantify the emissions or by relying on "qualitative analysis or other performance based standards" (CNRA 2009a). Section 15064.4(b) provides that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment:

- The extent a project may increase or reduce GHG emissions as compared to the environmental setting.
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (CNRA 2009a).

In addition, Section 15064.7(c) of the CEQA Amendments specifies that "[w]hen adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence" (CNRA 2009a). Similarly, the revision to

Appendix G, Environmental Checklist Form which is often used as a basis for lead agencies' selection of significance thresholds, does not prescribe specific thresholds. Rather, Appendix G asks whether the project would conflict with a plan, policy, or regulation adopted to reduce GHG emissions or generate GHG emissions that would significantly affect the environment, indicating that the determination of what is a significant effect on the environment should be left to the lead agency.

Accordingly, the CEQA Amendments do not prescribe specific methodologies for performing an assessment of GHG impacts, do not establish specific thresholds of significance, and do not mandate specific mitigation measures. Rather, the CEQA Amendments emphasize the lead agency's discretion to determine the appropriate thresholds of significance consistent with the manner in which other impact areas are handled in CEQA (CNRA 2009a).

The CEQA Amendments indicate that lead agencies should consider all feasible means, supported by substantial evidence and subject to monitoring and reporting, of mitigating the significant effects of GHG emissions. As pertinent to a project, these potential mitigation measures set forth in Section 15126.4(c), may include (1) measures in an existing plan or mitigation program for the reduction of GHG emissions that are required as part of the lead agency's decision; (2) reductions in GHG emissions resulting from a project through implementation of project design features; (3) off-site measures, including offsets, to mitigate a project's emissions; and (4) carbon sequestration measures (CNRA 2009a).

Among other things, the CRNA noted in its Public Notice for these changes that impacts of GHG emissions should focus on the cumulative impact on climate change. The Public Notice states: (CNRA 2009b)

- While the Proposed Amendments do not foreclose the possibility that a single project may result in greenhouse gas emissions with a direct impact on the environment, the evidence before [CRNA] indicates that in most cases, the impact will be cumulative. Therefore, the Proposed Amendments emphasize that the analysis of greenhouse gas emissions should center on whether a project's incremental contribution of greenhouse gas emissions is cumulatively considerable.

Thus, the CEQA Amendments continue to make clear that the significance of GHG emissions is most appropriately considered on a cumulative level.

- **Energy-Related Sources**

Renewable Portfolio Standards (SB 1078, SB 107, SB 350, and SBX1-2)

Established in 2002 under SB 1078, accelerated in 2006 under SB 107 and in 2011 under SBX1-2 and again in 2015 under SB 350, California's Renewable Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 40 percent of retail sales by 2027, and 50 percent of retail sales by 2030 (SB 1078, SB 1368, SB 350, AIR 2011). The 50 percent standard is consistent with the RPS goal by 2030 established in the Scoping Plan (CARB 2017). Initially, the RPS provisions applied to investor-owned utilities, community choice aggregators, and electric service providers. SBX1-2 added, for the first time, publicly owned utilities to the entities subject to RPS.

Assembly Bill 1109

Assembly Bill 1109 (AB 1109), the Lighting Efficiency and Toxic Reduction Act, required the establishment of minimum energy efficiency standards for all general purpose lights. The standards are structured to reduce average statewide electrical energy consumption by not less than 50 percent from the 2007 levels for indoor commercial and outdoor lighting by 2018.

Senate Bill 350

Senate Bill 350 (SB 350), signed October 7, 2015, is the *Clean Energy and Pollution Reduction Act of 2015*. SB 350 is the implementation of some of the goals of EO B-30-15. The objectives of SB 350 are,

1) To increase from 33 percent to 50 percent, the procurement of our electricity from renewable sources.
2) To double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.

GHG Emissions Standard for Baseload Generation (SB 1368)

Senate Bill 1368 (SB 1368) (September 29, 2006) prohibits any retail seller of electricity in California from entering into a long-term financial commitment for baseload generation if the GHG emissions are higher than those from a combined-cycle natural gas power plant. This performance standard applies to electricity generated both within and outside of California and to publicly owned as well as investor-owned electric utilities.

- **Mobile Sources**

Mobile Source Reductions (AB 1493)

Assembly Bill 1493 ("the Pavley Standard" or AB 1493) required the CARB to adopt regulations by January 1, 2005, to reduce GHG emissions from non-commercial passenger vehicles and light-duty trucks of model year 2009 through 2016. The bill also required the California Climate Action Registry to develop and adopt protocols for the reporting and certification of GHG emissions reductions from mobile sources for use by the CARB in granting emission reduction credits. The bill authorizes the CARB to grant emission reduction credits for reductions of GHG emissions prior to the date of enforcement of regulations, using model year 2000 as the starting point for reduction.

In 2004, the CARB applied to the EPA for a waiver under the federal Clean Air Act to authorize implementation of these regulations. The waiver request was formally denied by the USEPA in December 2007 after California filed suit to prompt federal action. In January 2008, the State Attorney General filed a new lawsuit against the EPA for denying California's request for a waiver to regulate and limit GHG emissions from these vehicles. In January 2009, President Barack Obama issued a directive to the EPA to reconsider California's request for a waiver. On June 30, 2009, the EPA granted the waiver to California for its GHG emission standards for motor vehicles. As part of this waiver, EPA specified the following provision: the CARB may not hold a manufacturer liable or responsible for any noncompliance caused by emission debits generated by a manufacturer for the 2009 model year. The CARB has adopted a new approach to passenger vehicles (cars and light trucks) by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California. These standards will apply to all passenger and light duty trucks used by customers, employees of and deliveries to the proposed Project.

Low Carbon Fuel Standard

Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. The CARB identified the Low Carbon Fuel Standard (LCFS) as a Discrete Early Action item under AB 32 and the final resolution (09-31) was issued on April 23, 2009 (CARB 2009). In 2009, the CARB approved for adoption the LCFS regulation which became fully effective in April 2010 and is codified at Title 17, CCR, Sections 95480-95490. In 2011, the CARB approved amendments to the regulation to clarify, streamline, and enhance certain provisions of the regulation, and in 2015 re-adopted the LCFS to

address procedural issues, which began implementation on January 1, 2016. The LCFS will reduce greenhouse gas emissions by reducing the carbon intensity of transportation fuels used in California by at least 18 percent by 2030, pursuant to the 2017 Climate Change Scoping Plan. Carbon intensity is a measure of the GHG emissions associated with the various production, distribution, and use steps in the "lifecycle" of a transportation fuel.

Advanced Clean Cars

In January 2012, the CARB approved the Advanced Clean Cars Program, a new emissions-control program for model year 2017 through 2025.

The program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, the new automobiles will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions.

The program also requires car manufacturers to offer for sale an increasing number of zero-emission vehicles (ZEVs) each year, including battery electric, fuel cell, and plug-in hybrid electric vehicles.

In December 2012, the CARB adopted regulations allowing car manufacturers to comply with California's GHG emissions requirements for model years 2017-2025 through compliance with the EPA GHG requirements for those same model years (CARB 2012).

Transportation Fuel: Phased-In Cap-and-Trade Compliance Obligation

Pursuant to AB 32, the CARB was allowed, but not required, to include among mechanisms intended to reduce GHG emissions a "system of market-based declining annual aggregate emission limits." As noted above, the CARB developed a Scoping Plan that directed the CARB staff to develop, among other programs, a cap-and-trade mechanism that would apply a declining aggregate cap on GHG emissions and provide a flexible compliance system using tradable instruments. On October 20, 2011, the CARB adopted the final cap-and-trade regulation (CCR Title 17, Subchapter 10, Article 5). The program will impose a “cap” on the total GHG emissions from covered entities in the state and the quantity of emissions allowed under the cap will decrease each year, ultimately reaching the goal of returning state-wide GHG emissions to 1990 levels by 2020. The quantity of allowed emissions actually increases between 2014 and 2015, but that is to account for the addition of the fuel importers and distributors and additional electricity importers to the program as discussed below. The net effect is to reduce overall GHG emissions.

The Cap-and-Trade Program started on January 1, 2012 and will proceed in "compliance phases," the first of which began on January 1, 2013. In the first phase, the program applies to electric utilities, importers of electricity, and specified industries, including refineries. Approximately 350 electric utilities and approximately 600 industrial facilities were included in the initial phase of the program. In 2015, importers and distributors of fossil fuels were added to the program in the second phase. Specifically, on January 1, 2015, cap-and-trade compliance obligations were phased in for suppliers of natural gas, reformulated gasoline blendstock for oxygenate blending (RBOB), distillate fuel oils, and liquefied petroleum gas that meet or exceed specified emissions thresholds. The threshold that triggers a cap-and-trade compliance obligation for a fuel supplier is 25,000 metric tons or more of CO_2e annually from the GHG emissions that would result from full combustion or oxidation of quantities of fuels (including natural gas, RBOB, distillate fuel oil, liquefied petroleum gas, and blended fuels that contain these fuels) imported and/or delivered to California. Phasing in of cap-and-trade compliance obligations for transportation fuel providers further reduces GHG emissions attributable to mobile sources, beyond the GHG emissions reductions achieved by the Pavley Standard, LCFS, and Advanced Clean Cars Program discussed above. This analysis does not incorporate GHG emissions reductions based on cap-and-trade compliance obligations applicable to transportation fuel suppliers.

Heavy-duty Vehicle Greenhouse Gas Regulation

In December 2008, the CARB adopted the Heavy-duty Vehicle Greenhouse Gas Regulation (HDV GHG Regulation) to reduce GHG emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. Fuel efficiency is improved through improvements in tractor and trailer aerodynamics and the use of low rolling resistance tires. The tractors and trailers subject to this regulation must use USEPA SmartWay certified tractors and trailers, or retrofit their existing fleet with SmartWay verified technologies. Trucks serving the Project that are not drayage trucks will be regulated under this statute and required to comply with SmartWay standards to reduce GHG emissions. As part of the regulatory package for the HDV GHG Regulation, the CARB also reviewed and implemented the Drayage Truck Regulation and Truck and Bus Regulation. These three regulations were collectively adopted to address emissions from trucks (CARB 2010a).

Drayage Truck Regulation

The Drayage Truck Regulation is part of the CARB's ongoing efforts to reduce PM and NO_X emissions from diesel-fueled engines and improve air quality associated with goods movement. All truck trips from the port to the Project are drayage trips (Title 13 CCR

§2027(15)). According to the CARB, this regulation is designed to support local emissions reduction goals such as the Clean Air Action Plan (CAAP) by the ports of Los Angeles and Long Beach. Phase II of the regulation required that after December 31, 2013, all drayage trucks must be equipped with a 1994 or newer model year engine that meets or exceeds 2007 model year California or federal emission standards. Thus, all the incoming drayage trucks from the Port will have to meet the Phase II requirement.

Warehouse Mobile Equipment Regulation

The Project will use on-site equipment (forklifts, etc.) which cause some GHG emissions. This equipment is highly regulated to protect indoor air quality and worker health and safety. California's Division of Occupational Safety and Health (OSHA) sets and enforces limits for exposure to chemicals in the workplace. There are Permissible Exposure Limits (PELs) for some main components of diesel exhaust including carbon monoxide and polycyclic aromatic hydrocarbons (PAHs). Indoor air quality regulations include California Health & Safety Code §105405, §105425, §39930, §41985—41986 and California Labor Code §142.3 which involve research, safety, monitoring, and emissions standards. These regulations reduce overall emissions, which has a corresponding benefit to GHG reductions.

- **Building Standards**

California Energy Code (California Code of Regulations, Title 24)

Energy Conservation Standards for new residential and commercial buildings were originally adopted by the California Energy Resources Conservation and Development Commission in June 1977 (Title 24 CCR Part 6 [CCR, 2008]). In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. Appliance Efficiency Regulations (Title 20 CCR §1601-1608), were adopted by the California Energy Commission on January 12, 2012, and were effective as of February 1, 2013. The regulations include standards for both federally-regulated appliances and non-federally regulated appliances.

The California Energy Commission adopted changes to the 2013 Building Energy Efficiency Standards contained in Title 24 CCR Part 6 (also known as the California Energy Code) and associated administrative regulations in Part 1 (collectively referred to here as the Standards). The 2013 Building Energy Efficiency Standards are 30 percent more efficient for nonresidential construction (CBSC 2012).It is expected that the 2016 Building Energy Efficiency Standards will reduce the energy consumption for

nonresidential units by about five percent. (CEC 2015) The standards will offer builders better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. Title 24 CCR Part 6 went into effect January 1, 2017.

Green Building Standards

Part 11 of the California Building Standards Code in Title 24 of the CCR[5] is also known as the CALGreen Code.

The CALGreen Code requires waste reduction measures including: providing readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of nonhazardous materials for recycling, and a minimum 50 percent diversion of construction and demolition waste from landfills. Water reduction measures include: a 20 percent mandatory reduction in indoor was use; separate water meters for buildings in excess of 50,000 square feet; moisture-sensing irrigation systems for larger landscaped areas; and the reduction of generation of wastewater by either installing water-conserving fixtures or using non-potable water systems. Pollution reduction measures include requiring low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particleboard. Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet are required to ensure that all are working at their maximum capacity according to their design efficiencies. The Code also requires long-term bicycle parking for buildings with over 10 tenant-occupants by providing secure bicycle parking for 5 percent of the tenant-occupied motorized vehicle parking capacity, and requires designated parking in commercial projects for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles to encourage alternative transportation methods.

The 2016 California Building Standards Code (CCR, Title 24) were effective January 1, 2017. (CBSC 2016). The following sections of the CALGreen Code are applicable to this Project:

CALGreen Section 5.106.4

[5] 2016 Title 24 Part 11 of the California Building Standards Code can be accessed at: https://codes.iccsafe.org/public/chapter/content/2058/.

Bicycle parking. Comply with Sections 5.106.4.1 and 5.106.4.2; or meet local ordinance or the University of California Policy on Sustainable Practices, whichever is stricter.

5.106.4.1 Short-term bicycle parking. If the project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

5.106.4.2 Long-term bicycle parking. For buildings with over 10 tenant-occupants, provide secure bicycle parking for 5 percent of motorized vehicle parking capacity, with a minimum of one space. Acceptable parking facilities shall be convenient from the street and may include: 1. Covered, lockable enclosures with permanently anchored racks for bicycles; 2. Lockable bicycle rooms with permanently anchored racks; and 3. Lockable, permanently anchored bicycle lockers. Note: Additional information on recommended bicycle accommodations may be obtained from Sacramento Area Bicycle Advocates.

CALGreen Section 5.106.5.2

Designated parking for clean air vehicles. In new projects or additions or alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles. Projects with 201 parking spaces or over require at least 8 percent of total number of parking spaces. The Project will comply with section 5.106.5.2, Designated parking for clean air vehicles, by including clean air/ van pool stalls for eight percent of parking stalls.

CALGreen Section 5.106.5.3

Construction shall facilitate installation of electric vehicle supply equipment (EVSE). When EVSEs are installed it shall be in accordance with the California Building Code.

5.106.5.3.2 Multiple charging space requirements. When multiple charging spaces are required raceways are required to be installed at the time of construction and shall be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the charging equipment and into listed suitable cabinet(s), box(es), enclosure(s) or equivalent.
3. Plan design shall be based upon 40-ampere minimum branch circuits.

4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage.
5. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

- **Waste Diversion**

The California Integrated Waste Management Act of 1989 (Public Resources Code Sections 40000 et seq.) requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; and (2) diversion of 50 percent of all solid waste on and after January 1, 2000, through source reduction, recycling, and composting facilities.[6] Additionally, jurisdictions are not prohibited from implementing source reduction, recycling, and composting activities designed to exceed these requirements.[7]

AB 341 (2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter.[8] In addition, AB 341 required the California Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state's policy goal.[9] CalRecycle conducted several stakeholder workshops and published a discussion document in May 2012 titled *California's New Goal: 75 Percent Recycling*, which identifies concepts that CalRecycle believes would assist the state in reaching the 75 percent goal by 2020.[10]

[6] Cal. Pub. Res. Code § 41780(a).

[7] Cal. Pub. Res. Code § 41780(b).

[8] Cal. Pub. Res. Code § 41780.01(a).

[9] Cal. Pub. Res. Code § 41780.02.

[10] Available online at http://www.calrecycle.ca.gov/75percent/Plan.pdf (last accessed June 19, 2017).

o Other Potentially Applicable State Regulations or Policies

Executive Order S-13-08

Executive Order S-13-08, signed in 2008, called on state agencies to develop a strategy for identification of and preparation for expected climate change impacts in California. The resulting 2009 California Climate Adaptation Strategy (CAS) report was developed by the CNRA in coordination with the Climate Action Team (CAT). The report presents the best available science relevant to climate impacts in California and proposes a set of recommendations for California decision-makers to assess vulnerability and promote resiliency in order to reduce California's vulnerability to climate change. Guidance regarding adaptation strategies is general in nature and emphasizes incorporation of strategies into existing planning policies and processes.

In addition to requiring the CAT to create a Climate Adaptation Strategy, Executive Order S-13-08 ordered the creation of a comprehensive Sea Level Rise Assessment Report.

Senate Bill X7 7 (Water Conservation Act of 2009)

The Water Conservation Act of 2009 sets an overall goal of reducing per-capita urban water use by 20 percent by December 31, 2020. The state was required to make incremental progress toward this goal by reducing per-capita water use by at least 10 percent by December 31, 2015. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convene, treat, and distribute the water and it also reduces emissions from wastewater treatment. Hence, GHG emissions from these processes are reduced.

Model Water Efficient Landscape Ordinance

The Water Conservation Act requires local agencies to adopt a local landscape ordinance at least as effective in conserving water as the Model Ordinance by January 1, 2010. Reductions in water use of 20 percent consistent with the SBX-7-7 2020 mandate are expected upon compliance with the Ordinance. Executive Order EO B-29-15 directed the California Department of Water Resources to update the Model Ordinance through expedited regulation. The California Water Commission approved the revised Ordinance in 2015. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance, which requires: more efficient irrigation systems; incentives for graywater usage; improvements in on-site stormwater capture; limiting the portion of landscapes that can be planted with high water use plants; and reporting requirements for local agencies.

CARB Refrigerant Management Program

The CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, California Code of Regulations. The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

- **Regional**

    - **South Coast Air Quality Management District Policies**

CEQA Guidelines and Proposed GHG Thresholds

SCAQMD is principally responsible for comprehensive air pollution control for Los Angeles, Orange, and the urbanized portions of Riverside and San Bernardino Counties, including the Project site. SCAQMD works directly with SCAG, County transportation commissions and local governments, and cooperates actively with all federal and state government agencies to regulate air quality.

In April 2008, SCAQMD convened a Working Group to develop GHG significance thresholds. On December 5, 2008, the SCAQMD Governing Board adopted an interim CEQA GHG significance threshold for projects where the SCAQMD is the lead agency. As to all other projects where the SCAQMD is not the lead agency, the Board has, to date, only adopted an interim threshold of 10,000 $MTCO_2e$ per year for industrial stationary source projects (SCAQMD 2008).

For all other projects, SCAQMD proposed a multiple tier analysis to determine the appropriate threshold to be used. The draft proposal suggested the following tiers: Tier 1 is any applicable CEQA exemptions; Tier 2 is consistency with a GHG reduction plan; Tier 3 is a screening value or bright line; Tier 4 is a performance based standard; and Tier 5 is GHG mitigation offsets (SCAQMD 2008). A Tier 3 draft threshold of 1,400 to 3,500 $MTCO_2e$/year was proposed in September 2010, depending on if the project was commercial, mixed use, or residential. A Tier 4 draft threshold was not clearly established; instead SCAQMD referenced the San Joaquin Valley Air Pollution Control District (SJVAPCD) approach. A Tier 4 percent reduction target based on consistency

with AB 32 and the 2020 Scoping Plan was considered . The second Tier 4 option considered utilizes an efficiency target for 2020 of 4.8 metric tons per service population per year for project level thresholds (SCAQMD 2010).

As of January 2018, the draft proposal has not been considered or approved for use by the SCAQMD Board. In the meantime, no GHG significance thresholds applicable to the Project are approved for use in the Basin. However, that does not preclude CEQA Lead Agencies from utilizing the draft thresholds to evaluate the potential impacts associated with general development projects. The City of Banning utilizes these draft thresholds to determine the significance of new developments within its jurisdiction.

- **Ports of Los Angeles and Long Beach**

As explained above, the Inland Empire is the heart of the region's warehouse Goods Movement network. Goods that are unloaded at the Ports are transloaded at locations throughout the region before continuing east to destinations across the country. There is a projected need for another 527 million square feet of warehousing space in the region by 2040 according to the SCAG 2016 RTP/SCS.

The entire Goods Movement network is based on the Ports of Los Angeles/Long Beach (Ports of LA/LB) and all truck trips generated by the Project are conservatively assumed to come from the Ports of LA/LB. The Ports have adopted several plans and policies to reduce GHG emissions as described below.

Green LA: An Action Plan to Lead the Nation in Fighting Global Warming

City of Los Angeles released its climate action plan, Green LA: An Action Plan to Lead the Nation in Fighting Global Warming, (Green LA Plan) in May 2007 (LA 2007a). The Green LA Plan is a voluntary program that sets a goal of reducing the City's GHG emissions to 35 percent below 1990 level by 2030. Climate LA is the implementation framework that contains the details of the more than fifty action items that are included in Green LA Plan. The measures the City of Los Angeles will take to achieve the 35 percent reduction goal include "greening" the Port of Los Angeles and the four airports operated by the City (including Los Angeles International Airport). Under the Port-specific actions called for by the Green LA Plan, in addition to the Drayage Truck Regulation discussed above, all heavy-duty trucks calling at the ports have been required to meet or exceed the USEPA 2007 heavy-duty vehicle on-road emissions standards for particulate matter since the end of 2011. The specific measures for developing the Port-Specific actions are included in the San Pedro Bay Ports Clean Air Action Plan (CAAP).

Port Emission Reduction Plans

The City of Los Angeles Harbor Department (the Port of LA) adopted a Climate Action Plan in 2007 (Port of LA CAP) which addresses emissions from associated trucks. The Port of LA CAP provides that the "landmark plan was developed to reduce criteria pollutant emissions from major tenant operations such as operation of heavy-duty vehicles/trucks, ocean-going vessels, harbor craft, cargo handling equipment, and railroad locomotives" (LA 2007b). The 2007 plan primarily focused upon municipal operations at the harbor but noted the opportunity to reduce emissions through the associated San Pedro Bay Ports Clean Action Air Plan, with which the Project is consistent as described below. (LA 2007b).

The Long Beach Sustainable City Action Plan is intended to guide operational, policy and financial decisions to create a more sustainable Long Beach. Transportation Initiative 4 is to "Implement the CAAP, designed to significantly reduce port related air emissions over a 5-year plan, through a partnership with the Harbor Department and its tenants" (LB 2010). While the CAAP was not specifically designed to reduce GHG emissions, its air emissions reduction strategies would have the added benefit of helping to reduce GHG emissions as well. By utilizing a truck fleet that complies with the Clean Trucks Program, the Project will facilitate these goals.

The San Pedro Bay Ports adopted an updated Clean Air Action Plan in 2017. This plan is described as a sweeping plan aimed at significantly reducing the health risks posed by air pollution from port-related ships, trains, trucks, terminal equipment and harbor craft (SPBP 2017). While the San Pedro Bay Ports CAAP was not specifically designed to reduce GHG emissions, the identified air pollution reduction strategies would have the added benefit of helping to reduce GHG emissions as well. The San Pedro Bay Ports CAAP emphasizes the Clean Trucks Program and the Technology Advancement Program, through which the port imposes significant efficiency standards on trucks. The Project will comply with this program because the trucks that drive to the warehouse from the Port will comply with the Port's efficiency and engine standards (SPBP 2017).

- **Western Riverside Council of Governments**

The City of Banning is a member of the Western Riverside Council of Governments (WRCOG), the municipal planning organization for Riverside County. WRCOG has been a leader in promoting sustainability through its adopted Sustainability Framework, Western Riverside Energy Leader Partnership (WRELP), HERO Program—an energy efficiency and water conservation financing program, and Western Riverside County Clean Cities Coalition.

Twelve cities in Western Riverside County, including the City of Banning, joined efforts to develop a Subregional Climate Action Plan (CAP), which sets forth a subregional emissions reduction target, emissions reduction measures, and action steps to assist each community to demonstrate consistency with California's Global Warming Solutions Act of 2006 (AB 32). An existing GHG emissions inventory was developed and future emissions and reduction goals were set. Existing GHG reduction programs and policies that had already been implemented in the subregion and best practices from other regions influenced the reduction measures and actions identified in the CAP to assist meeting the 2020 subregional reduction target of 15% below 2010 levels. The Subregional CAP does not establish a reduction target for 2035 or future years; however the CAP identifies a reduction goal of 49% below baseline emissions levels to set the WRCOG subregion on a trajectory to meet targets identified in SB 375 and Executive Order S-03-05, recognizing that information, methodologies, and data availability may change between now and 2035 (Subregional CAP).

- **Local**

  - **City of Banning General Plan**

The Water Resources, Air Quality, and Energy and Mineral Resources Elements of the City of Banning General Plan contain goals, policies, and objectives that are considered applicable to the proposed Project, as identified below.

Water Resources Element

Policy 2 The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.

Energy and Mineral Resources Element

Goal Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.

Policy 2 Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.

  - **City of Banning Municipal Code**

Article II Chapter 17.32 of the City's Municipal Code assures that the City's water resources are not significantly impacted by high water consuming landscape plans, with implementation of the standards for water efficiency for all landscaping plans.

Chapter 15.08 prescribes regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of building and structures.

Section 15.08.010 Incorporated by Reference.

A. Except as otherwise provided in this chapter for the purposes of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of building and structures, the following construction codes are hereby adopted as "Chapter 15.08, Construction Codes," and all appendices, tables, and indices thereto, as the same existed on December 31, 2013, are hereby adopted by reference and incorporated as if fully set out herein, and the provisions thereof shall be controlling within the limits of the city.

1. California Building Code, 2016 Edition, including Chapter 1 Division II, based on the 2015 International Building Code as published by the International Code Council;
2. California Residential Code, 2016 Edition, based on the 2015 International Residential Code as published by the International Code Council;
3. California Green Building Standards Code, 2016 Edition;
4. California Plumbing Code, 2016 Edition, based on the 2015 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials;
5. California Mechanical Code, 2016 Edition, based on the 2015 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials;
6. California Electrical Code, 2016 Edition, based on the 2014 National Electrical Code as published by the National Fire Protection Association;
7. International Property Maintenance Code, 2012 Edition, as published by the International Code Council; the Uniform Code For the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Code Council.

4.5.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future.

Climate change is by definition a global issue and California's efforts to reduce GHG emissions will not alone change the impact of global climate change as discussed in Section 4.5.1 - Introduction.

GHG is also considered a cumulative impact by the regulatory agencies. The CRNA noted in its Public Notice for the CEQA Amendments adopted pursuant to SB 97 that that impacts of GHG emissions should focus on the cumulative impact on climate change. The Public Notice states: (CNRA 2009d)

> *While the Proposed Amendments do not foreclose the possibility that a single project may result in greenhouse gas emissions with a direct impact on the environment, the evidence before [CRNA] indicates that in most cases, the impact will be cumulative. Therefore, the Proposed Amendments emphasize that the analysis of greenhouse gas emissions should center on whether a project's incremental contribution of greenhouse gas emissions is cumulatively considerable.*

Thus, the CEQA Amendments continue to make clear that the significance of GHG emissions is most appropriately considered on a cumulative level. The fact that GHG emissions are cumulative in nature has been echoed by the only two regional air districts to adopt GHG significance criteria. This is because a project's greenhouse gas emissions typically would be very small in comparison to state or global greenhouse gas emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Because GHG emissions are cumulative, the cumulative impacts are discussed in Section 4.5.7.

4.5.5 PROJECT DESIGN FEATURES

The proposed Project incorporates the following features that reduce energy consumption:

- **Energy Efficiency**
  - Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
  - Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.

- Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
- Install light colored "cool" roofs over office area spaces.
- For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- **Renewable Energy**

  - Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy to the City for review.

- **Water Conservation and Efficiency**

  - Create water-efficient landscapes.
  - Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code.

- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

- **Solid Waste Measures**

  - Reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
  - Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
  - The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

- **Transportation and Motor Vehicles**

  - The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
  - The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
  - Provide adequate bicycle parking near building entrances.

- **On-Site Equipment and Loading Docks**

  - The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than five minutes.
  - Truck idling shall not exceed five minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than five minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
  - Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **Construction**

  - Require construction equipment to turn off when not in use.
  - Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project.
  - Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

These features may act to minimize potential impacts from GHG emissions.

4.5.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and defers to the thresholds of significance identified in Appendix G of the State *CEQA Guidelines*.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the project may be deemed to have a significant impact with respect to greenhouse gases if it would:

- (Threshold A) generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;
- (Threshold B) conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

4.5.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Water Resources and Energy and Mineral Resources Elements

Impact Analysis:

The Project's consistency with the applicable City's General Plan Greenhouse gas Emission goals and policies is provided in **Table 4.5-B – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.5-B– Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Goal/Policy No.	**Goal/Policy**	**Statement of Consistency**
Water Resources Element		
Policy 2	*The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.*	Project landscaping plans call for drought-tolerant, low-water consuming plants. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to using drought-tolerant landscaping.
Energy and Mineral Resources Element		
Goal	*Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.*	The Project includes design features and mitigation measures to reduce energy consumption and increase sustainability, as discussed herein. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to the use and management of electricity.
Policy 2	*Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.*	The Project includes a design feature that promotes alternative energy sources, as discussed herein and in Section 4.5, Greenhouse Gas Emissions. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to alternative energy systems.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Generation of Greenhouse Emissions**

Threshold A*:* Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact Analysis:

In 2014, the WRCOG completed a Subregional Climate Action Plan (CAP) that addresses statewide legislation for sustainability through the preparation of GHG inventories and strategies to reduce emissions consistent with AB 32, which established a statewide target to reduce GHG emission to 1990 levels by 2020 (Subregional CAP). Preparing a CAP supports AB 32 at the local level. The CAP provides a policy framework for local implementation.

The WRCOG Subregional CAP establishes a community-wide emissions reduction target of 15% below 2010 emissions levels (Subregional CAP). Because the City of Banning is a participating member in the Subregional CAP, it is appropriate to use the methodology in the CAP for this analysis. Projects that demonstrate compliance with the CAP target are considered consistent with the AB 32 reduction target. Although the City of Banning has not adopted a CEQA document for the Subregional CAP, reliance upon the methodology in the CAP may still be used as a threshold to evaluate the Project's GHG emissions.

Accordingly, a Business as Usual (BAU) analysis was prepared since the Project's GHG emissions exceeded the SCAQMD screening threshold level for industrial projects.

Each source of GHG emissions is described in greater detail below, as indicated in the AQ-GHG Study (Appendix C.1).

- **Construction**

The CalEEMod model calculates GHG emissions from fuel usage by construction equipment and construction-related activities, like construction worker trips, for the Project. The CalEEMod estimate does not analyze emissions from construction-related electricity or natural gas. Construction-related electricity and natural gas emissions vary based on the amount of electric power used during construction and other unknown factors which make them too speculative to quantify. The CalEEMod output results for

construction-related GHG emissions present the GHG emissions estimates for the Project for CO_2, methane (CH_4), nitrous oxide (N_2O), and CO_2e.

The draft SCAQMD GHG threshold Guidance document released in October 2008 recommends that construction emissions be amortized for a project lifetime of 30 years to ensure that GHG reduction measures address construction GHG emissions as part of the operational reduction strategies. Consequently, the total GHG emissions from Project construction were amortized and are included in **Table 4.5-C –Unmitigated Project 2020 GHG Emissions**.

- **Area Source Emissions**

CalEEMod estimates the GHG emissions associated with area sources which include landscape equipment emissions, architectural coating, consumer products, and hearths. Landscape equipment servicing the Project site create CO_2 resulting from fuel combustion based on the Project's land uses. Consumer products consist of consumer use of solvents and personal care products and architectural coatings consist of an average building square footage to be repainted each year. **Table 4.5-C** summarizes the Project's area source emissions.

- **Energy-Related Emissions**

CalEEMod estimates the GHG emissions associated with building electricity and natural gas usage (non-hearth) for each land use type. Electricity and natural gas used in buildings is typically generated at an off-site power plant which indirectly generates GHG emissions. The default energy usage values used in CalEEMod are based on the California Energy Commission-sponsored California Commercial End Use Survey and Residential Appliance Saturation Survey studies and reflect 2016 Title 24 improvements (CalEEMod User's Guide, Appendix A, p. 36). The Project's emissions were adjusted to incorporate utility-specific information from the City of Banning, who owns its electric utility. The Project's electricity and natural gas consumption is estimated to generate approximately 737 and109 $MTCO_2E$/yr, respectively.

- **Mobile Source Emissions**

CalEEMod estimates the annual GHG emissions from Project-related vehicle usage based on trip generation data contained in defaults or in a project-specific traffic analyses. The trip generation rate and fleet mix were adjusted based on the rates and ratios found in the Project-specific Traffic Study (Appendix N). Trip length data was based on CalEEMod defaults and the truck trip length assumed distance from the Ports of Los Angeles and Long Beach to the Project site of approximately 100 miles. **Table 4.5-C** shows the mobile source emissions from the Project.

- **Solid Waste Emissions**

CalEEMod also calculates the GHG emissions associated with the disposal of solid waste into landfills based on default data contained within the model for waste disposal rates, composition, and the characteristics of landfills throughout the state. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. This analysis assumes a solid waste diversion from the landfills of 75 percent as required by Assembly Bill 341. **Table 4.5-C** shows the solid waste emissions from the Project.

- **Water-Related Energy Usage**

Electricity is also indirectly used in water supply, treatment, and distribution, as well as wastewater treatment in Southern California and plays a large role in GHG production. There are three processes necessary to supply potable water to urban users (i.e., residential, commercial, and industrial): (1) supply and conveyance of the water from the source; (2) treatment of the water to potable standards; and (3) distribution of the water to individual users. After use, the wastewater is treated and either reused as reclaimed/recycled water or returned to the environment. CalEEMod calculates the GHG emissions from these processes based on default emissions factors and water/wastewater generation rates for a project's location. Default values were used for electricity intensity factor associated with the supply and conveyance of water from its source which assumes that the water is being imported from Northern California. Water demand was obtained from the Water Supply Assessment prepared for the Proposed Project (Appendix J). The Project's emissions were adjusted to account for the CalGreen building code which requires a 20 percent reduction in indoor water use. **Table 4.5-C** shows the GHG emissions from water-related energy usage for the Project.

Table 4.5-C– Unmitigated Project 2020 GHG Emissions

Source	Metric Tons per year (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2E
Amortized Construction	--	--	--	126.93
Area	0.05	0.00	0.00	0.05
Energy	841.18	0.03	0.01	845.79
Mobile	21,840.66	1.04	0.00	21,866.59
Solid Waste	47.70	2.82	0.00	118.18
Water	53.16	0.22	0.01	60.46
Total	**22,782.75**	**4.11**	**0.02**	**23,018.00**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.
Source: Table 10 of AQ-GHG Report

Because the total GHG emissions from the Project (23,018 MT CO_2E /yr) are above the SCAQMD screening threshold of 10,000 $MTCO_2E$/year for industrial projects, a BAU analysis was prepared in accordance with the Subregional CAP to determine the Project's consistency with AB 32.

- **Business As Usual (BAU) Analysis**

The BAU analysis presented herein was performed to determine if the Project's GHG emissions would meet the Subregional CAP reduction target in 2020, which equals a reduction of 15%. BAU is an estimate of the GHG emissions expected to occur if none of the foreseeable measures in the Subregional CAP were implemented. These measures are implemented at the state, regional, and local level.

Many aspects of the GHG estimates for the BAU analysis are similar to those analyzed for the proposed Project. BAU emissions for construction will be similar to those shown for the Project, as the same Project footprint will be disturbed. Consequently, construction under the BAU analysis is assumed to be equivalent to that of the Project and was not modeled separately. BAU emissions for the remaining sources of GHG emissions were estimated using CalEEMod and are similar to the GHG estimates for the Project with the following exceptions:

- The operational year selected was 2010, to reflect the baseline year of the Subregional CAP.
- The energy-related GHG emissions were estimated according to the 2008 Title 24 standards.
- Mobile source emissions factors exclude the Pavley motor vehicle standards for cars and light trucks and the Low Carbon Fuel Standard (LCFS) for motor vehicle fuels.
- No adjustments were made to water demand because the CalGreen code requirements were not in effect at the time the Subregional CAP baseline was set.
- The City's solid waste diversion rate of 53% was used consistent with what was occurring prior to Assembly Bill 341.

Table 4.5-D – BAU GHG Emissions, below, indicates that the BAU GHG emissions based on the assumptions outlined above, result in 26,201.05 $MTCO_2E$/year.

Table 4.5-D–BAU GHG Emissions

Source	Metric Tons per year (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2E
Amortized Construction	--	--	--	126.93
Area	0.05	0.00	0.00	0.05
Energy	1,373.91	0.04	0.02	1,379.67
Mobile	24,339.25	1.74	0.00	24,382.79
Solid Waste	89.68	5.30	0.00	222.18
Water	80.34	0.27	0.01	89.43
Total	**25,883.23**	**7.36**	**0.03**	**26,201.05**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.
Source: Table 10 of AQ-GHG Report

Because the Subregional CAP target year is 2020, and the Project will be operational in 2020, the Subregional CAP will be fully implemented at this time. For example, the Renewable Portfolio Standard (RPS) which requires 33 percent of each utility company's energy sources to be renewable by 2020 was included for the Project. **Table 4.5-C**, above, shows the Project's GHG emissions in 2020 which includes full implementation of the following statewide GHG reduction measures in addition to the Project design features described previously:

- RPS where renewable energy sources are required to be 33 percent. This is not directly calculated within CalEEMod, but adjustments were made to the default CO_2 electricity intensity factor within the model.
- 75% reduction in waste disposed per AB 341 requirements, which will be fully implemented in 2020.

The Project will also implement mitigation measure **MM GHG 1** to require installation of high efficiency lighting and reduce electricity use. As shown in **Table 4.5-E – Mitigated Project 2020 GHG Emissions**, this will reduce the Project's GHG emissions to 22,744 $MTCO_2e$/year.

Table 4.5-E – Mitigated Project 2020 GHG Emissions

Source	Metric Tons per year (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2E
Amortized Construction	--	--	--	126.93
Area	0.05	0.00	0.00	0.05
Energy	568.69	0.02	0.01	571.82
Mobile	21,840.66	1.04	0.00	21,866.59
Solid Waste	47.70	2.82	0.00	118.18
Water	53.16	0.22	0.01	60.46
Total	**22,510.26**	**4.10**	**0.02**	**22,744.03**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.
Source: Table 11 of AQ-GHG Report

In sum, the Project incorporates Project Design Features such as energy efficiency features noted in Section 4.5.5, and must comply with regulations listed in Section 4.5.3 and Conditions of Approval. A comparison of the Project's GHG emissions in 2020 from **Table 4.5-E** (22,744.03 $MTCO_2E$ /year) to the BAU GHG emissions estimated in **Table 4.5-D** (26,201.05 $MTCO_2E$/year) corresponds to a 13.2% reduction, which does not achieve the 15% reduction target to meet the goal of the Subregional CAP. As shown in **Table 4.5-E**, implementation of mitigation measure **MM GHG 1** will reduce Project-related energy emissions by approximately 274 $MTCO_2e$/year; however, emissions will still not meet the 2020 goal of the Subregional CAP.

- **Post-2020**

The Subregional CAP also looks beyond 2020 and demonstrates an ongoing commitment to reducing GHG emissions aligned with State-established goals included in SB 375 and EO S-3-05. Continued implementation of the CAP beyond 2020 will place the subregion on a trajectory to reduce GHG emissions 49% below baseline emissions by 2035.

Additional action at the state and subregional level is critical to the City's ability to attain its long-term GHG targets. Although the proposed Project does not meet the City's CAP reduction target of 15 percent, any reductions caused by SB 32 and implementation of the 2017 Scoping Plan will be applicable to the Project and will further reduce the Project's emissions. SB 32, as described in Section 4.5.3, was approved in 2016 and set an "interim" statewide emission target to reduce GHG emissions to 40 percent below 1990 levels by 2030 and the 2017 Scoping Plan, adopted in December 2017, identifies the strategy to meet the SB 32 target.

The Project's GHG emissions were estimated in 2030 to evaluate consistency with the SB 32 goal and the 2017 Scoping Plan 2030 reduction target, which equals 40 percent

reduction below 1990 levels. CalEEMod was used to estimate the GHG emissions expected to occur in 2030 with full implementation of the measures in the 2017 Scoping Plan. These measures are implemented at the state, regional, and local level.

The GHG estimates for the 2030 analysis are similar to those analyzed for the proposed Project in 2020. The 2030 emissions for construction will be similar to those shown for the Project, as the same Project footprint will be disturbed and construction activities will be the same. Consequently, construction under the 2030 analysis is assumed to be equivalent to that of the Project and was not modeled separately. The 2030 emissions for the remaining sources of GHG emissions were estimated using CalEEMod and are similar to the GHG estimates for the Project's 2020 analysis with the following exceptions:

- The operational year selected was 2030, to reflect the emissions for 2030.
- RPS where renewable energy sources are required to be 50 percent. This is not directly calculated within CalEEMod, but adjustments were made to the default CO_2 electricity intensity factor within the model.

The 2030 emissions estimate also incorporates the implementation of **MM GHG 1** to install energy efficiency lighting**,** which reduced Project-related energy emissions by approximately 204.8 $MTCO_2E$/year.

Due to limitations in CalEEMod and available information in the 2017 Scoping Plan, the following measures were not quantified in the 2030 GHG emission estimates and would result in further reductions towards the 2030 reduction target:

- Doubling of energy efficiency savings per SB 350;
- Reductions from medium-duty and heavy-duty vehicles via the Phase 2 Medium and Heavy-Duty GHG Standards;
- Expansion of the Advanced Clean Cars program, which further increases the stringency of GHG emissions for all light-duty vehicles, and 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030;
- Reductions from zero emission vehicles comprising 2.5 percent of new Class 3–7 truck sales in local fleets starting by 2020 and increasing to 10 percent in 2025, per the Mobile Source Strategy; and
- Deployment of over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030 as well as 25

percent improvement in freight system efficiency by 2030, per the Sustainable Freight Action Plan.

Table 4.5-F – 2030 GHG Emissions, below, indicates that the 2030 GHG emissions based on the assumptions outlined above, result in 20,236.81 $MTCO_2E$/year.

Table 4.5-F– 2030 GHG Emissions

Source	Metric Tons per year (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2E
Amortized Construction[1]	--	--	--	126.93
Area	0.05	0.00	0.00	0.05
Energy	451.88	0.02	0.01	455.02
Mobile	19,468.36	0.83	0.00	19,489.12
Solid Waste	47.70	2.82	0.00	118.18
Water	40.21	0.22	0.01	47.51
Total	**20,008.2**	**3.89**	**0.02**	**20,236.81**

Note: Emissions reported as zero are rounded and not necessarily equal to zero.

[1] Project Construction emissions were not modeled separately and reflect Project's construction emissions, shown in **Table 4.5-E**.

Source: Appendix C.3, CalEEMod Output Files.

The analysis demonstrates the Project's GHG emissions will continue to decrease over time, but do not decline enough for the Project to meet the SB 32 or 2017 Scoping Plan reduction target of 40 percent below 1990 levels. However, as mentioned above, the 2030 GHG emission analysis do not reflect all measures in the 2017 Scoping Plan that would contribute to the reduction of the Project's GHG emissions. Additionally, the Project does not propose facilities or operations that would substantively interfere with or impede any future city-mandated, county-mandated, state-mandated, or federally-mandated regulations enacted or promulgated to legally require development to assist in meeting state-adopted greenhouse gas emissions reduction targets, including those established under Executive Order S-3-05, Executive Order B-30-15, SB 32, or the 2017 Scoping Plan.

- **Conclusion**

The Project's GHG emissions in 2020 achieve a 13.2 percent reduction, but does not meet the 2020 reduction target of 15 percent even with the incorporation of mitigation measure **MM GHG 1**. The Project's GHG emissions will continue to decrease over time, as reflected in the 2030 emissions estimates, but do not decline enough for the Project to meet the SB 32 or 2017 Scoping Plan reduction target of 40 percent below 1990 levels. However, the 2030 GHG emission analysis does not reflect all measures outlined in the 2017 Scoping Plan, such as the doubling of energy efficiency saving under SB 350,

LCFS, the Advanced Clean Cars Program measures, the Mobile Source Strategy, and Sustainable Freight Action Plan that would reduce the Project's GHG emissions further. Additionally, the Project does not propose facilities or operations that would substantively interfere with or impede any future city-mandated, county-mandated, state-mandated, or federally-mandated regulations enacted or promulgated to legally require development to assist in meeting state-adopted greenhouse gas emissions reduction targets, including those established under Executive Order S-3-05, Executive Order B-30-15, SB 32, or the 2017 Scoping Plan.

Based on the preceding analysis, the Project's GHG emissions do not achieve the 2020 target in the Subregional CAP and the quantifiable GHG emissions estimated in 2030 do not meet the 2017 Scoping Plan's 2030 goal of reducing GHG emissions 40 percent below 1990 levels; consequently the Project's GHG impacts are considered **significant and unavoidable**.

Level of Significance before Mitigation:

Significant generation of GHG emissions

Mitigation Measures:

MM GHG 1: To reduce the Project's GHG emissions from energy consumption, high efficiency lighting shall be installed at the Project site. Prior to building permit issuance, the City shall verify building plans contain these features.

Level of Significance after Mitigation:

Significant and Unavoidable generation of GHG emissions.

- **Conflict with Greenhouse Gas Emissions Regulations**

Threshold B: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases?

Impact Analysis:

CEQA allows Lead Agencies to consider whether regulatory programs are adequate to reduce a project's potentially significant environmental effects. The Project's significance with respect to consistency with applicable plans, policies, or regulations

adopted for the purpose of reducing GHG emissions have been evaluated below and addressed for each sector.

- **Transportation**

Approximately 96 percent of the Project's opening year GHG emissions in **Table 4.5-E** are from transportation (mobile sources), heavy-duty trucks in particular. Transportation emissions are heavily regulated at the source, including, but not limited to engine emissions standards and fuel requirements. Because these regulations and policies reduce GHG emissions at the source, the Project will be subject to and consequently not conflict with these transportation measures. The following is a discussion of the Project's relationship to transportation/GHG-related plans, policies or regulations:

- Applicable State Measures

Adopted regulations that will reduce the Project's GHG emissions through engine emission standards and fuel requirements are described in detail in Section 4.5.3. These regulations include: AB 1493, or the Pavley Standard, which required the CARB to adopt regulations to reduce GHG emissions from non-commercial passenger vehicles and light-duty trucks of model year 2009 through 2016. These standards apply to all passenger and light-duty trucks used by customers, employees of and deliveries to the proposed Project. The LCFS regulation became fully effective in 2010 and will reduce GHG emissions by reducing the carbon intensity of transportation fuels used in California by at least 10 percent by 2020. The 2017 Scoping Plan extends the LCFS to an 18 percent reduction by 2030. Traffic associated with the proposed Project will contribute to these emissions reductions as they are implemented through 2030. The Advanced Clean Cars Program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the Advanced Clean Cars Program will be fully implemented, the new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming gases. The 2017 Scoping Plan expands the Advanced Clean Cars Program, which further increases the stringency of GHG emissions for all light-duty vehicles, and increases zero emission and plug-in hybrid light-duty electric vehicles by 2030. Customers, employees of, and deliveries to the proposed Project will utilize these vehicles as they become available and further reduce GHG emissions.

As part of the Heavy-duty Vehicle Greenhouse Gas Regulation, the CARB also implemented the Drayage Truck Regulation as well as the Truck and Bus Regulation. These three regulations were collectively adopted to address and reduce emissions from trucks. Since the proposed Project will operate as a warehouse, trucks will be a major

component of emissions associated with the Project site and these regulations will aid in reducing GHG emissions from the Project.

The 2017 Scoping Plan includes the implementation of the Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario) that targets for increased use of zero emission vehicles and much cleaner trucks and transit. This includes an 80 percent reduction of smog-forming emissions, and a 45 percent reduction in diesel particulate matter emissions in the South Coast Basin from current levels. Statewide, the strategy would also result in a 45 percent reduction of GHG emissions and a 50 percent reduction in the consumption of petroleum-based fuels. Key actions include the Advanced Clean Cars 2 regulation for light-duty vehicles, and implementation of the Phase 2 GHG regulation for heavy-duty trucks. These measures will incorporate 1.5 million zero emission vehicles (ZEV), including plug-in hybrid electric, battery-electric, and hydrogen fuel cell vehicles by 2025 and 4.2 million ZEVs by 2030, as well as reductions in GHGs from medium-duty and heavy-duty vehicles via the Phase 2 Medium and Heavy-Duty GHG Standards. Also included is a new measure that assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025. Customers, employees of, and deliveries to the proposed Project will utilize these vehicles as they become available and further reduce GHG emissions.

The Sustainable Freight Action Plan will also be implemented by the 2017 Scoping Plan, which will improve freight efficiency, transition to zero emission technologies, and increase the competitiveness of California's freight system. Any freight deliveries to the proposed Project will utilize the improved freight system as they become efficient and further reduce GHG emissions.

Notably, the Cap-and-Trade Program also covers transportation fuel suppliers to address emissions from fuels, and from combustion of other fossil fuels not directly covered at large sources.. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported. The point of regulation for transportation fuels is when they are supplied, or delivered into commerce. Accordingly, as with stationary source GHG emissions and GHG emissions attributable to electricity use, virtually all of GHG emissions from CEQA development projects associated with VMT are covered by the Cap-and-Trade Program.

Since the proposed Project has a large mobile source component (i.e. VMT) and Cap-and-Trade emission reductions are difficult to calculate on a project-level, the proposed Project's mobile source emissions are very conservative, making the total emission calculations for the Project worst-case. The phase-in of the Cap-and-Trade Program

compliance obligations for transportation fuel providers further reduces GHG emissions attributable to mobile sources, beyond the GHG emissions reductions achieved and modeled by the Pavley Standard and LCFS. Because these regulations and policies reduce GHG emissions at the source, the Project will be subject to and consequently not conflict with these transportation measures.

- Applicable Regional and Local Measures

At the state level, more standards are being implemented to increase vehicle efficiencies and the SCAG 2016 RTP/SCS and SCAQMD are supporting greater penetration of low-emission trucks in the region. While goods will continue to be moved to support local and regional economies, electrification and other low-emission technologies installed in vehicles can reduce the GHG emissions of goods movement. These investments include both policies as well as physical improvements such as "truck climbing" lanes, funded by RCTC. GHG reduction potentials from these anticipated improvements were incorporated into the Subregional CAP and would be applicable to the proposed Project.

The regional Goods Movement network is based on the Ports of Los Angeles/Long Beach (Ports of LA/LB) and all truck trips generated by the Project are conservatively assumed to come from the Ports of Los Angeles/Long Beach (Ports of LA/LB). The Ports have adopted several plans and policies to reduce GHG emissions including Green LA: An Action Plan to Lead the Nation in Fighting Global Warming, the Port of LA CAP, the Long Beach Sustainable City Action Plan, and the San Pedro Bay Ports Clean Air Action Plan.

The Subregional CAP also identifies improvements, such as express lanes and congestion pricing, which would reduce GHG emissions by alleviating freeway congestion. Reduced congestion would cause fewer delays for the distribution trucks and commuting employees traveling to the proposed Project site and would increase fuel efficiency.

The WRCOG subregion is covered by SCAG's regional plug-in electric vehicle (PEV) readiness plan to identify viable locations for charging stations, changes to development codes, and other strategies to encourage the purchase and use of electric vehicles. PEV chargers are already being installed in the WRCOG subregion to promote alternative-fuel vehicles as one strategy to reduce GHG emissions associated with passenger vehicles. Once these stations are established, employees that commute to the proposed Project site could have more incentive to invest in alternatively fueled vehicles with lower GHG emissions than fossil fueled vehicles.

Alternative strategies to reduce GHG emissions that the City may elect to pursue include coordination of traffic signals along local arterials to provide smooth movement of

traffic with minimal stops. Coordination of traffic signals contribute to GHG emissions reductions by reducing motorist stops and delays and lowering the amount of fuel needed to move a certain distance. Signal coordination also lessens congestion and resulting tail pipe emissions, which reduces GHG emissions and improves air quality. This would apply to both the trucks and employee passenger cars traveling on streets in the Project vicinity.

The CAP also identifies bicycle infrastructure improvements and increased bicycle parking as strategies to increase the viability of bicycling as an emission-free commute option. The proposed Project will incorporate bicycle parking near building entrances, consistent with this CAP strategy.

Lastly, as described in Section 4.5.5, the Project will implement several design features which will further reduce the Project's GHG emissions from transportation.

- **Energy**

Approximately three percent of GHG emissions shown in **Table 4.5-E** from the Project is energy consumption from electricity and natural gas. The following is a discussion of the Project's relationship to energy/GHG-related plans, policies or regulations:

  - Applicable State Measures

Energy-related emissions are also heavily regulated at the source, including, but not limited to energy efficiency standards and renewable energy requirements. Because these regulations and policies reduce GHG emissions at the source, the Project will be subject to, and consequently implement, these energy measures. Applicable regulations that reduce GHG emissions through energy efficiency standards and renewable energy requirements, which were previously described above in Section 4.5.3, include: California's Renewable Portfolio Standard (RPS); SB 1368; AB 1109; Title 24 building energy efficiency requirements and the CalGreen Code.

As previously described in Section 4.5.3, California's Renewable Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy sources to 50 percent of total retail sales by 2030 as established under SB 350, as stated in the 2017 Scoping Plan. SB 350 requires CEC and CPUC to establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030. Additionally, SB 1368 prohibits any retail seller of electricity in California from entering into a long-term financial commitment for baseload generation if the GHG emissions are higher than those from a combined-cycle natural gas power plant. As a customer of the City of Banning Electric Utility, the

proposed Project will purchase from an increasing supply of renewable energy sources and more efficient baseload generations and thereby reduce GHG emissions. AB 1109, the Lighting Efficiency and Toxic Reduction Act, required the establishment of minimum energy efficiency standards for all general purpose lights. The proposed Project will use these more energy efficient lights and consequently use less electricity and lower GHG emissions in that regard.

The proposed Project is also subject to the CalGreen Code Title 24 building energy efficiency requirements that offer builders better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The 2016 Title 24 standards included in the Project's emissions estimates differ from the 2013 standards by requiring usage of less energy for lighting, heating, cooling, ventilation, and water heating. Buildings are also required to be solar-ready, allowing for easier and less expensive installation of photovoltaic or solar thermal panels in the future. The 2016 Title 24 standards that went into effect January 1, 2017 are 5 percent more efficient than the previous 2013 standards and will further reduce energy consumption from the proposed Project (CEC 2015).

- Applicable Regional and Local Measures

The HERO Program is a public-private partnership administered by WRCOG, offering financing to business owners in the subregion for the installation of energy-efficient, renewable energy, and water conservation improvements. The proposed Project has the opportunity to participate in this program to aid in financing GHG reducing energy efficient, renewable energy, and water conservation improvements. Because these are incentives, the Project will not conflict with these measures.

Lastly, as described in Section 4.5.5, above, the Project will implement several design features which will further reduce the Project's GHG emissions from energy consumption.

- **Water**

As stated previously, GHG emissions also result from electricity consumption related to water supply, treatment, and distribution, as well as wastewater treatment. As shown in **Table 4.5-E**, the Project's GHG emissions related to water consumption are approximately 0.3 percent of total GHG emissions. The following is a discussion of the Project's relationship to water/GHG-related plans, policies or regulations:

- Applicable State Measures

The Water Conservation Act of 2009 (SB X7-7) sets an overall goal of reducing per-capita urban water use by 20 percent by December 31, 2020. The state is required to make

incremental progress toward this goal by reducing per-capita water use by at least 10 percent by December 31, 2015. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convene, treat, and distribute the water and it also reduces emissions from wastewater treatment.

Implementation of the CalGreen standards also reduces energy consumptions from water use by requiring the reduction of indoor potable water use by 20 percent using water saving fixtures and/or flow restrictors by the incorporation of sustainability features including installing water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products) (CEC 2015). The proposed Project will be subject to the Title 24 standards and consequently is consistent with the 20 percent reduction target.

- Applicable Regional and Local Measures

The Subregional CAP water conservation and efficiency goals directly aligns with SB X7-7. While this is considered a state measure, it will be up to the local water retailers, jurisdictions, and water users to meet these targets. A number of policies have been established at the local level within the subregion requiring more efficient use of water, including City Ordinance 1489 to encourage water conservation.

Water service to the Project site will be provided by the City of Banning Public Works and Utilities Department, which has adopted a series of policies aimed at reducing water consumption within its jurisdiction. Current efforts that aid in implementing this goal include implementation of Municipal Code Section 17.32 (Landscaping Standards) and other efforts outlined in the agency's Urban Water Management Plan. Since the proposed Project will be subject to these regulations and ordinances, along with Title 24 standards, the Project will not conflict with any regional or local policy.

Lastly, as described in Section 4.5.5, the Project will implement several design features which will further reduce the Project's GHG emissions from water consumption.

- **Waste Diversion**

Disposal of solid waste in landfills contributes approximately 0.5 percent of GHG emissions from the Project (**Table 4.5-E**). The following is a discussion of the Project's relationship to waste diversion/GHG-related plans, policies or regulations:

- Applicable State Measures

Implementation of the CalGreen code and State measures reduce the amount of solid waste disposed of in landfills. The CalGreen code requires jurisdictions to divert a minimum of 50% of their nonhazardous construction and demolition waste from landfills. However, SB 341 amended the California Integrated Waste Management Act of

1989 to include a provision declaring that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter. The proposed Project is subject to these regulations and will utilize Project Design Features discussed in Section 4.5.5 to meet CalGreen code standards as well as SB 341's policy goal and thereby reduce GHG emissions generated by solid waste disposal.

- Applicable Regional and Local Measures

The Subregional CAP explains that diverting organic items from landfills helps to reduce landfill methane gas generation, and can help prolong the lifespan of area landfills. In compliance with state policies, the City will implement a collection system for food and paper waste, in which the Project will be required to participate.. Since the proposed Project will be subject to such policies, the Project will not conflict with any regional or local policy.

Lastly, as described in Section 4.5.5, the Project will implement several design features which will further reduce the Project's GHG emissions related to solid waste.

In conclusion, the Project's significance with respect to consistency with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions has been evaluated in the preceding discussion and addressed for the transportation, energy, water and waste diversion sectors. As discussed, the Project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions and impacts are considered less than significant with Project design features discussed in Section 4.5.5.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Less than Significant

4.5.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future As has been discussed in the Section 4.5.1 - Introduction, and throughout this section, the nature of the greenhouse gas impacts is cumulative. An individual project cannot generate enough GHG emissions to affect a discernible change in global climate change.

Although the proposed Project is expected to emit greenhouse gases, given the global reach of climate change, the emission of greenhouse gases by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of greenhouse gas from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects on a cumulative basis.

Impact Analysis:

It is also important to note that the scope of the City's jurisdictional authority is limited to certain types of emissions generated within the City's physical boundaries. The City's authority does not include the regulation of the majority of actions including, for example: transportation policy, fuel consumption, and energy generation, which the state has determined are necessary to meet all of AB 32's greenhouse gas reduction goals. Further, some of the GHG emissions associated with the Project can be reduced only by measures to be implemented by other governmental agencies. GHG emissions are clearly significant on a global basis, and when GHG emissions are outside of the Lead Agency's jurisdiction and control, consistent with CEQA Section 21081(a)(2), a project has cumulatively considerable significant and unavoidable GHG impacts if other agencies do not take necessary action. These other agencies can and should adopt requirements to ensure cumulative GHG reductions.

Level of Significance before Mitigation:

Significant cumulative impacts from GHG emissions.

Mitigation Measures:

Please refer to MM GHG 1.

Level of Significance after Mitigation:

Significant and Unavoidable

4.5.9 SIGNIFICANT UNAVOIDABLE IMPACTS

The following impacts remain Significant after all Mitigation has been applied:

- Project specific impacts related to the proposed Project's generation of GHG emissions.
- Cumulative impacts related to the proposed Project's generation of GHG emissions.

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4.6 HYDROLOGY AND WATER QUALITY

4.6.1 INTRODUCTION

This section of the DEIR analyzes the Project's potential impacts to water quality standards, groundwater supplies, flood hazard areas, and drainage systems. For discussions of regulatory permits related to jurisdictional waters, please refer to **Section 4.3 – Biological Resources**. For the assessment of the Project's anticipated water demands, please refer to **Section 4.10 – Utilities and Service Systems.**

Technical studies that have been prepared for the Project that pertain to the hydrology and water quality analysis include the Preliminary Drainage Study and Preliminary Water Quality Management Plan, which are provided in Appendices I and L, respectively.

In response to the Notice of Preparation (NOP), two comment letters were received pertaining to hydrology/water quality. The letters from the Sierra Club Moreno Valley Group and Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters are available in Appendix B of this DEIR. The Sierra Club Moreno Valley Group letter was in regards to drainage and the possibility of toxic runoff. The Wittwer/Parkin LLP letter was in regards to the Project's impacts on stormwater drainage, existing and future drainage at the site, polluted runoff and flooding potential.

4.6.2 PHYSICAL SETTING

- **Surrounding Conditions**

The Project site is located within the San Gorgonio Pass, which experiences climate characterized by hot, dry summers and short, mild winters. Based on 76 years of rainfall data, the City of Banning receives an average annual precipitation of approximately 20 inches, most of which takes place between December and March. Evapotranspiration in the area ranges from approximately 8 inches in July to 2 inches in December (UWMP, p. 2-3).

The Project site overlies the San Gorgonio Pass Subbasin of the Coachella Valley Groundwater Basin (Subbasin No. 7-021.04), as defined by the California Department of Water Resources (DWR). The westerly half of the San Gorgonio Pass Subbasin has been

divided into five hydraulically-connected groundwater "storage units" on the basis of mapped or inferred faults (UWMP, p. 5-2).[1]

The state has assigned the San Gorgonio Pass Subbasin a priority ranking of "medium" according to data assembled by the California Statewide Groundwater Elevation Monitoring (CASGEM) Program pursuant to Senate Bill X7-6 (2009). The CASGEM data notes the Subbasin is approximately 60.7 square miles in size and in overdraft (CASGEM Basin Summary 5/30/2014, p. SRO-151).[2] Although the portion of the Subbasin on which the Project is located is not adjudicated,[3] pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA), this Subbasin will be managed by the newly-formed "San Gorgonio Pass Groundwater Sustainability Agency" led by the San Gorgonio Pass Water Agency (SGPWA) with partner agencies the City of Banning, Cabazon Water District, and Banning Heights Mutual Water Company. Their Groundwater Sustainability Plan will be forthcoming by 2022 to outline how the non-adjudicated portions of the San Gorgonio Pass Subbasin within SGPWA's service area, which includes the area underlying the Project site, will achieve sustainability by 2042. The relatively small portion of the Subbasin that is outside the SGPWA's service area will be co-managed by both the "Verbenia Groundwater Sustainability Agency" and the "Desert Water Agency Groundwater Sustainability Agency."

Water quality may be impacted by point-source and nonpoint source discharges of pollutants. Point source pollution is defined as, "any single identifiable source…from which pollutants are discharged" (NOAA website). Common examples include wastewater treatment plants and factories, which are typically regulated by waste discharge requirements (WDR). Nonpoint source pollution, on the other hand, comes from many diffuse sources such as stormwater runoff. Stormwater is considered the leading cause of pollution to surface water and groundwater and is generally regulated through a National Pollutant Discharge Elimination System (NPDES) permit. Ideally, point and nonpoint source discharges that drain to the groundwater basin, Ramsey Street Wash, Smith Creek, and the San Gorgonio River are regulated such that the

[1] Storage unit boundaries have been most recently been defined in the document: Rewis, D.L., Christensen, A.H., Matti, J.C., Hevesi, J.A., Nishikawa, Tracy, and Martin, Peter, 2006, *Geology, groundwater hydrology, geochemistry, and ground-water simulation of the Beaumont and Banning storage units, San Gorgonio Pass area, Riverside County, California*: U.S. Geological Survey Scientific Investigations Report 2006–5026, 173 p. (Available online at https://pubs.usgs.gov/sir/2006/5026/pdf/sir_2006-5026.pdf)

[2] Overdraft is defined as a condition wherein the total annual production from a groundwater basin exceeds the safe yield thereof.

[3] Adjudicated groundwater basins are those where the Court has defined water rights for all users, and provide Court-supervised basin management by a Watermaster.

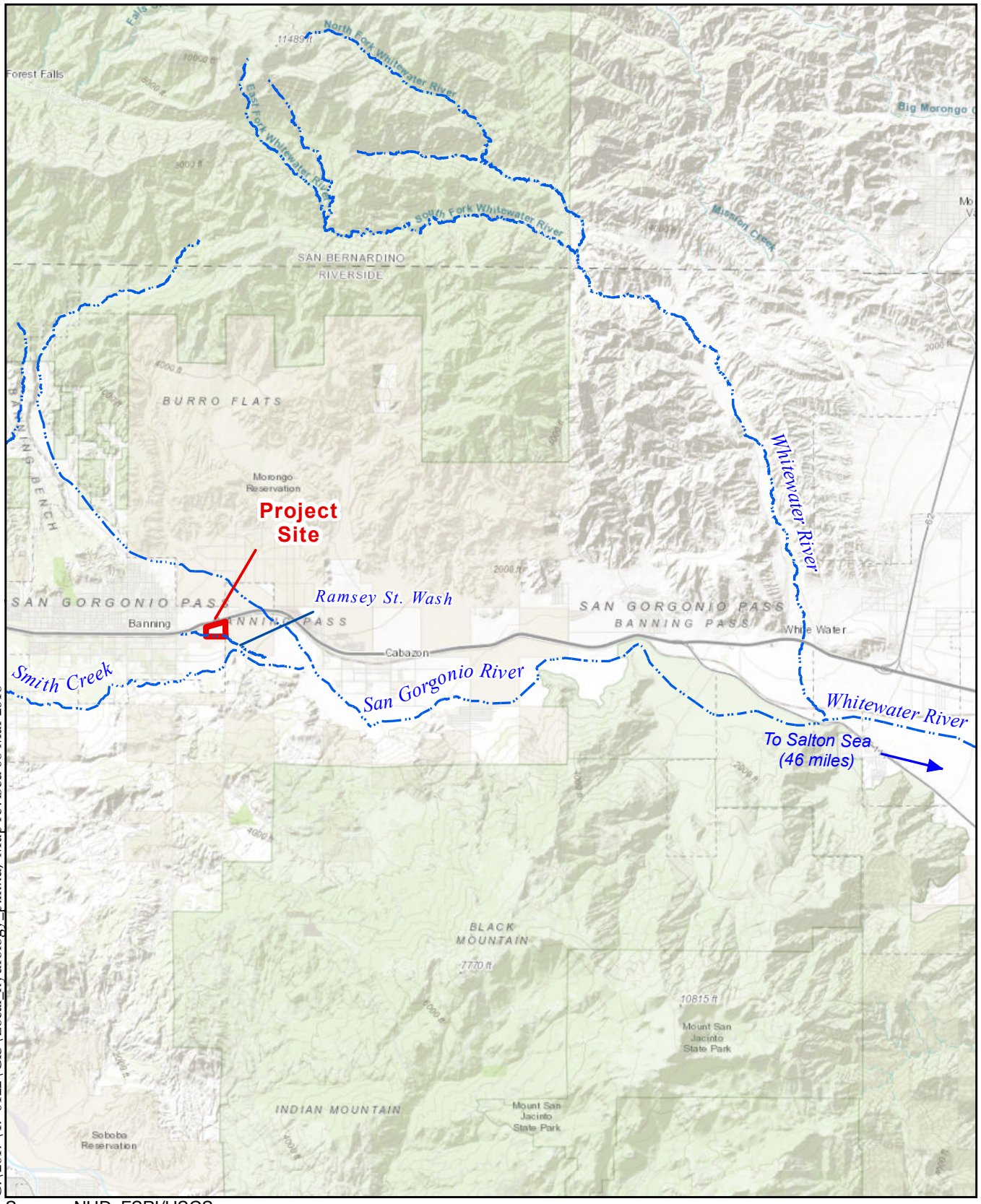
quality of these receiving waters, and thus beneficial uses, are not impacted. Runoff in and around the Project site is regulated by the Colorado River Basin Regional Water Quality Control Board (RWQCB).

The types of pollutants commonly found in stormwater runoff from commercial/industrial developments include metals, nutrients, pesticides, sediment, toxic organic compounds (specifically, solvents), trash/debris and oil/grease. Likewise, parking lots are potential sources of bacterial indicators, metals, nutrients, pesticides, sediments, toxic organic compounds (specifically, petroleum hydrocarbons), trash and oil/grease (Table 1, WQMP 2016).

- **Project Site Conditions**

The Project site is generally flat and currently undeveloped. The site slopes gently to the south and east with current elevations ranging from approximately 2,179 feet above mean sea level (msl) at the northwest corner to about 2,101 feet msl at the southeast corner of the site. It is bounded to the north by a Union Pacific Railroad (railroad) line and Interstate 10 (I-10); to the east and south by open space; and to the east by the Banning Municipal Airport. Because the City of Banning generally drains from the north (in the San Bernardino Mountain foothills) to south and east (Smith Creek), the area north of Interstate 10 from the Project site conveys offsite flows through the Project site. Several shallow northwest to southeast trending drainages are consequently distributed across the Project site, which drain southeast to Ramsey Street Wash. The portion of Ramsey Street Wash near the Project site is a natural, unimproved drainage that is tributary to Smith Creek. Ramsey Street Wash intercepts with Smith Creek approximately 0.5 mile south and east of the Project site and Smith Creek continues to the southeast for approximately 1.5 miles before connecting with the San Gorgonio River, which empties into the Whitewater River, which terminates at the Salton Sea, as shown on **Figure 4.6-1 – Regional Drainage**.

The Project site overlies the Cabazon Groundwater Storage Unit, as shown on **Figure 4.6-2 – Groundwater Basin Boundaries**.



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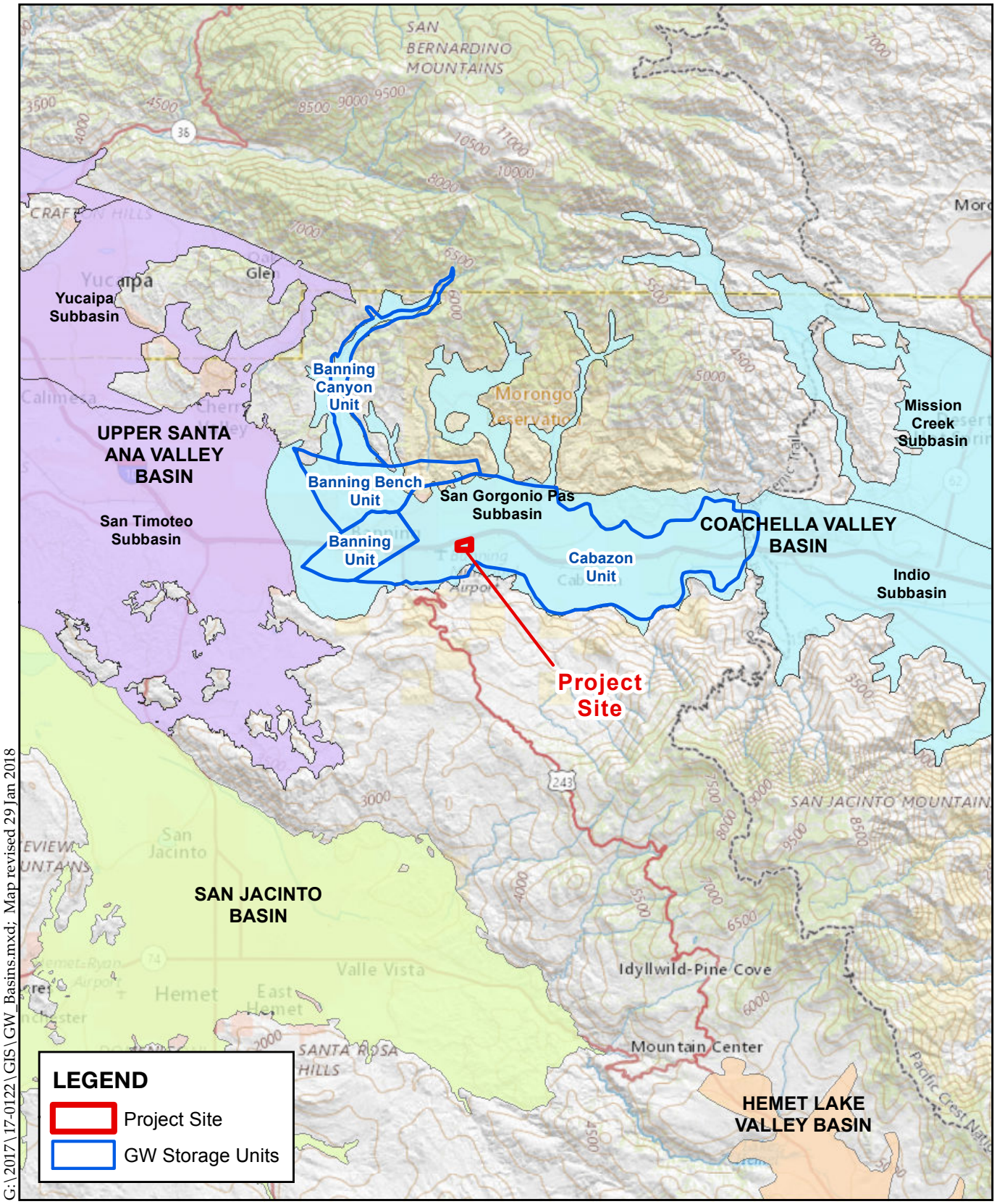
Sources:NHD, ESRI/USGS

Figure 4.6-1 - Regional Drainage

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0 1 2 3 4 Miles

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G:\2017\17-0122\GIS\GW_Basins.mxd; Map revised 29 Jan 2018

Sources: CA Dept. of Water Resources, 2016; USGS 2006; ESRI/USGS

0 2 4 6 Miles

Figure 4.6-2 - Groundwater Basins

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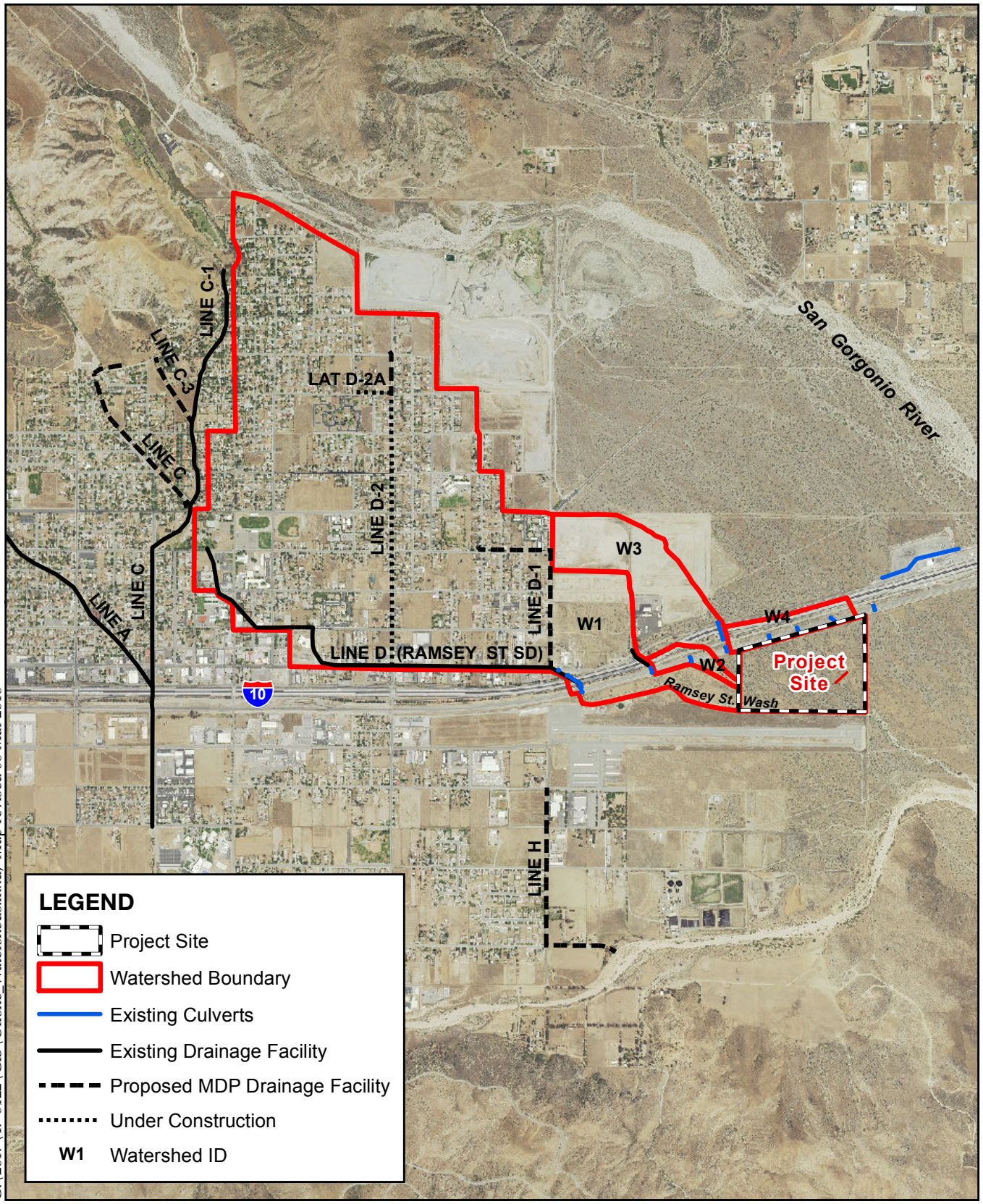
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The Project is located within the Banning Master Drainage Plan (MDP, Revised Sept. 1994) as designed by Riverside County Flood Control and Water Conservation District (RCFCWCD or "District"), which outlines a stormwater master drainage plan for ultimate development, or "build-out" of the area. Since the area is not at "build-out" conditions, the stormwater drainage systems in the area are in differing stages of interim- and ultimate-condition. No MDP facilities have been designated on or near the Project site by the MDP, consequently the Project applicant is not required to construct any MDP facilities for development of the Project site.

- **Offsite Drainage**

The natural topography in and around the City generally directs all stormwater runoff to the southeast towards Smith Creek. As such, the Project site receives offsite stormwater flows from the north and west. Culverts are located under the rail line tracks and I-10 immediately north of the Project site, which convey flows from the north to the Project site. There are four sources of offsite flows to the Project site, as shown on **Figure 4.6-3 – Off-site Watersheds.**

The largest offsite drainage entering the Project site is from the Ramsey Street Storm Drain ("O1 Watershed"), draining an area of approximately 802 acres in the City of Banning. Flows are conveyed from north to south beneath the I-10 and rail line through a series of culverts into an unimproved channel (Ramsey Street Wash) that enters at the southwest corner of the Project site. Ramsey Street Wash flows in an easterly direction along the southern Project boundary and turns south at the southeast corner of the Project site.



G:\2017\17-0122\GIS\Offsite_Watersheds.mxd; Map revised 08 Mar 2018

Source: Webb Assoc., Prelim. Drainage Study, Nov. 2107; USDA NAIP, 2014.

0 2,000 4,000 6,000 Feet

Figure 4.6-3 - Off-site Watersheds

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There will be no alteration to the segment of Ramsey Street Wash within the Project site because it is being avoided except for an at-grade crossing of the gravel emergency access road (see **Figure 4.6-4 – Proposed Condition).**

The second offsite drainage ("O2 Watershed") enters the western site boundary just north of O1 Watershed, and flows in a southeasterly direction to join with the Ramsey Street Wash at the southwest corner of the Project site. The O2 Watershed drains an area of approximately 10 acres consisting of the area between the I-10 and rail line right-of-ways.

The third offsite drainage ("O3 Watershed") also enters the western site boundary just north of where O2 Watershed enters. The O3 Watershed drains an area of approximately 83 acres consisting of the area east of Hathaway Street and north of the I-10 Freeway. Flows are conveyed under the 1-10 and rail line through a series of culverts into an unimproved channel (wash) that enters at the westerly Project site boundary. This wash runs in a southeasterly direction through the Project site for a short distance and joins with the O2 Watershed wash. The O3 Watershed is the biggest watershed that impacts the Project site. The combined flows from O2 and O3 Watersheds then enter the Ramsey Street Wash near the southwest corner of the Project site.

The fourth offsite drainage ("O4 Watershed") enters the Project site at the northeast corner, and consists of a tributary area of approximately 19 acres. The O4 Watershed is made up of the area between the I-10 freeway and railroad. Flows are conveyed across the rail line through several culverts into an earthen channel along the south side of the rail line. The O4 Watershed drainage flows onto the Project site near the northeastern corner and exits the Project site at the eastern property line mostly as shallow sheet flow (Drainage Study, p. 1-2).

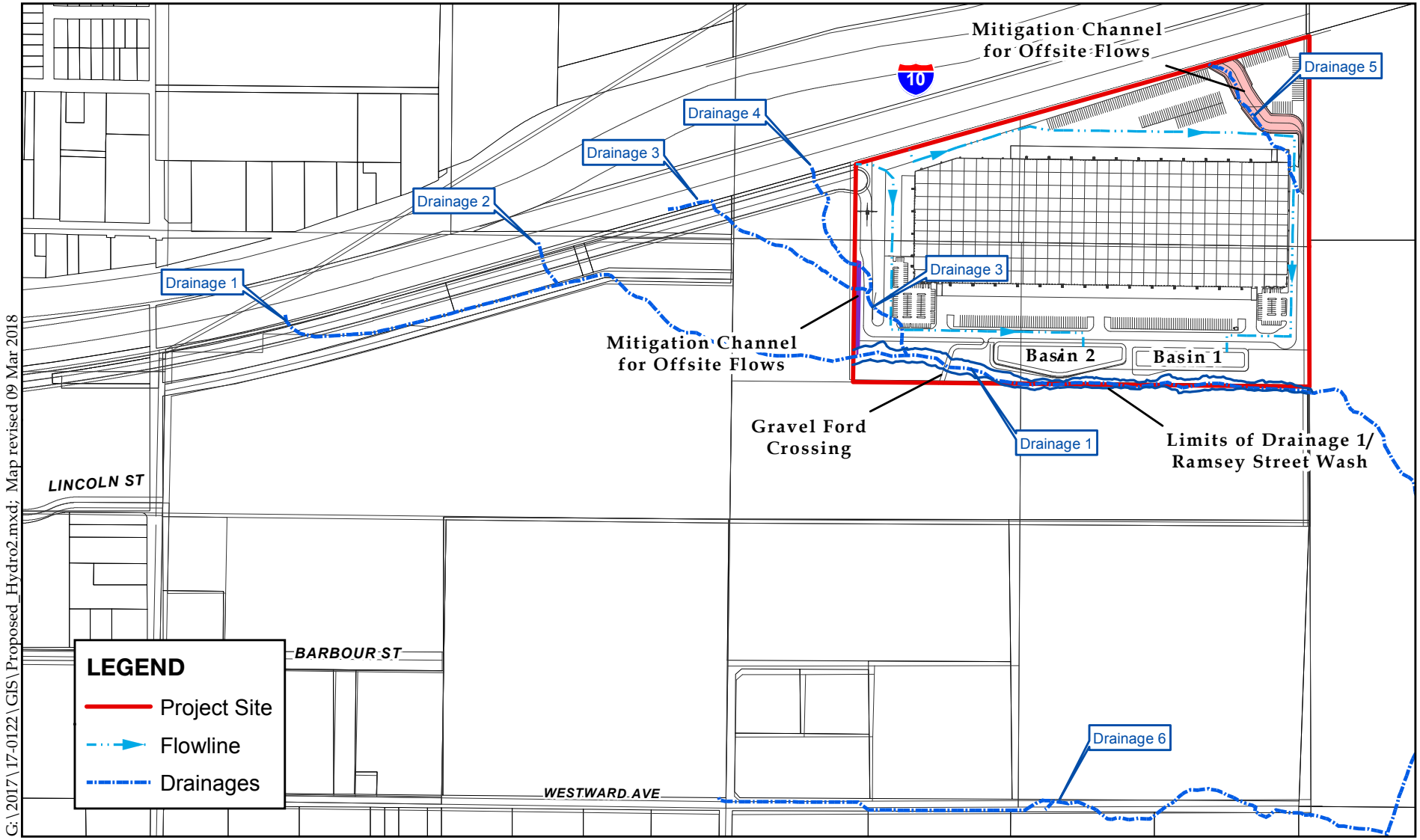


Figure 4.6-4 - Proposed Condition

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- **Flood Hazard Zones**

Flood hazard mapping is an important part of the National Flood Insurance Program (NFIP), which is a program of the Federal Emergency Management Agency (FEMA). FEMA maintains and updates flood hazard and risk data through the Flood Insurance Rate Maps (FIRMs) and risk assessments. FEMA has mapped the expected flood hazard area of the Ramsey Street Wash and Smith Creek for both the 1% annual chance (100-year) and 0.2% annual chance (500-year) storm events.

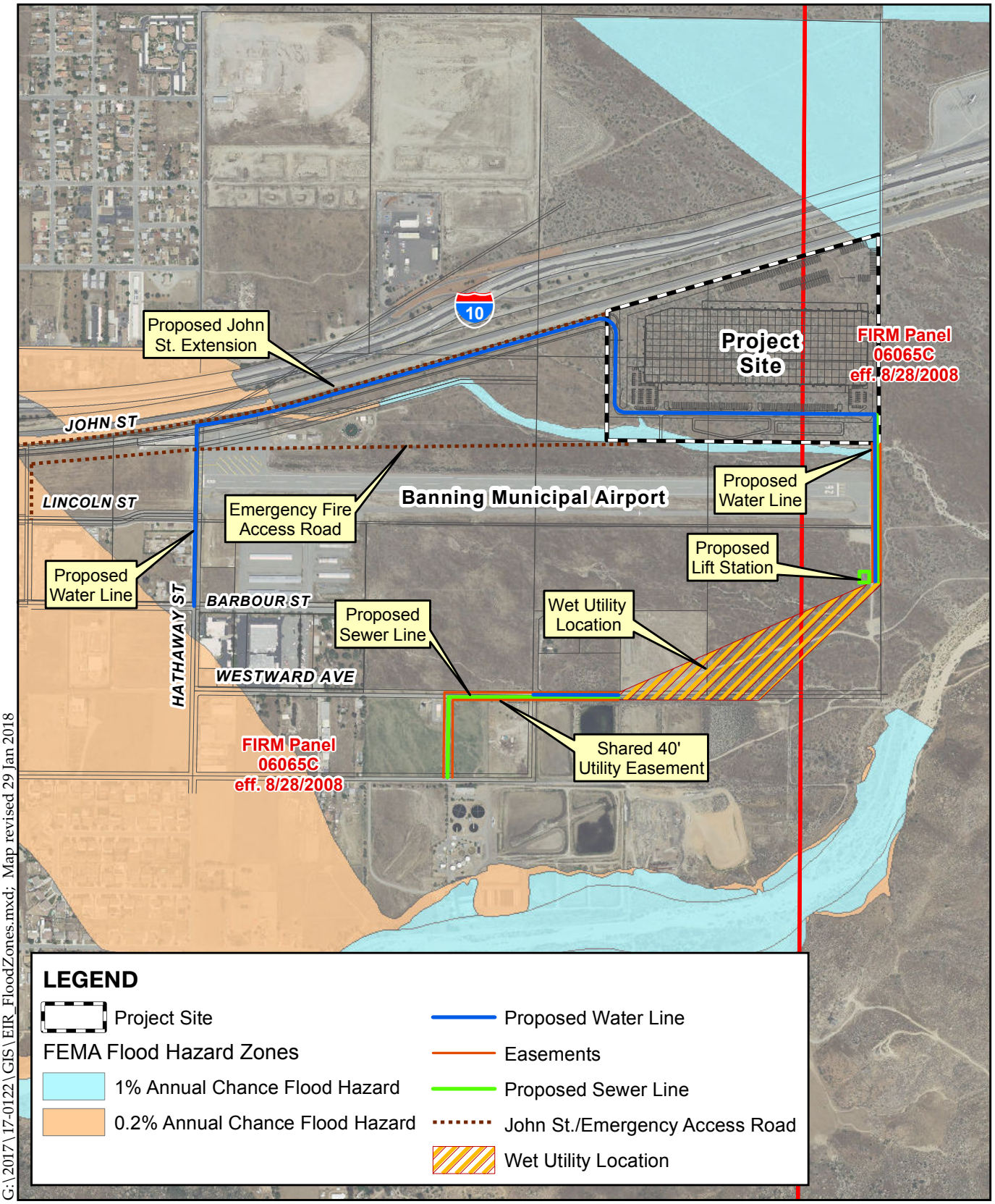
Based on the FIRM Panel No. 06065C0836G (effective Aug. 8, 2008), the northernmost tip of the Project site is located within the mapped 100-year flood hazard zone of the San Gorgonio River, and the southern boundary is also within the mapped 100-year flood hazard zone of the Ramsey Street Wash. None of the proposed structure is located within a flood hazard zone, as shown in **Figure 4.6-5 – FEMA Flood Hazard Zone**.

4.6.3 REGULATORY SETTING

- **Federal and State**

The Federal Water Pollution Control Act, more commonly known as the Clean Water Act (CWA), requires all states to conduct assessments of water quality to identify water bodies that do not meet water quality standards. In California, the CWA is implemented by the State Water Resources Control Board, and the nine Regional Water Quality Control Boards (RWQCB). The California Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code) authorizes the oversight of regulatory activities within each RWQCB basin.

The Project is located in "Region 7", or the Colorado River Basin RWQCB. Each RWQCB develops its own Water Quality Control Plan, or "Basin Plan," which establishes both the "beneficial uses" of specific waterbodies and the levels of quality (or "water quality objectives") that must be met and maintained to protect those uses. Beneficial uses are all the various ways that water can be used for the benefit of people and/or wildlife. A total of 23 beneficial uses are defined statewide, of which 13 beneficial uses are



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Source: FEMA, 2017; Riverside Co. GIS, 2018; USDA NAIP, 2016.

0 500 1,000 1,500 2,000 Feet

Figure 4.6-5 - FEMA Flood Hazard Zones

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recognized within the Colorado River Basin Region (RWQCB(a), pp.2-5-2-6). The San Gorgonio and Whitewater Rivers, the Salton Sea and the local groundwater basins have assigned beneficial uses, which are threatened or lost when water quality objectives are violated.

Water Code Section 13241 identifies the factors that the RWQCB must consider, at a minimum, when establishing water quality objectives to ensure the reasonable protection of beneficial uses and the prevention of nuisance. Among these factors are the "Past, present, and probable future beneficial uses of water" (CWC 13241(a)). Beneficial uses are identified by the RWQCB as "existing," "potential," or "intermittent" uses. Determination of an "existing" use is done with documentation of the existence of those uses. "Potential" beneficial uses are assumed to be the same as "probable future" beneficial uses. "Intermittent" uses are those that occur only seasonably because of limiting environmental conditions, and those uses which are dependent on and occur only when sufficient flow exists (RWQCB(a), p. 2-2). The Basin Plan for the Colorado River Basin RWQCB further categorizes unnamed streams and washes into two categories: perennial and intermittent streams, and ephemeral streams. Perennial streams have continuous flow all year round during years of normal rainfall, while intermittent streams will normally cease flowing for weeks or months each year. Ephemeral streams will only flow for a short period time following a rainfall. The beneficial use designations given to the receiving waters of the Project site are provided in **Table 4.6-A – Beneficial Uses for Receiving Waters.**

Table 4.6-A - Beneficial Uses for Receiving Waters

Receiving Water Body	Existing Beneficial Uses [a]
Ramsey Street Wash (ephemeral)	FRSH, GWR, REC 2, and WILD (All are intermittent uses). WARM to be determined on case-by-case basis.
Smith Creek (ephemeral)	
San Gorgonio River	MUN (potential), AGR, GWR, REC 1, REC 2, COLD, WILD
Whitewater River	MUN, AGR, GWR, REC 1, REC 2, WARM (intermittent), COLD, WILD, POW
San Gorgonio hydrologic subunit (groundwater)	MUN, IND, AGR

Definitions of Beneficial Uses [b]	
MUN	Municipal and domestic supply waters for community, military, or individual water supply systems including, but not limited to, drinking water supply.
AGR	Agriculture supply waters for farming, horticulture or ranching. Uses may include, but are not limited to, irrigation, stock watering, or support of vegetation for range grazing.
IND	Industrial service supply waters are used for industrial activities that do not depend primarily on water quality, including mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well re-pressurization.
GWR	Groundwater recharge waters, used for natural or artificial recharge of groundwater for purposes of future extraction, maintenance of water quality, or halting saltwater intrusion in freshwater aquifers.
REC1	Water contact recreation waters, used for recreational activities involving body contact with water where ingestion of water is reasonably possible. Uses may include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, and use of natural hot springs.
REC2	Non-contact water recreation waters, used for recreational activities involving proximity to water, but not normally involving body contact with water where ingestion of water would be reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction of the above activities.
WARM	Warm freshwater habitat waters support warm water ecosystems that may include, but are not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
COLD	Cold freshwater habitat waters that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.
WILD	Wildlife habitat waters support terrestrial ecosystems including, but not limited to, the preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.
POW	Uses of water for hydropower generation.

lotes:
From RWQCB (a), Tables 2-3 and 2-5.
From RWQCB (a), Table 2-1.

Pursuant to section 303(d) of the CWA, water bodies that fail to meet certain water quality standards are placed on a list of impaired waters. None of the receiving waters to the Project site are currently listed on the 303(d) list of impaired waterbodies (Final 2012 Integrated Report dated June 25, 2015).[4]

The Basin Plan outlines both narrative and numeric water quality objectives to protect beneficial uses of identified surface waters and groundwater. Narrative objectives apply to all surface waters within the region and include the following constituents: aesthetic qualities, tainting substances, toxicity, temperature, pH, dissolved oxygen, suspended solids and settleable solids, total dissolved solids, bacteria, biostimulatory substances, sediment, turbidity, radioactivity, chemical constituents, and pesticide wastes (RWQCB(a), p. 3-1).

The Colorado River Basin RWQCB has not assigned numeric objectives for any of the receiving waters to the Project site that are listed in **Table 4.6-A**. However, the following objective applies to all waters in the Colorado River Basin watershed: "Wherever the existing quality of water is better than the quality established herein as objectives, such existing quality shall be maintained…" (RWQCB(a), p. 3-1).

Numeric groundwater objectives have not yet been established by the Colorado River Basin RWQCB. However, pursuant to the state antidegradation policy (SWRCB Resolution 68-16), the goal of the RWQCB is to maintain the existing water quality of all non-degraded groundwater basins. In cases where pumping and recharge of a basin occurs, the RWQCB's objective is to minimize the quantities of contaminants reaching any groundwater basin (RWQCB(a), p. 3-10). The RWQCB has established narrative objectives for the following measures of water quality for groundwaters in the region: taste and odor, bacteriological quality, chemical and physical quality, brine discharges, radioactivity, and overdraft.

The CWA prohibits the discharge of pollutants to waters of the United States unless the discharge is in compliance with a NPDES permit. Some of the NPDES permits are

[4] Available from the State Water Resources Control Board Web site: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml

managed on a statewide basis by the State Water Resources Control Board (i.e., General Permits), including the General Industrial Activities Storm Water Permit and the General Construction Activity Storm Water Permit. In addition, the State Board issues two statewide municipal permits for Caltrans-managed storm sewer systems and Municipal Separate Storm Sewer Systems (MS4).

The general construction stormwater permit (Order 2009-0009-DWQ) applies to construction sites that disturb one or more acres of soil, or projects less than one acre but are part of a larger common plan of development. The primary requirement of the general construction permit is development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD) and implemented/monitored onsite by a certified Qualified SWPPP Practitioner (QSP). The purpose of the SWPPP is to apply appropriate sediment and erosion control Best Management Practices (to reduce or eliminate pollutants in stormwater runoff. BMPs can include source control methods such as site housekeeping and secondary containment structures, as well as detention basins for capture and containment of sediments; use of silt fencing, sandbags, and/or straw bales.

The statewide general industrial permit (Order 2014-0057-DWQ) regulates post-construction discharges associated with ten federally-defined categories of industrial activities. This permit also requires certain BMPs, a site-specific SWPPP and monitoring plan. The Santa Ana RWQCB also adopted a sector-specific general permit specifically for metal scrap recyclers within the Santa Ana River Watershed, which includes the Perris Valley (Order R8-2012-0012).

The MS4 permit program regulates all stormwater discharges from municipal storm drains. The Colorado River Basin RWQCB issued an MS4 permit (Order No. R7-2013-0011) for the Whitewater River Watershed to RCFCWCD and County of Riverside (as principal permittees), and several member agencies (as co-permittees) including the City of Banning.

As stated in the MS4 Permit in regards to the City's MS4:

> The City of Banning, although included as a Permittee on the MS4 Permit, does not share an interconnected MS4 with the remainder of the Permittees. The MS4 operated by the City of Banning discharges directly into the San Gorgonio River, an ephemeral receiving water. Most MS4 discharges from the City of Banning infiltrate. Rarely and only during significant runoff events, storm drainage may flow as far as the Coachella Valley Water District infiltration basins near the City of Palm Springs, which are located several miles upstream of urban

runoff discharges from the MS4s operated by the other Permittees. However, the City of Banning is included in this MS4 Permit to facilitate coordination with the regional programs implemented by the Permittees and to reduce the administrative duties on the Regional Water Board.

The MS4 permittees are required to develop plans and programs to reduce pollutants in urban runoff to the Maximum Extent Practicable (MEP),[5] which are summarized in the Whitewater River Region Storm Water Management Plan (SWMP). Included in the SWMP are programs to monitor, respond, manage, and report the following activities: Flood Control, sanitary sewer spills, hazardous waste/material facilities, retail food facilities, water quality management plan (WQMP) for new and redevelopment projects, construction site inspections, pollution prevention plan for public facilities, and best management practices (BMPs) for firefighting activities.

The primary objective of the WQMP is to ensure that the land use approval and permitting process of each local land use authority will prevent or minimize the impact of Urban Runoff on Receiving Waters to the Maximum Extent Practicable (MEP**)**. This is to be accomplished with by addressing Site Design BMP concepts, Source Control, and LID/Site Design and/or Treatment Control BMPs applied on a project-specific and/or sub-regional or regional basis. Site Design BMP concepts are ways to incorporate natural site features into the project design, such as vegetation and porous surfaces to reduce post-development runoff rates. Source Control BMPs are activities to reduce pollution at the source; for example, street sweeping, public education efforts, activity schedules, facility maintenance, or covering trash containers. Low Impact Development (LID) BMPs promote retention of runoff and/or feature a natural treatment mechanism, and can include basins, dry wells, and vegetated swales. Treatment Control BMPs are engineered systems designed to remove pollutants from runoff, which can include simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption or other physical, biological, or chemical processes. (WQMP Guidance, p. 5-4).

[5] The term, Maximum Extent Practicable (or MEP) comes from the federal Clean Water Act, §402(p)(3)(B). The MEP standard involves applying BMPs that are effective in reducing the discharge of pollutants in storm water runoff. In discussing the MEP standard, the State Board has said the following: "There must be a serious attempt to comply, and practical solutions may not be lightly rejected. If, from the list of BMPs, a permittee chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a permittee employs all applicable BMPs except those where it can show that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP requires permittees to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive." (Order WQ 00-11, p.20).

Development projects that meet the criteria for submitting a WQMP to the City of Banning are required to provide a project-specific WQMP prior to the first discretionary project approval or permit. Project applicants may submit a preliminary project-specific WQMP for discretionary project approval (land use permit); however, a final version would be submitted for review and approval prior to the issuance of any grading or building permits.

- **Regional**

    - **Flood Control**

The Riverside County Flood Control and Water Conservation District (RCFC&WCD or District) adopted the Banning Master Drainage Plan (revised September 1994), the boundaries of which include the Project site. Many cities within the District's boundary that have a MDP will also establish an Area Drainage Plan (ADP), which is the financing mechanism used to offset taxpayer costs for proposed drainage facilities. According to the ADP, fees to support construction of MDP facilities are assessed on new development within the plan area. Currently, an ADP has not been established for the City of Banning (District Web site, 8/25/17).

    - **Riverside County Airport Land Use Commission**

The Project site is located within the Airport Influence Area of the Banning Municipal Airport. The Riverside County Airport Land Use Commission (ALUC), consistent with the Federal Aviation Administration (*Advisory Circular No. 150/5200-33B*), requires new stormwater basins to be designed to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. As stated in the ALUC Development Review letter for the Project (March 1, 2017), "Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin shall not include tress that produce seeds, fruits, or berries" (p. 2).

- **Local Regulations**

    - **City of Banning General Plan**

Open Space and Conservation Element

The Open Space and Conservation Element of the City of Banning General Plan contains policies that are considered applicable to the proposed Project, as identified below:

Policy 4 The City shall preserve all watercourses and washes necessary for regional flood control, ground water recharge areas and drainage for open space and recreational purposes.

Flooding and Hydrology Element

The Flooding and Hydrology Element of the City of Banning General Plan contains policies that are considered applicable to the proposed Project, as identified below:

Policy 6 All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.

- **Other Plans, Regulations or Ordinances**

There are no other local regulations or ordinances that relate to hydrologic impacts.

- **City of Banning Municipal Code**

The following are summaries of chapters and sections of the City's Municipal Code which are pertinent to the proposed Project. The entirety of the Municipal Code (codified through Ordinance No. 1515, adopted October 10, 2017) is available online at https://library.municode.com/ca/banning/codes/code_of_ordinances.

Chapter 13.24 - Stormwater Management System ("Stormwater Code").

The purpose of this chapter is to ensure the future health, safety, and general welfare of the citizens by:

A. Regulating non-stormwater discharges to the municipal storm drain; and
B. Controlling the discharge to municipal separate storm drains from spills, dumping or disposal of materials other than stormwater; and
C. Reducing pollutants in stormwater discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of city watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the Clean Water Act.

Chapter 18.15 – Grading, Erosion and Sediment Control.

The purpose of this chapter is to regulate grading activity on property within the city limits of the City of Banning to safeguard life, limb, health, property and the public welfare; to avoid discharges of pollutants such as sediment, hazardous materials, wastes and debris from entering public or private stormwater conveyance facilities and surface waters; and to ensure that the intended use of a graded site within the city limits is consistent with the city's general plan, any specific plans adopted thereto and all applicable city ordinances and zoning regulations.

4.6.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. The cumulative impact analysis for the proposed Project is based on information contained in the City of Banning General Plan (Banning GP) and City of Banning General Plan Draft Environmental Impact Report (Banning GP EIR) (SCH No. 2006011039) certified by the City Council on January 31, 2006.

The geographic context for the Hydrology and Water Quality cumulative impact analysis is the Whitewater River Watershed and the Cabazon Storage Unit (basin) within the San Gorgonio Pass Subbasin of the Coachella Valley Groundwater Basin (Subbasin No. 7-021.04).

4.6.5 PROJECT DESIGN FEATURES

The proposed Project incorporates design features to address water quality and hydrology regulations. These features may act to avoid or minimize potential impacts to the quality of downgradient surface and groundwater resources, and to minimize potential impacts from bird strike hazards to nearby aircraft. The City of Banning stormwater regulations require at a minimum that all developments will make provisions to store runoff from rainfall events up to and including the 100-year 3-hour storm (Municipal Code 13.24). Two infiltration basins are proposed to store the required 100-year 3-hour runoff volume during post-development conditions. The basins are located along the southerly Project boundary just north of the avoided area of Ramsey Street Wash. The infiltration basins will be required to treat onsite flows for water quality and retain the 100-year 3-hour storm event, mitigating all storm events below the 100-year storm. Refer to the preliminary WQMP Report in Appendix L for further details.

The proposed infiltration basins are to be six feet deep. In the event of maximum water depth at five feet and one foot of freeboard are considered, the total available storage can be 12.52 acre-feet. The total available basin storage is 40% more than the required 100-year, 3-hour runoff volume of 8.95 acre-ft. An emergency spillway will be provided in the basins. Refer to the preliminary Drainage Study in Appendix I.

Pursuant to requirements from ALUC in order to reduce risk of bird strikes to aircraft at the Banning Airport, the infiltration basins will provide enough bottom footprint area to draw down the volume within the required 48-hours. The available basin bottom area for infiltration is 90,440 square feet (Drainage Study, p. 3-1).

The Project also includes the design of standard stormwater conveyance infrastructure which will intercept onsite runoff. The stormwater will be conveyed through the site by means of conventional catch basins, grate inlets, swales and an underground storm drain system discharging to two onsite infiltration basins. Offsite runoff will be intercepted, conveyed through or around the site by way of a separate bypass storm drain system, and discharged at/or near its original discharge locations into the Ramsey Street Wash. There will be no comingling of offsite and onsite stormwater flows.

All offsite flows are proposed to be collected and bypassed through and around the Project site without comingling with the onsite flows and without entering the proposed infiltration basins. As shown **Figure 4.6-4**, the off-site flows from the west of the Project property line will be funneled south and released to Ramsey Street Wash in the southeast corner of the Project site by way of a new earthen mitigation channel to be constructed as part of the Project. The created mitigation channel will be approximately 30-feet wide and 400 feet long, which will provide in-kind mitigation for jurisdictional and MSHCP riverine impacts to the drainage segment along the western property line (see discussion in Section 4.3, Biological Resources).

Offsite flow that flow across the northeast of the Project site will continue in the current location, by way of a new earthen mitigation channel that will be an expansion of the existing drainage. The mitigation channel in the northeast corner of the Project site will be 20 to 30 feet wide and approximately 1,587 feet long. In order to still allow for parking in the northeastern corner of the Project site, which will be cut off by avoiding and improving Drainage 5, the Project will need to construct a concrete low-water crossing to allow trucks to cross over. The wider Drainage 5 will be improved to allow for more natural, ephemeral drainage area to be used as mitigation for impacts related to the jurisdictional and MSHCP riverine impacts discussed in Section 4.3, Biological

Resources. The two new mitigation channels will provide a combined mitigation area of 1.20 acres and accommodate the estimated flow rates from a 100-year storm event.

A secondary emergency gravel access road and at-grade crossing will be constructed across Ramsey Street Wash pursuant to fire department requirements that is approximately 30-feet wide and 210-feet long**.** The volume of offsite flows within Ramsey Street Wash will remain unaltered by the Project.

4.6.6 THRESHOLDS OF SIGNIFICANCE

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Project may be deemed to have a significant impact with respect to hydrology and water quality if it would:

- (Threshold A) Violate any water quality standards or waste discharge requirements;
- (Threshold 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);
- (Threshold C) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site;
- (Threshold 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 off-site;
- (Threshold E) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- (Threshold F) Otherwise substantially degrade water quality; or
- (Threshold H) Place within a 100-year flood hazard area structure which would impede or redirect flood flows.

The following topics were determined to have No Impact or Less than Significant in the Initial Study (Appendix A) therefore, these topics are not further analyzed in the EIR:

- 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;
- 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; and
- Expose people or structures to inundation by seiche, tsunami, or mudflow.

4.6.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Open Space and Conservation, and Flooding and Hydrology Elements

Impact Analysis:

The Project's consistency with the goals and policies of the City's General Plan, which pertain to hydrology and water quality is provided in **Table 4.6-B – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.6-B – Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Policy No.	***Policy***	***Statement of Consistency***
Open Space and Conservation Element		
Policy 4	*The City shall preserve all watercourses and washes necessary for regional flood control, ground water recharge areas and drainage for open space and recreational purposes.*	The Project has been designed to accommodate continued function of onsite drainages through a combination of avoidance and mitigation. Onsite runoff will be infiltrated with proposed basins. Offsite run-on will continue to flow south, albeit around and/or through the Project site to Smith Creek. Consequently, the Project will be consistent with this policy and have a less than significant impact related to the preservation of watercourses and washes.
Flooding and Hydrology Element		
Policy 6	*All new development shall be required*	The Project meets City

	to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.	requirements to provide adequate flood mitigation measures in the form of infiltration basins with capacity for up to the design flood event. Mitigation for impacts to two onsite drainages include recreating the drainages in a way that they are functionally equivalent. Project site has been redesigned to avoid structures in the 100-year flood hazard zone in the upper northeast corner. Consequently, the Project will be consistent with this policy and have a less than significant impact related to flood mitigation measures.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Violation of Water Quality or Waste Discharge Standards**

Threshold A: Would the Project violate any water quality standards or waste discharge requirements?

Impact Analysis:

- **Construction**

Construction of the proposed Project will have the potential to result in discharges from soil disturbance that could violate water quality standards if not adequately addressed. The Project would be required to comply with the current NPDES Statewide Construction General Permit (CGP), which also includes Waste Discharge Requirements (WDRs) for discharges of storm water runoff associated with construction and land disturbance activities. The CGP requires preparation of an effective Storm Water Pollution Prevention Plan (SWPPP), which describes erosion and sediment control BMPs to prevent stormwater pollution during construction. The SWPPP must be prepared by a Qualified SWPPP Developer and implemented onsite by a Qualified SWPPP Practitioner (CGP, pp. 32-33). The Project is anticipated to be a "Risk Level 1" construction site according to the CGP (p. 34 and Attachment C). Risk Level 1 requirements include the following:

- Narrative effluent standards;
- Good Site Management or "housekeeping" measures for construction materials, waste management, vehicle storage and maintenance, landscape materials, and potential pollutant sources;
- Non-Storm Water Management;
- Erosion Control;
- Sediment Controls;
- Run-On and Runoff Controls;
- Inspection, Maintenance and Repair;
- Construction Site Monitoring Program:
    - Visual inspections for non-storm water discharges (quarterly), pre-storm event (baseline), daily during qualifying storm events of BMPs, and post-storm; and
- Provide documentation in Annual Report, and pay annual fee.
- Terminate permit coverage when the site is proven 70% stabilized with photos, computational proof or a custom method.

Through compliance with the regulatory requirements of the NPDES Statewide CGP and onsite drainage facilities, the Project is not expected to violate any water quality standards or waste discharge requirements during construction. Consequently, impacts are considered less than significant and no mitigation is necessary.

- **Operation**

Post-construction operations of the proposed Project will also have the potential to discharge pollutants that could violate water quality standards of downstream waterbodies. Because the City is a co-permittee to the Whitewater River MS4 permit,

certain new development and redevelopment projects within the City shall provide a WQMP for approval prior to issuance of development permits. The proposed Project will be required to provide a WQMP because it is a commercial or industrial development involving more than 100,000 square feet of impervious surface (WQMP Guidance, p. 2).

Consequently, the Project applicant has submitted to the City a "preliminary Project-Specific WQMP" for review and approval by the City of Banning in November of 2017, which will be followed by a "final Project-Specific WQMP" for additional review and approval by the City prior to the issuance of grading/building permits. The final WQMP shall be in substantial conformance with the preliminary WQMP that was submitted during the entitlement process (WQMP Guidance, p. 2).

The City of Banning Municipal Code Section 13.24 Stormwater Management System (Stormwater Code), requires the Project to retain the runoff generated onsite by the 100-year, 3-hour storm event (i.e., design capture volume). As described in the WQMP and Drainage Study (Appendix L and Appendix I, respectively), two infiltration basins are proposed to store the required design capture volume and provide treatment by way of infiltration. Infiltration testing was done in the area of the proposed basins which determined an average infiltration rate of 3.9 inches per hour (Drainage Study, p. 3-1). This is a high enough rate to infiltrate the maximum retained volume of runoff within 48-hours. Basins that infiltrate are considered to be a LID/Site Design BMP. Because all of the design capture volume of runoff will be retained onsite, the Project will not create hydrologic conditions of concern (HCOC).[6]

Because the Project site is located within the sphere of influence of the Banning Municipal Airport, the Riverside County Airport Land Use Commission (ALUC) requires a maximum 48-hour retention time for the onsite basins. This is to ensure the basins drain relatively quickly and avoid developing a bird hazard for the airport. The two proposed infiltration basins will provide the storage needed for said storm event, as well as underlying soils capable of infiltrating the maximum retained volume of runoff within 48-hours. Because of the full onsite retention of the design runoff volumes, post-development peak urban runoff discharge rates and volumes will not exceed pre-development peak urban runoff discharge rates and volumes. Adequate sizing of the

[6] An HCOC exists when changes caused by development to urban runoff flow rates, velocities, durations and/or volumes that cause significant downstream erosion beyond the pre-development condition or cause significant adverse impacts to stream habitat (WQMP Guidance, p. 5-2).

Project LID BMPs ensures the Project runoff will be adequately treated per current regulatory requirements, and not consequently contribute to downstream water quality impacts. Consequently, due to the compliance with the provisions in the WQMP, which will ensure that water quality standards are being met during Project operation, impacts are considered less than insignificant and no mitigation measures are necessary.

- **Conclusion**

The proposed infiltration basins are designed according to the sizing calculations found in the LID BMP Handbook (LID 2014), which is based on approved methodologies within the Riverside County MS4 permit (RB8-2010-0033). Consequently, the proposed drainage system and infiltration basins will adequately convey and treat onsite runoff and provide flood protection for the 100-year design storm event. Infiltration basins designed according to the LID BMP handbook for infiltration basins are anticipated to remove all of the pollutants of concern from this land use with a "High" removal efficiency (i.e. sediment, nutrients, trash, metals, bacteria, oil/grease, organic compounds, and pesticides) (LID 2014, Appendix E). Consequently the ability of the proposed basins to retain and infiltrate all of the onsite runoff volumes up to the design storm event will ensure no adverse impacts to downstream waters, such as a violation of water quality standards. The two proposed mitigation channels will preserve pre-existing flow patterns and will not cause flow diversion or concentration such that adverse drainage impacts would occur to downstream properties (Drainage Study, p. 4-1). Based on the results of the preliminary Drainage Study and Preliminary WQMP for the Project, the proposed facilities will convey, store, treat and release flows safely through and around the site in accordance with RCFC&WCD and City of Banning requirements. Consequently, the potential for construction and operation of the Project to violate any water quality standards or waste discharge requirements is considered less than significant due to the ability of the designed basins to adequately retain and treat the onsite runoff in conformance with RWQCB and City design standards. The Project includes Project Design Features such as infiltration basins, avoidance of Ramsey Street Wash, and two onsite mitigation channels that retain existing function, as noted in Section 4.6.5. The Project must comply with the regulations listed in Section 4.6.3 and Conditions of Approval. Project design features are included to address any impacts, and consequently no mitigation measures are necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Groundwater Supply**

Threshold B: Would the Project 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)?

Impact Analysis:

The potable water demands within the City of Banning are primarily met with local groundwater supplies. The Project site is located downgradient and east of the closest groundwater supply wells, which are approximately 1.6 miles west of the site along San Gorgonio Avenue (WSA, p. 4-4). Because there are no active wells located on or near the Project site and that infiltration basins will be provided to infiltrate onsite stormwater runoff, the Project will not interfere substantially with groundwater recharge.

The water demand of the proposed Project is estimated to be 47 acre-feet (AF) per year ([AFY] WSA, p. 2-8). In 2015, the City produced 6,659 AF from groundwater and purchased 694 AF of imported SWP water (for recharge purposes) for a total water supply of 7,353 AFY (WSA, p. 3-18). In 2020, the City estimates that 10,941 AFY of groundwater supplies will be available, and 2,718 AFY of imported SWP water will be available for recharge for a total of 13,659 AF (WSA, p. 3-19). By 2040, the City projects that 10,600 AFY of local groundwater supplies to be available, as well as 2,718 AFY of imported SWP water available for recharge, for a total of 13,318 AFY of supply. In addition, the City currently holds nearly 50,000 AF of water stored in the Beaumont Basin, with rights to store up to 80,000 AF (WSA, p. 3-19). In terms of reliability, the City has not experienced any actual supply deficiencies in its groundwater supply despite the recent five-year drought (*ibid.*).

Taking into account the City's current and future water supplies in comparison to the Project's estimated consumption rate of 47 AFY, as well as the fact that there are no groundwater supply wells or basins where groundwater supplies are extracted from

near the Project site, the Project will not substantially deplete groundwater supplies nor interfere with groundwater levels. Impacts are less than significant and no mitigation measures are necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

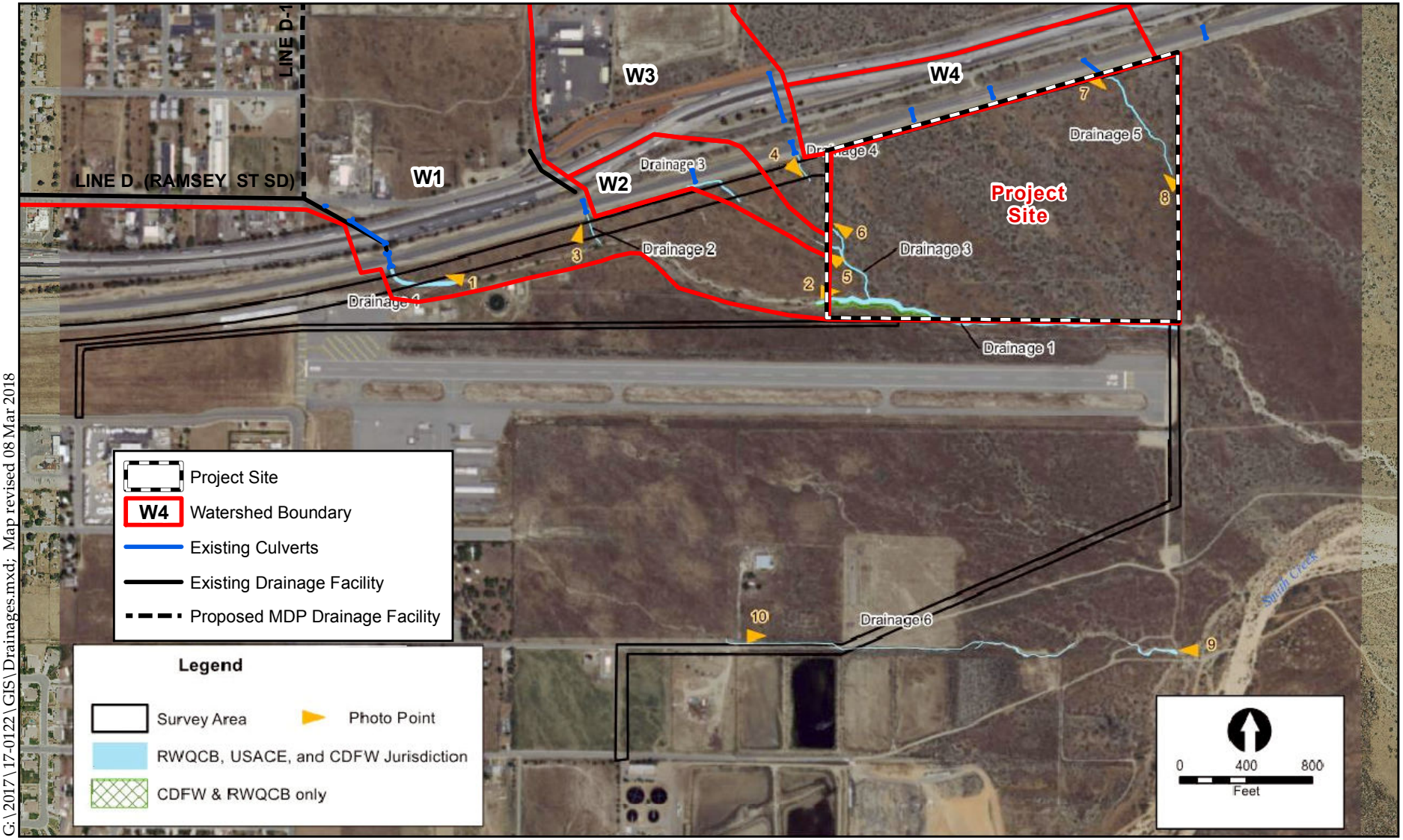
Less than significant.

- **Erosion or Siltation**

Threshold C: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site?

Impact Analysis:

The existing drainage pattern of the Project site consists of several drainage channels that convey stormwater flows from the area northwest of the site to the washes and creek located south of the site (see **Figure 4.6-6 – Offsite Drainages**). Due to the local hydrology, these drainages are ephemeral (i.e. water is only present during and shortly after rainfall events) that likely flow for less than three months per year (Amec, p. 17). No wetlands are associated with any of the drainages affected by the Project site.



G:\2017\17-0122\GIS\Drainages.mxd; Map revised 08 Mar 2018

Sources: Fig. 5, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017; Webb Assoc., Prelim. Drainage Study, Nov. 2107.

Figure 4.6-6 - Drainages

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

In order to develop, some of these drainages will need to be impacted. **Figure 4.6-6** Offsite Drainages depicts the six drainages that are affected by the Project. Drainage 1 will require culverts installed as John Street is improved over it, but the reminder of this drainage will not be impacted by the Project. The watershed represented by Drainage 1 is shown on **Figure 4.6-3** Offsite Watersheds. As shown on this figure, Drainage 1 is tributary and becomes Ramsey Street Wash. The Project development will avoid impacts to the Ramsey Street Wash, except for impacts associated with an at-grade crossing for the emergency access road. Drainage 2 is also located in the same watershed as Drainage 1. Drainage 2 will require a culvert to be installed with the John Street improvement. Drainage 2 merges with Ramsey Street Wash outside of the Project boundary.

Drainage 3 is located in Watershed 2 as shown on **Figure 4.6-3**. This drainage will also require installation of culverts under John Street in order to convey flows from north of the site across John Street. A portion of the site development footprint will require relocation of a portion of this drainage. The proposed earthen mitigation channel will be constructed to convey the flows within Drainage 3 (have the capacity for this) as well as provide some additional biological restoration of the impacts from the other drainages. The new earthen mitigation channel has been designed for the capacity of Drainage 3 and its watershed so that there would not be impacts from erosion or siltation downstream.

Drainage 4 is located in Watershed 3 (**Figure 4.6-3**). Drainage 4 will be impacted by a culvert under John Street, as well being impacted by some of the development footprint. Drainage 4 flows will also be redirected to the new earthen mitigation channel along with the flows from Drainage 3. Again, the new earthen mitigation channel has been designed for the capacity of Drainage 4 and its watershed so that there would not be impacts from erosion or siltation downstream.

Drainage 5 located in the northeastern corner of the site (**Figure 4.6-6**) will also be impacted by the Project as it currently is located in the area of a parking lot. Work was done with the engineers and Project proponent to avoid as much of Drainage 5 as possible, and as a result, the Project now includes avoidance of Drainage 5, as well as an expansion of the riverbed for Drainage 5 to accommodate biological function and increased hydrologic capacity. The expanded/enhanced Drainage 5 does include impacts for an at-grade concrete driveway to allow for access for parking. The Project will be designed to keep flows from the parking lot out of Drainage 5 by keeping the grades such that parking lot runoff drains to catch basins which are then directed under the site through the underground storm drain system and into one of the infiltration

basins for treatment. Drainage 5, as avoided and enhanced will have more than adequate capacity of the upstream watershed and will not cause downstream erosion or siltation.

By keeping the majority of the existing drainages in place, and by widening and modifying the two mitigation channels to allow for more capacity and biological functional lift, the Project will not create a condition which will substantially alter hydrological conditions onsite or downstream.

Additionally, the Project will be required to comply with the state and City stormwater regulations for construction and operational activities, as noted in Section 4.6.3 above. These stormwater regulations that affect the construction and design of the stormwater facilities are designed to provide effective erosion and sediment controls to minimize the release of sediment and other constituents that can pollute or erode downstream waterbodies. Consequently, the Project will not substantially alter the existing drainage pattern of the site so as to result in substantial erosion or siltation on- or off-site, and impacts are less than significant with no mitigation measures.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Surface Runoff-Flooding**

Threshold D: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Impact Analysis:

Please see Threshold C for the discussion of how the Project will affect the existing drainage pattern of the site. As discussed above, the modifications to the existing drainages will be minimized by avoiding and creating the natural drainages wherever possible.

There will be no comingling of off-site and onsite stormwater flows.. Construction of future John Street and the installation of culverts to allow the existing drainage patterns to continue, will not increase the rate or amount of surface runoff such that flooding would occur on- or off-site.

The Project's site design preserves existing flow patterns as best it can, as demonstrated on **Figure 4.6-4** by avoiding Ramsey Street Wash and replicating the function of the drainage on the westerly property line as well as the function of the drainage in the northeast corner with two new mitigation channels (i.e. rerouting of the channels to accommodate the development but still allowing for the drainages to be natural). Based on the preliminary Drainage Study (Appendix I), the estimated flow rate of stormwater during a 100-year flood event ("Q_{100}") that would come off-site from Watersheds 2 and 3 into Drainages 3 and 4 is approximately 204 cubic feet per second ([cfs], p. 2-3). The Q_{100} for Drainage 5 from Watershed 4 in the northeast corner of the Project site is estimated at 43 cfs. The Q_{100} for Drainage 1 and 2 flowing into Ramsey Street Wash where it enters the Project boundary is approximately 856 cfs. Notably, these flow rates are generously estimated using a conservative methodology (unit hydrograph method), which will be refined during final engineering using a rational method analysis. The off-site flows will not comingle with stormwater generated onsite because the onsite stormwater is being designed to stay out of the new mitigation channels and existing drainages through catch basins and underground storm drains that lead to the two infiltration basins for treatment. Based on the analysis in the preliminary Drainage Study (Appendix I), the Project will not cause flow diversion, flow concentration or adverse drainage impacts on the downstream properties (p. 4-1).

The proposed onsite infiltration basins will be designed, per City regulation, to retain all the runoff generated onsite from up to and including the design flood event (i.e. 100-year, 3-hour storm), which is equivalent to 389,971 cubic feet or 8.95 acre-feet. The proposed basins will provide a maximum storage volume of 12.52 acre-feet, which is 40% more than the required volume. This design consideration will ensure that 100-year flooding does not occur off the site. Consequently, the Project will not alter the existing drainage pattern of the site thereby creating flooding impacts offsite. The Project's impacts are considered less than significant and no mitigation is necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

- **Stormwater Drainage System Capacity**

Threshold E: Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff?

Impact Analysis:

No stormwater drainage systems are currently located on or immediately downstream of the Project site. Likewise, there are no MDP facilities located or planned downstream of the Project site. The Project will include construction of an onsite stormwater drainage system to capture and convey runoff and incidental flows that are generated onsite into the proposed infiltration basins. There will be no comingling of flows coming from offsite onto the Project, or flows generated onsite with offsite downstream features. As required by the City, the onsite infiltration basins must be designed to infiltrate the volume equivalent to the 100-year, 3-hour event within 48-hours, which is approximately 389,971 cubic feet or 8.95 acre-feet. The proposed basins will provide a maximum storage volume of 12.52 acre-feet, which is 40% more than the required volume. Any flows greater than that, which would be a rare storm event, will overflow into Ramsey Street Wash.

Offsite flows that currently flow through the Project site will be routed into two new mitigation channels, one along the western border, and one in the northeast corner. The flow rates that would enter both of these channels for a 100-year flood event have been estimated in the preliminary Drainage Study using a conservative methodology, as described previously in Threshold D, and the design of the channels will accommodate these flow rates (Drainage Study, p. 4-1).

Infiltration of stormwater runoff provides the best, and most preferred method by the regulatory agencies (i.e., RWQCB and the City) to remove pollutants from stormwater. As described previously, the proposed infiltration basins are designed pursuant to the County-wide LID BMP guidelines to provide both adequate capacity and pollutant removal mechanisms for the most common pollutants associated with parking lots and commercial/industrial developments, which are sediment, nutrients, trash, metals, bacteria, oil/grease, organic compounds, and pesticides (LID 2014, p. 8). The post-construction condition will provide water quality treatment for all onsite stormwater runoff. Because all onsite runoff will infiltrated onsite, and will not comingle with offsite drainages, the Project will not contribute to additional polluted runoff downstream.

The Project incorporates Project Design Features for adequate stormwater capture and conveyance as noted in Section 4.6.5, and must comply with the construction and post-construction stormwater regulations listed in Section 4.6.3, as well as Conditions of Approval from the City. Consequently, the proposed Project will not exceed the capacity of the designed storm drain system (i.e. basins) nor will the Project provide substantial additional sources of polluted runoff. With incorporation of Project Design Features, impacts in this regard are considered less than significant and no mitigation measures are necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Less than significant.

- **Degrade Water Quality**

Threshold F: Would the Project otherwise substantially degrade water quality?

Impact Analysis:

As described in the Preliminary WQMP (Appendix L) and above, the BMP selected for the Project (i.e. infiltration basins) will be highly effective in treating the expected pollutants of concern, which are sediment, nutrients, trash, metals, bacteria, oil/grease, organic compounds, and pesticides (LID 2014, p. 8). Infiltration basins provide several highly effective treatment mechanisms for the treatment of stormwater runoff including infiltration, evapotranspiration (when vegetated), evaporation, and sedimentation (*ibid*, p. 95). Because the Project will capture and infiltrate all onsite stormwater and incidental runoff within the two infiltration basins, which have been designed to provide more volume capacity than required, the Project will not substantially degrade water quality.

The two proposed mitigation channels will also not degrade water quality because they will be designed to mimic pre-existing conditions in terms of both biological features (as described in Section 4.3 – Biological Resources) and hydrologic capacity (i.e. Q_{100}). The stormwater that flows through the proposed mitigation channels and Ramsey Street Wash are not a part of the analysis in the WQMP (Appendix L) and will not require treatment because the Project site does not contribute to them; these flows will essentially bypass the Project site through the Project design. Because the Project does not contribute flows offsite, increased flow rates in the proposed mitigation channels, which could cause downstream water quality degradation, are not expected.

Compliance with existing regulations to protect water quality during construction and post-construction (Section 4.6.3), Conditions of Approval, as well as Project Design Features such as infiltration basins that meet current water quality design guidelines (Section 4.6.5), provide that impacts to water quality are considered less than significant and no mitigation measures are necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Less than significant.

- **Flood Hazard**

Threshold H: Would the Project place within a 100-year flood hazard area structure which would impede or redirect flood flows?

Impact Analysis:

The 100-year flood hazard areas that impact the Project site as mapped by FEMA are shown on **Figure 4.6-5.** The proposed warehouse property has two locations where 100-year flood flows may occur, in the northeast corner (correlates to Drainage 5) and along the southern boundary (correlates to Ramsey Street Wash/Drainage 1 and part of Drainage 3). No structures will be placed within the 100-year flood hazard zones on the Project site. Consequently, impacts are less than significant and no mitigation measures are necessary.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Less than significant.

4.6.8 CUMULATIVE IMPACTS

A Project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future. Please refer to Section 4.6.4 for relevant assumptions regarding the cumulative setting for hydrology and water quality resources.

- **Impact Analysis:**

Cumulative development within the Project area will increase the amount of impervious surfaces, which will increase the amount of runoff and pollutant loads. However, all development in the watershed, including the Project, will be subject to the

requirements in the City and County of Riverside's Water Quality Management Plan (WQMP) and the National Pollutant Discharge Elimination System (NPDES) permit requirements.

Likewise, each cumulative development project will be required to ensure that runoff will not exceed the capacity of existing or planned stormwater drainage systems, or provide additional substantial sources of pollution on a regional level. The proposed Project Design Features will ensure that runoff will not overwhelm downstream drainage systems or properties (see Section 4.6.5 and Appendix L) would also be features that other new development projects would also incorporate. As other development projects comply with existing policies and regulations to protect water quality during construction and operation, as noted in Section 4.6.3, the cumulative impacts to hydrology and water quality would be less than significant.

Consequently, because each development, including the proposed Project, will be required to mitigate its own impact to water quality and drainage, cumulative impacts related to water quality will be less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

4.6.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not applicable.

4.6.10 REFERENCES

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4.7 NOISE

4.7.1 INTRODUCTION

Potential impacts related to noise were found to be potentially significant in the Initial Study/Notice of Preparation (NOP) prepared for the proposed Banning Distribution Center (proposed Project or Project) (Appendix A). The focus of the following analysis is related to whether the Project will result in potential impacts associated with the exposure of people to severe noise levels in excess of established standards, result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project, result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project, or result in the exposure of people residing or working in the Project area to excessive airport-related noise levels.

One comment letter was received from the Sierra Club Moreno Valley Group in response to the Initial Study/NOP that pertained to noise. The letter discussed noise related to construction and operational impacts on wildlife in the area; the letter is available in Appendix B to this DEIR. Potential noise impact on wildlife in open space area is discussed in **Table 4.3-C – Project Consistency** with MSHCP Section 6.1.4 of the Biological Resources section.

The following discussion is a summary of the *Banning Distribution Facility Noise Impact Analysis* (herein after "Noise Study") prepared for the proposed Project by Kunzman Associates, Inc. originally prepared in June 2017 and updated in February 2018 to include nighttime noise measurements (Appendix M). The purpose of the Noise Study is to provide an assessment of the noise impacts resulting from development of the proposed Project and associated off-site improvements and to identify applicable mitigation measures that may be necessary to reduce those impacts in the context of the California Environmental Quality Act (CEQA).

4.7.2 PHYSICAL SETTING

To fully understand the physical setting of the Project related to noise, the following discussion presents information to assist the reader in understanding the existing physical setting related to noise and the subsequent impacts analysis.

The characteristics of sound versus noise are different. Sound is a pressure wave created by a moving or vibrating source that travels through an elastic medium such as air. Noise is defined as unwanted or objectionable sound. The effects of noise on people can

include general annoyance, interference with speech communication, sleep disturbance, and in extreme circumstances, hearing impairment.

The unit of measurement used to describe a noise level is the decibel (dB). The human ear is not equally sensitive to all frequencies within the sound spectrum. Consequently, the "A-weighted" noise scale, which weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are written as dB(A) or dBA. **Table 4.7-A - Typical Noise Levels of Common Sounds**, shows the relationship of various noise levels to common noise events.

Table 4.7-A – Typical Noise Levels of Common Sounds[a]

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110	rock band
jet fly-over at 1,000 feet	105	
	100	
gas lawnmower at 3 feet	95	
	90	
diesel truck, 50 mph at 50 feet	85	food blender at 3 feet
	80	garbage disposal at 3 feet
noisy urban area during daytime	75	
gas lawnmower at 100 feet	70	vacuum cleaner at 10 feet
commercial area	65	normal speech at 3 feet
heavy traffic at 300 feet	60	
	55	large business office
quiet urban area during daytime	50	dishwasher in next room
	45	
quiet urban area during nighttime	40	theater, large conference room (background)
quiet suburban area during nighttime	35	
	30	Library
quiet rural area during nighttime	25	bedroom at night, concert hall (background)
	20	
	15	broadcast/recording studio
	10	
	5	
lowest threshold of human hearing	0	lowest threshold of human hearing

Source:
[a] California Department of Transportation, *Technical Noise Supplement*, September 2013, Table 2-5, p. 2-20
Notes: mph = miles per hour

From the noise source to the receiver, noise changes both in level and frequency spectrum. The most obvious is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance depends on whether the

source is a point or line source as well as ground absorption, atmospheric effects and refraction, and shielding by natural and manmade features.

Sound from point sources, such as air conditioning condensers, radiates uniformly outward as it travels away from the source in a spherical pattern. The noise drop-off rate associated with this geometric spreading is 6 dBA per each doubling of the distance (dBA/DD).

Transportation noise sources such as roadways are typically analyzed as line sources, since at any given moment the receiver may be impacted by noise from multiple vehicles at various locations along the roadway. Because of the geometry of a line source, the noise drop-off rate associated with the geometric spreading of a line source is 3 dBA/DD.

Decibels are measured on a logarithmic scale, which quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, a doubling of the energy of a noise source, such as a doubled traffic volume, would increase the noise levels by 3 dBA; halving of the energy would result in a 3 dBA decrease.

Average noise levels over a period of minutes or hours are usually expressed as dBA_{Leq}, or the equivalent noise level for that period of time. For example, $L_{eq(3)}$ would represent a 3-hour average. When no period is specified, a one-hour average is assumed.

Noise standards for land use compatibility are stated in terms of the Community Noise Equivalent Level (CNEL) and the Day-Night Average Noise Level (L_{dn}). CNEL is a 24-hour weighted average measure of community noise. CNEL is obtained by adding five decibels to sound levels in the evening (7:00 PM to 10:00 PM), and by adding ten decibels to sound levels at night (10:00 PM to 7:00 AM). This weighting accounts for the increased human sensitivity to noise during the evening and nighttime hours and lower ambient noise levels. L_{dn} is a very similar 24-hour average measure that weights only the nighttime hours.

It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA; that a change of 5 dBA is readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud. This definition is recommended by the California Department of Transportation's *Technical Noise Supplement to the Traffic Noise Analysis Protocol* (2013).

- **Surrounding Conditions**

Land uses surrounding the site consist of the Banning Municipal Airport to the south and west, vacant land to the east that is owned by the Morongo Band of Mission Indians and Interstate 10 (I-10) freeway and Union Pacific Railroad line to the north. South of the Banning Municipal Airport, land use is zoned Industrial (I) and Very Low Density Residential (VLDR). To the west of the Banning Municipal Airport at the extension of John Street, land use is zoned Airport Industrial (AI) and Industrial (I). Land uses include a plastic fabrication business, a small multi-tenant industrial park, automotive repair and scattered residential uses. Based on these land uses, the Project site is currently subject to noise from freeway noise, railway noise, airport operations, and industrial business operations (e.g., trucks). The existing dominant noise sources are discussed below.

- **I-10 Freeway**

Sensitive receptors along the Project truck route to and from the Project site, from the I-10 intersections at Hargrave Avenue, include single-family residences along Lincoln Street and Hargrave Street and a church at the southeast corner of Lincoln Street and Hargrave Street (**Figure 4.7-1 – Project Truck Route & Sensitive Receptor Locations**).

The I-10 freeway is the dominant source of noise in the Project area for the Project site and John Street improvements. The I-10 freeway lies to the north of the Project site and is in close proximity to those existing sensitive receptors affected by the Project's projected truck route to and from the Project site. The lanes of the I-10 freeway are located as close as approximately 300 feet north of the single-family residence located along South Hargrave Street, with the on-/off-ramps being as close as 250 feet north of these single-family residences. Further, the lanes of the I-10 freeway are located as close as approximately 900 feet north, with the on-/off-ramps being located approximately 830 feet north of the single-family residences and church located along East Lincoln Street (Kunzman, p. 16).

- **Union Pacific Railroad**

The other dominant source of noise in the Project area is the Union Pacific Railroad line which runs in an east/west direction just south of the I-10 freeway, approximately 100 feet north of the single-family residences along South Hargrave Street and approximately 660 feet north of the single-family residences and church along East Lincoln Street. According to the most recent Federal Railroad Administration Inventory Data Sheets, approximately 17 thru trains occur during the nighttime hours (6:00 PM to 6:00 AM) and 17 thru trains occur during the daytime hours (6:00 AM to 6:00 PM), with

two switching trains throughout the day. Typical train speed range between 20 and 60 miles per hour (Kunzman, p. 17).

- **Banning Municipal Airport**

Another source of local noise are aircraft using the Banning Municipal Airport. The Banning Municipal Airport is located approximately 2,660 feet east of the single-family residences along South Hargrave Street and between approximately 1,980 and 2,455 feet east of the single-family residences and church along East Lincoln Street. The airport runway lies in an east/west direction.

According to both the City's Municipal Airport Master Plan Update and City's General Plan existing noise contour maps as well as the City's General Plan Buildout airport noise contour map, the single-family residences along South Hargrave Street are within the 60 and 65 dB CNEL noise contours, while the church along East Lincoln Street is within the 60 dB CNEL noise contour for the airport (Kunzman, p. 17).

- **Local Truck Routes**

Heavy duty trucks using local roads are also another source or local noise. The City of Banning has established truck routes within the City, which include Ramsey Street, and portions of Hathaway Street, Sunset Avenue, 8th Street, San Gorgonio Avenue, and Hargrave Street. The noise levels along truck routes in the City are currently high (City of Banning, p. V-44). The nearest truck route to the Project site is Hargrave Street which is the designated truck route to and from the I-10 freeway (**Figure 4.7-1 – Project Truck Route & Sensitive Receptor Locations**).

- **Project Vicinity Noise Conditions**

An American National Standards Institute (ANSI Section SI4 1979, Type 1) Larson Davis model LxT sound level meter was used to document existing ambient noise levels. In order to document existing ambient noise levels in the Project area, three 10-minute daytime noise measurements were taken between 3:30 PM and 4:28 PM on April 19, 2017 and two 24-hour noise measurements at two locations that are representative of sensitive receptors that may be affected by Projected vehicle trips were taken February 5, 2018 to February 6, 2018 and February 8, 2018 to February 9, 2018. The 24-hr measurements were taken in order to determine what the nighttime ambient noise levels were for the areas where Project trucks would be utilizing roadways to access the freeway. Field worksheets and measurement output data is included in Appendix M to the DEIR.

As shown on **Figure 4.7-2 – Ambient Noise Measurement Locations**, the short-term (NM 1 -3) and long-term noise measurements (LTNM 1 & 2) were taken west and southwest of the Project site, respectively. The noise measurement locations to the west of the Project site were located near sensitive receptors – residential areas and a house of worship as shown in **Figure 4.7-2.** As shown on **Figure 4.7-1**, the residential area where Noise Measurement 1 (NM1) and Long Term Noise Measurement 2 (LTNM2) were taken are located along South Hargrave Street, north of East Lincoln Street, southwest of the Project site and west of Project's primary access road. The single-family residence location where Long Term Noise Measurement 1 (LTNM1) was taken is located south of the proposed off-site improvements for the proposed paved primary access road (John Street). The house of worship, where NM2 was taken is located at the southeast corner of East Lincoln Street and South Hargrave Street, southwest of the Project site and Project's primary access road. NM3 was located in a vacant area south of Banning Municipal Airport and Project site where the off-site shared utility lines and lift station are proposed.

Table 4.7-B – Existing Daytime Noise Levels in the Project Vicinity provides a summary of the short-term ambient noise data taken by Kunzman. Ambient noise levels ranged between 49.7 and 65.7 dBA_{Leq}. At NM1 and NM2, the dominant noise source at these residential land uses was from vehicles traveling along South Hargrave Street. Secondary noise sources included vehicle traffic on the I-10 freeway, overhead aircraft, machinery at a distance and birdsong (Kunzman, p. 13).

Table 4.7-B – Existing Daytime Noise Levels in the Project Vicinity

Daytime							
Site Location[1]	**Time Started**	**Leq**	**Lmax**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
NM1	3:30 PM	65.0	77.3	74.1	68.3	64.6	61.7
NM2	3:45 PM	65.7	83.3	73.4	67.7	63.2	59.8
NM3	4:48 PM	49.7	55.6	53.3	51.8	50.5	49.2

Source: Appendix M

Note: [1] Refer to **Figure 4.7-1** for noise measurement locations.

All noise measurements lasted 10 minutes and were taken on April 19, 2017.

Table 4.7-C – 24-Hour Noise Measurement Data at Representative Sensitive Receptors East of 982 East Lincoln Street (Single-Family Residence) provides 24-hour noise measurements near the single-family residence located at 982 East Lincoln Street (refer to LTNM1 on **Figure 4.7-1**). One hour L_{eq} noise levels ranged between 52.6 to 62.8 dBA L_{eq}.

Table 4.7-C– 24-Hour Noise Measurement Data at Representative Sensitive Receptors East of 982 East Lincoln Street (Single-Family Residence)

Measurement Period	Average One-Minute L_{eq} (dBA)	Maximum Noise Event (dBA)	L_{eq}(1Hour)
12:00 PM-1:00 PM	56.5	79.3	59.4
1:00 PM-2:00 PM	56.6	80.0	59.6
2:00 PM-3:00 PM	56.0	75.7	58.0
3:00 PM-4:00 PM	55.9	80.8	58.7
4:00 PM-5:00 PM	54.2	83.3	57.7
5:00 PM-6:00 PM	59.0	84.6	62.8
6:00 PM-7:00 PM	56.8	81.5	60.8
7:00 PM-8:00 PM	59.2	81.2	61.7
8:00 PM-9:00 PM	59.2	87.9	62.4
9:00 PM-10:00 PM	61.3	70.5	61.5
10:00 PM-11:00 PM	58.9	72.3	59.2
11:00 PM-12:00 AM	59.2	88.2	62.5
12:00 AM-1:00 AM	57.9	82.4	61.4
1:00 AM-2:00 AM	56.5	87.4	60.5
2:00 AM-3:00 AM	55.8	81.6	52.6
3:00 AM-4:00 AM	56.7	67.0	57.0

4:00 AM-5:00 AM	58.6	83.0	60.0
5:00 AM-6:00 AM	60.6	83.4	62.3
6:00 AM-7:00 AM	58.9	78.3	60.1
7:00 AM-8:00 AM	58.4	76.9	59.1
8:00 AM-9:00 AM	55.3	77.1	56.8
9:00 AM-10:00 AM	54.5	80.0	58.0
10:00 AM-11:00 AM	54.0	81.8	57.0
11:00 AM-12:00 PM	58.2	78.3	59.3

Source: Appendix M
Note: Refer to **Figure 4.7-1** for noise measurement locations.
The noise measurement was performed over a 24-hour duration, February 5, 2018 to February 6, 2018.
dBA = A-weighted measurements, L_{eq} = equivalent sound level

Noise measurement data for LTNM1 as shown in **Table 4.7-C** shows that there is little variation between daytime and nighttime noise levels. The quietest hours at this location are between 4:00 PM and 5:00 PM, 2:00 AM and 3:00 AM, and 3:00 PM and 4:00 PM, in that order. Noise from the I-10 is the dominant noise source at this location. Noise events exceeding 75 dBA occurred several times between the hours of 10:00 PM and 7:00 AM (Kunzman, p. 14). These noise events are most likely attributable to train pass-bys and/or train horns as indicated in the field notes by the acoustic technician (Kunzman, Apx. 13); there are approximately 34 daily through trains that travel the railroad line in this area.

Table 4.7-D – 24-Hour Noise Measurement Data at Representative Sensitive Receptors North of 782 Plaza Street (Single-Family Residence) provides 24-hour noise measurements near the single-family residence located at 782 Plaza Street (refer to LTNM2 on **Figure 4.7-2**). One hour L_{eq} noise levels are expected to range between 61.6 to 76.3 dBA L_{eq}.

Table 4.7-D– 24-Hour Noise Measurement Data at Representative Sensitive Receptors North of 782 Plaza Street (Single-Family Residence)

Measurement Period	Average One-Minute L_{eq} (dBA)	Maximum Noise Event (dBA)	L_{eq}(1Hour)
12:00 PM-1:00 PM	63.1	78.2	71.6
1:00 PM-2:00 PM	66.2	95.4	68.5
2:00 PM-3:00 PM	65.8	95.0	73.4
3:00 PM-4:00 PM	66.7	100.8	70.8
4:00 PM-5:00 PM	66.0	97.6	75.2
5:00 PM-6:00 PM	67.1	101.7	67.9
6:00 PM-7:00 PM	65.7	92.9	72.3
7:00 PM-8:00 PM	66.0	99.2	74.6
8:00 PM-9:00 PM	66.0	103.4	71.2
9:00 PM-10:00 PM	65.2	99.2	67.8
10:00 PM-11:00 PM	63.1	96.0	61.6
11:00 PM-12:00 AM	61.4	74.6	72.5
12:00 AM-1:00 AM	64.0	98.9	63.6
1:00 AM-2:00 AM	62.7	81.2	71.8
2:00 AM-3:00 AM	63.0	98.8	65.0
3:00 AM-4:00 AM	63.4	92.0	64.7
4:00 AM-5:00 AM	64.5	73.5	74.2
5:00 AM-6:00 AM	67.3	103.0	74.9
6:00 AM-7:00 AM	69.3	100.5	75.0
7:00 AM-8:00 AM	68.5	100.5	76.3

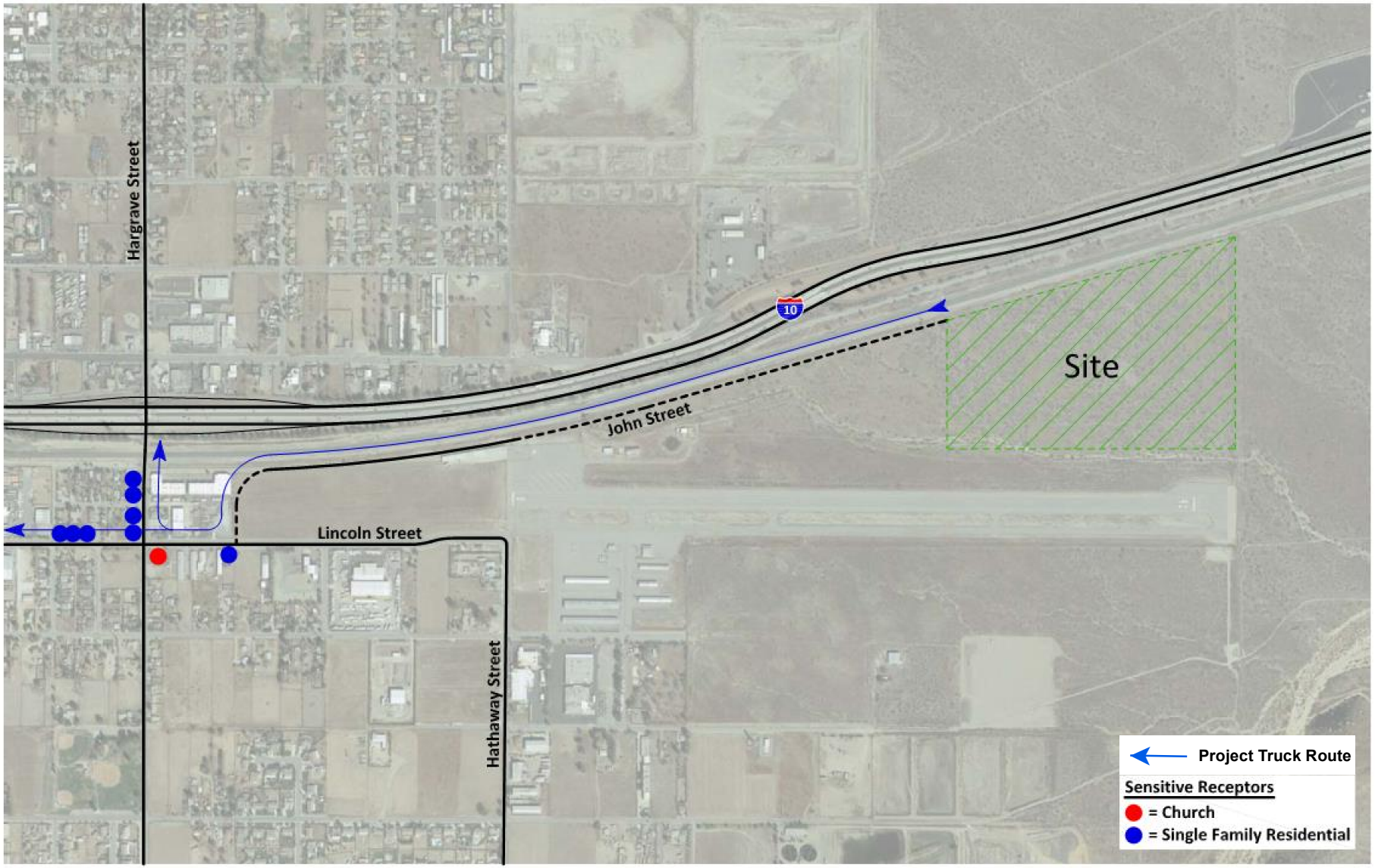
8:00 AM-9:00 AM	67.2	103.4	71.7
9:00 AM-10:00 AM	64.9	97.1	74.5
10:00 AM-11:00 AM	65.9	101.2	72.8
11:00 AM-12:00 PM	64.3	100.2	63.5

Source: Appendix M
Note: Refer to **Figure 4.7-1** for noise measurement locations.
The noise measurement was performed over a 24-hour duration, February 8, 2018 to February 9, 2018.
dBA = A-weighted measurements, L_{eq} = equivalent sound level

Noise measurement data for LTNM2 shows that there is little variation between daytime and nighttime noise levels. The quietest hours at this location are between 11:00 PM to 12:00 AM, 1:00 AM and 2:00 AM, and 2:00 AM and 3:00 AM, in that order. Noise associated with the I-10 freeway and Union Pacific Railroad Company rail line are the dominant noise sources at this location. Noise events exceeding 75 dBA occurred several times between the hours of 10:00 PM and 7:00 AM. The highest measurements maximum noise level (103.4 dB) occurred at 8:27 PM. As with LTNM1, the loud noise events are assumed to be from through train activity in the area (Kunzman, Apx. 60).

- **Project Site Conditions**

The Project site is located north and east of the Banning Municipal Airport, south of the Union Pacific Railroad line and I-10 freeway and would be subject to these dominant noise sources as a result of aircraft operations, railway operations, and freeway noise.



G:\2017\17-0122\GIS\Sensitive_receptors.mxd; Map revised 08 Mar 2018

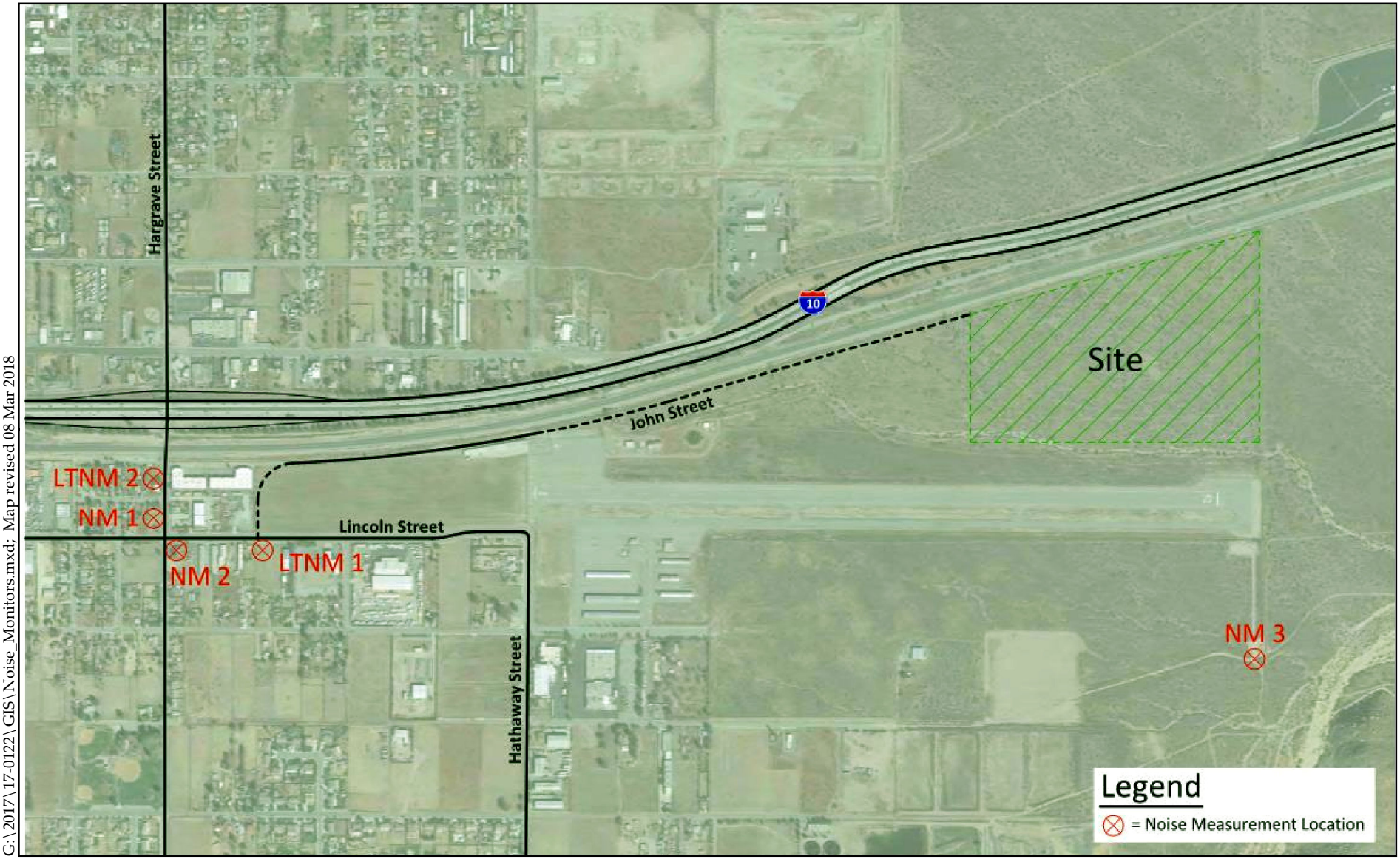
Source: Fig. 5, Kunzman Associates, Inc., Noise Impact Analysis, June 2017.

Figure 4.7-1 - Project Truck Route & Sensitive Receptor Locations

Banning Distribution Center

Not to Scale

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G:\2017\17-0122\GIS\Noise_Monitors.mxd; Map revised 08 Mar 2018

Source: Fig. 6, Kunzman Associates, Inc., Noise Impact Analysis, Feb. 2018.

Not to Scale

Figure 4.7-2 - Ambient Noise Monitor Locations

Banning Distribution Center

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4.7.3 REGULATORY SETTING

To limit the population's exposure to physically and/or psychologically damaging noise levels, the federal government, the State, various County governments, and most municipalities in California have established standards and ordinances to control noise.

- **Federal**

  - **Federal Noise Control Act of 1972**

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate Federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the L_{dn} should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas.

In addition, the Levels of Environmental Noise identified 5 dBA as an "adequate margin of safety" for a noise level increase relative to a baseline noise exposure level of 55 dBA L_{dn} (i.e., there would not be a noticeable increase in adverse community reaction with an increase of 5 dBA or less from this baseline level). The EPA did not promote these findings as universal standards or regulatory goals with mandatory applicability to all communities, but rather as advisory exposure levels below which there would be no risk to a community from any health or welfare effect of noise.

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

  - **Occupational Health and Safety Administration**

The Federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration (OSHA) under the United States EPA. Noise regulations apply to the operation of construction equipment and may apply to industrial land uses. Noise exposure of this type is dependent on work

conditions and is addressed through a facility's Health and Safety Plan, as required under OSHA, and will not be addressed further in this analysis.

- **U.S. Department of Housing and Urban Development**

The U.S. Department of Housing and Urban Development (HUD) has set a goal of 65 dBA L_{dn} as a desirable maximum exterior standard for residential units developed under HUD funding. (This level is also generally accepted within the State of California.) While HUD does not specify acceptable interior noise levels, standard construction of residential dwellings constructed under State of California Code of Regulations Title 24 standards typically provide a minimum of 20 dBA sound attenuation with the windows closed. Based on this premise, the interior L_{dn} should not exceed 45 dBA.

- **State**

- **State of California General Plan Guidelines 2003**

Though not adopted by law, the State of California General Plan Guidelines 2003, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provide guidance for the computability of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. Findings presented in the Levels of Environmental Noise Document (EPA 1974) influenced the recommendation of the OPR Guidelines, most importantly in the choice of noise exposure metrics (i.e. L_{dn} or CNEL) and in the upper limits for the Normally Acceptable outdoor exposure of noise-sensitive uses. The OPR Guidelines include a Noise and Land Use Compatibility Matrix that identifies acceptable and unacceptable community noise exposure limits for various land use categories. The City of Banning (City) has utilized the State's noise/land use compatibility matrix as a model to create their own.

The City adopted noise control ordinances developed by the State of California's Department of Health Services. The Model Community Noise Control Ordinance was developed in accordance with Section 46026 of the Health and Safety Code. This safety code was adopted as City Ordinances 1138 and 1234.

Figure 4.7-3 – Land Use/Noise Compatibility Guidelines depicts the land use compatibility chart for community noise prepared by the State of California, Department of Health, as adopted by the City. It identifies normally acceptable, conditionally acceptable and clearly unacceptable noise levels for siting various

new land uses. A conditionally acceptable designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and the needed noise insulation features are incorporated in the design. By comparison, a normally acceptable designation indicates that standard construction can occur with no special noise reduction requirements.

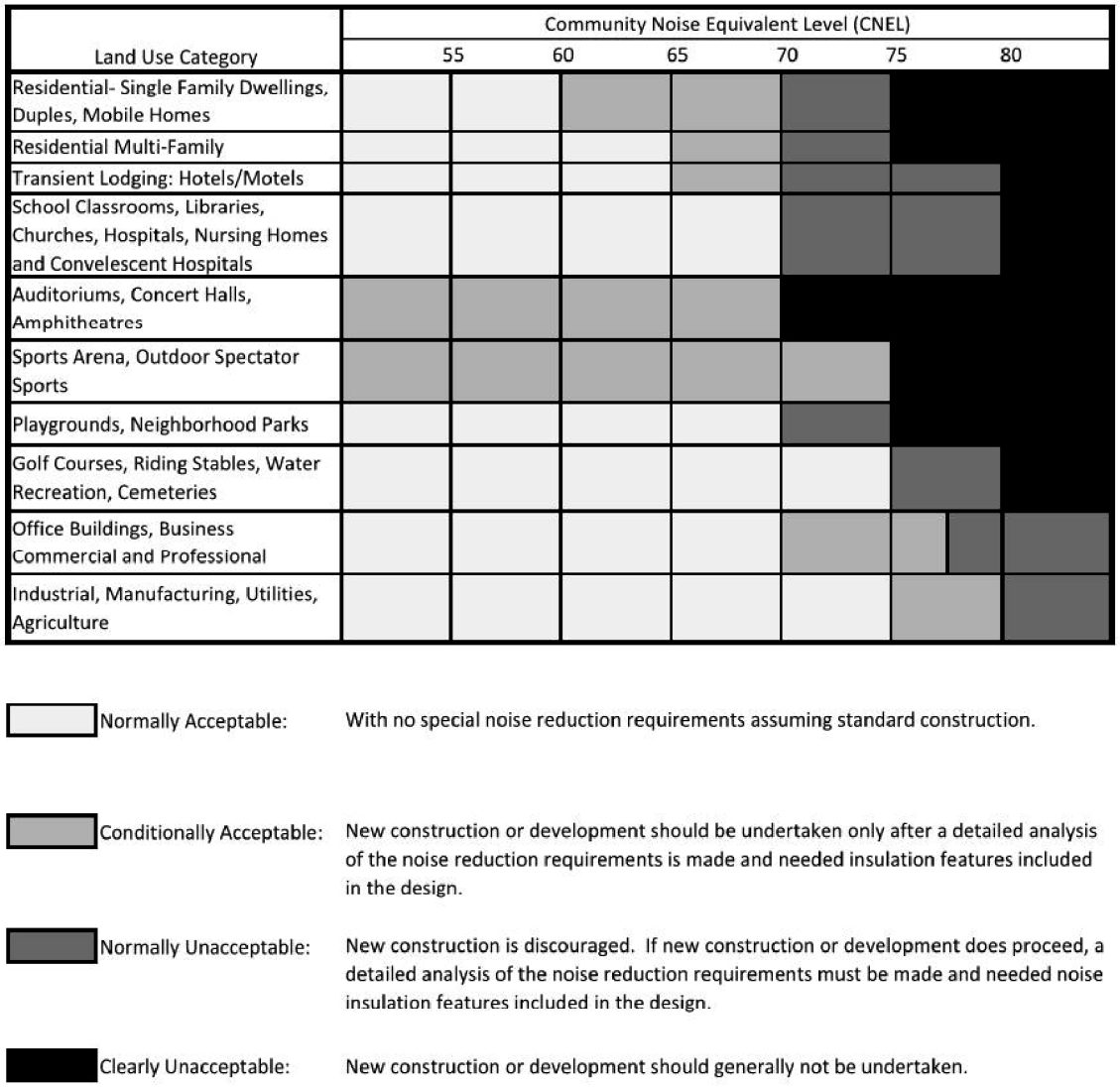
California Code of Regulations, Part 2, Title 24, Appendix Chapter 35, Section 3501 establishes the State Noise Insulation Standards, which limit the interior noise level exposure within new hotels, motels, dormitories, long-term care facilities, apartment houses and dwellings. This State standard indicates that interior noise levels attributable to exterior noise sources shall not exceed 45 dB (CNEL or L_{dn}) in any habitable room.

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at http://www.leginfo.ca.gov/calaw.html. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

- **California Department of Transportation**

The *Technical Noise Supplement to the Traffic Noise Analysis Protocol* (2013) prepared by the California Department of Transportation provides technical background information on transportation-related noise in general and highway traffic noise in particular. With respect to human response to changes in noise levels, it is generally accepted that the average healthy ear can barely perceive a noise level change of 3 dBA, a change of 5 dBA would be readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud.

A doubling of the energy of a noise source, such as a doubled traffic volume, would increase the noise level by 3 dBA. Consequently project generated trips would need to result in a doubling of the traffic volumes on a road segment in order to result in an audible increase in ambient noise levels.



G:\2017\17-0122\GIS\Noise_Compatibility.mxd; Map revised 22 Feb 2018

Source: Table 4, Kunzman Associates, Inc., Noise Impact Analysis, June 2017.

Figure 4.7-3 - Land Use/Noise Compatibility Guidelines

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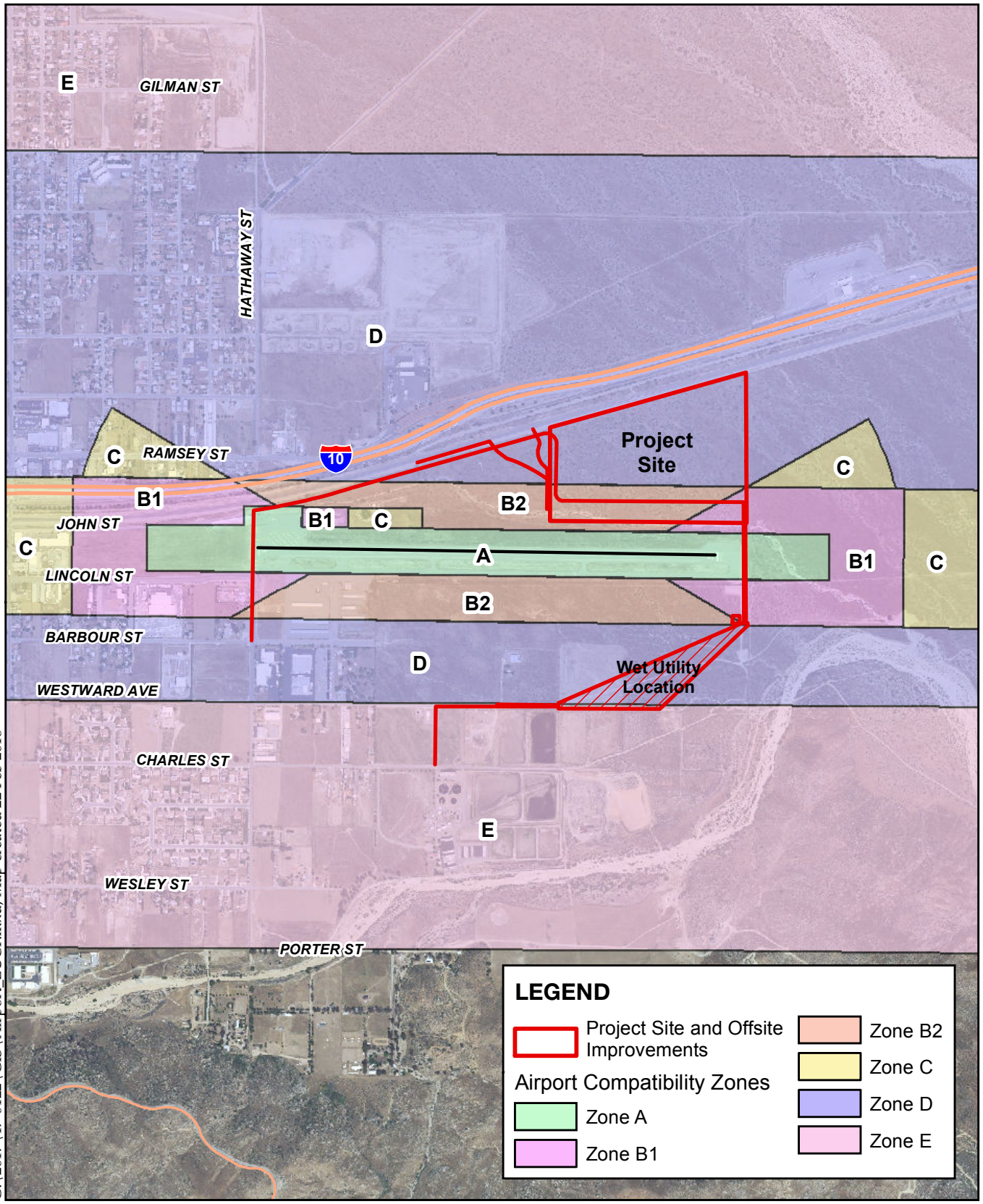
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- **Regional**

    - **Riverside County Airport Land Use Commission**

On April 26, 1984, the Riverside County Airport Land Use Commission (ALUC) adopted the Riverside County Airport Land Use Plan (1984 ALUP). This plan-established land use restrictions within the Airport Influence Areas (AIA) that were adopted by ALUC around airports in Riverside County. On January 20, 1993, the Riverside County ALUC adopted an Airport Land Use Compatibility Plan (ALUCP) for Banning Municipal Airport and in October 2004, an updated ALUCP was adopted by the Riverside County ALUC. The Banning Municipal Airport ALUCP established an AIA around Banning Municipal Airport.

The compatibility zones and associated criteria set forth in the ALUCP provide noise and safety compatibility protection. As shown on **Figure 4.7-4 – Banning Municipal Airport Compatibility Zones**, the Project site is located within Airport Compatibility Zones B1, B2, and D. Off-site improvements are located within Airport Compatibility Zones A, B1, B2, D, and E. Zone A is defined as Runway Protection Zone which prohibits uses including structures for non-aeronautical uses; there are no associated noise requirements in this zone due to the prohibition of non-aeronautical structures. Zone B1 is defined as an Inner Approach/Departure Zone with a high noise levels. Zone B2 is defined as Adjacent to the Runway with a high noise levels. Zones B1 and B2 are near the 65-CNEL contour and are subject to single-event noise sufficient to disrupt many land use activities including indoors if windows are open. Zone D is defined as a Primary Traffic Patterns and Runway Buffer Zone with less frequent overflights. Zone D is within the 55-CNEL contour or subject to single-event noise that may be disruptive to noise-sensitive land use activities. Zone E is defined as Other Airport Environs; this zone does not have noise restrictions for structures. The associated noise contours for the Banning Municipal Airport are shown in **Figure 4.7-5 – Banning Municipal Airport Noise Contours**.



G:\2017\17-0122\GIS\Airport_LUCP.mxd; Map created 22 Feb 2018

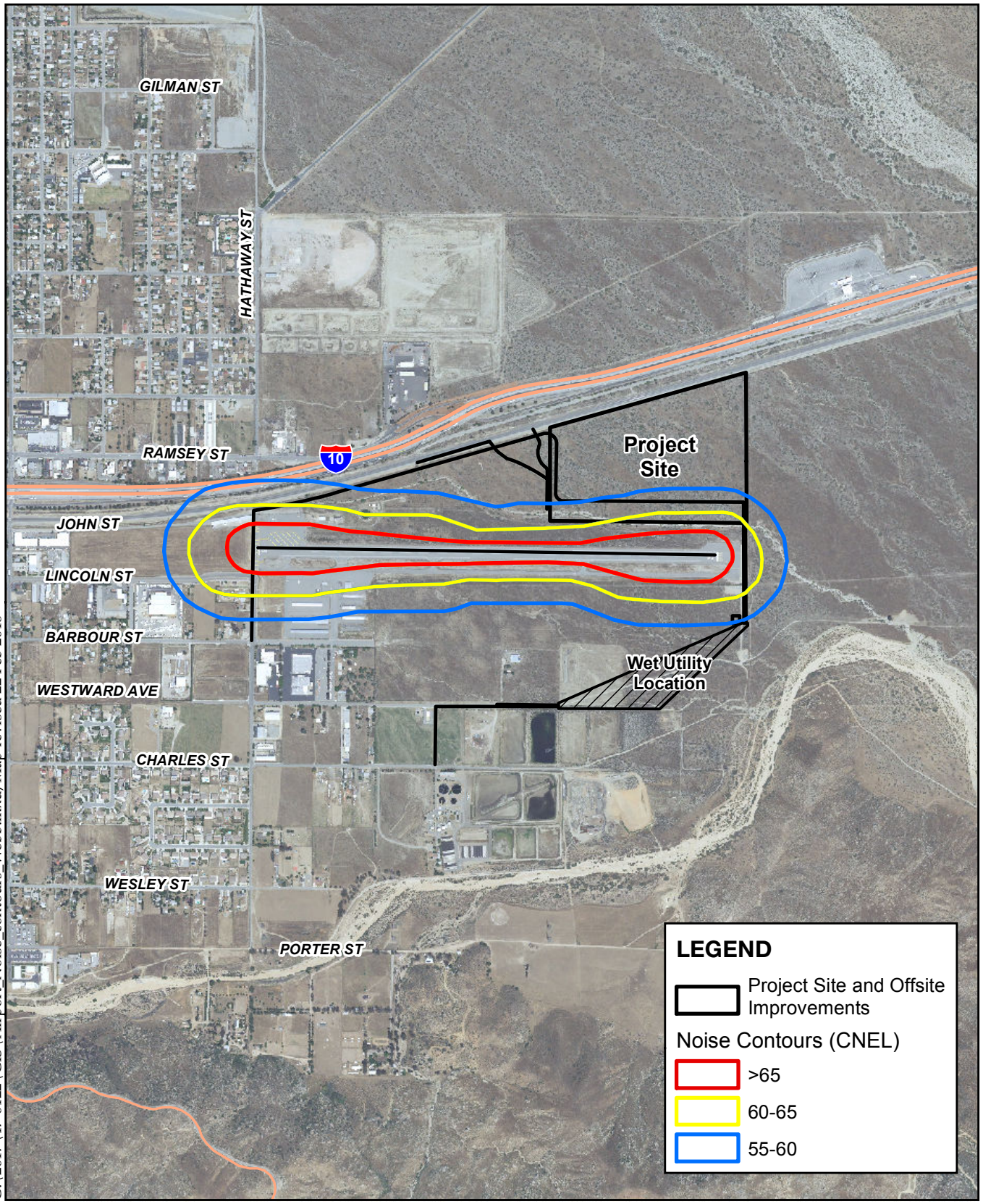
Sources: Riverside Co. GIS, 2018; USDA NAIP, 2016.

0 1,500 3,000 Feet

Figure 4.7-4 Banning Municipal Airport Compatability Zones

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G:\2017\17-0122\GIS\Airport_Noise_contours_Webb.mxd; Map revised 22 Feb 2018

Sources: Figure V-6, Banning General Plan, 2016; USDA NAIP, 2016.

0 1,500 3,000 Feet

Figure 4.7-5 Banning Municipal Airport Noise Contours

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- **Local**

  - **City of Banning General Plan**

Noise Element

The Noise Element of the City's General Plan contains goals and policies that are considered applicable to the proposed Project, as identified below.

Goal A noise environment that complements the community's residential character and its land uses.

Policy 1 The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts and community open space, from potentially significant sources of community noise.

Policy 3 Private sector project proposals shall include measures that assure noise exposures levels comply with State of California noise insulation standards as defined in Title 25 (California Noise Insulation Standards) and/or Banning Ordinances 1138 and 1234, whichever is more restrictive.

Policy 4 The City shall maintain a General Plan Circulation Map and assure low levels of traffic within neighborhoods by assigning truck routes to major roadways only.

Policy 6 All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.

Policy 8 The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, onsite traffic, and use of parking, loading and trash storage facilities.

  - **Other Plans, Regulations or Ordinances**

City of Banning Noise Ordinance

The City has established noise standards by adopting amendments to its Municipal Code. Chapter 11D of the City's Ordinance Code establishes community-wide noise standards and emphasizes the value of an acceptable noise environment. The City

Council passed Ordinance 1138 in 1994, which provides regulations for noise measurement and monitoring and cites special provisions of and exemptions to the ordinance. In addition to establishing criteria and standards for the regulation of noise levels in the City, it is intended to implement the noise provisions in the City's General Plan. Ordinance No. 1138 also provides definitions of key terms and defines exterior noise level standards on a time-of-day basis, along with adjustments for intensity and duration. In 1999, Ordinance No. 1234 was passed to further amend and augment the City's Ordinance code with regard to noise standards and regulations.

Violations of these Noise Ordinances are defined as a nuisance. The Ordinances establish procedures, remedies and penalties to which violators are subject. The City's Noise Ordinances are intended to regulate excessive noise from existing uses and their activities. The noise standards in the General Plan are intended to guide the location of future noise generators and sensitive land uses.

- **City of Banning Municipal Code**

According to Chapter 8.44 of the City's Municipal Code, excessive noise levels are detrimental to the health and safety of individuals. Noise is considered a public nuisance, and the City discourages unnecessary, excessive or annoying noises from all sources. The City's Municipal Code addresses noise impacts in terms of L_{eq} and short-term noise limitations. **Table 4.7-E – City of Banning Base Ambient Noise Regulations** notes the ambient noise levels.

Chapter 8.44 of the City's Municipal Code establishes citywide exterior noise level standards. The noise ordinance has been reviewed and the sections that are applicable to this analysis are outlined below.

Section 8.44.050 – Base ambient noise level.

All ambient noise measurements shall commence at the base ambient noise levels in decibels within the respective times and zones as shown in **Table 4.7-E**. The base noise level for impacts to residential properties is 55 dBA between the hours of 7:00 AM and 10:00 PM and 45 dBA between the hours of 10:00 PM and 7:00 AM.

Section 8.44.060 – Exterior noise level measurement.

Except as otherwise specifically provided within the Municipal Ordinance, all references to "exterior noise" or "exterior noise levels" as used in the Municipal Ordinance shall be as measured at any point relative to the closest point of the source of the noise at the

property line of the complaining party. Measurements will not be made during extraordinary times, such as during the movement of a train or nearby airplane.

Section 8.44.070 – Maximum residential noise levels.

No noise level shall exceed the standards for the duration periods specified. **Table 4.7-F – City of Banning Maximum Residential Noise Levels** shows these maximum noise levels.

Section 8.44.090 – Noises prohibited-Unnecessary noise standard.

Any other provision of this chapter notwithstanding, the following acts are expressly prohibited as a violation of this chapter. Such acts are hereby expressly declared to be loud, unusual and unnecessary noises in violation of this chapter, namely:

E. Construction, landscape maintenance or repair:

1. It is unlawful for any person to engage in or permit the generation of noise related to landscape maintenance, construction including erection, excavation, demolition, alteration or repair of any structure or improvement, at such sound levels, as measured at the property line of the nearest adjacent occupied property, as to be in excess of the sound levels permitted under this chapter, at other times than between the hours of 7:00 AM and 6:00 PM. 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 55 dB(A) for intervals of more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.

Table 4.7-E– City of Banning Base Ambient Noise Regulations

Time Period	Maximum Noise Level
10:00 PM – 7:00 AM (Residential)	45 dBA
7:00 AM – 10:00 PM (Residential)	55 dBA
Anytime (Industrial and Commercial)	75 dBA

Table 4.7-F– City of Banning Maximum Residential Noise Levels

Decibels	Maximum Duration Period
5 dB(A) Above Base Noise Level	15 minutes any hour
10 dB(A) Above Base Noise Level	5 minutes any hour
15 dB(A) Above Base Noise Level	1 minute any hour
20 dB(A) Above Base Noise Level	Not Permitted

4.7.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future.

The geographic context for the analysis of cumulative noise impacts is based on the cumulative projects listed in **Table 3-B – Cumulative Projects within the Study Area in 2019** (Project Description). These listed projects, when considered with the Project could have cumulative noise impacts. Noise sources would be from noise from vehicles traveling on the City's roadways surrounding the Project area, noise from the surrounding land uses, and noise from overhead aircraft.

4.7.5 PROJECT DESIGN FEATURES

The Project does not include design features specifically for the mitigation of potential impacts from noise, including noise from the Project or noise from ambient conditions onto the Project. The majority of the noise issues related to the Project, as discussed below, are related to the traffic on streets that have residences located directly adjacent to them. There are no design features that the Project can provide to change these circumstances.

4.7.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and instead, defers to the thresholds of significance identified in Appendix G to the *CEQA Guidelines*.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the project may be deemed to have a significant impact with respect to Noise if it would:

- (Threshold 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;
- (Threshold B) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- (Threshold C) a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- (Threshold D) 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, expose people residing or working in the project area to excessive noise levels;

The following topics were determined to have No Impact or Less than Significant in the Initial Study (Appendix A) therefore, these topics are not further analyzed in the EIR.

- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; and,
- For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

- **Noise Modeling Procedures**

  - **Road Construction Model**

A worst-case construction noise scenario was modeled using a version of the Federal Highway Administration's Roadway Construction Noise Model (RCNM). RCNM utilizes standard noise emission levels for many different types of equipment and includes utilization percentage, impact, and shielding parameters. Modeling input parameters and output are provided in the Noise Study (Appendix M).

  - **Federal Highway Administration (FHWA) Traffic Noise Prediction Model**

Existing and Existing Plus Project vehicle trips provided in the Traffic Impact Analysis (Appendix H) were utilized to evaluate the impact of Project generated trips on affected road segments with adjacent sensitive receptors. The proposed Project is anticipated to generate approximately 1,040 average daily passenger car trips, 109 two-axle truck trips, 145 three-axle truck trips, and 386 four-axle (and greater) truck trips. Data from the California Department of Transportation Operations website was utilized for modeling the I-10 freeway. An estimated 118,000 vehicle trips are expected to travel on the segment of the I-10 freeway in the vicinity of the Project site. The vehicle mix of traffic volumes traveling on the I-10 freeway in the vicinity of the proposed Project is 84% passenger vehicles, 1% medium trucks, and 14% heavy trucks (Kunzman, p. 25).

Existing, Existing Plus Project and Buildout noise levels along the I-10 freeway were modeled utilizing the FHWA Traffic Noise Prediction Model – FHWA-RD-77-108, as modified for CNEL and the "Calveno" energy curves. This model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Adjustments are then made to the REMEL to account for total average daily trips (ADT), roadway classification, width, speed, and truck mix, roadway grade and site conditions (hard or soft surface).

Hard site, such as pavement, is highly reflective and does not attenuate noise as quickly as grass or vegetation. Possible reduction in noise levels due to intervening topography and vegetation were not accounted for in the analysis.

As described in the Noise Study, the vehicle mix and split data from the California Department of Transportation Operations website was utilized. FHWA worksheets are included in Appendix M of the DEIR.

- **SoundPLAN**

As described in the Noise Study (Appendix M), the SoundPLAN software model was used to calculate future operational noise levels of the proposed warehouse building for stationary noise sources located on the Project site. SoundPLAN's software model utilizes algorithms (based on the inverse square law) to calculate noise level projections. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations.

The software was utilized to calculate future noise levels using reference sound level data for the various noise levels associated with stationary sources. Loading/unloading was modeled as an area source and includes activities such as trucks' diesel engines, exhaust systems, braking, and forklifts. Noise levels associated with loading/unloading can range between 65 to 80 dBA. The parking lot was modeled with 623 parking spaces (231 standard spaces and 392 trailer spaces) and 181 peak hour traffic movements. Noise levels associated with parking lots can reach peak levels of 80 dBA. Parking lot noise sources may include but are not limited to idling cars, doors closing, and starting engine noise (Kunzman, p. 26).

There is no official "industry standard" of determining significance for noise impacts. However, typically, a jurisdiction will identify either a 3 dBA or 5 dBA increase as being the threshold because these levels represent varying levels of perceived noise increases consistent with the California Department of Transportation's *Technical Noise Supplement to the Traffic Noise Analysis Protocol* (2013). Neither the State *CEQA Guidelines* nor the City's Noise Element in the General Plan recognizes an official numerical increase as a "substantial increase." Industry-accepted standards for what is considered to be a "substantial increase" range from 3 dB to 12 dB. It should be noted that a change of 3 dB is considered to be "barely audible" to a trained ear and that a change of 5 dB is considered to be a readily audible change.

For purposes of this analysis, the following threshold was used to evaluate the Project's potential to result in substantial increases in ambient noise levels. Roadway noise impacts would be considered significant if the Project increases noise levels at a noise sensitive land use by 3 CNEL and if: (1) the existing noise levels already exceed the residential land use compatibility standard for "clearly compatible" (60 CNEL), or (2) the Project increases noise levels from below the 60 CNEL standard to above 60 CNEL.

4.7.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Noise Element

Impact Analysis:

The Project's consistency with the applicable City's General Plan noise goals and policies is provided in **Table 4.7-G – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.7-G– Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Goals and Policies		
Goal/Policy No.	***Goal/Policy***	***Statement of Consistency***
Noise Element		
Goal	*A noise environment that complements the community's residential character and its land uses.*	The proposed warehouse building is situated between the existing Banning Municipal Airport and the I-10 freeway and Union Pacific Railroad line, away from residential homes. Consequently, the Project will be consistent with this goal and would have a less than significant impact related to the community's residential character.
Policy 1	*The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts, and community open space, from potentially significant sources of community noise.*	The proposed warehouse building is situated between the existing Banning Municipal Airport and the I-10 freeway and Union Pacific Railroad line, away from sensitive receptors. Although trucks would be travelling along South Hargrave Street and East Lincoln Street where some sensitive receptors are located, the Noise Study concluded less than significant impacts related to operational noise and vibration and less than significant construction impacts with

		implementation of mitigation measures. Consequently, the Project will be consistent with this policy and would have a less than significant impact related to the protecting noise sensitive land uses.
Policy 3	*Private sector project proposals shall include measures that assure noise exposures levels comply with State of California noise insulation standards as defined in Title 25 (California Noise Insulation Standards) and/or Banning Ordinances 1138 and 1234, whichever is more restrictive.*	The Noise Study prepared by Kunzman (Appendix M) concluded less than significant impacts related to operational noise and vibration and less than significant construction impacts with implementation of mitigation measures and thus does not conflict with City Ordinances 1138 and 1234 which regulate noise standards. Additionally, as part of the plan check process, the Building & Safety plan checker would review and ensure that the proposed warehouse is in compliance with Building Codes including Title 25. Consequently, the Project will be consistent with this policy and would have a less than significant impact related to the noise exposure levels.
Policy 4	*The City shall maintain a General Plan Circulation Map and assure low levels of traffic within neighborhoods by assigning trucks routes to major roadways only.*	Trucks would exit the site along East Lincoln Street and turn onto South Hargrave Street, a City designated truck route, before heading on the I-10 freeway. Consequently, the Project will be consistent with this policy and would have a less than significant impact related to truck traffic within neighborhoods.

Policy 6	*All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.*	The Project site is located between the Banning Municipal Airport and the I-10 freeway and Union Pacific Railroad line. A Noise Study was prepared by Kunzman (Appendix M) which analyzed the potential noise impact of these noise sources on the proposed Project. The Noise Study concluded less than significant impacts related to operational noise and vibration and less than significant construction impacts with implementation of mitigation measures. Consequently, the Project will be consistent with this policy and would have a less than significant impact related to freeway and railway noise.
Policy 8	*The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, onsite traffic, and use of parking, loading and trash storage facilities.*	The proposed on-site stationary sources, parking, loading, and trash storage facilities are situated between the existing Banning Municipal Airport and the I-10 freeway and Union Pacific Railroad line, away from sensitive receptors. Consequently, the Project will be consistent with this policy and would have a less than significant impact related to on-site stationary noise sources.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

Not Applicable.

Level of Significance after Mitigation:

Not Applicable.

- **Noise Impacts In Relationship to Standards**

Threshold A: Would the Project result in 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?

Impact Analysis:

Construction noise is considered a temporary and short-term impact because once construction is completed, this noise source ceases. Construction noise is considered significant with respect to established standards if construction activities are undertaken outside the allowable times as described by the City's Municipal Code Chapter 8.44.090 (7:00 AM and 6:00 PM), or if sound levels generated by Project construction at any time exceed 55 dB(A) for intervals of more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.

Project generated construction noise will vary depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work. Site grading is expected to produce the highest sustained construction noise levels. Typical noise sources and noise levels associated with the site grading phase of construction are shown in **Table 4.7-H – Typical Construction Equipment Noise Levels**. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings.

Table 4.7-H– Typical Construction Equipment Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Rock Drills	83-99	96
Jack Hammers	75-85	82
Pneumatic Tools	78-88	85
Pumps	74-84	80
Dozers	77-90	85
Scrappers	83-91	87
Haul Trucks	83-94	88
Cranes	79-86	82
Portable Generators	71-87	80
Rollers	75-82	80
Tractors	77-82	80
Front-End Loaders	77-90	86
Hydraulic Excavators	81-90	86
Graders	79-89	86
Air Compressors	76-89	86
Trucks	81-87	86

Source: Kunzman 2017, p. 28 (Appendix M)

- **On-Site Construction Noise**

The Noise Study calculated a construction noise scenario during grading activities between 50 and 150 feet from the property line. Assuming a usage factor of 40 percent for each piece of construction equipment used during the grading activities, unmitigated noise levels have the potential to reach 95 dBA L_{eq} and 99 dBAL_{max} at the property line during grading. The nearest sensitive receptor to the Project site is a single-family residence located at 1899 East Westward Avenue, over 2,800 feet south of the Project site. This site is not located along the Project's anticipated truck route; however, it is

the closest sensitive receptor to the Project site that could be exposed to noise from operations at the distribution center. Under these assumptions, unmitigated on-site construction noise levels have the potential to reach up to 50 dBA L_{eq} and 50 dBA L_{max} at this nearest sensitive receptor. The measured noise level short-term ambient noise level measurement at this sensitive receptor was 49.7 dBA L_{eq} which is in line with the modeled noise level of 50 dBALeq (Kunzman, p. 27).

Construction noise will have a temporary or periodic increase in the ambient noise levels above existing levels within the immediate Project site vicinity since the area is currently undeveloped. However, construction is anticipated to occur during the permissible hours per the City's Municipal Code Section 8.44.090E(1) between 7:00 AM to 6:00 PM and construction activities associated with on-site improvements will not result in interior noise levels of adjacent sensitive receptors that exceed 55 dBA for a period of 15 minutes or more. Additionally, Project construction is expected to be 0.3 dB louder than ambient conditions at NM3 (located south of any sensitive receptors near the lift station) and will not be audible over ambient noise associated with the I-10 freeway, surface road traffic, the Banning Municipal Airport and other industrial surrounding land uses (Kunzman, p. 29). As such, impacts related to on-site construction noise exceeding standards and regulations are considered to be less than significant and no mitigation is necessary.

- **Off-Site Construction Noise**

Existing non-conforming single-family residences, located over a mile west from the Project site, may be temporarily affected by short-term construction noise impacts associated with the transport of workers, the movement of construction materials to and from the Project site, ground clearing, excavation, grading, and building activities (Kunzman, p. 27).

Off-site improvements consist of a paved primary access road (John Street), unpaved gravel emergency fire access road and utility lines. As shown on **Figure 4.7-2**, the closest sensitive receptors to the off-site improvements include a single-family residence (shown as a blue dot) approximately 64 feet from the entrance of the proposed access road and a house of worship (shown as a red dot) approximately 600 feet southwest of the primary access road.

Off-site construction was modeled using conservative estimates of multiple construction equipment machines operating at the same time. A likely worst-case construction noise scenario during grading assumes the use of a dozer, tractor and backhoe operating

between 25 and 50 feet from the project right of way, generating noise levels of 86.7 dBA to 87.7 dBA (Kunzman, p. 29).

Construction noise is anticipated to occur during the permissible hours per the City's Municipal Code Section 8.44.090E(1), between 7:00 AM to 6:00 PM. Construction activities associated with off-site improvements may result in interior noise levels of adjacent sensitive receptors that exceed the City's standard of 55 dBA for a period of 15 minutes or more. These exceedances, however, are expected to last for no longer than a week at any particular sensitive receptor as construction moves to a location further along the off-site improvement alignment. In order to reduce construction noise impacts to nearby sensitive receptors while construction of John Street and the other off-site infrastructure improvements is occurring, implementation of **MM NOISE 1** through **MM NOISE 5** shall be incorporated. As such, off-site construction noise impacts would be less than significant with mitigation incorporated.

Level of Significance before Mitigation: Significant impacts related to the noise levels generated during construction.

Mitigation Measures:

MM NOISE 1 In order to reduce noise levels during construction, the project proponent's construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

MM NOISE 2 During Project construction, the project proponent's contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest to the construction activities.

MM NOISE 3 During Project construction, equipment shall be shut off and not left to idle when not in use.

MM NOISE 4 During Project construction, the contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and sensitive receptors during all Project construction.

MM NOISE 5 During Project construction, jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and be directed away as far as possible from sensitive receptors.

Level of Significance after Mitigation:

Short Term Construction Noise levels exceeding standards - Less Than Significant.

- **Long-Term Noise Impacts**

Impact Analysis:

Long-term noise impacts of the Project result from operational activities on-site as well as the off-road traffic, including truck traffic, to and from the Project site.

- **Project-Generated Traffic Noise Impacts**

As shown in **Table 4.7-I – Project-Generated Modeled Roadway Noise**, the existing traffic noise levels without the Project exceed the residential land use compatibility standard of 60 CNEL along the roadways that would be used to access the site. CEQA case law (*California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal. 4th 369) established that CEQA does not require the analysis of the existing environment on a project, that is, it is the project's impact on the environment and not the environment's impact on the project that compels an evaluation of how future residents or users could be affected by exacerbated conditions. Since the ambient noise conditions already exceeds the residential land use compatibility standard of 60 CNEL, the analysis related to Project-generated traffic noise impacts uses the 3 dBA noise level increase criteria as it is generally accepted that the average healthy ear can barely perceive a noise level change of 3 dBA.

To determine if traffic noise under the Existing and Existing Plus Project scenarios would be considered significant, the Noise Study (Appendix M) analyzed the roadway volumes in terms of average daily trips (ADT) generated from the project's traffic study and determined whether the Project's ADT would double the existing ADT. A doubling of the energy of a noise source, such as a doubled ADT, would increase the noise level by 3 dBA. Consequently, Project generated trips would need to result in a doubling of the traffic volumes on a road segment in order to result in an audible increase in ambient noise levels. An increase the noise level by 3 dBA (consistent with the California Department of Transportation's *Technical Noise Supplement to the Traffic Noise Analysis Protocol*) would be considered a significant noise impact.

As demonstrated in **Table 4.7-I**, the Project will double traffic volumes (ADT) on roadways in the Project vicinity, specifically on South Hargrave Street between East Lincoln Street and John Street. **Figure 4.7-2** shows the location of the sensitive receptors in relation to the anticipated traffic routes of the Project. Noise modeled 50 feet from the East Lincoln Street centerline, between John Street and South Hargrave Street, resulted in noise levels of 65.73 CNEL, an increase of 2.1 dBA CNEL over existing ambient noise levels of 63.63 CNEL. There are two sensitive receptors along this roadway segment – single-family residences and a house of worship (**Figure 4.7-2**). The existing 63.63 CNEL is above the City's standard of 55 CNEL base ambient noise levels (Municipal Code 8.44.050) for residential; however, it is within the "conditionally acceptable" level of up to 65 CNEL in the land use compatibility chart for community noise prepared by the State of California, Department of Health, as adopted by the City and as identified in **Figure 4.7-3**.

Table 4.7-I– Project-Generated Modeled Roadway Noise (dBA CNEL)[1]

Roadway	Segment	Average Daily Traffic Volume		Modeled Noise Levels (dBA CNEL) at 50 feet from centerline	
		Existing Without Project	Existing Plus Project	Existing Without Project	Existing Plus Project
Lincoln Street	West of Hargrave Street	2,800	2,900	66.64	66.70
	Hargrave Street to John Street	1,400	3,600	63.63	65.73
John Street	North of Lincoln Street	-	2,200	-	-
Hargrave	North of Ramsey	6,800	6,900	63.89	63.95

[1] Note: Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway. (Source: Appendix G, Table 9)

Existing average daily traffic volumes have been factored from peak hour counts provided in the Traffic Impact Analysis (Appendix H) for the proposed Project using the following formula for each intersection leg: PM Peak Hour (Approach Volume + Exit Volume) x 12 = Leg Volume. This is a conservative estimate and may overestimate the average daily traffic volumes.

Street	Street				
	Ramsey Street to I-10 WB Ramps	10,200	10,300	65.65	65.69
	I-10 Freeway WB Ramps to I-10 Freeway EB Ramps	8,100	9,200	64.65	65.20
	I-10 Freeway EB Ramps to Lincoln Street	5,700	7,800	63.13	64.49

Project generated vehicle trips are not anticipated to result in an audible or substantial increase in ambient noise levels (more than 3 dBA) along Hargrave Street to John Street since the change in noise is 2.1 dBA; consequently, permanent noise generated by Project traffic is less than significant.

- **Noise Impacts to the Project**

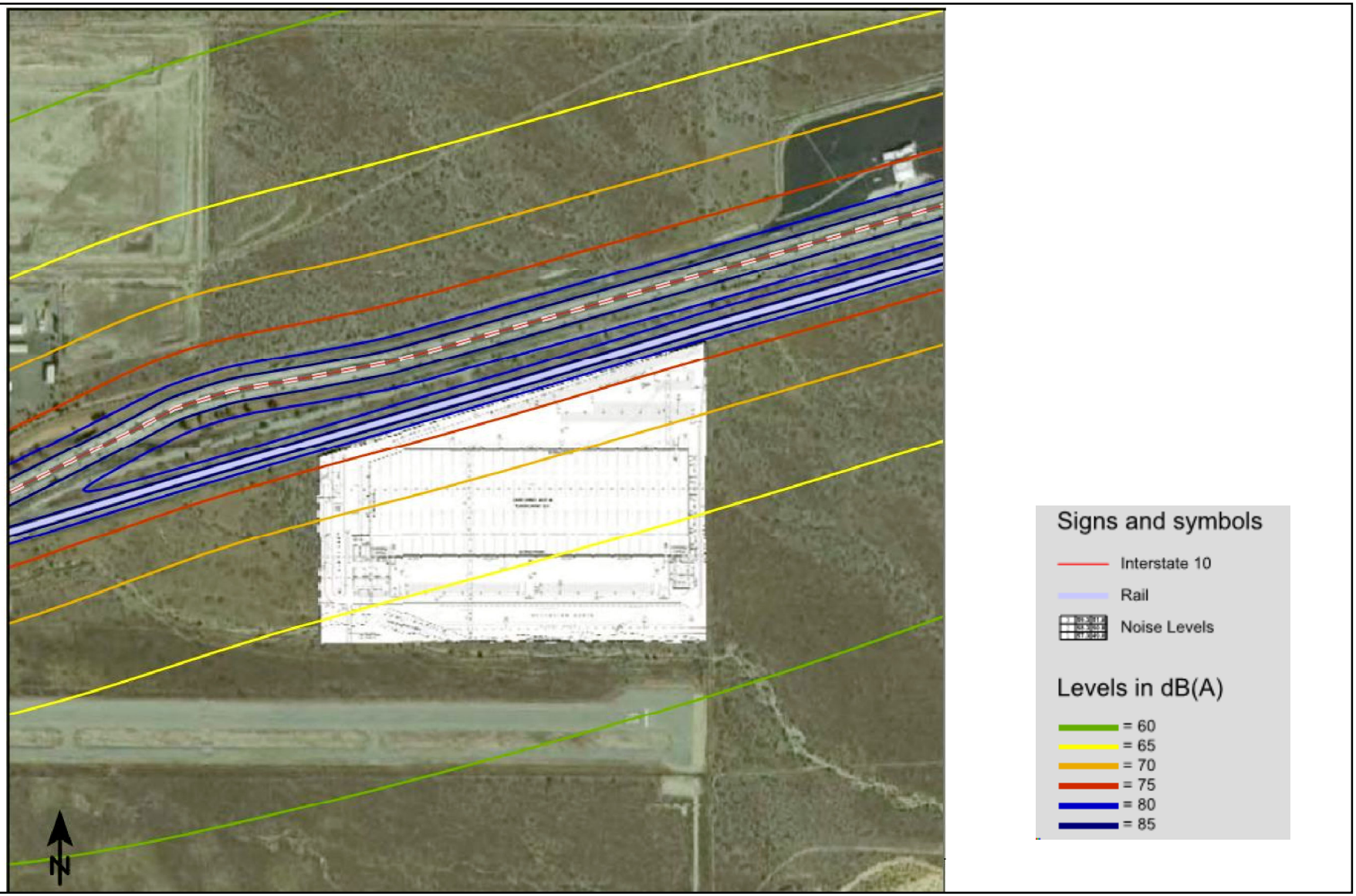
Various sources of existing noise will impact the Project once it is operational freeway noise and trains (noise from airplanes is discussed below under Threshold D). The City has identified noise levels of up to 75 dBA CNEL as "normally acceptable" and of up to 80 dBA CNEL as "conditionally acceptable" for industrial land uses (see **Figure 4.7-3**) which includes the project site land use designation.

Roadways that may generate enough traffic noise under buildout conditions to affect the proposed Project warehouse include the I-10 freeway. Volume and truck mix data for the I-10 were taken from the California Department of Transportation Operations website (Kunzman, p. 33). Per the California Department of Transportation, *Guide for the Preparation of Traffic Impact Studies* Section II, the California Department of Transportation strives to maintain a Level of Service (LOS) between C and D on State highways. For this section of the I-10 freeway, the region-wide goal for acceptable LOS is LOS D.

FHWA modeling was conducted as part of the Noise Study (Appendix M) prepared for the Project to calculate noise levels associated with buildout vehicle traffic noise from the I-10 and rail noise along the Union Pacific Railroad line. The Noise Study concluded that noise levels as a result of buildout worst-case traffic with implementation of the Project are expected to reach up to 80 CNEL at the northern property line and below 65

dBA CNEL at the southern property line. **Figure 4.7-6 – Transportation Noise Contours** shows the CNEL noise levels generated by vehicles on the I-10 freeway and trains on the Union Pacific Railroad line. The CNEL noise levels on the Project site are between 70 – 60 dBA CNEL; noise from vehicles on I-10 at the southern property line at the Project site are between 65 and 60 dBA CNEL.

Given these contours, the noise levels generated from the existing I-10 freeway and rail line would not exceed the City's Land Use Compatibility Criteria of up to 75 dBA CNEL as "normally acceptable" and of up to 80 dBA CNEL as "conditionally acceptable" for industrial land uses. Due to this, the noise impacts to the project from existing sources is considered less than significant because the noise standards for industrial uses will not be exceeded and no mitigation measures are necessary.



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Source: Fig. 8, Kunzman Associates, Inc., Noise Impact Analysis, June 2017.

Not to Scale

Figure 4.7-6 - Transportation Noise Contours

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

- **Operational Noise Impacts from the Project**

As shown in **Figure 4.7-3**, the City has identified noise levels of up to 60 dBA CNEL as "normally acceptable" and of up to 65 dBA CNEL as "conditionally acceptable" for residential land uses. Noise levels of up to 75 dBA CNEL are considered "normally acceptable" and of up to 80 dBA CNEL are considered "conditionally acceptable" for industrial uses. If noise levels generated by operation of the Project (at the Project site) exceed the above standard, impacts are considered significant.

Land uses surrounding the site are all designated Industrial or Airport-Industrial. There are no residential land use designations surrounding the Project site or other sensitive noise receptors adjacent to the Project site. The nearest sensitive receptor is a single-family residences located approximately a 0.64 mile (approximately 3,379 feet) southwest of the Project site (Kunzman, p. 33). The closest sensitive receptor to the off-site construction is a single residential home approximately 64 feet from the entrance of the proposed access road (John Street) and a house of worship approximately 600 feet southwest of the primary access road. Because the topography of the Project site and its vicinity is relatively flat and because noise dissipates with greater distances from the source, noise-related impacts from distribution operations at the Project site would not rise above a noise level of approximately 50 L_{eq} at any of the sensitive receptors.

The worst-case stationary noise was modeled utilizing the SoundPLAN model (Appendix M) for stationary noise at the Project site. Noise sources associated with the proposed parking areas, loading and unloading activities and rooftop heating ventilation and air conditioning (HVAC) were included in the model. Noise associated with parking lots include, but are not limited to idling cars/trucks, trucks diesel engines, exhaust systems, trailer coupling, air brakes, warning signal, doors closing, back up alarms and starting engine noise. Noise levels associated with the parking lots were determined based on the Project trip generation rate of 2,652 daily passenger car equivalent trip ends per day (Appendix N) and the anticipated parking lot movements per hour during the day, evening, and night. The parking lot was modeled with 623 parking spaces (231 standard spaces and 392 truck trailer spaces) and 181 peak hour traffic movements (Kunzman, p. 26). Noise levels from parking lot activities can reach up to 80 dBA.

Loading/unloading areas were modeled as area sources and include activities such as trucks' diesel engines, exhaust systems, braking, and forklifts. For modeling purposes, loading areas were assumed to generate a 70 dB sound power level per square meter. The rooftop HVAC equipment was modeled as point sources and were placed on-top of the structure's roof. SoundPLAN's reference sound power level of 80 dB was utilized for modeling purposes (Kunzman, p.26).

As shown on **Figure 4.7-7– Operational Noise Levels (CNEL)**, the proposed Project is not expected to exceed 60 dBA CNEL at the nearest sensitive receptors from operations at the distribution warehouse on the Project site.

The City's Noise Ordinance states that noise levels are not to exceed 55 dBA at residential land uses. Although there are no residential land use designations anywhere near the site, there are existing non-conforming residences along the roadways to be accessed by Project traffic. As shown on **Figure 4.7-7**, the modeled operational noise level from the Project's distribution center at the sensitive receptor on E. Westward Avenue, is well below 50 dBA CNEL. The closest sensitive receptor is located beyond the 50 dBA project operational noise contour. Consequently, the Project is consistent with the City's Maximum Residential Noise Ordinance of 55 dBA (Municipal Code Section 8.44.070) and impacts are considered less than significant.

For off-site noise (i.e. the noise from vehicles traveling on the local roads to and from the site), the existing noise level (in CNEL) is above the City's standard of 55 CNEL base ambient noise levels (Municipal Code 8.44.050) for residential land uses. For instance, the sensitive receptor LTNM 1 on **Figure 4.7-2**, the measured CNEL noise level was 67.0 dBA. The project's modeled traffic noise along the local roads compared to the existing noise conditions is shown above in **Table 4.7-I**. This table shows that the Project's noise from vehicle traffic will not increase the existing noise levels by 3dBA. Consequently, the Project's associated traffic will not increase the CNEL noise level by 3 dBA to the existing residences along the local roads and therefore these impacts are considered less than significant.



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Source: Fig. 8, Kunzman Associates, Inc., Noise Impact Analysis, June 2017.

Not to Scale

Figure 4.7-7 - Project Operational Noise Levels

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Level of Significance before Mitigation: Long term noise impacts exceeding noise standards:

Less than Significant.

Mitigation Measures:

None are necessary**.**

Level of Significance after Mitigation:

Not Applicable.

- **Substantial Permanent Increases in Noise as a Result of Project**

Threshold B*:* Would the Project result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Impact Analysis:

The term "substantial" is not defined in most environmental compliance guidelines; however, for the purposes of this analysis, a substantial permanent increase for noise at a sensitive receptor location is defined as follows:

- an increase of 3 dBA or more from existing noise levels where the 60 dBA noise standard for sensitive receptors is exceeded; and/or
- an increase of 5 dBA or more from existing noise levels at all other sensitive receptor locations.

As discussed under Threshold A, there are no sensitive receptors directly adjacent to the Project building site. The nearest sensitive receptors to operations at the Project site are single-family residences located south of the Project site on E. Westward Avenue; this sensitive receptor is not located along roadways that would be used to access the Project site. As shown on **Figure 4.7-7**, the modeled worst-case scenario operational noise level at this receptor (NM3) is below 50 dBA, which is well below 60 dBA CNEL as shown in the land use compatibility chart for community noise prepared by the State of California, Department of Health, as adopted by the City and as identified in **Figure 4.7-3**.

The Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project because:

- Operational noise levels from the distribution center will not be greater than 60 dBA at the sensitive receptors; and,
- Operational noise levels from the distribution center will not result in an increase of 3 dBA or more from existing noise levels.

Additionally, as shown in **Table 4.7-I**, the incremental increase in noise associated with Project-generated traffic off-site will not be audible because it is below the threshold of 3 dBA; the largest increase in noise levels is 2.10 dBA on East Lincoln Street between South Hargrave Street to the western terminus of John Street. And so impacts related to a permanent increase in ambient noise levels is less than significant.

Level of Significance before Mitigation:

Less Than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Substantial Temporary Increases in Noise as a Result of Project**

Threshold C*:* Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Impact Analysis:

Construction noise is considered a short-term, temporary impact and would be considered significant if construction activities are undertaken outside the allowable times as described by the City's Municipal ordinance 8.44.090.E.(1). Construction activities will occur only during the allowable daytime hours (7 AM – 6 PM) and would result in a substantial increase in ambient noise; however, the degree of construction noise will vary depending on the phase of construction, type of construction activity, and type of equipment being used.

As discussed under Threshold A above, the Noise Study prepared for the Project determined that worst-case construction noise levels are anticipated to be 82 dBA to 85 dBA at the property line during grading activities and up to 87 dBA within 50 feet of a sensitive receptor for off-site construction (Appendix M). The nearest sensitive receptors to operations at the Project site is a single-family residence located south of the Project site on E. Westward Avenue; this sensitive receptor is not located along roadways that would be used to access the Project site. The nearest sensitive receptor to the off-site road improvements (John Street) is approximately 64 feet south of the new John Street terminus at Lincoln Street. With typical home construction acoustic attenuation, interior noise levels would be expected to be up to 40 dBA, based on the projected construction noise levels. The construction noise levels for the Project area also expected to be within the conditionally acceptable interior noise range of up to 45 CNEL for residential land uses; however, the noise levels could go above 45 CNEL depending on the location and orientation of the construction equipment. Consequently, in order to reduce construction noise impacts to nearby sensitive receptors, implementation of **MM NOISE 1 through MM NOISE 5** shall be incorporated. As such, off-site construction noise impacts would be less than significant with mitigation incorporated.

Level of Significance before Mitigation:

Potentially Significant impact related to temporary construction activities.

Mitigation Measures:

Refer to **MM NOISE 1 through MM NOISE 5** under Threshold A above.

Level of Significance after Mitigation:

Less Than Significant.

- **Airport-related Noise Impacts**

Threshold D*:* 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?

Impact Analysis:

As shown in **Figure 4.7-5**, the Project site is located between the 55 dBA and 60 dBA noise contours on the Banning Municipal Airport's Airport Land Use Compatibility Plan 2004. Thus, because the City has identified noise levels of up to 75 dBA CNEL as "normally acceptable" and of up to 80 dBA CNEL as "conditionally acceptable" for industrial land uses, noise impacts to the Project as a consequence of airport proximity is considered less than significant.

Banning Municipal Airport's Influence Area (AIA) contains noise compatibility standards, which are intended to prevent the establishment of noise-sensitive land uses in portions of the airport environ that are exposed to significant levels of aircraft noise. However, the proposed Project consists of a warehouse, which is not a noise-sensitive use. A letter was issued from the Federal Aviation Administration (FAA) to the City of Banning on February 27, 2017 stating that the proposed Project is compatible with guidance found in 49 U.S.C., Section 44718, titled Structures Interfering with Air Commerce. The Project will not expose people residing or working in the Project area to excessive noise levels and impacts will be less than significant.

Level of Significance before Mitigation:

Airport Noise - Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

4.7.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.7.4 for relevant assumptions regarding the cumulative noise setting.

Impact Analysis:

The City's General Plan EIR concluded that implementation of the General Plan would represent a less than significant impact regarding exposure of people to severe noise levels in excess of established standards or a substantial permanent increase in ambient noise levels. The City's General Plan EIR identified that implementation of land uses

within the General Plan area would not result in significant land use incompatibles (City of Banning, p. III-19). Construction crew commutes and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and construction on the Project site and associated off sites.

Noise, by definition, is a localized phenomenon and noise levels rapidly reduce exponentially as distance from the noise source increases. Consequently, only the Project's and growth due to occur in the immediate area of the proposed Project would be likely to contribute to cumulative noise impacts. The Project construction noise impacts on-site and for the off-site roadway and utility improvements are localized in nature and decrease substantially with distance. Consequently, in order to achieve a substantial cumulative increase in construction noise levels, more than one source emitting high levels of construction noise would need to be in close proximity to a sensitive noise receptor location in question.

Because the Project site is generally surrounded by industrial development, airport and vacant land and due to the rapid dissipation of noise levels from noise sources, it is unlikely that there would be construction on any adjacent parcels that would contribute to a short-term construction noise cumulatively considerable impact.

The closest cumulative project is the La Quinta Hotel (**Figure 3-11 - Cumulative Projects within the Study Area in 2019** (Project Description)), located over a mile north and west of the Project site off of Hargrave Street (between Ramsey St and Williams St). This Project would not be anticipated to use the roadways south of the I-10 due to the hotel's location north of the freeway. The next closest cumulative project is a 48-dwelling unit residential development also north of the I-10, between Hargrave St. and San Gorgonio Ave, north of Wilson Street. While all of the cumulative projects will utilize I-10, only two of the nine projects would most likely also use the Hargrave Avenue exit from I-10 to access their sites. The reminder of the cumulative projects are west of San Gorgonio Avenue. As noted in the City's General Plan DEIR, these cumulative project impacts in relation to this Project would most likely be in the form of roadway noise. However, as stated above, in the City's GP DEIR, noise impacts from cumulative projects was determined to be less than significant and the General Plan includes policies and programs to reduce potential noise impacts associated with anticipated, future development (City of Banning, pp. III-186 – 188).

Each development would be reviewed by City staff to ensure the uses are placed in the least sensitive areas, comply with all applicable Federal, State, and City noise

regulations, and incorporate applicable mitigation measures to reduce noise levels to less than significant levels.

During Project operation, the Project will not generate mobile or stationary noise levels in excess of established standards and impacts will be less than significant.

Each cumulative development project will be responsible for ensuring that standards are not exceeded; therefore, cumulative impacts will be less than significant.

Level of Significance before Mitigation:

Less than significant cumulative impacts.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

4.7.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not Applicable.

4.7.10 REFERENCES

Albert A. Webb Associates, *Traffic Impact Analysis;* May 2017. (Appendix N)

California Department of Transportation, *Technical Noise Supplement*, September 2013, (Available at http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf, Accessed on January 24, 2018.)

City of Banning, *City of Banning General Plan* January 31, 2006. (Available at http://www.ci.banning.ca.us/54/Community-Development, accessed May 9, 2017.) (GP)

City of Banning, *Banning Municipal Code, Section 8, Health and Safety,* 1992. (Available at https://www.municode.com/library/ca/banning/codes/code_of_ordinances?nodeId=TIT8HESA, accessed May 9, 2017.)

Kunzman Associates, Inc., *Banning Distribution Facility Noise Impact Analysis*, June 6, 2017. (Kunzman) (Appendix M)

Supreme Court of California. *California Building Industry Association, Plaintiff and Respondent, v. Bay Area Air Quality Management District, Defendant and Appellant. No. S213478. Decided: December 17, 2015*. (Available at http://caselaw.findlaw.com/ca-supreme-court/1721100.html, accessed February 21, 2018).

U.S. Environmental Protection Agency, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety,* March 1974. (Available at https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=2000L3LN.TXT, accessed January 24, 2018)

4.8 TRANSPORTATION/TRAFFIC

4.8.1 INTRODUCTION

Potential impacts related to conflicts with circulation plans and level of service standards were found to be potentially significant in the Initial Study/NOP prepared for this Project (Appendix A). This section of the DEIR analyzes the Project's potential impacts to traffic and transportation due to the Project, cumulative projects and ambient growth rates for future years 2019 and 2040. These two years represent the Project's opening year and the City's General Plan build-out year, respectively.

In response to the Notice of Preparation (NOP), two letters were received regarding transportation. Sierra Club Moreno Valley Group requested that projects in adjacent jurisdictions are included in the analysis for cumulative impacts. Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters requested that the Traffic Impact Analysis should address all applicable plans, policies and regulations to the Project and discuss the Project's anticipated impact to vehicle miles traveled for the surrounding circulation system as well as the utilization of any applicable congestion provisions set forth under the Riverside County Transportation Commission (RCTC), including analysis regarding the Project's impact on Interstate I-10. These letters are addressed herein and available in full in Appendix B of this DEIR.

The analysis in this section is based on the *Revised Traffic Impact Analysis for Banning Distribution Center (Design Review No. 16-7002)* prepared by Webb Associates, April 2018 (TIA), which is included as Appendix N to this DEIR. The TIA was performed in accordance with the City of Banning General Plan and the *Caltrans' Guide for the Preparation of Traffic Impact Studies.*

4.8.2 PHYSICAL SETTING

The project is located in the City of Banning (**Figure 4.8-1 – Project Location**). The City is located in the San Gorgonio Pass area and is served by Interstate 10 ("I-10" or "freeway") as well as a network of arterial roadways and local streets as shown in **Figure 4.8-2 – City of Banning General Plan Circulation Element**. The I-10 and Union Pacific Railroad (railroad) run east to west through the City, bisecting it into south and north communities.

- **Surrounding Conditions**

  - **Roadway System**

The existing street system in the Project area consists of roadways designated in the City of Banning General Plan (Banning GP), Circulation Element, Exhibit III-5: General Plan Street System, as Freeway, Expressway, Primary Arterial, Secondary Arterial, Major Collector and, Collector (**Figure 4.8-2**).

The existing roadways within the Project area are described below (TIA):

Hargrave Street is an undivided 2-lanes north-south arterial in the Project area. It is classified as a secondary highway in the City of Banning General Plan Circulation Element and provides connectivity to the I-10. Street parking is not allowed for most of the study segment. There is some existing sidewalk on both sides of the street, but designated bike lanes do not exist within the study area.

Lincoln Street is an undivided 2-lanes east-west arterial in the Project area. It is classified as a major highway in the City of Banning General Plan Circulation Element. It serves as a major thoroughfare across the City of Banning south of the I-10. Street parking is allowed on Lincoln Street within the study area, sidewalk and designated bikes lanes do not exist within the Project area.

John Street is an undivided 2-lane east-west road in the Project area. It is classified as a collector highway in the City of Banning General Plan Circulation Element. It will serve as the main access road for the Banning Distribution Center. The existing John Street east of Hargrave Street will be realigned to meet Lincoln Street east of Hargrave Street with this Project.

Figure 4.8-3 – Existing Roadway Systems depicts the study area roadways along with the study area intersection geometrics (i.e., stop sign, traffic signal).

- **Project Site Conditions**

Currently, there is no paved access to the Project site. John Street will be the main access road to the site, and currently the paved portion of John Street ends at the west side of the Banning Municipal Airport. (**Figure 4.8-1** and **Figure 4.8-4 – Study Area Map)**. The site is just north of the Banning Municipal Airport facility, a city-owned facility zoned as Public Facilities consisting of approximately 295 acres. East of the Project site is vacant land owned by the Morongo Band of Mission Indians which is not within the City's sphere of influence; north of the Project site is the Union Pacific

Railroad and I-10. West of the Project site is the Banning Municipal Airport. The area south of the Project site and airport is currently undeveloped.

- **Study Area Intersections**

Per the Riverside County Transportation Department Traffic Impact Analysis Preparation Guide (RCTD 2008), the area to be studied shall generally include any intersection of "collector" or higher classification streets on which the proposed Project will add 50 or more peak hour trips up to a five-mile radius of the Project location. In consultation with City staff and the approved TIA Scoping Agreement (included as Appendix A to the TIA, which is included as Appendix N to this DEIR), the following five intersections (see **Figure 4.8-3)** were selected for analysis in the TIA (Appendix N):

- Hargrave Street (NS) / East Ramsey Street (EW)
- Hargrave Street (NS) / I-10 Westbound Ramps (EW)
- Hargrave Street (NS) / I-10 Eastbound Ramps (EW)
- Hargrave Street (NS) / Lincoln Street (EW)
- John Street(NS) / Lincoln Street (EW)

The existing number of through lanes and controls (i.e., stop sign, traffic signal) for the above Project study area intersections are shown on **Figure 4.8-3 – Existing Roadway System**.

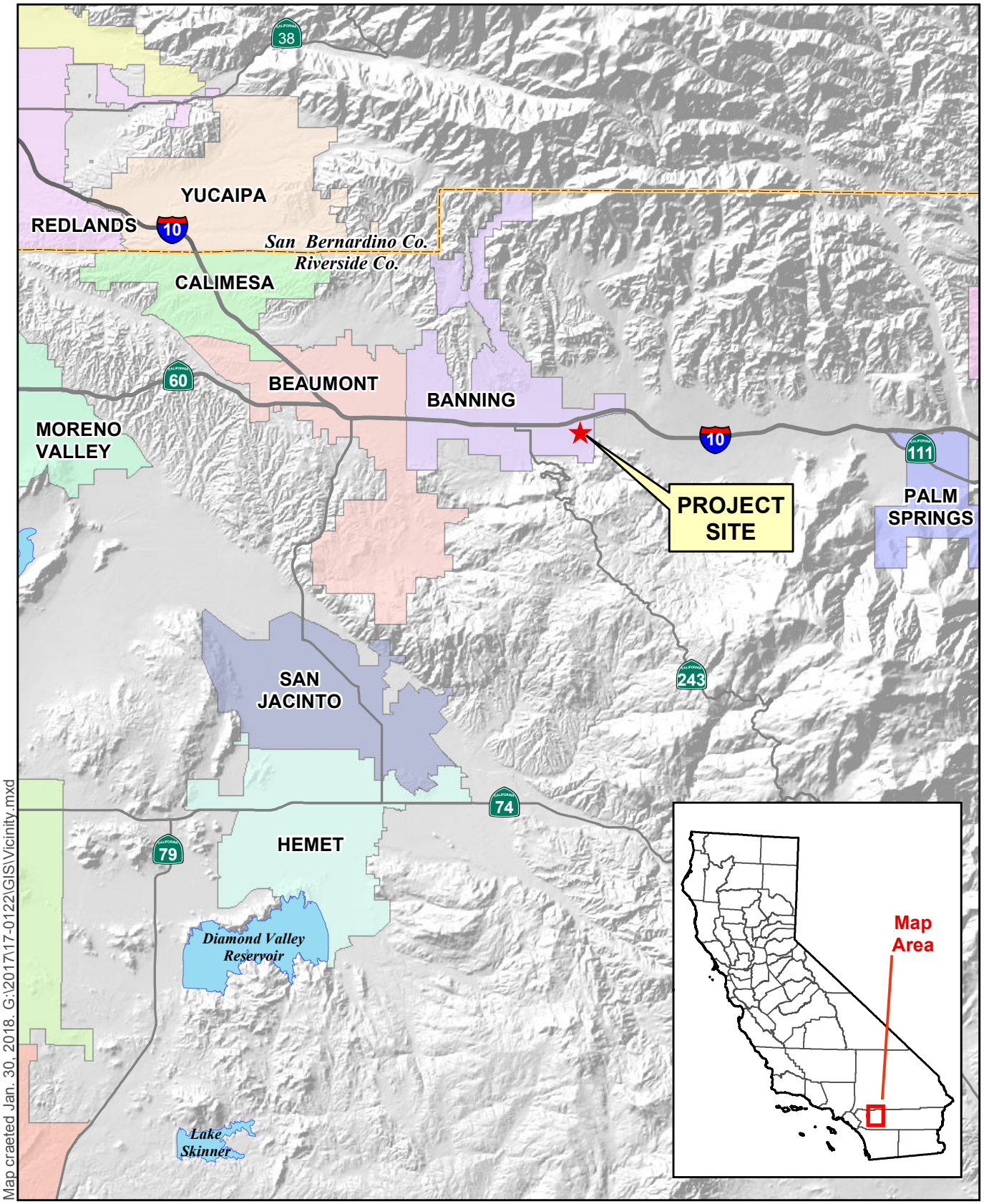
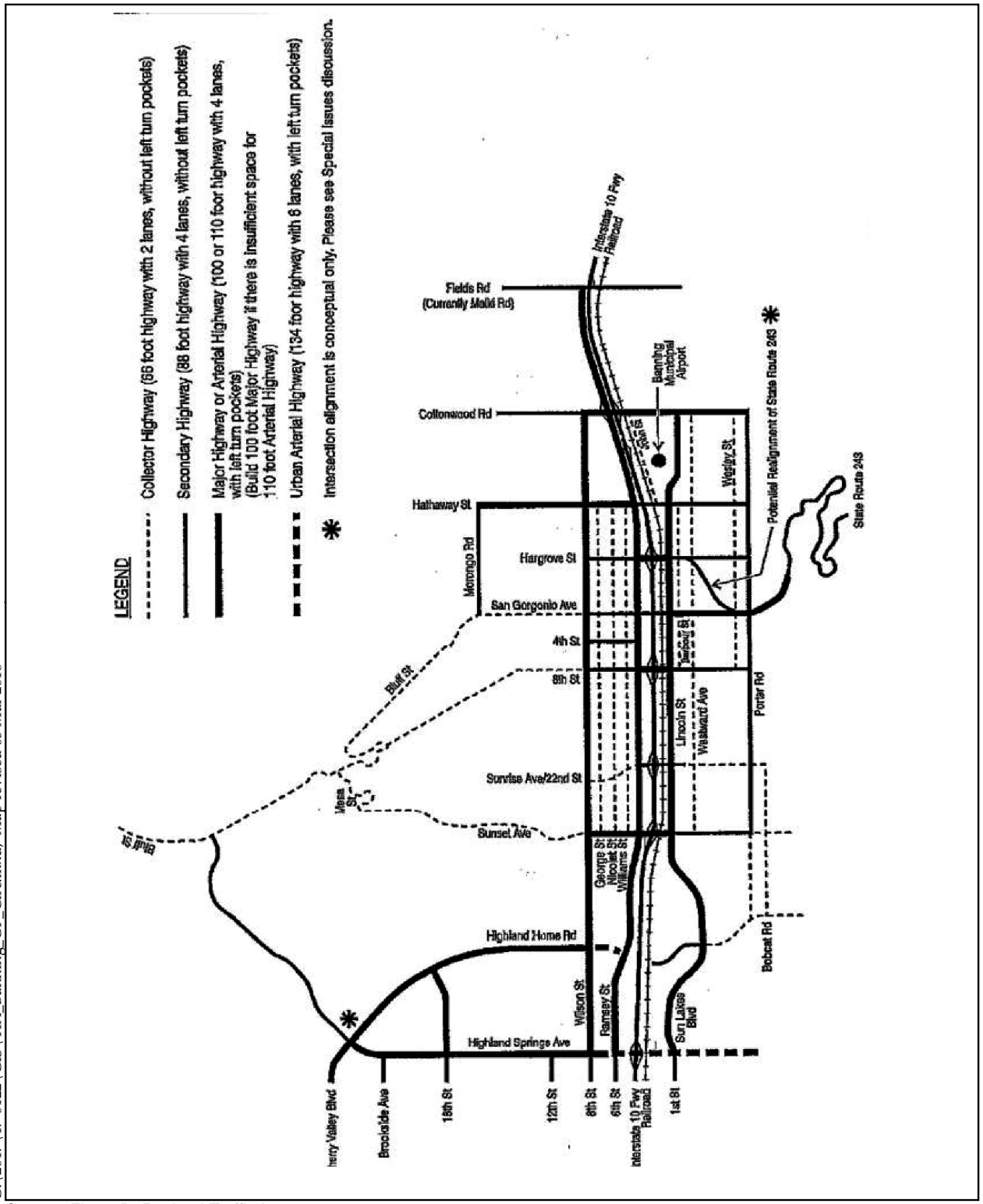


Figure 4.8-1 – Project Location

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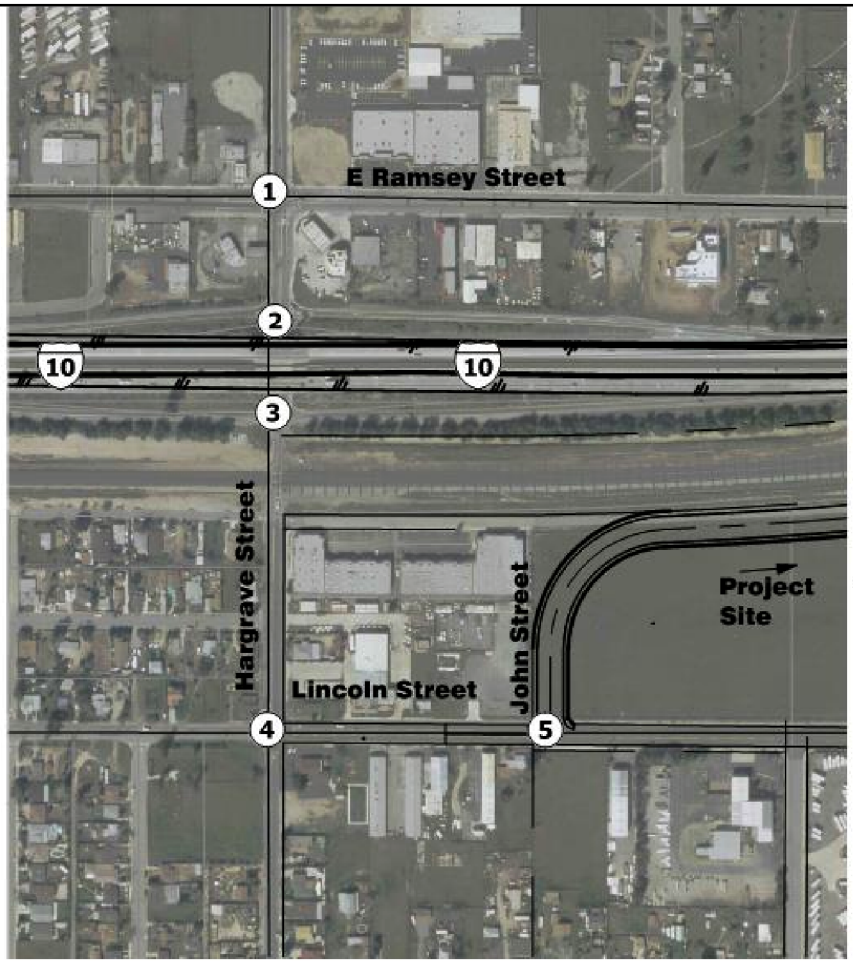
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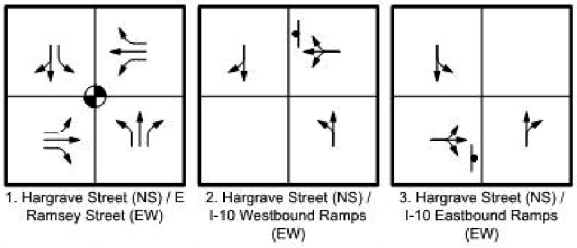
Source: Fig. 3-D, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017/ Kunzman Assoc.,Banning General Plan, 2006.

Figure 4.8-2 - City of Banning General Plan Circulation Element

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LEGEND

- Existing Traffic Signal
- Existing Stop Sign
- Existing Lane Geometrics

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Source: Fig. 3-A, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-3 - Existing Roadway Systems

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Not to Scale

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G:\2017\17-0122\GIS\TIA_Study_Area.mxd; Map revised 08 Mar 2018

Source: Fig. 2-A, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-4 - Study Area Map

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- **Traffic Level of Service Definitions**

Quality of service describes how well a transportation facility or service operates from the traveler's perspective. Level of service (LOS) measures several factors including operating speeds, freedom to maneuver, traffic interruptions, and average vehicle delay at intersections. LOS is a quantitative stratification of a performance measure or measures that represent quality of service. The LOS approach uses a ranking system similar to the educational system with level "A" being best and level "F" being worst. The specific LOS definitions for roadway segments in the City are described in **Table 4.8-A – LOS Descriptions**.

The City of Banning requires that the Transportation Research Board Highway Capacity Manual 2000 (HCM2000) or the most recent release of the HCM be used to analyze Level of Service (LOS).

The HCM2010 evaluates the LOS of intersections based upon the control delay per vehicle. Control delay is defined as the delay associated with vehicles slowing in advance of an intersection, the time spent stopped on an intersection approach, the time spent as vehicles move up in the queue, and the time needed for vehicles to accelerate to their desired speed. The methodology used to evaluate the intersection level of service differs on whether the intersection is signalized or unsignalized. Levels of service at signalized and unsignalized intersections have been evaluated using PTV Vistro 4.00 in the TIA, which is based upon HCM2010 methodologies.

- **Signalized Intersections**

Signalized intersections were evaluated in the TIA using the Operational Method as described in Chapter 18 of the HCM2010. According to this methodology, the level of service for signalized intersections is based upon the weighted average control delay, in seconds per vehicle, of all vehicles passing through the intersection. **Table 4.8-A** shows the criteria used to determine the level of service for signalized intersections.

- **Unsignalized Intersections**

Unsignalized intersections were evaluated in the TIA using Chapters 19 and 20 of the HCM2010. According to this methodology, the level of service for all-way stop intersections is based upon the weighted average control delay, in seconds per vehicle, of all vehicles passing through the intersection. For two-way stop controlled intersections, the level of service is based on the highest control delay of all controlled movements for the intersection. **Table 4.8-A** shows the criteria used to determine the level of service for unsignalized intersections.

Table 4.8-A – LOS Descriptions

LOS	Average Total Delay (seconds/vehicle)		Description[a]
	Signalized Intersection	Unsignalized Intersection	
A	≤10	≤10	Signalized Intersection: Minimal delay and primarily free-flow operation. Most vehicles do not stop because they arrive during the green indication or only stop for a brief amount of time as the signal changes. Unsignalized Intersection: Minimal delay. Usually no conflicting traffic.
B	>10 – 20	>10 – 15	Signalized Intersection: Short delay and reasonably unimpeded operation. Many vehicles do not stop because they arrive during the green indication or only stop for a short amount of time as the signal changes. More vehicles stop than with LOS A. Unsignalized Intersection: Short delay. Occasionally some conflicting traffic.
C	>20 – 35	>15 – 25	Signalized Intersection: Moderate delay and stable operation. Individual cycle failures (i.e. when queued vehicles do not clear the signal during the next green indication) may begin to appear. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping. Unsignalized Intersection: Noticeable delay, but not inconveniencing. Usually some conflicting traffic.
D	>35 – 55	>25 – 35	Signalized Intersection: Less stable operation in which small increases in vehicles may cause substantial increases in delay. Many vehicles stop and individual cycle failures are noticeable. Unsignalized Intersection: Noticeable delay and irritating. A significant amount of conflicting traffic. Increased likelihood of risk taking.
E	>55 – 80	>35 – 50	Signalized Intersection: Significant delay and unstable operation. Most vehicles stop and individual cycle failures are frequent. Unsignalized Intersection: Significant delay approaching tolerance level. Lots of conflicting traffic, but with some gaps of suitable size. Risk taking behavior likely.
F	>80	>50	Signalized Intersection: Considerable delay and extensive queuing. Almost all vehicles stop and most cycles fail to clear the queue. Unsignalized Intersection: Considerable delay exceeding tolerance level. Lots of conflicting traffic, with not enough gaps of suitable size. High likelihood of risk taking.

[a] Source: TIA, Tables 3-2 and 3-3

On January 20, 2016, the State of California Governor's Office of Planning and Research (OPR) released for public review a Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, which implements Senate Bill 743 (SB 743). The guidelines provide that analysis of vehicle miles traveled (VMT) will be voluntary for two years following adoption of the new guidelines. OPR has not yet finalized or adopted their VMT guidelines and as such the City is not implementing VMT analysis for new developments within the City at this time. Consequently, the TIA and the City continue to use the LOS system of categorization to quantify traffic operations and describe how well an intersection or roadway segment is functioning.

- **Project Modal Split**

The traffic reducing potential of public transit was not considered in the TIA. Consequently, the traffic projections provided within the TIA are considered conservative since public transit could reduce traffic volumes in the Project area.

Bicycle parking will be provided on-site.

- **Trip Assignment**

Trip assignment is the result of assigning the previously discussed trip generation numbers to the circulation system using the previously discussed trip distribution.

Existing Traffic Volumes

The existing AM peak period and PM peak period intersection turning movement counts were conducted by Counts Unlimited, Inc. on January 31, 2017, and the existing AM peak hour and PM peak hour freeway ramp volumes were taken from Caltrans Performance Measurement (PeMS) website (TIA p. 3-1) shown in **Figure 4.8-5 – Existing (2017) AM Peak Hour Intersection Volumes (in PCE)** and **Figure 4.8-6 – Existing (2017) PM Peak Hour Intersection Volumes (in PCE)**, respectively. Because of the high number of heavy vehicles in the area and truck-intensive land use of the Project, raw turning movement counts were converted into passenger car equivalent (PCE). PCE is defined as the number of passenger cars that will result in the same operational conditions as a single heavy vehicle of a particular type. **Table 4.8-B – Intersection LOS, Existing Conditions (2017)** presents the LOS at the Project study intersections and their current LOS. As shown, two of the five study area intersections operate at unacceptable LOS in the existing conditions.

Table 4.8-B – Intersection LOS, Existing Conditions (2017)[a]

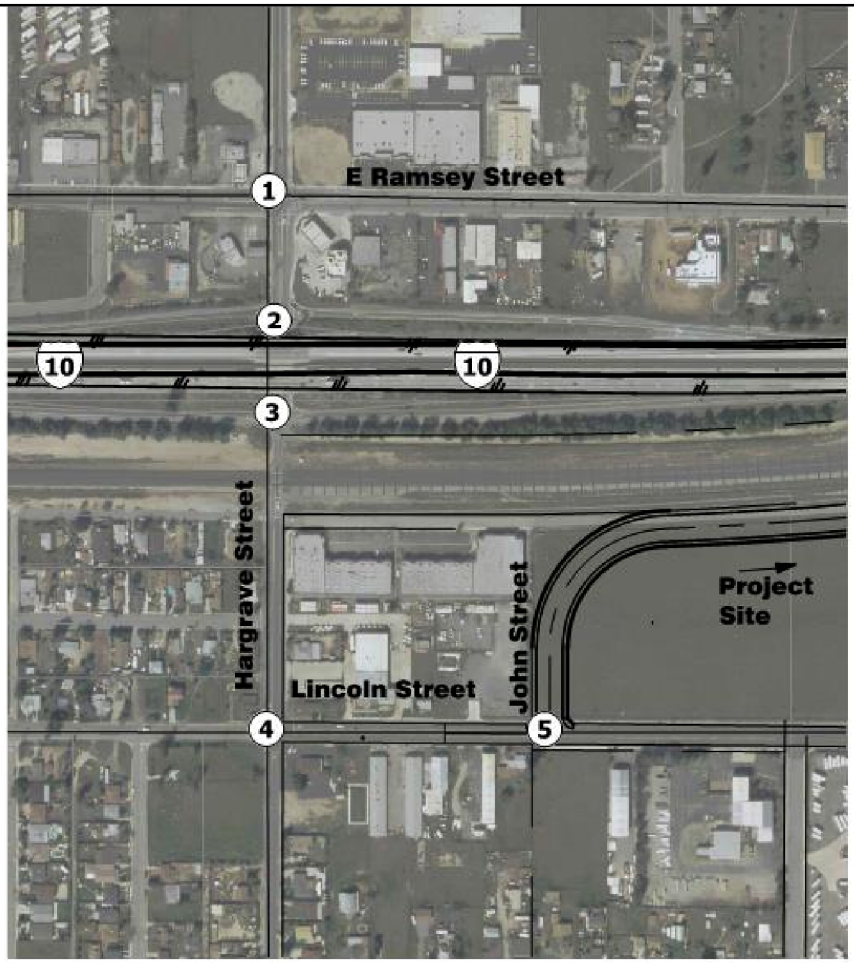
Intersection	Peak Hour	Traffic Control Status	Delay (seconds)	LOS
1. Hargrave Street (NS) / E Ramsey Street (EW)	AM PM	Signal	23.2 28.5	C C
2. Hargrave Street (NS) / I-10 westbound Ramps (EW)	AM PM	OWSC[b]	32.7 **35.1**	D **E**
3. Hargrave Street (NS) / I-10 eastbound Ramps (EW)	AM PM	OWSC	**OFL[c]** **43.2**	**F** **E**
4. Hargrave Street (NS) / Lincoln Street (EW)	AM PM	AWSC[d]	9.9 9.9	A A
5. John Street (NS) / Lincoln Street (EW)	AM PM	Does Not Exist		

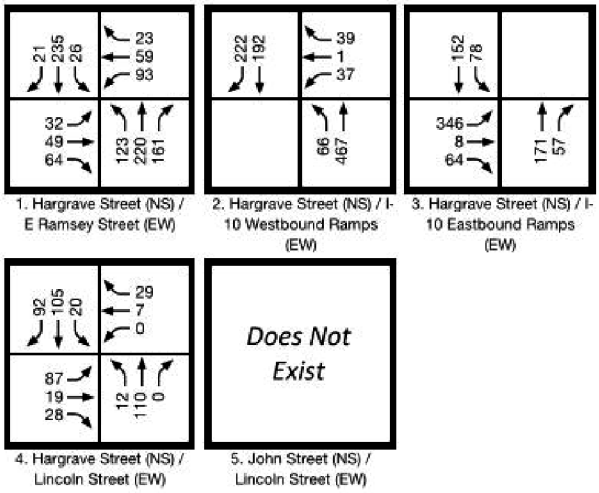
[a] Source: TIA, Table 3-4 – Intersection Levels of Service – Existing
Notes: Conditions (2017), Appendix N
[b] OWSC = One way stop controlled
[c] OFL = Overflow conditions; Delay > 200 sec.
[d] AWSC = All Way Stop Controlled
Delay and LOS were calculated in the TIA using Vistro (version 4.00) for signalized and unsignalized intersections. Per the 2010 Highway Capacity Manual, overall average intersection delay and LOS are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown.

- **Ambient Growth**

Ambient or background growth accounts for unknown area growth in traffic volumes due to development outside of the study area and general growth resulting in traffic due to changes in neighboring communities that cannot be accurately modeled. In order to evaluate traffic conditions for the study year, area-wide growth on existing roadways must be projected. The majority of the anticipated growth within the study area is accounted for with other cumulative project traffic. Per discussion with City of Banning and Caltrans staff, this study utilizes a 1-percent per year growth rate.

The ambient growth rate is applied to existing traffic volumes to account for area-wide growth that is not reflected by cumulative development projects. Further, ambient growth has been added to daily and peak-hour traffic volumes on surrounding roadways in addition to traffic generated by the Project.





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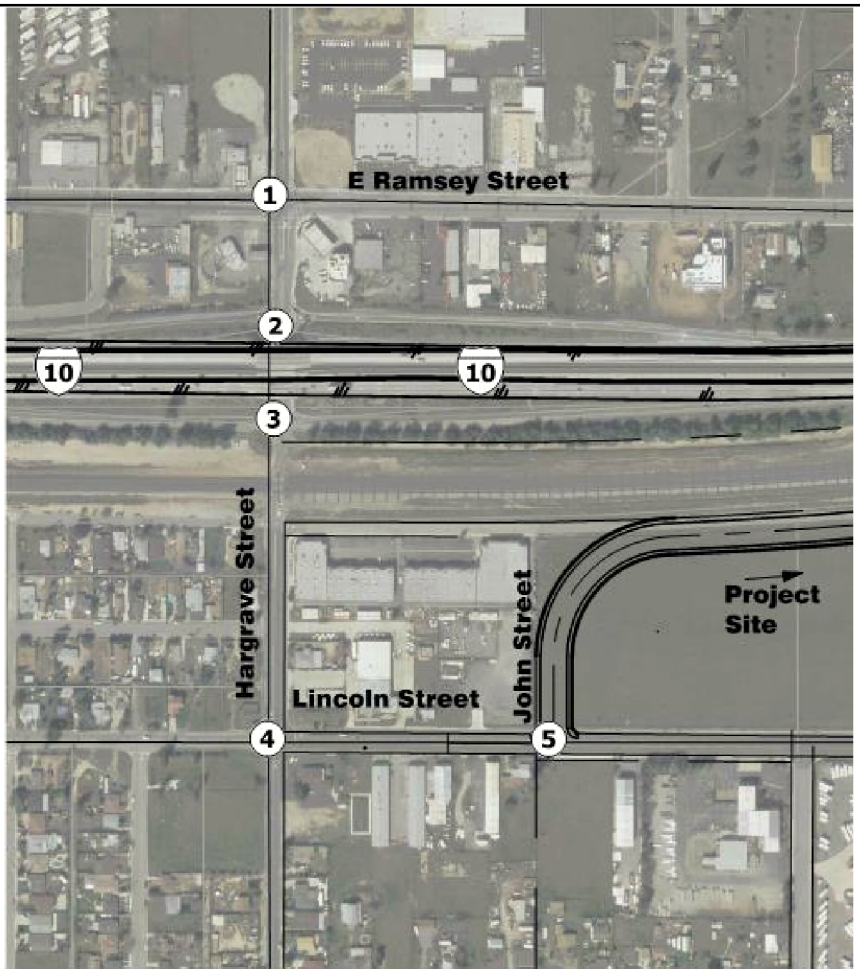
Source: Fig. 3-B, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

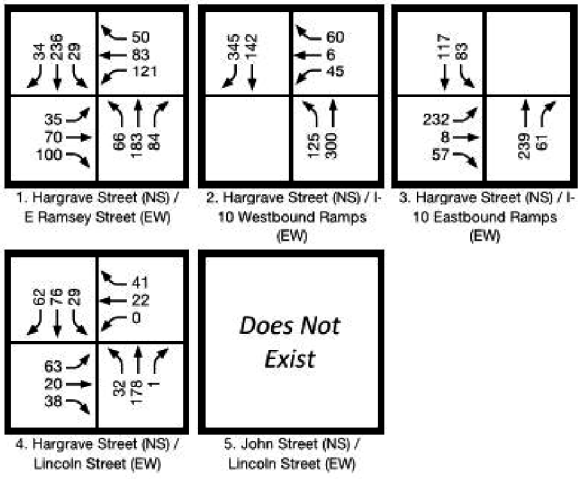
Not to Scale

Figure 4.8-5 - Existing (2017) AM Peak Hour Intersection Volumes in PCE

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Source: Fig. 3-C, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-6 - Existing (2017) PM Peak Hour Intersection Volumes in PCE

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Not to Scale

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- **Existing Traffic Signal Warrants**

The California Manual on Uniform Traffic Control Devices (MUTCD) states that the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal. Peak hour traffic signal warrant analysis should only be considered as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal. Intersections that exceed the peak hour warrant are more likely to meet one or more of the other volume based signal warrants. The MUTCD also advises that a traffic control signal should not be installed unless:

- One or more of the traffic signal warrants is satisfied;
- An engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection; and
- It will not seriously disrupt progressive traffic flow.

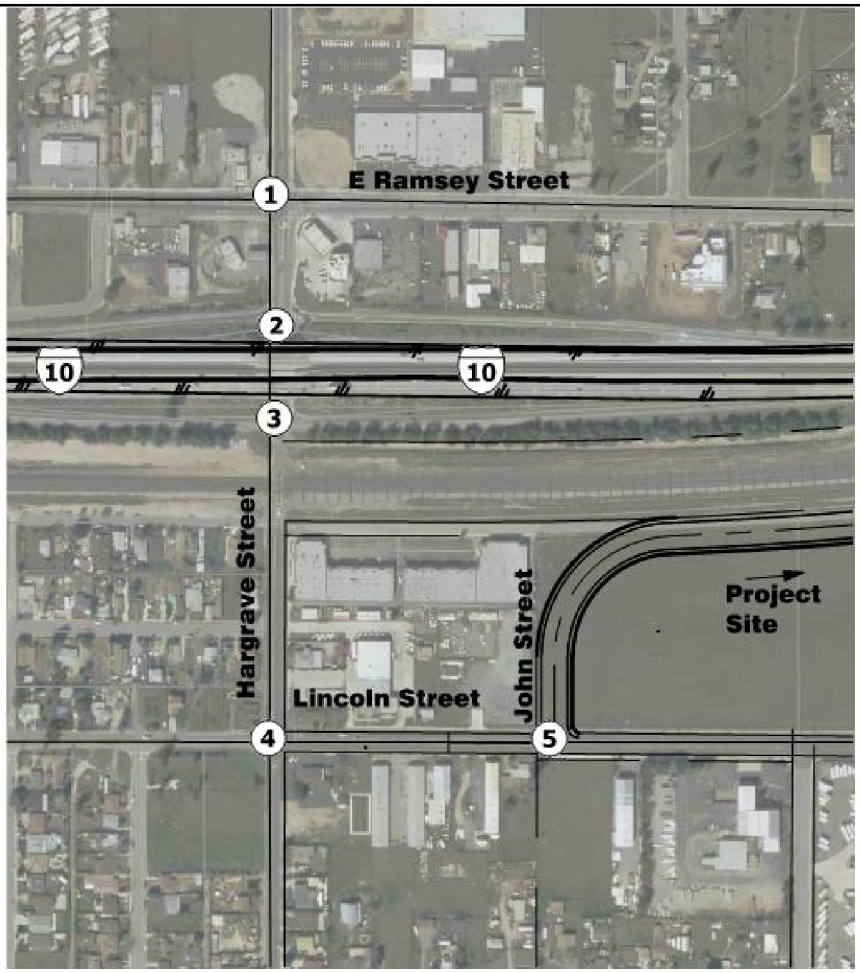
For existing (2017) traffic conditions, the TIA found that peak hour traffic control signal warrant is not satisfied for any of the study area unsignalized intersections (see TIA, Appendix D for technical calculations).

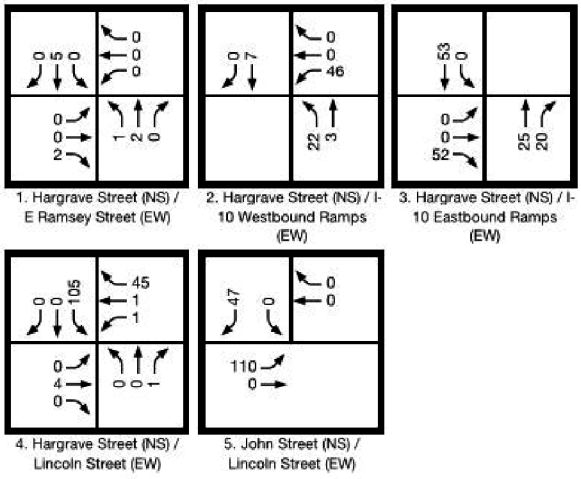
- **Project Conditions (2017)**

The Project related AM peak hour and PM peak hour intersection turning movement volumes are shown on **Figure 4.8-7 – Project Only AM Peak Hour Intersection Volumes** and **Figure 4.8-8 – Project Only PM Peak Hour Intersection Volumes**, respectively.

- **Alternative Transportation**

The Project area is served by the City of Beaumont Transit System route 2 (Beaumont, Casino Morongo and Outlet Malls). The nearest bus stop is located at the intersection of East Ramsey Street and Hargrave Street, which is north of the I-10.





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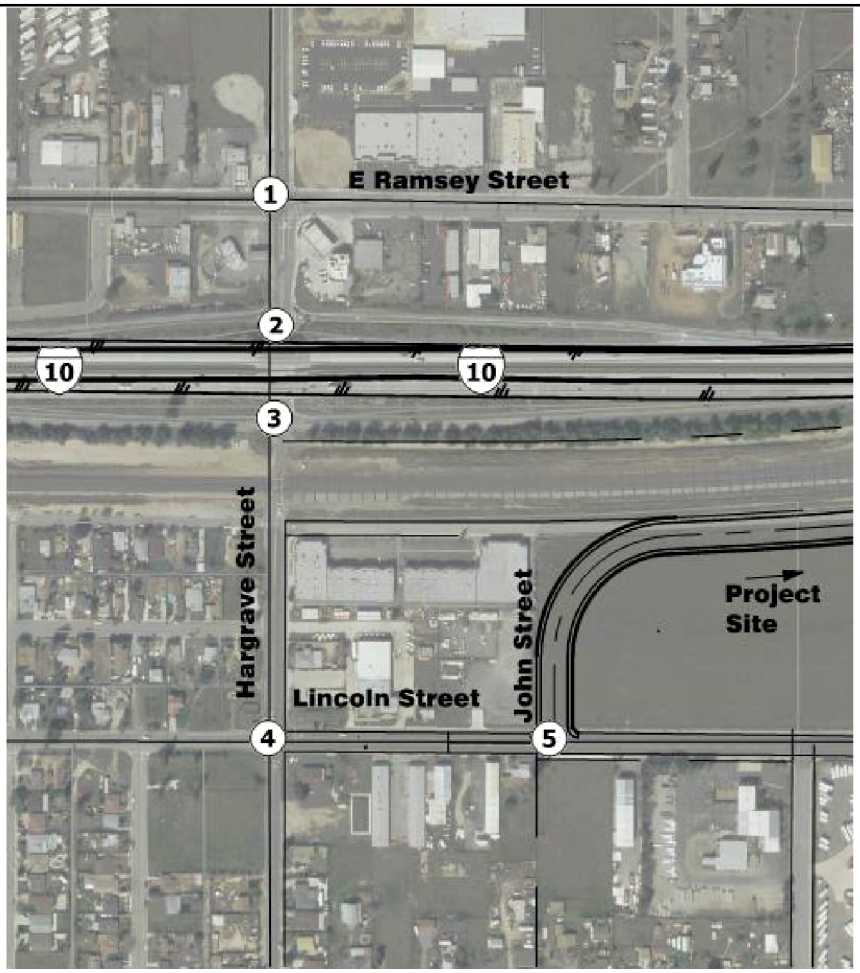
Source: Fig. 4-C, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

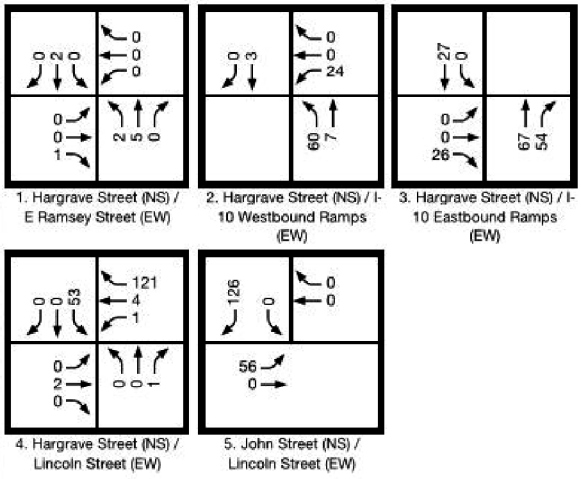
Figure 4.8-7 - Project Only AM Peak Hour Intersection Volumes

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Not to Scale

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Source: Fig. 4-D, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-8 - Project Only PM Peak Hour Intersection Volumes

Banning Distribution Center

Not to Scale

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4.8.3 REGULATORY SETTING

- **Federal**

No federal regulations are applicable to the Project with respect to transportation/traffic.

- **State California Department of Transportation**

As determined by the California Department of Transportation (Caltrans), the LOS for operating State highway facilities is based upon measures of effectiveness (MOEs). These MOEs describe the measures best suited for analyzing State highway facilities (i.e., freeway segments, signalized intersections, on- or off-ramps, etc.). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than the appropriate target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D." (TIA)

- **Regional Congestion Management Program**

Riverside County Transportation Commission (RCTC) is designated as the Congestion Management Agency (CMA) to oversee the Congestion Management Program (CMP); the RCTC current CMP was adopted in December 2011. RCTC approved a modification of the CMP Land Use Coordination Element that included the elimination of the Traffic Impact Assessment report process and replaced it with an Enhanced Traffic Monitoring System. Prior to this modification of the CMP, a Traffic Impact Assessment had to be prepared consistent with the CMP/Local Agency Guidelines whenever a proposed development generated greater than 200 peak hour trips. For the purposes of this analysis, the Banning GP will be used as the guiding document for acceptable LOS, against which impacts are measured.

- **Western Riverside County Transportation Uniform Mitigation Fee**

In 2002, the jurisdictions of western Riverside County, including the City agreed to participate in the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) program. TUMF is a multi-jurisdictional impact fee program administered by the Western Riverside Council of Governments (WRCOG) that funds transportation improvements on a regional and sub-regional basis associated with new growth. All new

development in each of the participating jurisdictions is subject to TUMF, based on the proposed intensity and type of development.

The Western Riverside Council of Governments (WRCOG) is responsible for establishing and updating the TUMF rates. WRCOG receives all fees generated from the TUMF as collected by the local jurisdictions. WRCOG invests, accounts for, and expends the fee in accordance with the TUMF ordinance, the administrative plan and applicable state laws. The TUMF is structured so that 48.7% of funds generated in each zone go back to that zone to be programmed for projects. Another 48.7% is allocated to regional inter-zone projects programmed by the Riverside County Transportation Commission (RCTC), and 2.6% is allocated for regional transit projects programmed by the Riverside Transit Agency. Thereafter, local jurisdictions implement the projects approved for each applicable area within each jurisdiction (TUMF AP).

The Regional System of Highways and Arterials (RSHA) is the system of roadways that serve inter-community trips within western Riverside County and consequently are eligible for improvement funding with TUMF funds (TUMF Nexus 2009). RSHA for western Riverside County was identified based on several transportation network and performance guidelines as follows:

- Arterial highway facilities proposed to have a minimum of four lanes at ultimate build-out (not including freeways);
- Facilities that serve multiple jurisdictions and/or provide connectivity between communities both within and adjoining western Riverside County;
- Facilities with forecast traffic volumes in excess of 20,000 vehicles per day by 2035;
- Facilities with forecast volume to capacity ratio of 0.90 (LOS E) or greater in 2035;
- Facilities that accommodate regional fixed route transit services;
- Facilities that provide direct access to major commercial, industrial, institutional, recreational, or tourist activity centers, and multi-modal transportation facilities (such as airports, railway terminals, and transit centers) (TUMF Nexus 2009).

Specific transportation improvement projects are identified by WRCOG's Public Works Committee, which is responsible for developing objective criteria for project selection and prioritization including, but not limited to, the following factors: traffic safety issues potentially created by growth, regional significance, availability of matching funds, mitigation of congestion created by new development, system continuity, geographic

balance, project readiness, and completed projects with reimbursement agreements). Recommendations of the Public Works Committee are then submitted to WRCOG's Technical Advisory Committee, which are then submitted to WRCOG's Executive Committee. The Executive Committee is responsible for reviewing and acting on recommendations for project selection and prioritization of the Regionally Significant Arterials, 10-year Strategic Plan, and the Transportation Improvement Program (TUMF AP).

Fees owed to TUMF by the Project proponent will be based on the current fees when the certificate of occupancy is issued.

- **Local**

  - **City of Banning – General Plan**

Circulation Element

The Circulation Element of the City of Banning General Plan contains policies and objectives that are considered applicable to the proposed Project as identified below.

Goal	A safe and efficient transportation system
Policy 4	Proactively participate in regional transportation planning.
Policy 6	The City shall maintain peak hour Level of Service D or better on all local roadways and intersections.
Policy 7	New development proposals shall pay their fair share for the improvement of street within and surrounding their projects on which they have an impact, including roadways, bridges, grade separations and traffic signals.
Policy 8	Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds.
Policy 10	Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential land use designation pathways shall be provided.

Air Quality Element

The Air Quality Element of the City of Banning General Plan contains policies and objectives that are considered applicable to the proposed Project as identified below.

Policy 6 The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.

Land Use Element – Commercial and Industrial

Policy 8 Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor-trailers are minimized.

- **City of Banning Municipal Code**

According to Chapter 10.08 in the City's Municipal Code the City engineer will authorize and designate traffic signal locations.

Section 10.08.030 – Installation of traffic control signals.

The city engineer may by city council resolution, install and maintain official traffic control signals at those intersections and other places where traffic conditions are such as may require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard. The city engineer shall determine the locations where such signals are warranted in accordance with standards and instructions set forth in the California Department of Transportation Traffic Manual.

Section 10.08.100 – Authority for stop signs and yield signs.

The city engineer shall determine, in accordance with the Manual of Uniform Traffic Control Devices and California D.O.T. Traffic Manual whether circumstances warrant and justify installation of stop signs and yield signs, and by resolution, the city council shall designate through streets, intersections, R.R. grade crossings (subject to California Public Utilities Commission approval) at which vehicular traffic shall stop or yield before entering the intersection. The city engineer shall place and maintain official traffic control devices giving notice thereof and no such designations shall be effective until such devices are in place.

According to Chapter 15.72 in the City's Municipal Code each owner of unimproved lot or unimproved parcel of property within the city shall pay the city applicable fees for the impact the Project may cause.

Section 15.72.040 – Traffic control facilities fee.

As a condition of issuance of a building permit a traffic control facilities fee representing the owner's fair share of the estimated cost of the construction of traffic control facilities serving the property. The fees paid pursuant to this section shall be placed in a special fund which may be further segregated by specific project. The fund, and any interest earned thereon, shall be expended solely for acquisition of land, if necessary, and the design and construction of, or reimbursement for construction of traffic control facilities. The project will pay the project fees as explained in section 4.8.5 below.

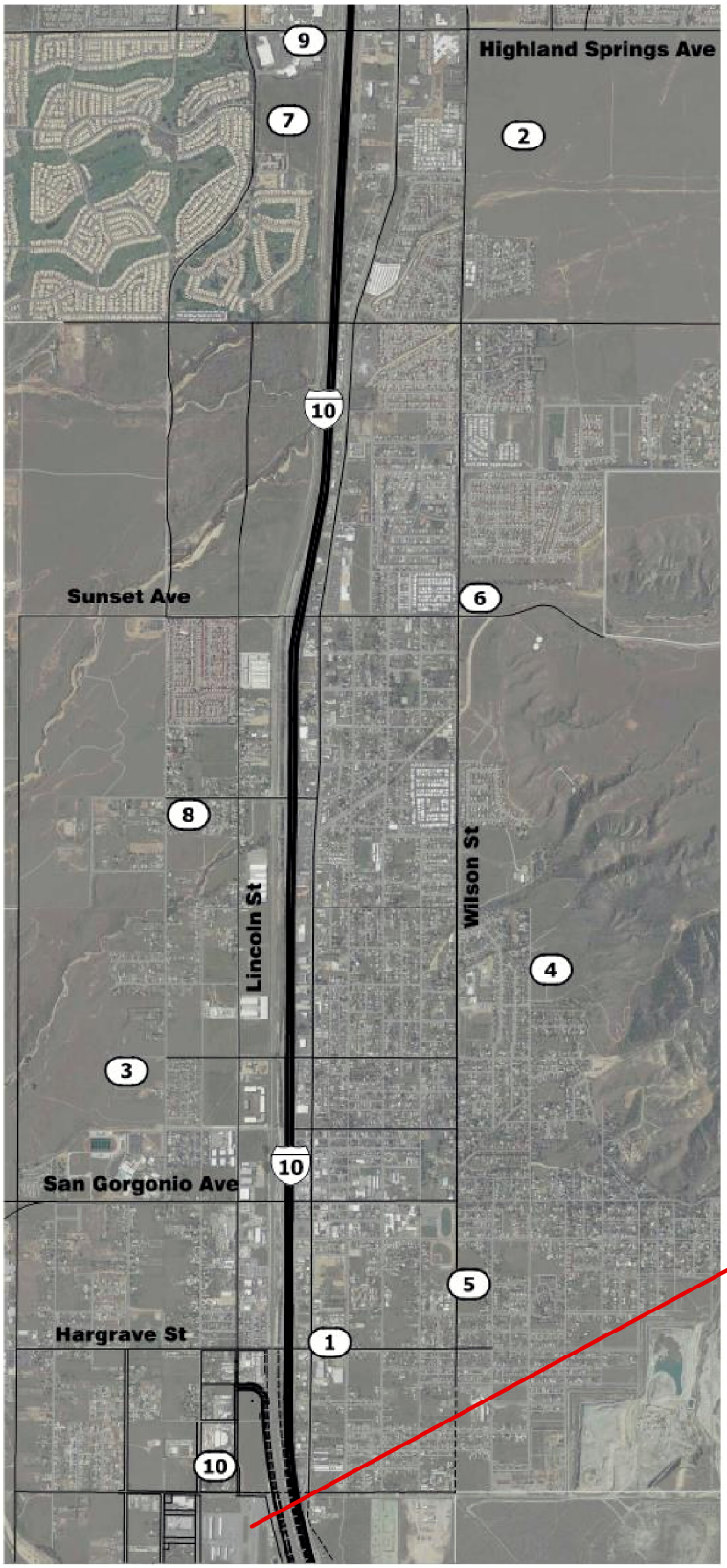
4.8.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future.

The geographic context for the analysis of cumulative noise impacts is based on the cumulative projects provided by the City of Banning; there are ten cumulative projects shown on **Figure 4.8-9 – Cumulative Development Location Map**. **Table 4.8-I – Cumulative Development Trip Generation in 2019** and **Table 4.8-J– Cumulative Development Trip Generation in 2040** lists these projects.

4.8.5 PROJECT DESIGN FEATURES

The proposed Project incorporates roadway improvements, including the full width improvements on John Street at its ultimate cross-section as a collector from Lincoln Street to the east end at Project boundary. As indicated on **Figure 4.8-4**, the Project will have access to Lincoln Street south of the Project via John Street.



LEGEND

1. La Quinta Hotel
2. Pardee Butterfield Specific Plan
3. Rancho San Gorgonio Specific Plan
4. Tentative Tract Map 33540
5. Tentative Tract Map 36710
6. Tentative Tract Map 36939
7. Tentative Parcel Map 33326
8. Tentative Tract Map 33013
9. 300 S Highland Springs Ave, Pad A
10. Airport Industrial Work Lofts

G:\2017\17-0122\GIS\TIA Graphics\TIA_Cumulative_Dev.mxd; Map revised 21 May 2018

Source: Fig. 4-E, Revised Traffic Impact Analysis, Webb Assoc., April 2018

Figure 4.8-9 - Cumulative Development Location Map

Banning Distribution Center

Not to Scale

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4.8.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and instead, defers to the thresholds of significance identified in Appendix G to the State *CEQA Guidelines*.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the project may be deemed to have a significant impact with respect to Transportation and Traffic if it would:

- (Threshold 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;
- (Threshold 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.
- The following topics were determined to have No Impact or Less than Significant in the Initial Study (Appendix A) therefore, these topics are not further analyzed in the EIR:
    - A change in air traffic patterns, including either an increase in traffic levels or change in location that results in substantial safety risks;
    - Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
    - Provide inadequate emergency access; and
    - Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Per the City of Banning's General Plan Circulation Element, LOS D is acceptable for all General Plan roadways with in the City and LOS D at Freeway interchanges. Caltrans' policy for State Highway 243 and Interstate 10 is that LOS D will be maintained. Additionally, as outlined in the TIA, Caltrans LOS D is acceptable at freeway intersections.

4.8.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Community Development – Circulation Element

Impact Analysis:

The Project's consistency with the applicable City's General Plan transportation goals and policies is provided in **Table 4.8-C - Consistency with City of General Plan Goals and Policies.**

Table 4.8-C – Consistency with City of General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Goal/Policy No.	**Policy/Program**	**Statement of Consistency**
Circulation Element		
Goal	*A safe and efficient transportation system*	
Policy 1	*The City's Recommended General Plan Street System shall be strictly implemented.*	The Traffic Impact Analysis (TIA) prepared for the proposed Project, dated April 2018 (Appendix N), was prepared in accordance with the City of Banning General Plan Circulation Element. Consequently, the Project will be consistent with this policy and have less than significant impact related to the implementation of the City's Recommended General Plan Street System.
Policy 6	*The City shall maintain peak hour Level of Service D or better on all local roadways and intersections.*	The Traffic Impact Analysis (TIA) prepared for the proposed Project, dated April 2018 (Appendix N), analyses the intersections that would be impacted by the Project. The LOS will result in C or better with the Project improvements. Consequently, the Project will be consistent with this policy and have less than significant impact related to the implementation of the City's Recommended General Plan Street System.

Policy 7	*New development proposals shall pay their fair share for the improvement of street within surrounding their projects on which they have an impact, including roadway, bridges, grade separations and traffic signals.*	As stated in the Traffic Impact Analysis (TIA) prepared for the proposed Project, dated April 2018 (Appendix N), Banning Distribution Center will participate in the cost of off-site improvements through the payment of "fair share" mitigation fees. Consequently, the Project will be consistent with this policy and have less than significant impact related to the fair share contribution.
Policy 8	*Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds*\.	As stated in the Traffic Impact Analysis (TIA) prepared for the proposed Project, dated April 2018 (Appendix N), Banning Distribution Center will be designed with respect to standards of the City of Banning. Consequently, the Project will be consistent with this policy and have less than significant impact related to the integration of traffic calming devices.
Policy 10	*Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential land use designation pathsways shall be provided.*	John Street will be designed to comply with the City of Banning's General Plan Circulation Element requirements for sidewalks. Consequently, the Project will be consistent with this policy and have less than significant impact related to the sidewalk standards.
Air Quality Element		

Policy 6	*The City shall support the development of facilities and projects that facilitate and enhance the uses of alternative modes of transportation including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community wide multi-use trails.*	As described in Section 3.0, Project Description, of this DEIR, the Project includes energy-saving measures related to alternative modes of transportation and alternative fuel vehicles. Consequently, the Project will be consistent with this policy and have less than significant impact related to the support of alternative modes of transportation.
Land Use Element		
Policy 8	*Industrial lands shall be located on major roadways with good access to Interstate 10, to assure that potential traffic impacts associated with tractor trailers are minimized.*	The Traffic Impact Analysis TIA prepared for the proposed Project, dated April 2018 (Appendix N), analyzes the truck traffic that will utilize two intersections for the onramps of the I-10. The proposed Project site is 0.97 mile away from the closest I-10 access. Consequently, the project will be consistent with this policy and have a less than significant impact in regards to good access to Interstate 10.

Level of Significance before Mitigation:

Less Than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not applicable.

Impact Analysis:

- **Conflict with Applicable Plans**

Threshold A: Would the Project 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?

Impact Analysis:

For the purposes of this threshold, a conflict with an established measure of effectiveness related to circulation will be considered "substantial" if the proposed Project contributes, either individually or cumulatively, to an exceedance of Level of Service (LOS) established by the City and/or Caltrans. As outlined above, the standard LOS for which to measure impacts against is LOS D.

- **Trip Generation**

Trip generation represents the amount of traffic traveling to and from the proposed Project site. Determining the traffic generation of a project is based on forecasting the amount of traffic that is expected to be generated by a specific land use. Traffic engineers use methodologies to model what the expected traffic is forecasted to be using trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition 2012. The mix, or type of vehicles using the Project site, were based on the City of Fontana Truck Trip Generation Study, August 2003 as this study represents still the most accurate portrayal of truck mix splits specifically for warehousing land uses.

The traffic generation figures used in this study are based upon the development of 1,000 thousand square feet gross floor area for a ITE trip generation of "high cube warehouse" land use. (See **Table 4.8-D – Trip Generation Rates**, located below displays the peak hour and daily trip generation factors for the proposed Project for the AM and PM peak hours.

Table 4.8-D – Trip Generation Rates

Land Use	Unit	Peak Hour Trip Rates						Daily
		AM			PM			
		Total	In	Out	Total	In	Out	
High Cube Warehouse Land Use Category: 152	TSF							
Passenger Cars		0.080	0.055	0.025	0.080	0.025	0.055	1.040
Trucks (2 Axle)		0.005	0.003	0.002	0.007	0.002	0.005	0.108
Trucks (3 Axle)		0.007	0.005	0.002	0.009	0.003	0.006	0.145
Trucks (4+ Axle)		0.018	0.013	0.005	0.024	0.007	0.017	0.386
Land Use Total		0.110	0.076	0.034	0.120	0.037	0.083	1.680

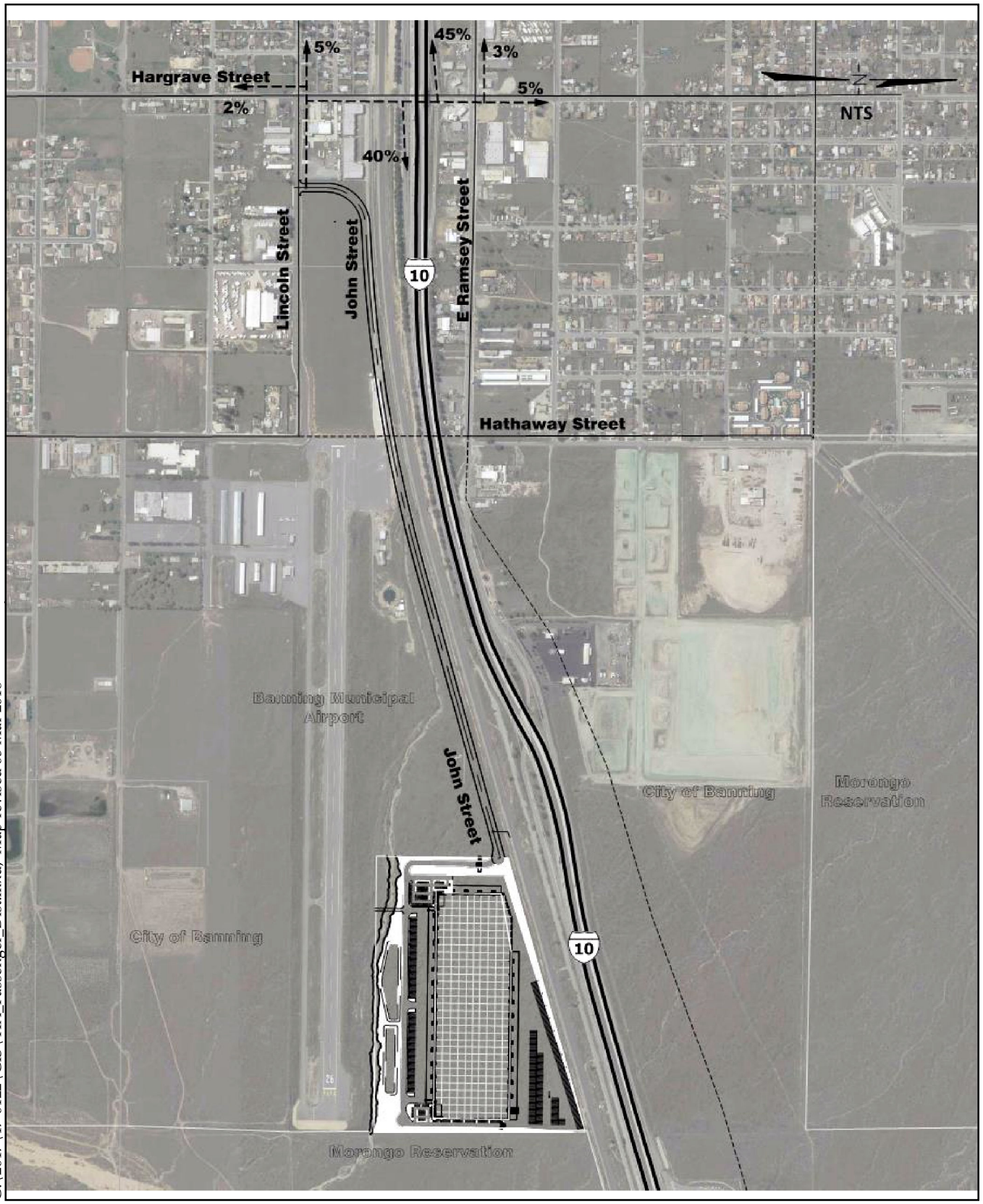
Source: TIA Table 4-2
TSF=1,000 Square Feet Gross Area

- **Trip Distribution**

Trip distribution represents the directional orientation of traffic to and from the Project site. Trip distribution is influenced by the geographical location of the site, type of land use in the study area, such as shopping centers and recreational sites, and proximity to the regional freeway system.

The trip directional orientation of traffic for the proposed Project was determined based upon the existing roadway system, existing traffic patterns, and existing and future land uses. The directional distribution for the proposed Project traffic assumed in this study is shown on **Figure 4.8-10 – Project Passenger Car Traffic Distribution** and **Figure 4.8-11 – Project Truck Traffic Distribution**.

The Project analyzed in the TIA assumed an opening year of 2019. Implementation of the proposed Project will result in the construction of a high-cube (non-refrigerated) warehouse/distribution building, totaling 1,000,000 square feet. Ecommerce was not analyzed in the TIA as a potential use for the Project. Using the Project-specific trip generation rates identified in **Table 4.8- D –Project Trip Generation Rates**, the proposed Project is projected to generate approximately 2,652 daily PCE trip-ends, including 156 PCE trip-ends during the AM peak hour and 181 PCE trip-ends during the PM peak hour. Specifically, the PCE is the number of passenger cars that will result in the same operational conditions as a single heavy vehicle of a particular type. Please refer to **Table 4.8-E – Project Trip Generation in PCE,** below for the proposed Project's PCE daily trip-ends.



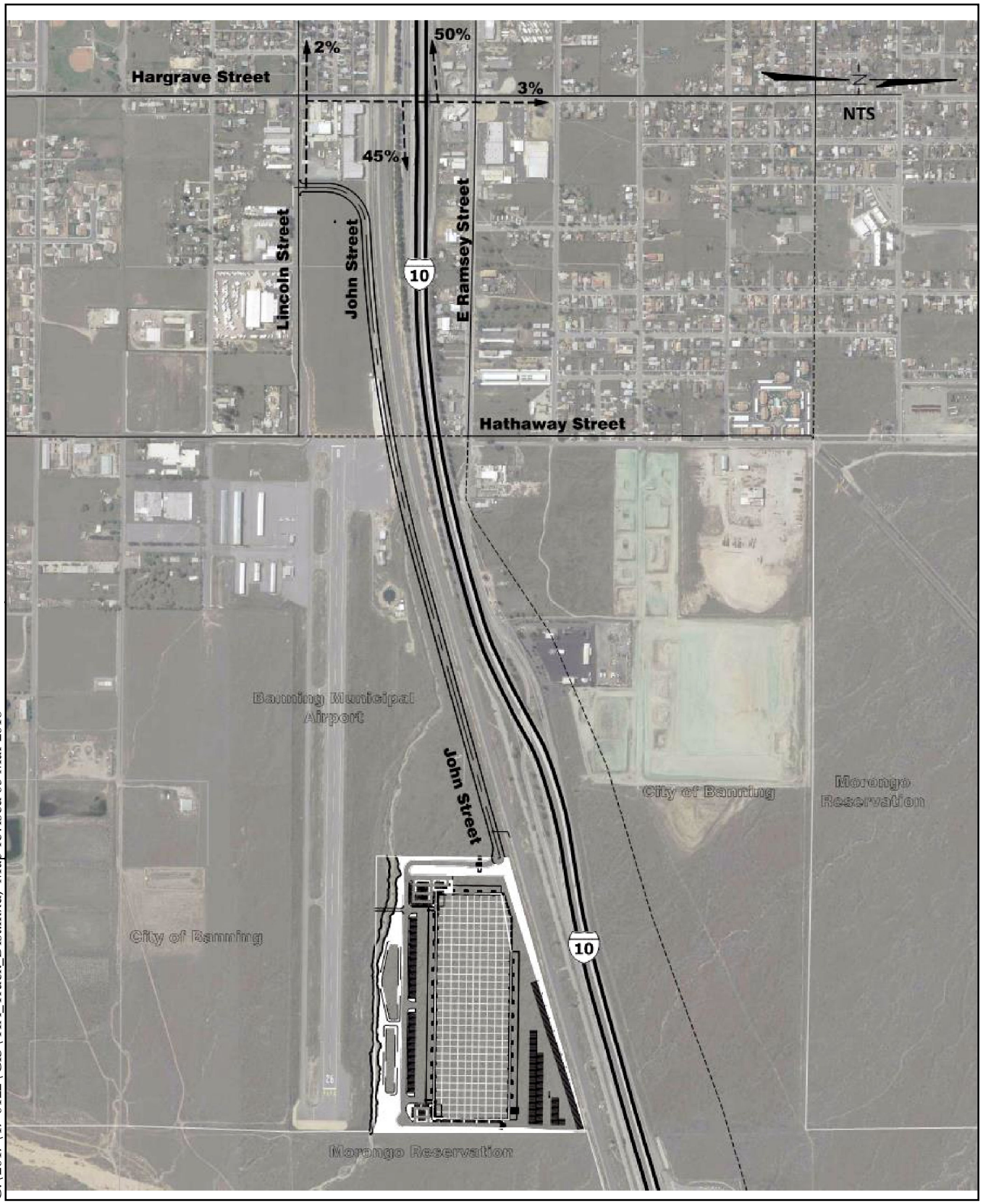
G:\2017\17-0122\GIS\TIA_Passenger_Dist.mxd; Map revised 05 Mar 2018

Source: Fig. 4-B, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-10 - Project Passenger Car Traffic Distribution

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES



G:\2017\17-0122\GIS\TIA_Truck_Dist.mxd; Map revised 05 Mar 2018

Source: Fig. 4-A, Revised Traffic Impact Analysis, Webb Assoc., Dec. 2017

Figure 4.8-11 - Project Truck Traffic Distribution

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

Table 4.8-E – Project Trip Generation in PCE[a, b]

Land Use	Quantity	Unit	Peak Hour Trip Rates						Daily
			AM			PM			
			Total	In	Out	Total	In	Out	
High-Cube Warehouse	1000	TSF[c]							
Passenger Cars			80	55	25	80	25	55	1,040
Trucks (2 Axle)			8	5	3	11	3	8	164
Trucks (3 Axle)			14	10	4	18	6	12	290
Trucks (4 Axle)			54	39	15	72	21	51	1,158
Project Total			156	109	47	181	55	126	2,652

[a] Source: TIA, Table 4-2 – Project Trip Generation (in PCE), Appendix N

Notes: [b] PCE = Passenger Car Equivalent for Trucks.

[c] TSF = 1,000 square feet gross floor area

- **Traffic Conditions Analyzed**

Future roadway intersection performance is determined by evaluating existing traffic conditions (**Table 4.8-B**) and comparing those results to future scenarios. Project-specific impacts were determined by comparing future scenarios that do not include Project traffic to scenario results that do include Project traffic. The following scenarios are evaluated in the TIA and discussed in this section of the DEIR:

- Existing (baseline) plus Project (E+P) (2017);
- Existing plus traffic from 1% ambient growth (ambient) plus Project (E+A+P) (2019) with and without improvements;
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C) (2019).[1]; and
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C) (2040).

    - Existing Plus Project (E+P)

Table 4.8-F – Intersection LOS, Existing Plus Project Conditions (E+P) (2017) presents the projected delay and levels of service at the study intersections under the existing

[1]Cumulative development projects account for other approved and pending projects located within the Project's vicinity.

plus Project traffic conditions. Baseline conditions for the traffic analysis are for the year 2017. As indicated in **Table 4.8-F**, the levels of service range from LOS A to LOS F with and without the Project. This indicates that three of the five intersections are projected to operate at acceptable levels of service during the peak hours with existing geometrics (i.e., without any road improvements).

Table 4.8-F –Intersection LOS, Existing Plus Project Conditions (E+P) (2017)

Intersection	Peak Hour	Without Project (E)			With Project (E+P)		
		Traffic Control[b]	Delay[c] (sec)	LOS	Traffic Control[b]	Delay[c] (sec)	LOS
1. Hargrave Street (NS)/ E Ramsey Street (EW)	AM PM	TS	23.2 28.5	C C	TS	24.1 28.5	C C
2. Hargrave Street(NS)/ I-10 westbound Ramps (EW)	AM PM	OWSC	32.7 35.1	D E	OWSC	**61.7** **67.4**	**F** **F**
3. Hargrave Street (NS)/ I-10 eastbound Ramps (EW)	AM PM	OWSC	**OFL** **43.2**	**F** **E**	OWSC	**OFL** **91.5**	**F** **F**
4. Hargrave Street (NS)/ Lincoln Street (EW)	AM PM	AWSC	9.9 9.1	A A	AWSC	13.2 10.4	B B
5. John Street (NS)/ Lincoln Street (EW)	AM PM	Does Not Exist			OWSC	10.9 10.6	B B

[a] Source: TIA, Table 5-1 – Intersection Levels of Service – Existing Plus Project

Notes: Conditions (2017), Appendix N

[b] TS = Traffic Signal; OWSC = One way stop controlled; AWSC = All way stop controlled;

[c] OFL = Overflow conditions; Delay >200

Delay and LOS were calculated in the TIA using Vistro (version 4.00) for signalized and unsignalized intersections. Per the 2010 Highway Capacity Manual, overall average intersection delay and LOS are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown.

Table 4.8-G – Intersection LOS – Existing plus Project (2017) with improvements provides the projected delay and levels of service at the study intersections under existing plus Project (2017) conditions with implementation of off-site improvements **MM Trans 1** and **MM Trans 2**, which will require all way stop control at the Hargrave Street/I-10 westbound ramps intersection and at the Hargrave Street/I-10 eastbound ramps intersection. With these improvements per **MM Trans 1** and **MM Trans 2**, the study area intersections would operate at an acceptable LOS D or better.

Table 4.8-G –Intersection LOS – Existing plus Project (2017) with Improvements

Intersection	LOS Standard	Peak Hour	Without Improvements			With Improvements		
			Traffic Control	Delay (Sec)	LOS	Traffic Control[a]	Delay (Sec)	LOS
2. Hargrave Street (NS) I-10 westbound Ramps	D	AM PM	OWSC	**61.7** **67.4**	**F** **F**	AWSC	18.1 14.9	C B
3. Hargrave Street (NS) I-10 eastbound Ramps	D	AM PM	OWSC	**OFL** **91.5**	**F** **F**	AWSC	23.2 12.2	C B

Source: TIA Table 5-3 – Intersection Levels of Service – Existing Plus Project (2017) with Improvements. Notes: AWSC=all way stop control

- Existing Plus Ambient Growth Plus Project (E+A+P) (2019)

Because the existing year traffic used in this analysis is 2017 and Project operations are projected to commence in 2019, an ambient growth rate of 1-percent per year[2] for a two-year period was used to account for area-wide growth on existing roadways without the Project (E+A). Project-generated traffic was then added to the existing plus ambient growth scenario to determine the LOS at the study area intersection segments evaluated.

Table 4.8-H – Intersection LOS, Existing Plus Ambient Growth Plus Project Conditions (E+A+P) (2019), presents the projected delay and levels of service at the study intersections under the E+A+P traffic condition in addition to the type of traffic control measures that will exist with or without the Project. As shown in **Table 4.8-H** the levels of service range from LOS A to LOS F with and without the Project, except for the PM trips at the Hargrave Street/I-10 eastbound ramp Intersection, which operates at LOS F in both scenarios. **Table 4.8-K – Intersection Levels of Service – Existing Plus Ambient Growth Plus Project (2019) with Improvements** shows that **MM Trans 3** will add a one way stop control to the John Street/Lincoln Street intersection to insure that the new intersection operated at an acceptable level.

Project impacts, when considered with existing and accounting for ambient growth conditions, are **significant;** however, with the proposed intersection improvements per

[2] Per discussion with City of Banning staff, the TIA utilized a 1 percent per year growth rate.

implementation of **MM Trans 1** through **MM Trans 4**, all intersections will operate at an acceptable LOS. Consequently, Project impacts, when considered with proposed improvements for existing plus ambient growth conditions, are **less than significant.**

Table 4.8-H –Intersection LOS, Existing Plus Ambient Growth Plus Project Conditions[a] (E+A+P) (2019)

Intersection	Peak Hour	Without Project (E+A)			With Project (E+A+P)		
		Traffic Control[b]	Delay (sec)	LOS	Traffic Control[b]	Delay (sec)	LOS
1. Hargrave Street (NS)	AM	TS	24.4	C	TS	24.2	C
E Ramsey Street (EW)	PM		28.6	C		28.6	C
2. Hargrave Street(NS)	AM	OWSC	**34.2**	**D**	OWSC	**68.1**	**F**
I-10 westbound Ramps (EW)	PM		**37.2**	**E**		**74.3**	**F**
3. Hargrave Street (NS)	AM	OWSC	**OFL**	**F**	**OWSC**	**OFL**	**F**
I-10 eastbound Ramps (EW)	PM		**48.2**	**E**		**107.7**	**F**
4. Hargrave Street (NS)	AM	AWSC	10.0	A	AWSC	13.5	B
Lincoln Street (EW)	PM		9.2	A		10.6	B
5. John Street (NS)	AM	Does Not Exist			OWSC	11.0	B
Lincoln Street (EW)	PM					10.6	B

Source: TIA, Table 5-4 – Intersection Levels of Service – Existing Plus Ambient Growth Plus Project Conditions (2018), Appendix N

Notes: [a] [b] TS = Traffic Signal; OWSC = One way stop controlled; AWSC=All Way Stop Controlled OFL=Overflow conditions; Delay>200 sec; **Bold**= Exceeds LOS Standard

- **Cumulative Projects**

Pursuant to *CEQA Guidelines* Section 15130, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. To ascertain Project impacts to Study Area intersections and streets in combination with other approved and pending projects in the vicinity, an analysis of the existing traffic, plus traffic from ambient growth, plus traffic from cumulative development projects, plus Project traffic (E+A+C+P) (2019) and E+A+C+P (2040) was performed.

In order to comply with State *CEQA Guidelines* Section 15130(b)(1)(A), a list of past, present, and probable future projects that have the potential to be cumulatively considerable was developed. Based on discussions with City staff, there are ten projects within the City that were determined to have the potential to contribute to cumulative effects (see **Figure 4.8-9 – Cumulative Development Location Map**).

- Existing Plus Ambient Plus Project Plus Traffic from Cumulative Development Projects (2019) (E+A+P+C)[3]

Table 4.8-I – Cumulative Development Trip Generation in 2019 identifies each cumulative development project in 2019 and the expected trip generation.

[3] Cumulative development projects account for other approved and pending projects located within the Project's vicinity.

Table 4.8-I –Cumulative Development Trip Generation in 2019

Project	Land Use	Qty	Unit	Net Trips		
				AM Peak Hour	PM Peak Hour	Daily
1. La Quinta Hotel	Hotel	71	Rooms	38	43	580
	Internal Trips (9-35%)			(2)	(17)	(19)
	Fast-Food Restaurant with Drive-Through Window	2.8	TSF	127	91	1,389
	Internal Trips (3-17%)			(5)	(15)	(20)
	Pass-by Trips (PM: 43%)			0	(32)	(32)
	High-Turnover (Sit-Down) Restaurant	1.2	TSF	13	12	153
	Internal Trips (3-17%)			0	(2)	(2)
	Pass-by Trips (AM: 49% PM: 50%)			(6)	(4)	(10)
	PROJECT TOTAL			165	76	2,039
2. Pardee Butterfield Specific Plan (20%)	Shopping Center	78	TSF	134	507	5,778
	Internal Trips (7-18%)			(3)	(93)	(96)
	Pass-by Trips (PM: 34%)			0	(140)	(140)
	Single-Family Detached Housing	1029	DU	772	1,029	9,796
	Internal Trips (1-9%)			(3)	(93)	(96)
	PROJECT TOTAL			900	1,210	15,242
3. Rancho San Gorgonio Specific Plan (By 2019)[1]	Single-Family Detached Housing	570	DU	428	570	5,426
	Elementary School	800	Stu	360	120	1,032
4. Tent Tract Map 33540	Single-Family Detached Housing	172	DU	129	172	1,637
	Cemetery	7	Acres	1	6	33
5. Tent Tract Map 36710	Single-Family Detached Housing	48	DU	36	48	457
6. Tent Tract Map 36939	Single-Family Detached Housing	98	DU	74	98	933
7. Tent Parcel Map 33326	Shopping Center	510	TSF	421	1,785	19,582
	Pass-by Trips (PM: 34%)			0	(586)	(586)
	PROJECT TOTAL			421	1,199	18,996
8. Tent Tract Map 33013	Single-Family Detached Housing	6	DU	5	6	57
9. 300 S. Highland Springs Ave, Pad A	Shopping Center	7.964	TSF	33	110	1,311
	Pass-by Trips (PM: 34%)			0	(36)	(36)
	PROJECT TOTAL			33	74	1,275
10. Airport Industrial Work Lofts	Residential Condominium/Townhouse	22	DU	10	12	128
	General Office Building	14.28	TSF	23	22	158
	Warehousing	13.53	TSF	4	4	48
	Specialty Retail Center	13.53	TSF	18	37	600
	Internal Reduction 10%			(6)	(8)	(93)
	Project Total			49	67	841
TOTAL				2,601	3,646	47,966

Source: TIA Table 4-4 (Appendix N)

TSF=1,000 Square Feet Gross Floor Area; DU=Dwelling Units; STU=Students.

As shown on **Table 4.8-J – Intersection LOS, Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions[a] (E+A+C+P) (2019),** three of the five study area intersections will operate at LOS C or better for the existing plus ambient growth plus cumulative development project traffic condition (E+A+C), including the Hargrave Street/E Ramsey Street intersection, Hargrave Street/I-10 westbound ramps intersection, Hargrave Street/Lincoln Street intersection and John Street /Lincoln Street intersection. With the addition of Project related traffic (E+A+C+P), there is no change in LOS for two of the five intersections; Hargrave Street/I-10 westbound ramps intersection and Hargrave Street/I-10 eastbound ramps intersection will operate under LOS F in all scenarios.

Table 4.8-J –Intersection LOS, Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions[a] (E+A+C+P) (2019)[a]

Intersection	Peak Hour	Without Project (E+A+C)			With Project (E+A+C+P)			Delay Due to Project (sec)
		Traffic Control[b]	Delay[c] (sec)	LOS	Traffic Control[b]	Delay[c] (sec)	LOS	
1. Hargrave Street (NS)	AM	TS	23.8	C	TS	23.8	C	0.0
E Ramsey Street (EW)	PM		28.1	C		28.1	C	0.0
2. Hargrave Street (NS)	AM	OWSC	**50.5**	**F**	OWSC	**145.2**	**F**	94.7
I-10 westbound Ramps (EW)	PM		**64.6**	**F**		**OFL**	**F**	138.9
3. Hargrave Street (NS)	AM	OWSC	**OFL**	**F**	OWSC	**OFL**	**F**	208.1
I-10 eastbound Ramps (EW)	PM		**132.4**	**F**		**OFL**	**F**	129.3
4. Hargrave Street (NS)	AM	AWSC	10.8	B	AWSC	15.6	C	4.8
Lincoln Street (EW)	PM		9.8	A		11.5	B	1.7
5. John Street (NS)	AM	Does Not Exist			OWSC	11.0	B	N/A
Lincoln Street (EW)	PM					10.6	B	N/A

[a] Source: TIA, Table 5-7 – Intersection Levels of Service – Existing Plus Ambient Growth Plus Project Conditions (2019), Appendix N

Notes: [b] TS = Traffic Signal; OWSC = One way stop controlled, AWSC= All way stop control

[c] Per the 2010 Highway Capacity Manual, overall average intersection delay and LOS are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown.

Implementation of **MM TRANS 1** and **MM TRANS 2** for the Hargrave Street/I-10 westbound ramps intersection and the Hargrave Street/I-10 eastbound ramps will operate at an acceptable level of LOS B and C with an all way stop control signal in 2019, as shown on **Table 4.8-K – Intersection LOS – Existing Plus Ambient Growth Plus Project (2019) with Improvements**

Table 4.8-K – Intersection LOS – Existing Plus Ambient Growth Plus Project (2019) with Improvements

Intersection	Peak Hour	Without Improvements			With Improvements		
		Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
2. Hargrave Street (NS)	AM	OWSC	**68.1**	**F**	AWSC	**17.0**	**C**
I-10 westbound Ramps (EW)	PM		**74.3**	**F**		**15.5**	**C**
3. Hargrave Street (NS)	AM	OWSC	**OFL**	**F**	AWSC	**24.9**	**C**
I-10 eastbound Ramps (EW)	PM		**107.7**	**F**		**12.4**	**B**

Source: TIA Table 5-6

- Existing Plus Ambient Plus Project Plus Traffic from Cumulative Development Projects (2040) (E+A+P+C)

Table 4.8-L - Cumulative Development Trip Generation in 2040 identifies each cumulative development project by 2040 and the expected trip generation.

Table 4.8-L –Cumulative Development Trip Generation in 2040

Project	Land Use	Qty	Unit	Net Trips		
				AM Peak Hour	PM Peak Hour	Daily
1. La Quinta Hotel	Hotel	71	Rooms	38	43	580
	Internal Trips (9-35%)			(2)	(15)	(17)
	Fast-Food Restaurant with Drive-Through Window	2.8	TSF	127	91	1,389
	Internal Trips (3-17%)			(4)	(15)	(19)
	Pass-by Trips (PM:43%)			0	(32)	(32)
	High-Turnover (Sit-Down) Restaurant	1.2	TSF	13	12	153
	Internal Trips (3-17%)			0	(2)	(2)
	Pass-by Trips (AM:49% PM:50%)			(6)	(4)	(10)
	PROJECT TOTAL			166	78	2,042
2. Pardee Butterfield Specific Plan	Shopping Center	392	TSF	359	1,496	16,360
	Internal Trips (14-18%)			(49)	(274)	(323)
	Pass-by Trips (PM:34%)			0	(414)	(414)
	Single-Family Detached Housing	5327	DU	3,995	5,327	50,713
	Internal Trips (1-5%)			(49)	(274)	(323)
	PROJECT TOTAL			4,256	5,861	66,013
3. Rancho San Gorgonio Specific Plan	Single-Family Detached Housing	1449	DU	1,087	1,449	13,794
	Elementary School	800	Stu	360	120	1,032
	Apartments	931	DU	475	577	6,191
	Shopping Center	101.6	TSF	98	377	4,338
	Pass-by Trips (PM:34%)			0	(127)	(127)
	PROJECT TOTAL			2,020	2,396	25,228
4. Tent Tract Map 33540	Single-Family Detached Housing	172	DU	129	172	1,637
	Cemetery	7	Acres	1	6	33
5. Tent Tract Map 36710	Single-Family Detached Housing	48	DU	36	48	457
6. Tent Tract Map 36939	Single-Family Detached Housing	98	DU	74	98	933
7. Tent Parcel Map 33326	Shopping Center	510	TSF	421	1,785	19,682
	Pass-by Trips (PM:34%)			0	(606)	(606)
	PROJECT TOTAL			421	1,179	18,976
8. Tent Tract Map 33013	Single-Family Detached Housing	6	DU	5	6	57
9. 300 S. Highland Springs Ave, Pad A	Shopping Center	7.964	TSF	33	110	1,311
	Pass-by Trips (PM:34%)			0	(36)	(36)
	PROJECT TOTAL			33	74	1,275
10. Airport Industrial Work Lofts	Residential Condominium/Townhouse	22	DU	10	12	128

	General Office Building	14.28	TSF	23	22	158
	Warehousing	13.53	TSF	4	4	48
	Specialty Retail Center	13.53	TSF	18	37	600
	Internal Reduction 10%			(6)	(8)	(93)
	PROJECT TOTAL			49	67	841
TOTAL				7,190	9,985	117,492

Source: Table 4-5 in TIA Appendix N

The Project applicant will comply with the Project Developer Fair Share in DIF program to contribute to the improvements that would alleviate the overflow conditions of Hargrave Street/I-10 westbound ramps Intersection and Hargrave Street/I-10 eastbound ramps intersection as shown in **Table 4.8-M – Existing plus Ambient Growth plus Cumulative plus Project (2040) with Improvements**. With the implementation of **MM Trans 1**, the study area intersections would operate at an acceptable LOS D or better, consequently the impact would be less than significant.

Table 4.8-M – Existing plus Ambient Growth plus Cumulative plus Project (2040) with Improvements

Intersection	LOS Standard	Peak Hour	Without Improvements			With Improvements		
			Traffic Control	Delay (Sec)	LOS	Traffic Control	Delay (Sec)	LOS
2. Hargrave Street (NS) I-10 westbound Ramps	D	AM PM	OWSC	OFL OFL	F F	AWSC	34.8 30.0	D D
3. Hargrave Street (NS) I-10 eastbound Ramps	D	AM PM	OWSC	OFL OFL	F F	Signal	28.8 24.4	C C

Source TIA Table 5-12

- Signal Warrant Analysis - 2019 and 2040

To further evaluate if the Project would conflict with measures designed for effectiveness of circulation, a traffic signal warrant analysis was conducted and discussed in the TIA. The TIA found that no additional study area unsignalized intersections are expected to meet the peak hour traffic control signal warrant under existing plus Project (E+P), existing plus ambient growth plus Project (E+A+P), or existing plus ambient growth plus other cumulative projects plus Project (E+A+C+P) traffic conditions for 2019 or 2040 (see TIA, Appendix D for technical calculations).

The following study area unsignalized intersections do not satisfy the peak hour traffic signal warrant in any study scenario:

2. Hargrave Street (NS) / I-10 westbound Ramps (EW)

3. Hargrave Street (NS) / I-10 eastbound Ramps (EW)

Implementation of the Project will include additional traffic to the study area. However, three of the five study area intersections will continue to operate at an acceptable LOS standard when Project-related traffic is added to the existing traffic (E+P), traffic from ambient growth (E+A+P), and traffic from cumulative development projects (E+A+C+P) according to Caltrans and the Banning General Plan. Hargrave Street/I-10 westbound ramps intersection and Hargrave Street/I-10 eastbound ramps intersection will operate at LOS a range of LOS B to D with the proposed intersection improvements.

- **Conclusion**

As shown on **Table 4.8-M – Existing plus Ambient Growth plus Cumulative plus Project (2040) with Improvements,** the Project's intersection impacts will not be significant once a few improvements get implemented. Additionally, the proposed Project will be subject to its fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include DIF fees as outlined in **MM TRANS 4**. The fees shall be collected and utilized as needed by the City of Banning to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level. Consequently, the proposed Project will have a less than significant impact with mitigation in regards to conflicts with plans, policies, and ordinances establishing measures of effectiveness for the performance of the circulation system.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

MM TRANS 1 The following intersection improvements are proposed to bring the LOS for the Hargrave Street/I-10 westbound ramps intersection to an acceptable level from Existing Conditions through Existing plus Ambient Growth plus Cumulative Conditions plus Project:

Hargrave Street/I-10 westbound ramps intersection. Improve the intersection to install an all-way stop control at the intersection of

Hargrave Street and I-10 westbound ramps with the following geometrics:
Northbound: One shared left-turn and through lane.
Southbound: One shared through and right-turn lane.
Eastbound: Not applicable.
Westbound: One shared left turn, through and right turn lane.

MM TRANS 2 The following intersection improvements are proposed to bring the LOS for the Hargrave Street/I-10 eastbound ramps intersection to an acceptable level from Existing Conditions through Existing plus Ambient Growth plus Cumulative Conditions plus Project:

Hargrave Street/I-10 eastbound ramps intersection. Improve the intersection to install an all-way stop control at the intersection of Hargrave Street and I-10 eastbound ramps with the following geometrics:
Northbound: One shared left-turn and through lane.
Southbound: One shared through and right-turn lane.
Eastbound: Not applicable.
Westbound: One shared left turn, through and right turn lane.

MM TRANS 3 The proposed Project will also include intersection improvements on Lincoln Street and John Street, to insure that the new intersection operates at an acceptable level, as follows:

John Street/Lincoln Street. Improve the intersection to install a one-way stop control at the intersection of John Street and Lincoln Street with the following geometrics:

Northbound: Not Applicable.
Southbound: One left turn lane. One right turn lane. Stop controlled.
Eastbound: One left turn lane. One through lane.
Westbound: One shared through and right turn lane.

MM TRANS 4 The Project shall participate in the phased construction of off-site traffic signals through payment of that project's fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees

which include, DIF (Development Impact Fee). The fees shall be collected and utilized as needed by the City of Banning to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.

Level of Significance after Mitigation:

Less than Significant.

- **Congestion Management**

Threshold B: Would the Project 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?

Impact Analysis:

Each county in California is required to develop a Congestion Management Program (CMP) that analyzes the correlation between land use, transportation and air quality. The Riverside County Transportation Commission (RCTC) is the County of Riverside's Congestion Management Agency. The RCTC prepares and periodically updates the County's CMP to meet federal Congestion Management System guidelines and state CMP legislation.

According to Table 2-1-CMP System of Highways and Roadways, in the December 14, 2011 Riverside County Congestion Management Program, I-10 is the only road in close proximity to the Project site listed as part of the CMP System of Highways and Roadways. The project will be adding 50 or more a.m. or p.m. peak hour trips to the I-10; consequently the Project will have significant impacts on the I-10 mainlines. The TIA evaluated the LOS at two intersections/interchanges affecting the I-10:

- Hargrave Street (NS) / I-10 westbound Ramps (EW) and
- Hargrave Street (NS) / I-10 eastbound Ramps (EW).

The Hargrave Street I-10 westbound ramps are projected to operate at an unacceptable LOS when Project traffic is added to existing traffic (the E+P condition), traffic from ambient growth (the E+A+P condition), and traffic from the cumulative development projects (the E+A+C+P condition) (see **Table 4-8-J**) with Project improvements the Hargrave Street I-10 westbound ramps are projected to operate at an acceptable LOS (E+A+C+P) (see **Table 4-8-M**). The Hargrave Street I-10 eastbound ramps are projected

to continue to operate at LOS F when Project traffic is added to existing traffic (E+P) and traffic from ambient growth (E+A+P). When Project traffic is added to the cumulative development projects (E+A+C+P), the ramps are projected to increase delay time and continue at LOS F with the inclusion of the Project. With implementation of **MM TRANS 1** and **MM TRANS 2** the Hargrave Street I-10 eastbound ramps are projected to operate at an acceptable level of LOS D in 2019 (see **Table 4-8- K**). With implementation of **MM Trans 4** the Hargrave Street 1-10 eastbound will operate at an acceptable level of LOS D and the Hargrave Street 1-10 westbound ramps will operate at an acceptable level of LOS C at complete build-out in 2040 (see **Table 4-8- M**).

- **Conclusion**

Consequently, the proposed Project will contribute to exceedances that go beyond an unacceptable level or which will result in a change in LOS from an acceptable level to an unacceptable level. However, with implementation of **MM TRANS 1** and **MM TRANS 2** the Intersection LOS reduces to an acceptable level causing the proposed Project to result in a less than significant impact with mitigation.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

MM TRANS 1 **See Threshold A**

MM TRANS 2 **See Threshold A**

Level of Significance after Mitigation:

Less than Significant.

4.8.8 CUMULATIVE IMPACTS

Impact Analysis:

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.8.4 for relevant assumptions regarding the cumulative Transportation and Traffic setting. To ascertain Project impacts to Study Area intersections and streets in combination with other approved and pending projects in the vicinity, an analysis of the

existing traffic, plus traffic from ambient growth, plus traffic from cumulative development projects, plus Project traffic (E+A+C+P for years 2019 and 2040) was performed and included in the TIA for the Project. A list of other projects in the Project area were provided by the City of Banning and utilized for the cumulative project's analysis in the Traffic Impact Analysis. The listing of these ten projects is provided in **Table 4.8-I– Cumulative Development Trip Generation 2019, Table 4.8-L – Cumulative Development Trip Generation in 2040** and **Figure 4.8-9 – Cumulative Development Location Map**.

Under existing conditions, two of the study area intersections exceed the applicable LOS (**Table 4.8-B**); the same two study area intersections will continue to operate at unacceptable LOS when Project traffic is added to existing traffic (the E+P condition), traffic from ambient growth (the E+A+P condition), and traffic from the cumulative development projects (the E+A+C+P condition) (**Tables 4-8-H, 4-8-J**). With implementation of mitigation measure **MM TRANS 4** the proposed Project and all cumulative development projects will be subject to their fair share of traffic signal mitigation fees and the cost of other off-site improvements, as appropriate, to offset the incremental impacts of each project. Therefore, cumulative impacts associated with Traffic and Transportation will be less than significant.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

Refer to **MM TRANS 4** under Threshold A, above**.**

Level of Significance after Mitigation:

Less than Significant.

4.8.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not Applicable.

4.8.10 REFERENCES

City of Banning, City of Banning General Plan, Adopted January 31, 2006. (Available at http://ci.banning.ca.us/468/General-Plan-Amendments, accessed December 20, 2017.) (Banning GP)

City of Banning, General Plan - Circulation Element, Approved March 26, 2013. (Available at the 'http://ci.banning.ca.us/DocumentCenter/View/4418, accessed January 30, 2018.) (Banning CE)

County of Riverside Transportation Department, Traffic Impact Analysis Preparation Guide, April 2008. (Available at http://rctlma.org/Portals/7/documents/pamphlets/traffic_impact_anaylsis.pdf, accessed January 29, 2018.) (RCTD 2008)

Riverside County Transportation Commission. *2011 Riverside County Congestion Management Program*. December 14, 2011. Available at http://rctcdev.info/uploads/media_items/congestionmanagementprogram.original.pdf, accessed January 30, 2018. (

Albert A. Webb Associates, Traffic Impact Analysis Banning Distribution Center (Design Review No. 16-7002), April 2018. (TIA, included as Appendix N.)

Western Riverside Council of Governments, Transportation Uniform Mitigation Fee Nexus Study 2009 Update, adopted October 5, 2009. (Available at http://www.wrcog.cog.ca.us/DocumentCenter/View/271, accessed January 30, 2018.) (TUMF Nexus 2009)

4.9 TRIBAL CULTURAL RESOURCES

4.9.1 INTRODUCTION

Potential impacts related to tribal cultural resources (i.e. cause a substantial, adverse change in the significance of a tribal cultural resource) were found to be potentially significant in the Initial Study/NOP prepared for this Project (Appendix A). Senate Bill (SB) 18 and Assembly Bill (AB) 52 mandate lead agencies to contact, refer project plans to, and consult with: California Native American tribes identified by the Native American Heritage Commission (NAHC) who are traditionally and culturally affiliated with the geographic area of a proposed project. AB52 amended Public Resources Code 509794 and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.9, 21084.2 and 21084.3.

The legislative intent is to provide tribes the opportunity to protect or mitigate impacts to their tribal cultural resources. Further, the intent is to identify and address potential adverse impacts to tribal cultural resources by taking a proactive approach to reduce the potential for delay and conflict in the environmental review process (OPR, p. 2). A tribal cultural resource is defined as a resource if it is either: 1) sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are listed, or determined to be eligible for listing in the national or state register of historical resources, or listed in a local register of historic resources; or 2) a resource that the Lead Agency determines, in its discretion, is a tribal cultural resource (OPR, p. 3).

The focus of the following discussion is related to whether the Project will cause a substantial adverse change in the significance of tribal cultural resources that are listed or eligible to be on the California Register of Historical Resources (CRHR) or considered significant by the Lead Agency.

In compliance with AB 52 and SB 18, notification was sent out by the City of Banning, Community Development Department, to tribes who requested to be notified and tribes identified by the Native American Heritage Commission (NAHC) as traditionally and culturally affiliated with the geographic area of the proposed project. The City of Banning (City) sent AB 52 notice letters to 23 tribes on June 14, 2017 via United States Postal Service (USPS). Eight tribes responded with only one requesting consultation. A meeting was held by the City with that tribe in September 2017. The City also sent SB18 notice letters to the same 23 tribes on October 5, 2017 via USPS. The consultation process and findings are discussed in Section 4.9.7 Impacts and Mitigation Measures.

In response to the NOP, one comment letter was received regarding tribal cultural resources from the NAHC. The letter can be found in Appendix B, NOP Comments. The letter recommended that lead agencies consult with Native American tribes that are culturally or traditionally affiliated with the geographic area of the project as part of the AB 52 and SB 18 process.

4.9.2 PHYSICAL SETTING

- **Surrounding Conditions**

The Project site is situated south of Interstate 10 (I-10) freeway and the Union Pacific Railroad and north of the Banning Municipal Airport at the eastern edge of the City of Banning.

The Project area is situated on the interfluvial plain immediately north of Smith Creek. Annual precipitation in the area ranges from 18 to 20 inches. Surrounding sediments are composed of older Quaternary Alluvium deposits, derived as fan deposits from the San Bernardino Mountains to the north and possibly from the San Jacinto Mountains to the south. The Project lies within the South Coast Bioregion, and is sparsely vegetated with scrub brush and grasses. A variety of reptiles, small mammals, birds, and insects coexist within the Project area (AE, p. 8).

The Project is located in the San Gorgonio Pass (elevation 2,616 ft.), which forms a natural break between the San Bernardino Mountains to the north and the San Jacinto Mountains to the south. It is east-west trending lowland between the two mountain ranges. The surface of the lowland is composed of alluvial fan deposits, mainly from the San Bernardino Mountains. The northern foothills are underlain by upper Cenozoic nonmarine and marine sedimentary deposits (AE, p. 8).

The San Bernardino Mountains are in the Transverse Ranges geomorphic province. The Transverse Ranges are an east-west trending mountain range at the northeast end of the Los Angeles Basin. This range has some of the highest peaks south of the Sierra Nevada range The San Bernardino Mountains are about 65 mi (105 kilometers [km]) long and 30 mi (48 km) wide at their widest point. The San Jacinto Mountains are the northernmost of the Peninsular Ranges, which run 900 mi (1,500 km) from southern California to the southern tip of the Baja California Peninsula. At an elevation of 10,834 ft., San Jacinto Peak is the highest peak in the range (AE, p. 8).

- **Ethnographic Setting**

Ethnographically, the Project area lies within the traditional territory of the Pass (or Wanakik) Cahuilla. The Cahuilla language, divided into Desert, Pass, and Mountain dialects, has been assigned to the Cupan subfamily of the Takic branch of the Uto-Aztecan linguistic family. Territory traditionally claimed by the Cahuilla was topographically complex, including mountain ranges, passes, canyons, valleys, and desert. The Cahuilla territory spanned from the summit of the San Bernardino Mountains in the north to Borrego Springs and the Chocolate Mountains in the south, a portion of the Colorado Desert west of Orocopia Mountain to the east, the San Jacinto Plain as far as Riverside, and the eastern slopes of Palomar Mountain to the west. (AE, p. 23).

Social and Political Organization

The Cahuilla in precontact times had nonpolitical, nonterritorial patrimoieties that governed marriage patterns, as well as patrilineal clans and lineages. The Cahuilla words for these moieties mean “Coyote” and “Wildcat.” The Cahuilla had “political-ritual-corporate units (clans) composed of 3 to 10 lineages, dialectically different, named, claiming a common genitor, with one lineage recognized as the founding one”. Clans owned a large territory in which each lineage owned a village site with specific resource areas. Clan lineages cooperated in defense, in large communal subsistence activities, and in performing rituals. Settlements, occupied by one or more lineages, could be politically autonomous or allied with several villages under one chief. The hereditary chiefs had religious, economic, and military power and were role models for their people. (AE, p. 23).

Subsistence and Material Culture

The Cahuilla were, for the most part, hunting, collecting, harvesting, and protoagricultural peoples. Clans were apt to own land in valley, foothill, and mountain areas, providing them with the resources of many different ecological niches. As in most of California, acorns were a major staple, but the roots, leaves, seeds, and fruit of many other plants also were used. Fish, birds, insects, and mammals were available; mountain sheep, deer, and antelope were some of the large mammals hunted. (AE, pp. 23–24)

To gather these food resources and to prepare them for eating, the Cahuilla had an extensive inventory of equipment and food was generally stored in large baskets, pottery ollas treated with asphaltum were used to store and carry water and seeds. Most Cahuilla shelters were often made of bush, fan palm fronds or arrowweed (AE p. 24).

Religion, Ceremony, and World View
Earth-covered sweathouses for purification and curing rituals and ceremonial houses with fenced areas for ceremonial use were found in most villages. The chief's house was the largest and was usually next to the ceremonial house.

The Cahuilla, like other California Indians, understand the universe in terms of power. They assume power to be the principal causative agent for all phenomena. Power is believed to be sentient and to have will. Unusual natural phenomena are viewed as especially sacred, being the repositories of concentrations of power. Mountaintops, and especially particular mountaintops, are held sacred, as are unusual rock formations, springs, and streams. Rock art sites are sacred, having been the sites of ceremonies. Burial and cremation sites are also sacred, as are many other places of residual power. Various birds, especially eagles, condors, hawks, and other birds of prey are revered as sacred beings of great power and sometimes were killed ritually and mourned in mortuary ceremonies similar to those for important individuals. For this reason, bird cremation sites are sacred (AE p. 24–25).

- **Archeological, Prehistoric, and Mission-Era**

Discussion of Archeological, Prehistoric, and Mission-era characteristics pertaining to the Project Site can be found in Section 4.4 Cultural Resources.

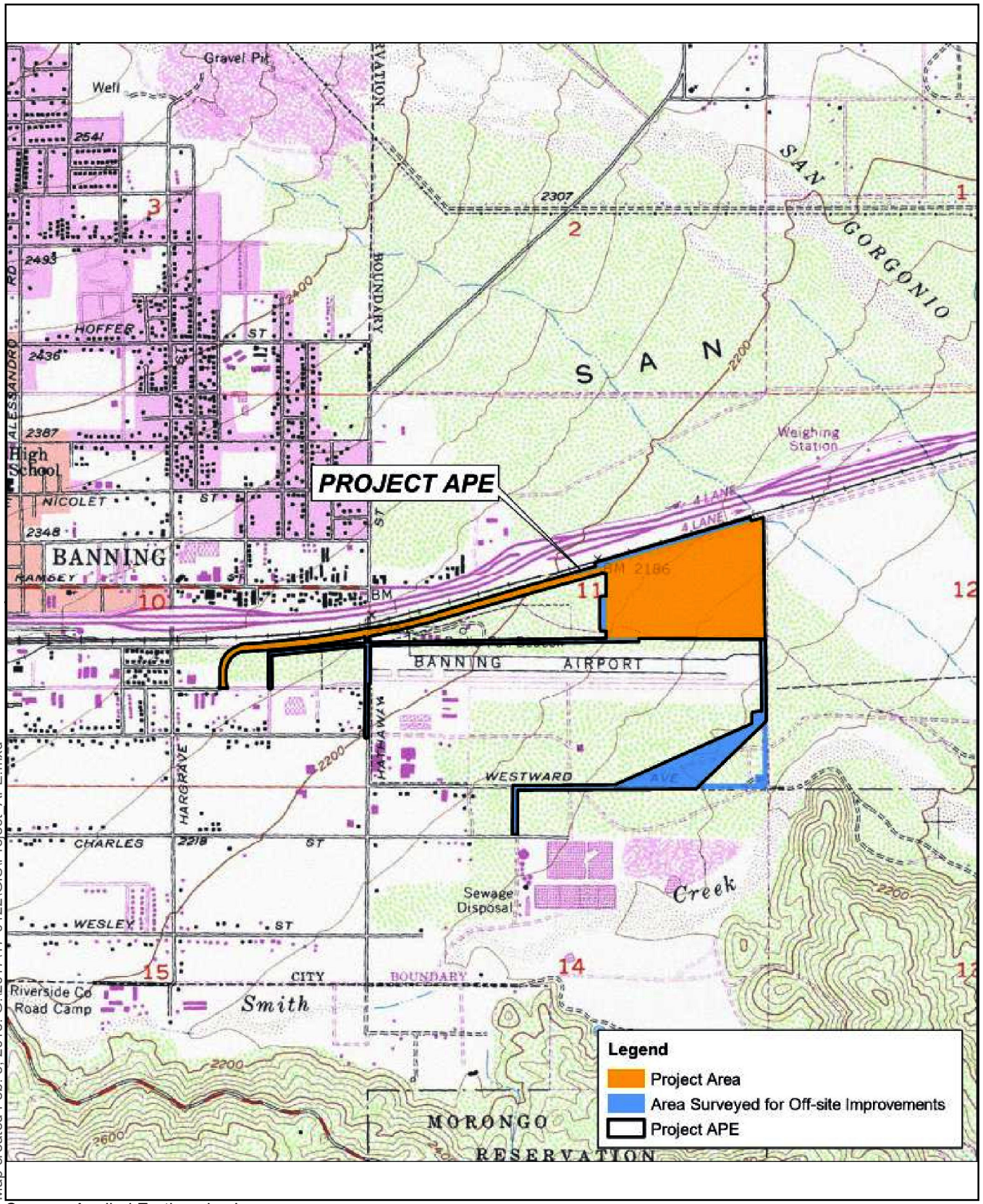
- **Project Site Conditions**

The Project site is located within the Area of Potential Effects (APE) (defined as the geographic area within which the Project has the potential to directly or indirectly cause alterations to historic properties, per 36 CFR § 8001.16(d)). In defining the APE, both direct and indirect impacts anticipated by the proposed Project were considered. As the Project entails construction of a high-cube warehouse and access road within an area bounded by industrial development, indirect effects, such as visual intrusion or noise, are considered temporary. Thus, the APE for this Project is defined as the area of direct impacts, which encompasses approximately 108 acres. In regard to the vertical limits of the Project APE, ground disturbance may reach a maximum depth of 33 below the current grade (AE, p. 7).

The APE includes the Project site and off-site areas planned for wet utilities. Most of the main Project site, which is proposed for development, is located just south of Interstate 10 (I-10) and the Southern Pacific Railroad and north of the Banning Municipal Airport (AE, p. 3). The Project APE is depicted in **Figure 4.9-1- Project Area of Potential Effects**.

- **Tribal Cultural Resource Investigation**

As part of the Phase I Cultural Resources Report, in order to determine if any known Native American cultural properties (e.g., traditional use or gathering areas, places of religious or sacred activity, etc.) are present within or adjacent to the Project area, the applicant's consultant, Applied Earthworks (AE), engaged in contacting the tribes that are culturally or geographically affiliated with the project APE. This effort was not part of the AB 52 government-to government consultation, which is described under Section 4.9.7. AE contacted the Native American Heritage Commission (NAHC) on March 27, 2016, for a review of the Sacred Lands File (SLF). The NAHC responded on May 2, 2016, noting that the SLF search failed to indicate the presence of Native American cultural resources in the immediate Project area. The NAHC requested that Native American individuals and organizations be contacted to elicit information and/or concerns regarding cultural resource issues related to the proposed Project. A letter describing the Project and asking these organizations for their input was sent by AE via USPS and electronic mail on May 25, 2016. Three responses were received, with none providing archival information indicating that the Project Area may be a scared or religious site or other site of Native American traditional cultural value. Additional detail regarding outreach by the consultant is available in Appendix H, which contains the complete Cultural Resources study conducted by Applied Earthworks.



Map created Feb. 5, 2018. G:\2017\17-0122\GIS\Project_APE.mxd

Source: Applied Earthworks, Inc.,
Cultural Resources Assessment, Nov. 2017.

Not to Scale

Figure 4.9-1 – Project Area of Potential Effects

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

4.9.3 REGULATORY SETTING

Federal

- **National Historic Preservation Act**

The National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. 300101 et seq.) is legislation intended to preserve historical and archaeological sites in the United States of America. The act created the National Register of Historic Places (NRHP), the list of National Historic Landmarks, and the State Historic Preservation Offices (SHPO). Among other things, the act requires federal agencies to evaluate the impact of all federally funded or permitted projects on historic properties (buildings, archaeological sites, etc.) through a process known as "Section 106 Review." It must be noted that Section 106 Review does not apply to paleontological resources unless they are found in culturally-related contexts.

State

- **California Environmental Quality Act**

This Project is subject to compliance with California Environmental Quality Act (CEQA), as amended. Cultural resource management work conducted as part of the proposed Project shall comply with the CEQA Statutes and Guidelines (California 2015), which directs lead agencies to first determine whether cultural resources are "historically significant" resources. A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (California Code of Regulations [CCR], § 15064.5[b]). Generally, a cultural resource shall be considered "historically significant" if the resource is 45 years old or older, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and meets the requirements for listing on the California Register of Historical Resources (CRHR) under any one of the following criteria (Title 14 CCR, § 15064.5):

1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. It is associated with the lives of persons important in our past;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,

4. It has yielded, or may be likely to yield, information important in prehistory or history [Title 14 CCR, § 15064.5].

The cited statutes and guidelines specify how cultural resources are to be managed in the context of CEQA-approved projects such as the Banning Distribution Center Project. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Prehistoric and historical archaeological resources, as well as built-environment features, such as standing structures deemed "historically significant" must be considered in project planning and development

- **California Health and Safety Code (Sections 7050.5, 7051, and 7054)**

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the Public Resources Code), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

- **California Public Resources Code Section 5097.98**

California Public Resources Code Section 5097.98 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the State CEQA Guidelines. Human Remains

According to Section 15064.5 of the State CEQA Guidelines, all human remains are a significant resource. This section also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC Section 5097.

- **Native American Heritage Commission**

The NAHC, created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog tribal cultural resources (i.e., places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands) in California. The NAHC is charged with the duty of preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintain an inventory of Native American sacred sites located on public lands (i.e. *Sacred Lands File*), and review current administrative and statutory protections related to these sacred sites.

- **State Historic Preservation Office**

SHPO (or Office of Historic Preservation ("OHP")) is a state governmental function created by the federal government in 1966 under Section 101 of the NHPA. SHPO administers the NRHP, the CRHR, the California Historical Landmarks, and the California Points of Historical Interest programs. The purposes of a SHPO include surveying and recognizing historic properties, reviewing nominations for properties to be included in the NRHP, reviewing undertakings for the impact on the properties as well as supporting federal organizations, state and local governments, and private sector. SHPO maintains the California Historical Resources Information System (CHRIS), which includes the statewide Historical Resources Inventory database.

- **California Public Resources Code Section 5097.5**

California Public Resources Code Section 5097.5 protects, among other things, paleontological sites on State lands. Sections 4306 and 4309 of the California Administrative Code establish authority and processes to protect paleontological resources while allowing mitigation through the permit process. Potential impacts to paleontological resources must be assessed for any project subject to review under CEQA.

- **Senate Bill 18, California Tribal Consultation Guidelines**

The State of California Governor's Office of Planning and Research developed these guidelines in order to provide guidance to cities and counties on the process for consulting with Native American tribes during the adoption or amendment of local general plans or specific plans (defined in Government Code Section 65450 et seq.), which are components of this Project, as an amendment to the Project site's land use designation in the General Plan is proposed. SB 18 requires local agencies to consult with tribes prior to making certain planning decisions and to provide notice to tribes at

certain key points in the planning process, thereby providing tribes an opportunity to participate in local land use decisions at an early planning stage.

In accordance with SB 18, the City initiated consultation with 23 Native American tribes and interested parties as previously indicated.

- **Assembly Bill 52, Impacts to Tribal Cultural Resources**

AB 52, which became effective on July 1, 2015, adds a new threshold to CEQA Appendix G regarding tribal cultural resources. PRC Section 21084.2 now establishes that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. To help determine whether a project may have such an effect, PRC Section 21080.3.1 requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. As a result of AB 52, the following must take place between the consulting Native American Tribes and the lead agency: 1) prescribed notification and response timelines; 2) consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and 3) documentation of all consultation efforts to support CEQA findings.

Under AB 52, if a Lead Agency determines that a project may cause a substantial adverse change to a tribal cultural resource, the Lead Agency must consider measures to mitigate that impact. PRC Section 21074 provides a definition of "tribal cultural resources", as noted in Section 4.9.1.

Local

- **City of Banning General Plan**

Archaeological and Cultural Resources Element

There are no applicable regulations, policies, or program goals specific to tribal cultural resources in the City of Banning's General Plan. However the General Plan addresses local regulations specific to archeological resources in the Archaeological and Cultural Resources Element of the City's General Plan, which are sometimes also considered tribal cultural resources. The following policies are considered applicable to the proposed Project:

Policy 1 The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities.

Policy 3 Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural resource studies.

- **Other Plans, Regulations or Ordinances**

Riverside County Historical Commission

The Riverside County Historical Commission is charged with advising the County of Riverside Board of Supervisors on historic matters within the County of Riverside to discover and identify persons, events, and places of historical importance within the County; to make recommendations relating to the preservation of historic sites and structures; to make recommendations pertaining to the County historical parks, sites, and museums and to encourage their development; and to cooperate with and obtain assistance from related agencies (RCHC).

- **City of Banning Municipal Code**

There are no applicable local regulations in the Municipal Code aside from compliance with CEQA.

4.9.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future. The cumulative area for tribal cultural resources is the City boundaries. A tribal cultural resource, as noted earlier, is either a resource with cultural value to a tribe that is listed, or eligible to be listed in a national, state, or local historical register, or a resource defined by the lead agency, in this case the City. Each project on the Cumulative Project's list will have to go through their own tribal consultation process per AB 52. Additionally, all cumulative development projects, as well as the proposed Project, will be required to comply with procedures discussed within PRC sections 5097 regarding human remains discovery.

4.9.5 PROJECT DESIGN FEATURES

Because there are no known tribal cultural resources at the proposed Project site, there are no site design measures incorporated which would lessen impacts related to tribal cultural resources. Mitigation measures included in this section would lessen impacts to unknown tribal cultural resources which may occur below the surface at the Project site.

4.9.6 THRESHOLDS OF SIGNIFICANCE

The City of Banning has not established local CEQA significance thresholds and instead, defers to the thresholds of significance identified in Appendix G to the State *CEQA Guidelines*.

In accordance with the requirements of CEQA, the Project may be deemed to have a significant impact with respect to tribal cultural resources if it would:

- (Threshold A) Cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code Section 21074 as wither a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American Tribe, and that is:
  - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.9.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Archaeological and Cultural Resources Element

Impact Analysis:

There are no applicable regulations, policies, or program goals specific to tribal cultural resources in the City of Banning's General Plan. No Mitigation is necessary with respect to consistency with General Plan policies.

- **Change Significance of Tribal Cultural Resource**

Threshold A: The Project would cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code Section 21074 as wither a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American Tribe, and that is:

- **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
- **A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Impact Analysis:

AB52 Tribal Consultation

Pursuant to AB 52 consultation, the City of Banning sent letters to 23 tribes on June 14, 2017 indicating there was a development project within the City's Sphere of Influence and requested the tribes respond to the City, indicating their desire to consult with the City regarding the proposed Project. Of the 23 tribes sent letters, eight tribes responded and one requested consultation – the Morongo Band of Mission Indians. A meeting between the City and Morongo Band of Mission Indians took place on September 29, 2017 and was followed up by additional communications via telephone and email.

Mitigation measures **MM TCR 1** through **MM TCR 3** will be included to protect any tribal cultural resources and human remains found within the Project APE; these measures are also in Section 4.4 Cultural Resources of this DEIR. As such, the Project will have a less than significant impact with mitigation incorporated.

SB18 Tribal Consultation

Pursuant to SB 18 consultation which is triggered by the need for a General Plan Amendment to bring two parcels on the site into the AI zone/land use designation, the City of Banning sent letters in October 2017 to 23 tribes indicating there was a development project that requires a Zone Change and General Plan Amendment. Of the 23 tribes contacted, seven responded; no tribes requested consultation for SB 18. While none of the tribes contacted requested SB18 consultation, one Tribe encouraged the use of a Native American qualified monitor on-site during the pre-construction and construction phases of the project, which is captured in **MM TCR 2**.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

MM TCR 1 If cultural resources are found during project construction, all ground-disturbing activities within 100 feet of the find shall be halted. A Registered Professional Archaeologist shall prepare a Cultural Resources Management Plan in consultation with the consulting tribes and the City Community Development Department, Planning Division, to include relinquishment of all artifacts through one of the following methods:

a) Reburial in consultation with the appropriate culturally affiliated Native American tribe or band. The reburial area shall be away from any future impacts. Reburial shall not occur until all cataloguing, analysis and any necessary special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be documented in a Final Report, which shall be provided to the City Community Development Department, Planning Division upon completion; or

b) Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will provide professional curation and ensure artifacts are made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred to the curation facility, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of these actions shall be

provided to the City Community Development Department, Planning Division in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

MM TCR 2 Prior to the issuance of grading permits, the developer shall enter into a Native American monitoring agreement with one of the consulting tribes for the project. The Native American Monitor shall be on-site during all initial ground disturbing activities including clearing, grubbing, vegetation removal, grading and trenching. The Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

MM TCR 3 In the event of discovery of human remains during grading or other ground disturbance, work in the immediate vicinity shall cease and the landowner shall comply with State Health and Safety Code §7050.5 and Public Resources Code §5097.98. In the event human remains are found and identified as Native American, the landowner shall also notify the City Community Development Department, Planning Division so that the City can ensure PRC §5097.98 is followed.

Level of Significance after Mitigation:

Less Than Significant.

4.9.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.9.4 for relevant assumptions regarding the cumulative Cultural Tribal Resource setting.

Impact Analysis:

The cumulative area for tribal cultural resources is the City boundaries, but can also vary depending on which tribe is being consulted with. All cumulative development projects within the City will be required to comply with AB 52 and SB 18 (as applicable). Consultations with tribes and cultural resource reports will be required for each individual cumulative development project to assess the potential for significant impacts

to these resources and to identify mitigation measures if necessary. The project analysis and consultation with the tribes discussed above have not identified any tribal cultural resources on the Project site. Cumulative development may have a potentially significant impact to an inadvertent tribal cultural resource discovery.

Level of Significance before Mitigation:

Potentially Significant.

Mitigation Measures:

Mitigation Measures **MM TCR 1**, **MM TCR 2**, and **MM TCR 3**.

Level of Significance after Mitigation: Less Than Significant.

4.9.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not Applicable.

4.9.10 REFERENCES

Applied Earthworks, *Cultural Resource Assessment of 108 Acres for the Banning Industrial Project, City of Banning, Riverside County, California*, November 2017. (Included herein Appendix H.) (Cited as AE)

City of Banning, *City of Banning General Plan,* adopted January 31, 2006 (Available at https://www.ci.banning.ca.us/468/General-Plan-Amendments, accessed on January 25, 2018) (Cited as Banning GP)Governor's Office of Planning and Research, *Technical Advisory AB52 and Tribal Cultural Resources in CEQA,* June, 2017 (Available at http://www.opr.ca.gov/docs/Revised_AB_52_Technical_Advisory_March_2017.pdf , accessed on May 12, 2018) (Cited as OPR)

4.10 UTILITIES AND SERVICE SYSTEMS

4.10.1 INTRODUCTION

The following analysis addresses whether the Project will require or result in the construction of new water, wastewater and/or stormwater facilities or expansion of existing facilities; whether sufficient water supplies are currently available to serve the Project; and whether sufficient treatment capacity exists at the wastewater treatment plant to serve the Project.

Technical studies that have been prepared for the Project that pertain to utilities and service systems include the Preliminary Drainage Study and the Water Supply Assessment (WSA), which are provided in Appendices I and J, respectively.

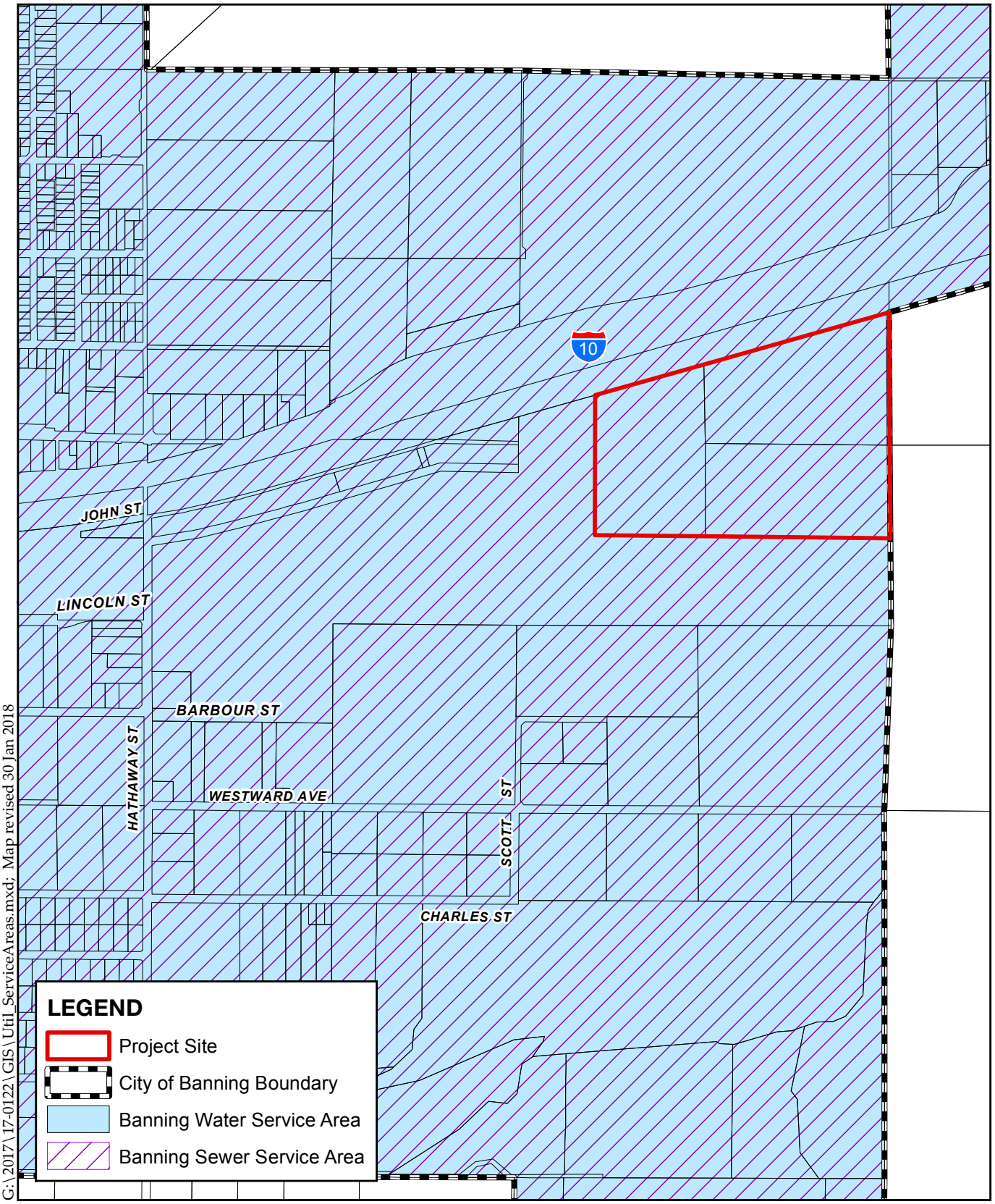
In response to the Notice of Preparation (NOP), two comment letters were received regarding utilities and service systems. The letters from Sierra Club Moreno Valley Group and Wittwer/Parkin LLP on behalf of Southwest Regional Council of Carpenters are available in Appendix B of this DEIR. These comments have been addressed herein.

4.10.2 PHYSICAL SETTING

- **Surrounding Conditions**

    - **Water**

The City of Banning Public Works Department and Water Division ("City") provide municipal water service to customers within its service area of approximately 16,908 acres, which includes the area within the City limits and a small area of unincorporated Riverside County. The Project site is located within the City's water service area, as shown in **Figure 4.10-1 – Water and Sewer Service Area**. In 2015 the City supplied 6,709 acre-feet (AF) of potable and non-potable water to 10,648 connections, including High Valleys Water District located in the San Jacinto Mountains and Banning Heights Mutual Water Company (UWMP, pp. 2-4, 3-2). A summary of the City's current (2015) and projected water demands is provided in **Table 4.10-A – City of Banning Current and Future Water Demand.**



Sources: City of Banning, 2017; Riverside Co. GIS, 2018.

Figure 4.10-1 - Water and Sewer Service Area

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

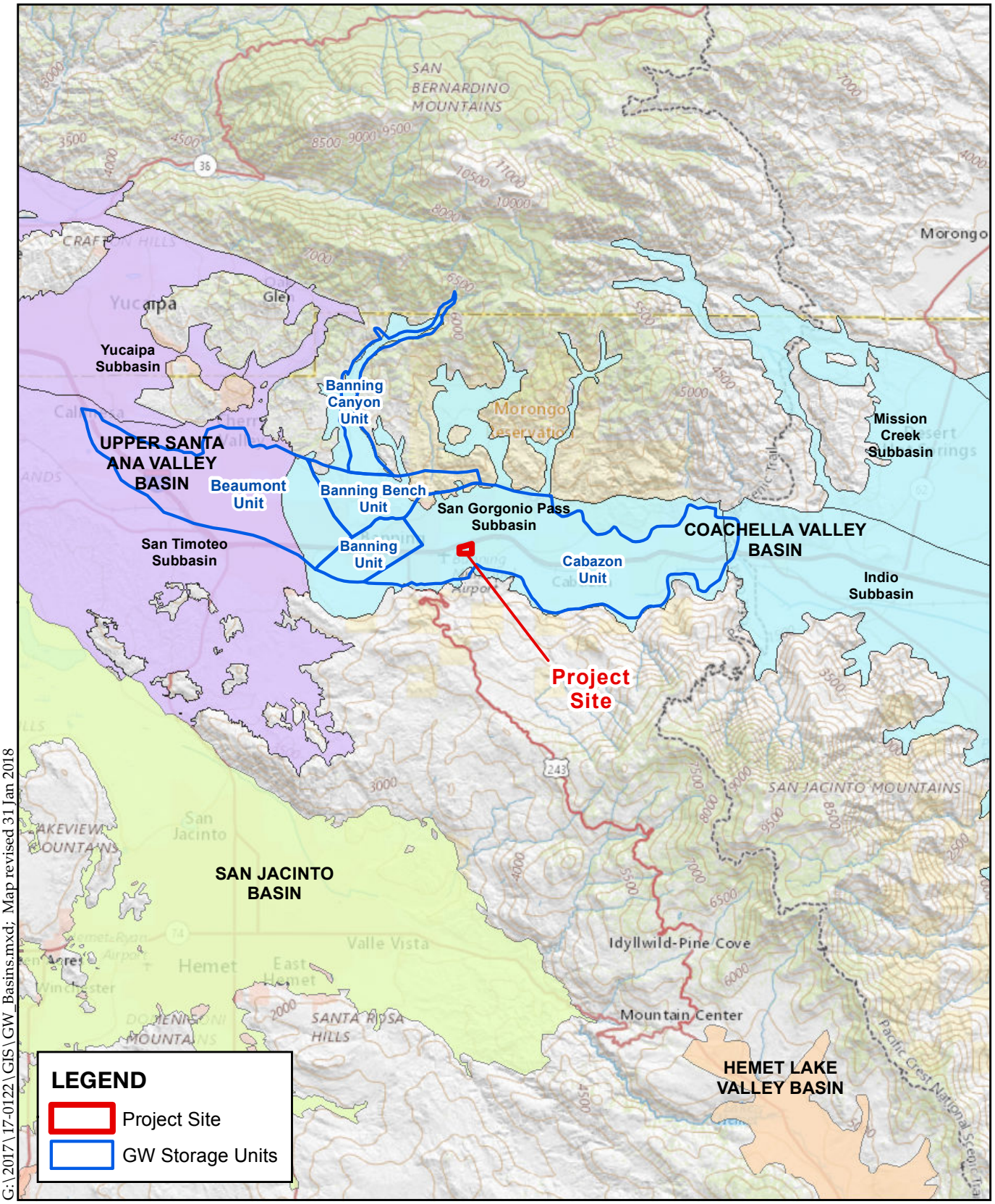
Table 4.10-A: City of Banning Current and Future Water Demand (AFY)

Customer Category	2015	2020	2025	2030	2035	2040
	Actual			Projected		
Residential [a]	3,300	4,382	4,578	4,772	4,966	5,173
Proposed Specific Plan Developments (residential)	-	1,609	1,983	2,288	2,649	2,988
Commercial	1,705	2,281	2,382	2,484	2,586	2,694
Industrial	92	94	99	103	107	111
Public	53	63	66	69	71	74
Irrigation (potable)	524	739	779	818	859	903
Irrigation (non-potable)	202	205	207	210	211	212
Sales/Transfers/Exchanges to other agencies [b]	95	100	105	110	116	122
Losses (11%)	738	1,042	1,122	1,194	1,272	1,351
TOTAL	**6,709**	**10,515**	**11,321**	**12,048**	**12,837**	**13,628**

Notes: Does not include current/future recycled water demands. Data from Appendix B to 2015 Banning UWMP (Tables 4-1, 4-2, 4-3, 6-4). Unit of measurement is acre-feet per year (AFY).
(a) Includes single-family detached residences, condominiums, apartments, and mobile homes.
(b) Water provided to High Valleys Water District and Banning Heights Mutual Water Company, assuming a 1% growth rate per year.
(c) Assuming WWTP upgrade and expansion occur as planned by the City (2015 UWMP, p. 5-12).

According to the Water Supply Assessment (WSA) that has been prepared for the Project, the Project's total water demand is estimated at 47 AFY (Appendix J).

The City obtains its water supply from a network of groundwater wells located throughout its water service area. The wells produce water from five hydraulically-connected "storage units" of the western portion of the San Gorgonio Pass Sub-basin: Banning, Banning Bench, Banning Canyon, Beaumont and Cabazon storage units (Geoscience, p. 10). Although the Project site overlies the Cabazon storage unit, as shown on **Figure 4.10-2 – Groundwater Basins**, the Project would be supplied with water produced from a combination of groundwater wells (WSA, p. 4-13).



G:\2017\17-0122\GIS\GW_Basins.mxd; Map revised 31 Jan 2018

Sources: CA Dept. of Water Resources, 2016; USGS 2006; ESRI/USGS

0 2 4 6 Miles

Figure 4.10-2 - Groundwater Basins

Banning Distribution Center

ALBERT A. WEBB ASSOCIATES

The Beaumont storage unit (aka Beaumont Basin) is an adjudicated basin and the City is an Appropriator identified in the 2004 Judgment.[1] As such, the annual rate of production the City has rights to withdraw is based on the amount the City has in storage or credited to them, as determined by the Court-appointed Beaumont Basin Watermaster who accounts for all additions, extractions, and credits to the Beaumont Basin. The Judgment allows the City to store supplemental water in the Beaumont Basin through a Groundwater Storage Agreement with the Watermaster. When available, the supplemental water is purchased by the City from the San Gorgonio Pass Water Agency (SGPWA) who obtains it from the State Water Project (SWP). The SGPWA is a SWP Contractor and local wholesaler of imported water to the following retail water purveyors within its service area: the City of Banning, Beaumont Cherry Valley Water District, and Yucaipa Valley Water District (SGPWA UWMP, p. 2-2). At the end of calendar year 2016, the City of Banning's Beaumont Basin groundwater storage account held 49,990.8 AF of water; the City's account is limited to a maximum of 80,000 AF (Watermaster, pp. 2-6, 3-10).

The City's 2015 actual water supply and estimate of future water supplies are shown in **Table 4.10-B – City of Banning Current and Future Water Supplies**. Projected supplies for all the storage units except the Beaumont Basin are based on the findings of a 2011 hydrogeologic study (Geoscience) to determine accurate measurements of available supplies (i.e. safe yield).[2]

[1] *San Timoteo Watershed Management Authority v. City of Banning et al*., Case No. RIC 389197, on February 4, 2004. (Available as appendix E to the WSA).

[2] Judgment (2004) defines Safe Yield as, "The maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage."

Table 4.10-B: City of Banning Current and Future Water Supplies (AFY)

Source	2015 Actual	2020	2025	2030	2035	2040
Beaumont Basin Appropriative Water (Actual quantity to be pumped)[a]	1,675	1,266 (840)	1,145 (1,645)	1,029 (2,372)	925 (3,162)	925 (3,643)
Banning Storage Unit	527	1,130	1,130	1,130	1,130	1,130
Banning Bench Storage Unit	1,208	1,960	1,960	1,960	1,960	1,960
Cabazon Storage Unit	787	2,515	2,515	2,515	2,515	2,515
Banning Canyon Storage Unit	2,462	4,070	4,070	4,070	4,070	4,070
Sub-Total	**6,659**	**10,941**	**10,820**	**10,704**	**10,600**	**10,600**
Purchased SWP water from SGPWA [a]	694	2,718	2,718	2,718	2,718	2,718
Total	**7,353**	**13,659**	**13,538**	**13,422**	**13,318**	**13,318**

Notes: Actual amounts produced from 2015 UWMP, Tables 5-1 and 5-2. Projections from Table 5-4. Unit of measurement is acre-feet per year (AFY).

(a) For recharge purposes. From 2015 UWMP Table 5-3.

The projected supplies shown in **Table 4.10-B** correlate to the safe yields of the storage units and a conservative proportion of the SWP water expected to be available for purchase from SGPWA (WSA, p. 3-20). The supplies do not include the City's reservoirs, which currently hold 67.1 AF (2015 UWMP, p. 7-3) and are used to regulate hourly fluctuations in demand, provide fire flow, and supplement supply during extended outages (WSA, p. 3-14). In addition, back-up emergency methods of groundwater production can produce a maximum of 28.3 AF per day (2015 UWMP, p. 7-3).

Based on 2015 data, the City's maximum day demand for water was approximately 30 AF per day (or 6,789 gpm (WSA, p. 3-14)). The City's well capacity is approximately 24,300 gpm, which is more than adequate to meet the maximum demand on the system (WSA, p. 4-13). Again, the City will only pump that which is necessary to meet demand.

- **Wastewater**

The City of Banning Wastewater Utility ("City") maintains facilities to collect, convey, treat, and dispose of wastewater that is generated within the entire city limits, including some adjacent areas of unincorporated Riverside County (GP, p. VI-2). Refer to **Figure 4.10-1**. According to the City's *Sewer System Management Plan* (revised June 30, 2016), there are 10,422 residential sewer connections and 591 commercial/industrial sewer connections, which are connected to 115 miles of gravity sewer mains, five miles of

force mains, and four sewer lift stations (SSMP, pp. E-1, 3-2). Areas of the city without sewer facilities utilize septic tanks (GP, p. VI-2).

The City of Banning owns one wastewater treatment plant (WWTP or "Plant") located at 2242 East Charles Street, which is currently operated by Suez Water Environmental Services, a private contractor. The Colorado River Basin Regional Water Quality Control Board (RWQCB) issues and oversees a permit (Waste Discharge Requirements or WDR) that regulates the effluent discharged from the WWTP (Board Order No. R7-2016-0015).

The WWTP has a design treatment capacity of 3.6 million gallons per day (MGD) and, as of 2016, discharges approximately 2.07 MGD into ten unlined evaporation/percolation ponds (WDR, p. 1). As of 2016, the Plant is operating at approximately 58% capacity. When the WWTP reaches 80% capacity, it will be required to provide the RWQCB a plan for expanding treatment capacity (WDR, p. 13).

The Banning WWTP provides preliminary, primary, and secondary treatment, solids handling, and said percolation disposal ponds. The disinfection units have not been in use since April 2000 (WDR, p. 2). According to the 2015 UWMP, the City estimates a WWTP treatment system upgrade to occur by 2025 that will produce tertiary-treated effluent that can be distributed for irrigation, and offset potable water used for landscaping (p. 5-11). The WWTP would also be expanded from a treatment capacity of 3.6 MGD to 5.1 MGD, as shown in the "90% Design Plans" and "Preliminary Draft Pre-Design Report" prepared for the city by Parsons Engineering (Parsons).

The City estimates the sewer system connection fees based on one "equivalent dwelling unit" or "EDU" equal to 225 gallons of wastewater per day (gpd) and constituent levels of 200 parts per million (ppm) of suspended solids and 200 ppm of biochemical oxygen demand (BOD, Muni Code Ch. 13.08). Depending on the proposed land use, the City will assign the number of EDU's, which can be adjusted as needed depending on the quality of the discharge to the WWTP.

The City is in the process of finalizing an integrated master plan for the sewer, water, and recycled water systems. Although still a draft document, the forthcoming master plan provides the following wastewater generation rate for industrial land uses:

Industrial: 750 gpd/acre[3]

Based on a Project site area of 64 acres and the aforementioned factor, wastewater generation for the Project is estimated at 48,000 gpd.

The City will issue a wastewater discharge permit for any nondomestic property, including the proposed Project, requesting discharge into the City sewerage system. Pretreatment of the Project's wastewater may be required depending on the nature of the building tenant, pursuant to the RWQCB pretreatment regulations. (13.20.170).

- **Stormwater**

The City of Banning Public Works Department ("City") is responsible for ensuring the City's compliance with applicable stormwater regulations, including the National Pollutant Discharge Elimination System (NPDES). In regards to storm drain infrastructure, the City works with the Riverside County Flood Control and Water Conservation District (RCFCD or "District") to implement the *Banning Master Drainage Plan* (MDP). The District develops MDPs to plan out current and future drainage needs of a community as it develops. According to the Banning MDP, no facilities are proposed for the Project site.

A preliminary Drainage Study (Appendix I) and preliminary Water Quality Management Plan ([WQMP] Appendix L) have been prepared for the proposed Project, as required by the City (Muni Code 13.24.110). The Project meets the criteria to be a "Priority Development Project" (WQMP Guidance), and therefore required to provide on-site retention of all stormwater generated by storm events up to and including the 100-year, 3-hour storm event. This is considered a flood event and correlates to approximately 2.2 inches of rainfall over three hours (see isohyetal map E-5.2 of Drainage Study in Appendix I). Designing for retention of a flood event provides far more capacity than the minimum volume to be treated for water quality purposes. According to the preliminary Drainage Study and WQMP, the total volume to be retained and infiltrated on-site from the 100-year, 3-hour storm event is approximately 389,972 cubic feet (see Appendix B to the WQMP located in Appendix L).

In addition, because the Project site is within the sphere of influence of the Banning Municipal Airport, the Riverside County Airport Land Use Commission (ALUC) requires

[3] Personal communication with Luis Cardenas, P.E., Senior Civil Engineer for Water and Wastewater, City of Banning. Email dated 1/23/18.

stormwater basins to drain within no more than 48-hours. As a result, the Project site must provide the necessary space and infrastructure for capturing, conveying, and holding the stormwater generated on-site by the 100-year, 3-hour storm event.

4.10.3 REGULATORY SETTING

- **Federal**

  - **Clean Water Act**

The Clean Water Act (CWA) prohibits the discharge of pollutants to waters of the United States unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In California, the authority of the CWA is vested with the State Water Resources Control Board (SWRCB) and nine RWQCBs. The Project is located within the boundary of the Whitewater River Watershed within the jurisdiction of the Colorado River Basin RWQCB.

  - **Categorical Pretreatment Standards**

Pretreatment standards are pollutant discharge limits permitted under the NPDES, which apply to industrial users. Effluent limitation guidelines and pretreatment standards, also called effluent guidelines, are uniform national standards developed by U.S. Environmental Protection Agency (USEPA) for specific industrial categories (40 CFR Parts 400-424 and Parts 425-471). USEPA bases these standards on the greatest pollutant reductions economically achievable for each industry. The guidelines cover specific industrial processes and limit specific pollutants.

U.S. EPA delegated the responsibility to oversee these pretreatment programs to the SWRCB and RWQCBs in 1989. As a result, they are responsible for the review and approval of new and modified wastewater treatment plant (aka Privately Owned Treatment Works or "POTW") pretreatment programs. The NPDES permits spell out the pretreatment program monitoring and reporting requirements. The RWQCB's pretreatment program includes pretreatment compliance audits and inspections, annual and semiannual report reviews, program modifications, and enforcement activities.

- **State**

  - **General Statewide NPDES Permits**

Some NPDES permits are managed on a statewide basis (i.e. General Permits) by the SWRCB, including the General Industrial Activities Storm Water Permit (Order 2014-0057-DWQ). Operators of facilities that discharge storm water associated with industrial activity are required to obtain an NPDES pursuant to Section 402 of the CWA. Whether

the site meets the definition of an industrial activity is determined by the Standard Industrial Classification (SIC) code for the facility.

Municipalities that own or operate sanitary sewer systems that meet certain criteria are subject to the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003-DWQ). Among other things, the permit requires preparation of a system-specific Sewer System Management Plan (SSMP) with the purpose to protect water quality, eliminate or substantially reduce preventable sewer system overflows (SSOs), and to protect public health and the environment.

- **Porter-Cologne Water Quality Control Act**

In addition to implementing the CWA, the SWRCB, and nine RWQCBs are responsible for implementing the Porter-Cologne Water Quality Control Act. The Porter-Cologne Water Quality Control Act, Section 13000, directs each RWQCB to develop a Water Quality Control Plan (Basin Plan) for all areas within its region. The Basin Plan is the basis for each RWQCB's regulatory programs.

- **Senate Bill 610**

Senate Bill 610 ([SB 610] which amended CWC 10910 *et. seq.*) adopted in 2003 was passed to ensure sufficient water supplies to meet demand associated with proposed development in California. Section 10910 *et seq.* of the California Water Code (CWC) requires that a water supply assessment (WSA) be prepared if the proposed project has certain use and size characteristics. The WSA must evaluate the anticipated water demands of the project and determine if the local water supplier has adequate supplies to serve the project and meet existing and projected obligations.

For the purposes of SB 610, a "project" is a proposed development with water demand of 500-dwelling units or more. For industrial development, a "project" is a proposed development larger than 650,000 square feet or 40 acres. For commercial development, a "project" is a proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space. The proposed Project entails the construction and operation of approximately one million square feet of industrial warehousing and office space. Therefore, a WSA was prepared for this Project, the results of which are discussed in the environmental impact analysis below.

Further, Sections 13550-13556 of the Water Code states that local, regional, or state agencies shall not use water from any source of quality for non-potable uses if suitable recycled water is available as provided in Section 13550 of the Water Code.

- **Urban Water Management Planning Act of 1983**

Urban water suppliers (as defined by California Water Code [CWC] Section 10617) are obligated by the California Department of Water Resources (DWR) to prepare for review and approval urban water management plans (UWMPs). They are updated and resubmitted every five years. Generally, water suppliers must analyze current system demands and supplies, make projections of supply and demand, and describe all water supply projects that might be undertaken to meet total projected water use over the next 20 years. Failure to comply with the UWMP requirements disqualifies the urban water supplier from obtaining any water management grant or loan administered by DWR.

The Water Conservation Act of 2009 (Senate Bill X7-7) requires retail urban water suppliers to report in their UWMPs how they will decrease daily per capita urban water use to assist the State in meeting a 20% reduction goal by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans.

- **Waste Discharge Requirements- Banning Wastewater Treatment Plant**

Wastewater discharges to just waters of the State that are exempt from federal NPDES requirements are issued Waste Discharge Requirements (WDRs). WDRs are also required for discharges of treated wastewater to land, such as recycled water. Requirements for recycled water produced and discharged within the RWQCB jurisdiction are incorporated into the recycled water producer's NPDES/WDR individual permits. The WDR for the City of Banning WWTP is Board Order No. R7-2016-0015.

- **Order No. 2006-0003-DWQ**

Statewide General WDR for Sanitary Sewer Systems (Order No. 2006-0003-DWQ) requires all owners of sanitary sewer collection systems to report sanitary sewer overflows (SSO) and prepare a Sewer System Management Plan (SSMP). The City has had coverage under this permit since July 27, 2006. The SWRCB tracks compliance with electronic SSO spill reporting; SSMP Progress; and Collection System Questionnaire and annual updates. The SSMP provides methods for the City to identify, create, and incorporate a multitude of best management practices and procedures to maintain a well-functioning collection system.

- **Municipal Separate Storm Sewer System (MS4)**

The MS4 permit program regulates all stormwater discharges from municipal storm drains. The Colorado River Basin RWQCB issued an MS4 permit (Order No. R7-2013-0011) for the Whitewater River Watershed to RCFCD and County of Riverside (as

principal permittees), and several member agencies (as co-permittees) including the City of Banning. In compliance with the MS4 permit, the City requires at a minimum, all development will make provisions to store runoff from rainfall events up to and including the 100-year, 3-hour duration event. In addition, post-development peak urban runoff discharge rates shall not exceed pre-development peak urban runoff discharges rates (Muni Code 13.24.110).

As stated in the MS4 Permit in regards to the City's stormwater system (p.4):

> The City of Banning, although included as a Permittee on the MS4 Permit, does not share an interconnected MS4 with the remainder of the Permittees. The MS4 operated by the City of Banning discharges directly into the San Gorgonio River, an ephemeral receiving water. Most MS4 discharges from the City of Banning infiltrate. Rarely and only during significant runoff events, storm drainage may flow as far as the Coachella Valley Water District infiltration basins near the City of Palm Springs, which are located several miles upstream of urban runoff discharges from the MS4s operated by the other Permittees. However, the City of Banning is included in this MS4 Permit to facilitate coordination with the regional programs implemented by the Permittees and to reduce the administrative duties on the Regional Water Board.

The MS4 permittees are required to develop plans and programs to reduce pollutants in urban runoff to the Maximum Extent Practicable (MEP),[4] which are summarized in the Whitewater River Region Storm Water Management Plan (SWMP). Included in the SWMP are programs to monitor, respond, manage, and report the following activities: illicit connection/illegal discharges, industrial and commercial facility discharges, sanitary sewer spills, hazardous waste/material facilities, retail food facilities, water quality management plan (WQMP) for new and redevelopment projects, construction site inspections, pollution prevention plan for public facilities, and best management practices (BMPs) for firefighting activities.

Development projects that meet the criteria for submitting a WQMP to the City of Banning are required to provide a project-specific WQMP prior to the first discretionary project approval or permit. Project applicants may submit a preliminary project-specific WQMP for discretionary project approval (land use permit); however, a final version would be submitted for review and approval prior to the issuance of any grading or building permits.

- **Regional**

The Riverside County Flood Control and Water Conservation District (RCFCD or District) adopted the Banning Master Drainage Plan (revised September 1994), the boundaries of which include the Project site. Many cities within the District's boundary that have a MDP will also establish an Area Drainage Plan (ADP), which is the financing mechanism used to offset taxpayer costs for proposed drainage facilities. According to the ADP, fees to support construction of MDP facilities are assessed on new development within the

[4] The term, Maximum Extent Practicable (or MEP) comes from the federal Clean Water Act, §402(p)(3)(B). The MEP standard involves applying BMPs that are effective in reducing the discharge of pollutants in storm water runoff. In discussing the MEP standard, the State Board has said the following: "There must be a serious attempt to comply, and practical solutions may not be lightly rejected. If, from the list of BMPs, a permittee chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a permittee employs all applicable BMPs except those where it can show that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP requires permittees to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive." (Order WQ 00-11, p.20).

plan area. Currently, an ADP has not been established for the City of Banning (District Web site, 8/25/17).

- **Adjudication of Groundwater Rights in the Beaumont Basin**

The Beaumont Basin (aka Beaumont storage unit) was adjudicated by the Riverside County Superior Court in 2004 as a result of a friendly lawsuit to establish water rights and develop a storage program for the basin. A copy of the Judgment is provided as Appendix E to the WSA (Appendix J). A court-appointed Watermaster Committee was established consisting of representatives from each of the five appropriators (Cities of Banning and Beaumont, Beaumont-Cherry Valley Water District, South Mesa Water Company, and Yucaipa Valley Water District). Other stipulated producers include 17 overlying users, consisting of individuals, golf courses/resorts, poultry farmers, private companies, and a church. The Beaumont Basin Watermaster carries out the provisions of the Judgment including monitoring of the basin and files an annual report on pumping and replenishment.

- **Local**

- **City of Banning General Plan**

The following applicable policies are from the City of Banning General Plan (adopted 2006) that are related to water, wastewater, and stormwater utilities and service systems:

Water Resources Element

Policy 1 New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.

Policy 2 The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.

Policy 4 Require that all new development be connected to the sewage treatment system, or install dry sewers until such time as that connection is possible.

Policy 5 The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.

Wildland Fire Hazards Element

Policy 4 The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.

Water, Wastewater, and Utilities Element

Policy 2 Sewer connection shall be required at the time a lot is developed when service is available.

Policy 4 The City shall make every effort to assure and assist in facilitating the timely and cost-effective extension and expansion of services that support community development and improved quality of life.

Policy 5 To ensure the timely expansion of facilities in a manner that minimizes environmental impacts and disturbance of existing improvements, the City shall confer and coordinate with service and utility providers in planning, designing and siting of supporting and distribution facilities.

Policy 8 The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.

Police and Fire Protection Element

Policy 4 All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.

Flooding and Hydrology Element

Policy 6 All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.

- **Other Plans, Regulations or Ordinances**

City of Banning Water Conservation

Executive Order B-37-16 issued on May 9, 2016 by the Governor, established a new water use efficiency framework for California. The order established longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating wasteful practices, strengthening urban drought contingency plans and improving agricultural water management and drought plans.

The City of Banning adopted Ordinance No. 1489 on June 9, 2015 in response to the mandated Emergency Conservation Regulations. The ordinance updated the City's Water Conservation Plan (Chapter 13.16 of the City's Municipal Code). The ordinance outlines stringent prohibitions and penalties, a voluntary conservation stage that is always in effect, and mandatory water shortage stages 1 through 4 that target a strict enforcement of water conservation routines following a water crisis. In addition, the City's Water Shortage Contingency Plan describes the methods to achieve, and the implications of, reducing water supplies up to 50% (Banning 2015 UWMP, Chapter 7). Lastly, the City implements various programs to reduce water consumption, identified as Demand Management Measures in the 2015 UWMP.

On April 7, 2017 the Governor issued Executive Order B-40-17 that ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne. The Executive Order maintains the mandatory water reporting requirements and prohibitions on wasteful practices contained in Executive Order B-37-16, as described previously. In a related action, state agencies released a plan to implement Executive Order B-37-16 titled, "Making Water Conservation a California Way of Life.

According to December 28, 2017 data reported to the state, cumulative water savings by the City since June 2015 is at 23.0% (SWRCB(a)).

- **City of Banning Municipal Code**

The following are summaries of chapters and sections of the City's Municipal Code which are pertinent to the proposed Project. The entirety of the Municipal Code (codified through Ordinance No. 1515, adopted October 10, 2017) is available online at https://library.municode.com/ca/banning/codes/code_of_ordinances.

Chapter 13.20 – Industrial Wastewater Collection and Treatment.

The purpose of this chapter is to provide for the maximum possible beneficial public use of the city's wastewater collection and treatment facilities through adequate regulations and permit requirements governing nonresidential discharges, to provide for equitable distribution of the city's costs, and to provide procedures for complying with requirements placed upon the City of Banning by other regulatory agencies.

Chapter 13.24 – Stormwater Management System ("Stormwater Code")

The purpose of this chapter is to ensure the future health, safety, and general welfare of the citizens by:

A. Regulating nonstormwater discharges to the municipal storm drain; and
B. Controlling the discharge to municipal separate storm drains from spills, dumping or disposal of materials other than stormwater; and
C. Reducing pollutants in stormwater discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of city watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the Clean Water Act.

Chapter 18.15 - Grading, Erosion and Sediment Control.

The purpose of this chapter is to regulate grading activity on property within the city limits of the City of Banning to safeguard life, limb, health, property and the public welfare; to avoid discharges of pollutants such as sediment, hazardous materials, wastes and debris from entering public or private stormwater conveyance facilities and surface waters; and to ensure that the intended use of a graded site within the city limits is consistent with the city's general plan, any specific plans adopted thereto and all applicable city ordinances and zoning regulations.

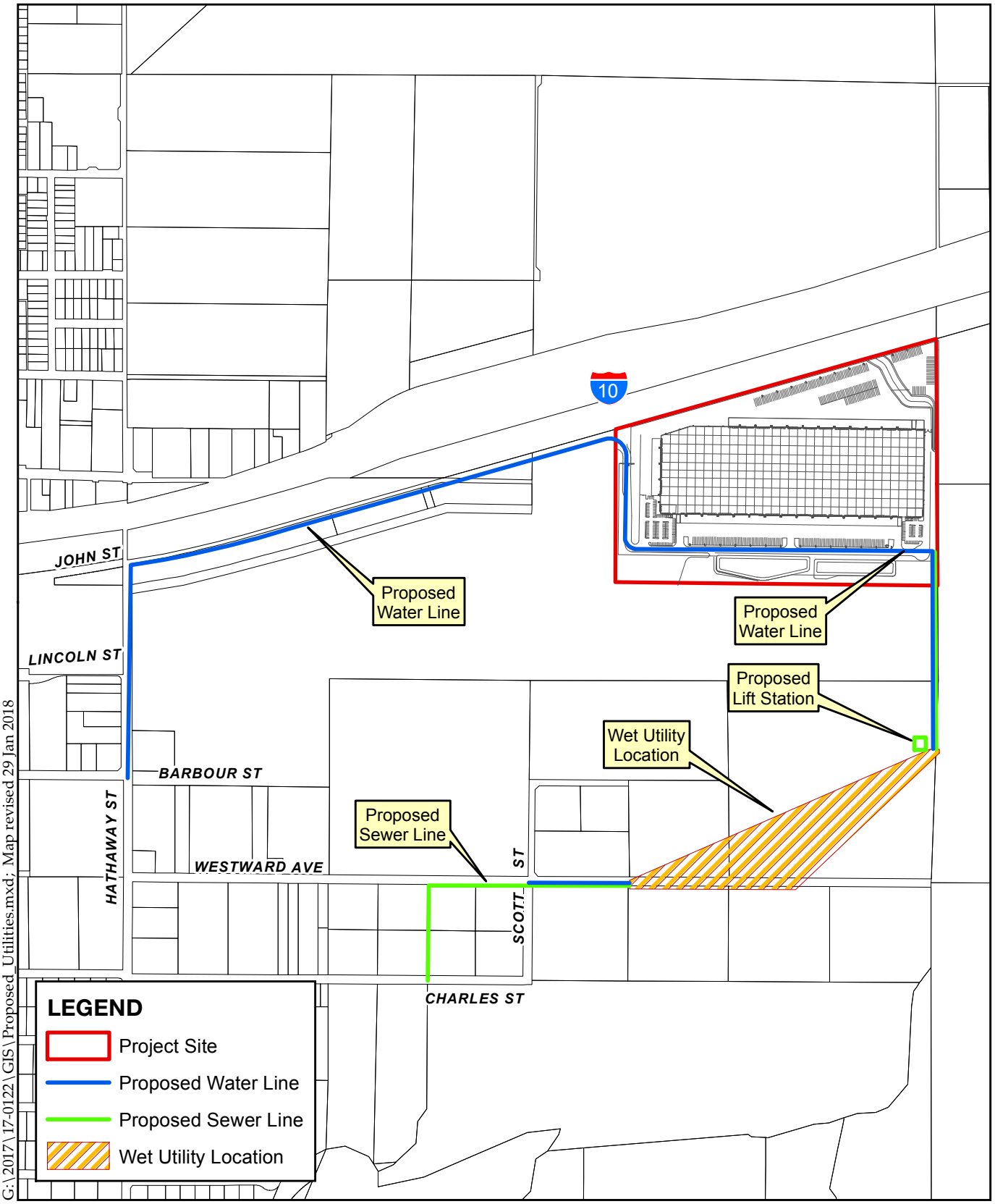
4.10.4 CUMULATIVE SETTING

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and future. The cumulative impact analysis for the proposed Project is based on information contained in the City of Banning General Plan (Banning GP) and City of Banning General Plan Draft Environmental Impact Report (Banning GP EIR) (SCH No. 2006011039) certified by the City Council on January 31, 2006 and is hereby incorporated by reference. The Banning GP EIR is available for review at the locations cited for these documents in Section 4.10.10 (References). The cumulative setting for water, sewer, and stormwater utilities and service systems are the boundaries of the General Plan.

4.10.5 PROJECT DESIGN FEATURES

The proposed Project incorporates the installation of off-site sewer and water lines, and a sewer lift station that are required to connect the Project site to the city's existing system. Approximately 5,968 linear feet of sewer line will be installed off-site and an associated lift station located 0.4-mile south of the Project site. Approximately 9,350 linear feet of off-site potable water line will also be constructed, as shown in **Figure 4.10-3 – Proposed Utilities**.

The Project includes on-site stormwater collection, conveyance and retention facilities for all runoff generated on-site. Preliminary site design includes approximately 2,640 feet of on-site storm drain pipes, a minimum of three catch basins, and 90,440 square feet of infiltration basins (Appendix L). In addition, the Project includes construction of a 5,688-foot extension of John Street from the westerly Project boundary to Lincoln Street. The stormwater drainage system that will be required for the John Street extension as well as the exact locations of water, sewer, and stormwater infrastructure will be determined at final engineering.



Source: Riverside Co. GIS, 2018

0 500 1,000 1,500 Feet

Figure 4.10-3 - Proposed Utilities

Banning Distribution Center

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To help the City achieve its water conservation goals, the Project will accomplish the following:

- Create water-efficient landscapes;
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the DWR Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code;
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products);
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff; and
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

These features may act to avoid or minimize potential impacts to the wastewater treatment system, the water supply network, and downstream waterbodies.

4.10.6 THRESHOLDS OF SIGNIFICANCE

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Project may be deemed to have a significant impact with respect to hydrology and water quality if it would:

- (Threshold A) require or result in the construction of new water or wastewater treatment or facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- (Threshold B) 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;
- (Threshold C) have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed; or
- (Threshold D) 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.

The following topics were determined to have No Impact or Less than Significant in the Initial Study (Appendix A) therefore, these topics are not further analyzed in the EIR:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and
- Comply with federal, state, and local statutes and regulations related to solid waste.

4.10.7 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

Impact Analysis:

The Project's consistency with the goals and policies of the City's General Plan, which pertain to utilities and service systems is provided in **Table 4.10-C – Consistency with City of Banning General Plan Goals and Policies.**

Table 4.10-C – Consistency with City of Banning General Plan Goals and Policies

Policy No.	General Plan Policy	Statement of Consistency
Water Resources Element		
Policy 1	*New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.*	The Project shall fund the provision of its entire water supply as a condition of approval. Consequently, the Project will be consistent with this policy and have less than significant impacts related to the funding of water supplies.
Policy 2	*The City shall require the use of drought-tolerant, low water consuming landscaping as a means of reducing water demand for new development.*	Project landscaping plans call for drought-tolerant, low-water consuming plants. Consequently, the Project will be consistent with this policy and have less than significant impacts related to new development water demand for landscape irrigation.
Policy 4	*Require that all new development be connected to the sewage treatment system, or install dry sewers until such time as that connection is possible.*	Project will be connected to the sewage treatment system as a condition of approval. Consequently, the Project will be consistent with this policy and have less than significant impacts related to sewage treatment.
Policy 5	*The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.*	Project complies with the City's current requirement for the retention of the design flood event. Consequently, the Project will be consistent with this policy and have less than significant impacts related

		to on-site storm water retention.
Wildfire Hazards Element		
Policy 4	*The City shall make every attempt to assure that adequate water supplies and pressures are available during a fire, earthquake or both.*	Project will demonstrate an adequate fire suppression system that meets current State of California Fire Code and Banning Municipal Code as a condition of approval. Consequently, the Project will be consistent with this policy and have less than significant impacts related to adequate water supplies and pressures during an emergency.
Water, Wastewater and Utilities Element		
Policy 2	*Sewer connection shall be required at the time a lot is developed when service is available.*	The Project will construct the sewer line necessary to incorporate the proposed warehouse into the City's sanitary sewer system. Consequently, the Project will be consistent with this policy and have less than significant impacts related to sewer connections.
Policy 4	*The City shall make every effort to assure and assist in facilitating the timely and cost-effective extension and expansion of services that support community development and improved quality of life.*	Water and sewer service lines will be extended by the Project applicant as needed to develop the Project, including a sewer lift station. Consequently, the Project will be consistent with this policy and have less than significant impacts related to extending services that support community development.
Policy 5	*To ensure the timely expansion of facilities in a manner that minimizes environmental impacts and disturbance of existing improvements, the City shall confer and coordinate with service and utility providers in planning, designing and siting of*	The location of the water and sewer pipelines, as well as the sewer lift station have been reviewed with the pertinent service providers. Consequently, the Project will be consistent with this policy and have less than significant impacts related

	supporting and distribution facilities.	to the timely expansion of facilities.
Policy 8	*The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.*	Project will comply with the City's pretreatment program and sewer connection fees as a condition of approval. Project will also comply, pending the tenant's SIC code, with the statewide industrial stormwater permit. Consequently, the Project will be consistent with this policy and have less than significant impacts related to encouraging waste reduction.
Police and Fire Protection Element		
Policy 4	*All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.*	Project will demonstrate an adequate fire suppression system as a condition of approval. Consequently, the Project will be consistent with this policy and have less than significant impacts related to the availability of adequate fire flows.
Flooding and Hydrology Element		
Policy 6	*All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.*	Project complies with the City's requirements for stormwater retention, hydrologic analyses and no structures are to be located within a flood plain. Consequently, the Project will be consistent with this policy and have less than significant impacts related to adequate flood mitigation measures.

Level of Significance before Mitigation:

Less Than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Construct New Water Facilities**

Threshold A: Would the Project require or result in the construction of new water or wastewater treatment or facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Impact Analysis:

In order to connect the proposed Project site to the city's existing network of potable water and wastewater pipelines, the Project will construct approximately 5,968 linear feet of sewer pipeline and associated sewer lift station, and approximately 9,350 linear feet of water pipeline, as shown in **Figure 4.10-3.** No new potable water production or wastewater treatment facilities will be constructed or expanded as part of this Project.

- **Wastewater**

Wastewater generated from the Project site will be conveyed to the city's existing wastewater treatment plant (WWTP) located at 2242 East Charles Street, as shown in **Figure 4.10-1**. The WWTP has a design treatment capacity of 3.6 MGD and, as of June 2016, discharges approximately 2.07 MGD which is roughly 58% of capacity. According to the waste discharge permit for the WWTP, when the plant's average dry-weather flow rate for any month exceeds 80% of the design capacity (i.e. 2.9 MGD), the city shall report to the Colorado River Basin RWQCB on what steps the city intends to take to provide for the expected treatment capacity necessary when the plant reaches design capacity (WDR p. 13). Approximately 0.8 MGD of capacity (or 800,000 gpd) is therefore available until the plant reaches 80% capacity.

The City is currently preparing an integrated master plan for sewer, water, and recycled water utilities. Although still in draft form, the wastewater generation factor from said master plan for industrial land uses is 750 gallons per acre per day (gpd/acre). The Project is therefore estimated to generate approximately 0.048 MGD (48,000 gpd) of wastewater, based on 64 acres of development. The Project's projected contribution to the WWTP would constitute an increase of 2.3% from the current treatment level of 2.07 MGD. The city is in the process of designing a WWTP capacity expansion and treatment system upgrade that is aimed for completion by 2025 (Parsons). Treatment capacity would be increased to 5.1 MGD; an increase of 1.5 MGD. The WWTP treatment

systems would also be upgraded in order to provide recycled water that meets State of California Department of Health Services Title 22 Regulations for beneficial use (i.e. irrigation). Therefore, based on the project's small contribution, and the fact that the Project land use is consistent with the planned uses going into the WWTP treatment plan for the City, impacts related to expansion of wastewater resources is considered less than significant.

- **Water**

A Water Supply Assessment (WSA) was prepared for the Project pursuant to SB 610, to determine whether the projected water demand of the Project is included in the City's most recent Urban Water Management Plan (UWMP) projections (Appendix J). The WSA determined the city has sufficient water supplies now, and for the next 20 years, to meet the expected water demand of the Project, in addition to other projects. Consequently, no potable water production/treatment facilities will be required as a result of the proposed Project.

- **Conclusion:**

Because treatment capacity is available at the city's WWTP to handle the estimated wastewater to be generated by the Project, as well as sufficient potable water supplies to meet the estimated demand of the Project, no new or expanded water or wastewater facilities will be required as a result of the Project and impacts are less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

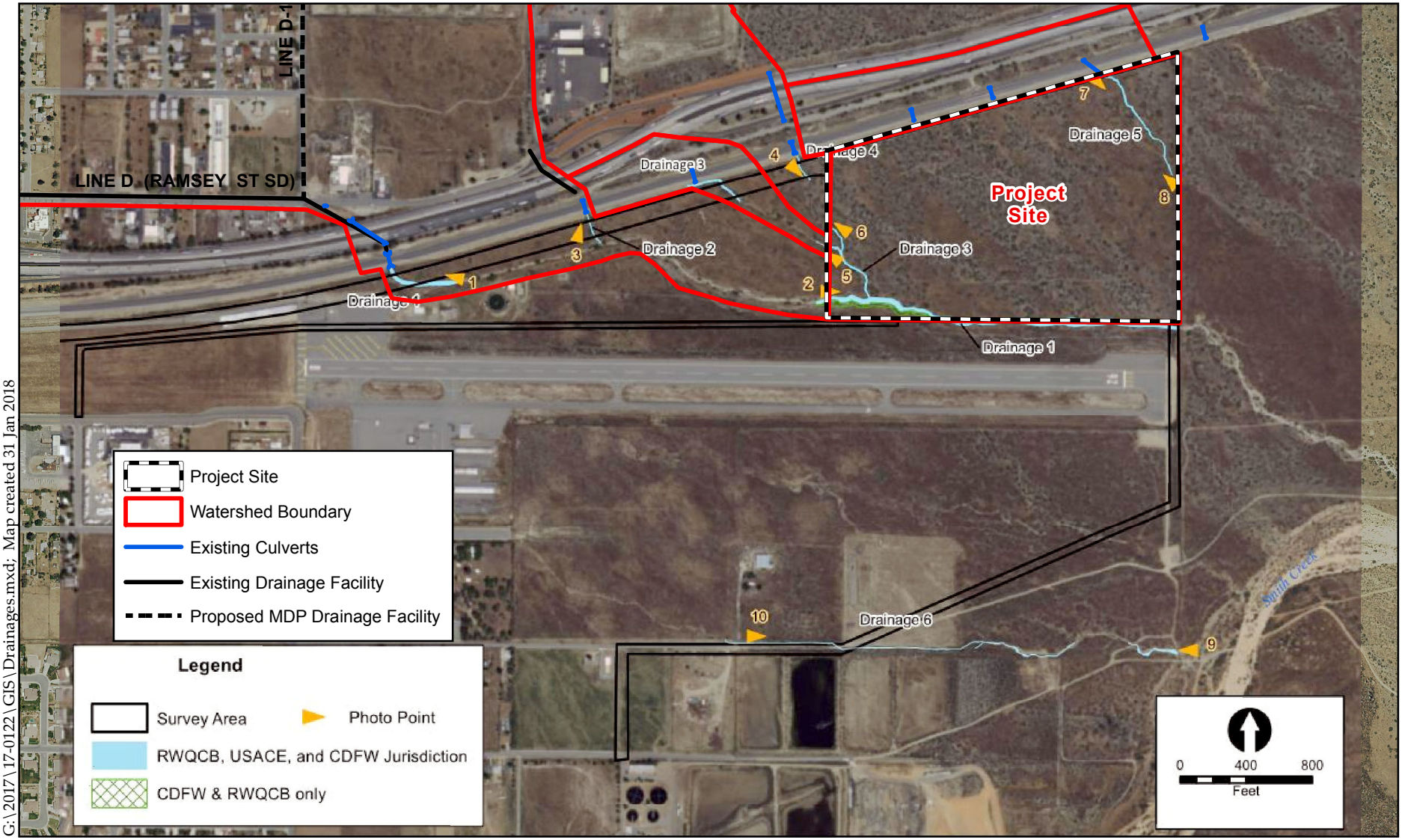
- **Construction of Stormdrain Facilities**

Threshold B: Would the Project 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?

Impact Analysis:

The proposed Project is currently isolated from the city's municipal storm drain system . In order to handle the stormwater flows affecting the site, the Project will include construction of on-site drainage infrastructure to capture, convey and retain stormwater and incidental runoff that is generated on-site. The Project site design does not allow for comingling of off-site flows that come onto the Project site with the runoff to be generated on-site after construction is complete.

Off-site flows come onto the Project site from the north as shown in **Figure 4.10-4 – Drainages**. These off-site drainages (see Drainages 1 through 6), which correlate to MDP culverts under the I-10 freeway and railroad tracks, convey stormwater and incidental runoff towards Smith Creek from an area roughly 914 acres in size. Drainage 1 in the southwest corner of the site (aka Ramsey Street Wash) will be avoided by the Project except for a single-lane gravel emergency access road crossing ("Arizona crossing" style) from the proposed warehouse parking lot to the proposed gravel emergency access road south of the site. Drainage 3 located near the southwest corner of the Project site will be realigned in a constructed mitigation channel along the westerly boundary. Likewise, Drainage 5 in the northeast corner of the site will be maintained in its current location albeit in a wider constructed mitigation channel. The design details of the two constructed mitigation channels will be determined during final engineering; however, they will mimic the hydrologic function currently achieved by the native channels so as not to cause adverse downstream impacts to Ramsey Street Wash and Smith Creek.



G:\2017\17-0122\GIS\Drainages.mxd; Map created 31 Jan 2018

Sources: Fig. 5, Amec Foster Wheeler, Jurisdictional Delineation Report, rev. June 2017; Webb Assoc., Prelim. Drainage Study, Nov. 2107.

Figure 4.10-4 - Drainages

Banning Distribution Center

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Implementation of the Project will require on-site drainage infrastructure including approximately 2,640 feet of on-site underground storm drain pipes, a minimum of three catch basins, and 90,440 square feet of infiltration basin floor area (Appendix L). The exact locations of the pipelines and catch basins will be determined at final engineering. The two infiltration basins have been designed to provide adequate capacity for not only the water quality treatment volume, but also the required design flood event of up to a 100-year, 3-hour storm. In addition, the basins are located on soils that will provide for complete infiltration of the required design flood event volume within 48-hours, in compliance with ALUC requirements (Appendix I). The infiltration basins will be located along the boundary of Ramsey Street Wash in the southern boundary of the Project site, equipped with emergency overflow features.

- **Conclusion**

By meeting the City's requirement to retain and infiltrate the design flood event estimated to be generated on-site, the proposed stormwater facilities are consistent with both the City regulations and the MS4 permit, and will not contribute to adverse downstream environmental impacts. Likewise, because the Project is avoiding Ramsey Street Wash (except as required by the city for emergency vehicle access) and maintaining open, natural channels at Drainages 3 and 5 that funnel off-site flows, it will not contribute to adverse downstream impacts. Consequently, through the appropriate Project design features identified above, environmental impacts as a result of construction of new stormwater drainage facilities will be less than significant and no mitigation measures are required**.**

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Water Supplies**

Threshold C: Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Impact Analysis:

The City of Banning Water Division is the responsible purveyor for potable water to the project. The City prepared an analysis of water supply sufficiency for the proposed Project which has been evaluated by the Water Supply Assessment (WSA) provided in Appendix J. The WSA estimated the potable water demand of the Project at 47 acre-feet per year (AFY). This is based on both the proposed landscape plans and the existing water demand of other industrial facilities in the City (excluding mining). Recycled (or non-potable) water was assumed not to be available for the Project site as the supply and suitable infrastructure are not currently available (WSA, p. 1-14).

The actual city-wide water demand in 2015 was 6,709 AF, of which 92 AF was consumed by industrial land uses and 1,705 AF was consumed by commercial land uses (**Table 4.10-A**). The city's industrial sector makes up just 1% of water customers who consumed roughly 2% of all water delivered in 2015 (WSA, p. 2-6). In addition, the City has not had any significant new developments in the industrial or commercial sectors since preparation of the 2010 UWMP. Because of these unique factors, the City typically combines commercial and industrial water demand projections, which is what was done in the WSA to calculate future water demands (WSA, Table 2-7). Using combined industrial and commercial demand projections, the City estimates water demand in these sectors to increase approximately 1,008 AF between 2015 and 2040, or in other words, increases 202 AF every five years from 2015 to 2040 (WSA, p. 2-8). Considering the minimal growth in either the commercial or industrial sectors, the Project's estimated water demand of 47 AFY is well within the UWMP demand projections of the city's industrial and commercial land uses (WSA, p. 2-9).

The city's water supplies are obtained by way of wells located throughout five hydraulically-connected storage units (aka basins) of the San Gorgonio Pass Groundwater Sub-basin: Banning, Banning Bench, Banning Canyon, Cabazon, and Beaumont (**Figure 4.10-2**). The City currently operates 21 active groundwater wells, and shares three additional wells with Beaumont-Cherry Valley Water District.

The city has appropriative water rights in the Beaumont storage unit as stipulated by the 2004 Judgment, as well as long-standing and documented entitlements to water within the Banning Canyon storage unit (see WSA appendices E, F, and G). The three other storage units (Banning, Banning Bench, and Cabazon) are not adjudicated at this time. Notably, the City is the only remaining large user of water within the Banning storage unit, after it acquired the Mountain Water Company. The City and Banning Heights Mutual Water Company are the two primary producers in the Banning Bench storage

unit. In the Cabazon storage unit, the City has shared production with Mission Springs Water District, Morongo Band of Mission Indians and Cabazon Water District. (WSA, 3-12).

Banning Canyon storage unit currently provides the largest share of the City's water supply, followed by the Beaumont storage unit and Banning Bench, as shown in **Table 4.10-D – City Groundwater Production and Rights Summary**.

Table 4.10-D: City Groundwater Production and Rights Summary

Storage Unit	2015 Production (AFY)	Future (AFY)	Form of Right	Notes
Banning	527	1,130	Non-adjudicated basins	Safe yield 1,130 AFY (estimated)
Banning Bench	1,208	1,960		Safe yield 1,960 AFY (estimated)
Cabazon	787	2,515		Safe yield 2,515 AFY (estimated)
Banning Canyon	2,462	4,070	Appropriative	Safe yield 4,070 AFY (estimated)
Beaumont	1,675	31.43% of unused overlying production	Appropriative	Total safe yield 6,700 AFY
Beaumont Basin Storage Account	694 (SWP water)	2,718 (SWP water)	Water order request	Actual is variable.
	49,990.8 AF in storage	Up to 80,000 AF can be stored	Groundwater Storage Agreement	Tracked by Watermaster, allowed per Judgment.

Notes: Reproduced from WSA, p. 4-12. Future estimated annual production rates (i.e. safe yields) are based on a 2011 hydrogeologic study of the area (refer to Appendix I of the WSA).

Pursuant to the Judgment, the city can maintain a storage account in the Beaumont storage unit, allowing it to store up to 80,000 AF. At the end of calendar year 2016, the City had approximately 49,990.8 AF (or 62% of capacity) banked in the account according to the Watermaster (WSA, p. 4-9). The volume held in the City's groundwater basin storage account is notable because of its size (hypothetically, it could provide

enough water to meet 2015 demand, or 6,709 AF for roughly seven years) and that it is not accounted for in the City's projected water supplies. (WSA, p. 4-10)

The city purchases imported State Water Project (SWP) water from San Gorgonio Pass Water Agency to use for recharge of the Beaumont storage unit pursuant to the stipulations of the Groundwater Storage Agreement between the city and the Watermaster. The amount of SWP water to purchase varies annually, and sometimes monthly, due to changes in the hydrologic and legal environment of the Sacramento/San Joaquin Delta. As shown in the UWMP, the City expects 2,718 AFY to be available for purchase beginning in 2020 (**Table 4.10-B**).

The current and projected water demand and water supplies during normal rainfall years, single-dry and multiple-dry years (excluding recycled water supply/demand and volume stored in the Beaumont basin) are shown in **Table 4.10-E – Projected Supply and Demand.**

Table 4.10-E: Projected Supply and Demand (AFY)

	2020	2025	2030	2035	2040
Supply [a]	13,659	13,538	13,422	13,318	13,318
Demand [b]	10,515	11,320	12,047	12,837	13,629
Difference	**3,144**	**2,218**	**1,375**	**481**	**-311**

Notes:
(a) See Table 4.10-A, above.
(b) See Table 4.10-B, above.

Future supplies with existing entitlements are expected to exceed future demands until about 2040. The City's UWMP states that this deficit would be met with the water stored in the Beaumont basin, which is not accounted for in the projected supplies (WSA, p. 3-25). Consequently, the estimated water demand of the proposed Project (47 AFY) will be met with existing entitlements and sufficient water supplies are available to serve the Project. Although the City will be pursuing additional production in the Cabazon storage unit, distribution of recycled water from the WWTP to offset potable water demand, and constructing new wells and storage reservoirs in the future, new or expanded entitlements are not needed for these efforts (WSA, p. 3-17). The City's entitlements are well established over an area which contains and produces supplies that meet the City' demands. Because the City as water supplier to the Project concluded that its projected water supplies during normal, single-dry, and multiple-dry years throughout the next 20-year planning horizon are sufficient to meet the projected

water demands of the proposed Project in addition to the City's existing and planned future uses, without obtaining new entitlements, no new water supply sources or entitlements are needed to serve the Project and impacts are less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Capacity to Serve Project Site**

Threshold D: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact Analysis:

Wastewater to be generated by the Project will be treated at the Banning WWTP, which is owned by the City and operated by a contractor to the City. As explained previously in Threshold B, the WWTP has capacity to treat up to 3.6 million gallons per day (MGD). The Plant treated an average of 2.07 MGD in 2016. The Project is estimated to generate approximately 0.048 MGD. Consequently, adequate capacity exists to serve the Project. The City estimates that the volume treated per day to increase with development, as shown in **Table 4.10-F – Projected WWTP Effluent.**

Table 4.10-F: Projected WWTP Effluent (AFY)

	2020	2025	2030	2035	2040
Secondary	2,869	1,409	1,607	1,823	2,039
Recycled Water	0	1,680	1,680	1,680	1,680
TOTAL	**2,869 (2.56 MGD)**	**3,089 (2.76 MGD**	**3,287 (2.93 MGD)**	**3,503 (3.13 MGD)**	**3,719 (3.32 MGD)**

Notes: Reproduced from WSA, p. 3-21.

In addition, recycled water and a treatment capacity increase to 5.1 MGD are planned to occur around 2025. The Project is consistent with the land uses in the City's General Plan and UWMP so that the wastewater capacity of the City's WWTP allows for the Project's proposed land uses. Because the WWTP currently has a treatment capacity of 3.6 MGD, which is adequate to meet the needs of the City's projected growth over the next 20-years, and the Project's projected wastewater generation is 0.048 MGD, representing 1.3% of the City's overall treatment capacity, impacts to WWTP capacity are less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

4.10.8 CUMULATIVE IMPACTS

A project's cumulative effects may be considered significant if the incremental effects of a project are considerable when viewed in connection with the effects of similar projects in the area in the past, present, and reasonably foreseeable future. Please refer to Section 4.10.4 for relevant assumptions regarding the cumulative setting for utilities and service systems.

- **Impact Statement: Less than Significant**

Impact Analysis:

The utility systems which were identified as having a potentially significant impact in the Initial Study (Appendix A) include water, wastewater and stormwater. The cumulative area for said utilities is the boundaries of the City contemplated in the General Plan. The projects considered on the Cumulative Project's list (**Table 3-B – Cumulative Projects within the Study Area in 2019** (Project Description)) are all within this area. Section 4.10 addresses the water, wastewater and stormwater facilities that will be constructed as part of the Project in order to support the type of development envisioned by the proposed Project.

The Project will construct its own water, wastewater and stormwater facilities, as described previously. The Project's estimated water demand will not require additional water production facilities or entitlements since it has been considered in the water supplier's latest UWMP and sufficient supplies will be available. The Project's estimated contribution to the WWTP will not require new or expanded facilities as adequate capacity currently exists for current and projected generation rates. Because the Project will have an isolated stormdrain system that is independent of the City's system of pipes, the Project's construction will not require an expansion or construction of new downstream facilities.

Likewise, each cumulative development project will be required to ensure that the planned stormwater drainage systems needed to support each site is constructed per the City of Banning's Master Drainage Plan. Additionally, the proposed Project and all cumulative development projects will comply with existing policies and regulations to protect water quality during construction and operation. Therefore, cumulative impacts related to constructing stormwater drainage utilities will be less than significant.

Level of Significance before Mitigation:

Less than significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

4.10.9 SIGNIFICANT UNAVOIDABLE IMPACTS

Not applicable.

4.10.10 REFERENCES

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5.0 ENERGY CONSERVATION

5.1 INTRODUCTION

The following discussion and analysis is based on Appendix F of the State CEQA Guidelines, which requires environmental impacts reports (EIRs) to include a discussion of the potential energy impacts of projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. The section is also related to the potential impacts to energy consumption, including electricity, natural gas, and gasoline, from implementation of the proposed Project.

Energy sources are classified as non-renewable if they cannot be replenished in a short period of time. Therefore, non-renewable energy resources include fossil fuels. Fossil fuels, which consist of oil, coal, and natural gas and associated byproducts, provide the energy required for the vast majority of motorized vehicles and generation of electricity at power plants. Thus, the discussion of energy conservation most relevant to the Project is focused on Project-generated electricity demand, natural gas demand, and fuel consumption (see Appendix O for energy calculations).

5.2 PHYSICAL SETTING

- **Electricity**

Banning Electric Utility (BEU) provides service to the City of Banning, including the Project site. The City purchases the majority of its power requirements through contracts with the Southern California Public Power Authority ("SCPPA") as a participant in a number of electric generation plants (GP).

The City of Banning owns a variety of power generation resources to provide electricity to its customers. This includes power from: coal (20 megawatts (MW); geothermal (3.4 MW); nuclear (2 MW); and hydroelectric (2 MW) (BEU webpage).

Electricity is conveyed to the City through a series of transmission lines including several owned by Southern California Edison (SCE). SCE delivers power to the City via 115 kV transmission lines to a substation located on East Ramsey Street. From the East Ramsey Street substation, power is transmitted by one 33 kV transmission line to five distribution stations owned and operated by the City, which in turn distribute power through 4 kV and 12 kV distribution systems. Within the City system, high voltage transmission lines deliver power to a substation where power is stepped down and distributed through lower voltage lines. Individual homes and businesses then receive

power through a final transformer, which brings voltages down to more safe and useful levels (GP).

The City is dedicated to conserving energy generated by fossil fuels and increasing its renewable energy. In 2016 the BEU obtained a total of 32% of the City's energy from eligible renewable sources including solar, geothermal and hydroelectric sources, demonstrating the City is almost meeting the 33 percent Renewable Portfolio Standard (RPS) required by 2020. (PCL 2016). Additionally, the City's resource mix was anticipated to be approximately 75 percent renewable and nearly 90 percent emissions free with the execution of BEU's power sales agreements that were scheduled for December 2017 (IRP).

The BEU also offers a Solar Program which is designed to allow the installation of photovoltaic (PV) or solar powered systems usually installed on the rooftops of homes and businesses. They operate using sunlight and create no air or water pollution. However, some toxic materials and chemicals are used to make the photovoltaic (PV) cells that convert sunlight into electricity. (EIA 2017)

Table 5-A – Electricity Consumption in BEU Service Area (2016) shows the electricity consumption by sector in the City based on the latest data available from the California Energy Commission (CEC).

The total electricity consumed during this period in the City was 127 million kilowatt-hours (kWh). In 2010, the City consumed approximately 133.042 million kWh of electricity (CEC).

Table 5-A – Electricity Consumption in City of Banning Service Area (2016)a, b

Agricultural & Water Pump	Commercial Building	Commercial Other	Industry	Mining & Construction	Residential	Streetlight	Total Usage
12	44.2	2.9	3.7	0.1	62.7	1.5	**127**

Notes:
[a] California Energy Commission, Energy Consumption Data Management System, *California Energy Consumption Database*, interactive web tool.
[b] all units are million kilowatt-hours

- **Natural Gas**

The Southern California Gas Company (SCG) provides natural gas service to the City. As a public utility, SCG is under the jurisdiction of California Public Utilities Commission (CPUC), but can also be affected by actions of federal regulatory agencies. SCG is the principal distributor of natural gas in Southern California, providing retail and wholesale

customers with transportation, exchange and storage services, and also procurement services to most retail core customers. SCG is a gas-only utility and, in addition to serving the residential, commercial, and industrial markets, provides gas for enhanced oil recovery and electric generation customers in Southern California (2016 CGR, p. 61).

California's existing gas supply portfolio is regionally diverse and includes supplies from on- and off-shore California sources, southwestern United States supply sources, the Rocky Mountains, and Canada (2016 CGR, p. 9). The CPUC regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from Pacific Gas and Electric (PG&E), SCG, San Diego Gas & Electric (SDG&E), Southwest Gas, and several smaller natural gas utilities (CPUC NGC).

Natural gas demand statewide, including volumes not served by utility systems, is expected to decrease at an annual rate of 1.4 percent from 2016 to 2035, and demand specific to the core industrial markets are expected to decline at an annual rate of 0.9 percent, whereas demand in the industrial noncore sector is estimated to decline by 0.25 percent annually as California continues its transition from a manufacturing based to a service based economy (2016 CGR, p. 4). While gas-fired generation will continue to be the technology of choice to meet the ever-growing demand for electric power, overall gas demand for electric generation is expected to decline at a rate of 1.3 percent per year for the next 20 years due to more efficient power plants, statewide efforts to minimize greenhouse gas emissions (GHG) through aggressive programs pursuing demand-side reductions, and the acquisition of preferred resources that produce little or no carbon emissions (2016 CGR, p. 4). Gas demand for electric power generation is expected to be moderated by CPUC-mandated goals for electric energy efficiency programs and renewable power, with 33 percent of energy needs met with renewable power by 2020 and 50 percent by 2030 and beyond (2016 CGR, p. 6).

The state's 2006 Global Warming Solutions Act (AB 32), has set aggressive targets for the state to reduce its overall GHG production. As a result, SCG projects gas demand for all of its market sectors to decrease at an annual average rate of approximately 0.6 percent from 2016 to 2035, due to modest economic growth, CPUC-mandated energy efficiency standards and programs, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to advanced metering infrastructure (2016 CGR, p. 64). The core industrial market demand in SCG's service area is projected to decrease by an annual rate of 0.5 percent from 1.7 billion cubic feet (Bcf) in 2016 to 1.5 Bcf in 2035. This decrease in gas demand results from aggressive energy goals and associated programs (2016 CGR, p. 65).

SCG also implements energy efficiency programs. SCG's conservation and energy efficiency activities are intended to encourage customers to install energy efficient equipment, help customers evaluate energy efficient options, and rebates for new hot water heaters (2016 CGR, p. 75). SCG is subject to energy efficiency targets established by Senate Bill 350 (SB350), which was passed in fall 2015. SB350 requires the CEC, in coordination with the CPUC and the local public utilities to set energy efficiency targets subject to what is cost-effective and feasible. The overall annual energy efficiency cumulative savings goal is to increase the savings to approximately 42 equivalent Bcf by 2035 (2016 CGR, p. 74). This savings goal is based on measures installed under SCG's Energy Efficiency Program Portfolio (2014 CGR, p. 77).

Natural gas service must be provided in accordance with SCG's policies and extension rules on file with CPUC at the time contractual agreements are made. The viability of natural gas is based on present conditions of gas supply and regulatory policies. **Table 5-B – Natural Gas Consumption in SCG Service Area (2016)**, shows the natural gas consumption by sector in the City with the latest data available from CEC.

Table 5-B – Natural Gas Consumption in SCG Service Area (2016)[a]

Agricultural & Water Pump	Commercial Building	Commercial Other	Industry	Mining & Construction	Residential	Total Usage
77.1	896.6	56.6	1,720.1	236.8	2,136	**5,123.2**

Notes:
[a] California Energy Commission, Energy Consumption Data Management System, *California Energy Consumption Database*, interactive web tool.
[b] all numbers in million therms

As shown in the table above, SCG produced approximately 5.1 billion therms in 2016, of which approximately 1.7 billion therms were consumed by industry and 236.8 million therms were consumed by mining and construction.

- **<u>Transportation Fuel</u>**

Fossil fuels are known to create almost all of the United States' transportation fuels. As stated above, energy sources include oil, coal, and natural gas, which are non-renewable resources that formed when prehistoric plants and animals died and were gradually buried by layers of rock; however, fossil fuel industries drill or mine for these energy sources, burn them to produce electricity, or refine them for use as fuel for heating or transportation (USDOE ES).

The U.S. and specifically California is defined by the automobile: there are over 29 million automobiles and one million trucks on California roads and highways. Almost

half the energy Californians consume is for transportation. In 2015, an estimated 19 billion gallons of gasoline and diesel fuel was consumed in California, resulting in an estimated emission of over 160 million metric tons of GHG equivalence (CEC FTD). It is estimated that between 2015 and 2026, total annual gasoline consumption in California will fall from 14 billion gallons to between 10.0 and 10.8 billion gallons per year, largely as a result of miles per gallon regulations and zero emissions vehicle regulations (TEDF, p. 59). Further, when looking at data on new light duty cars sold in California, in 2014 approximately 19% of the new cars sold were some type of alternative fuel, including: hybrid, flex fuel, plug in hybrid or electric (TEDF, p. 17). Also, it is estimated that propane buses outnumber natural gas buses by approximately 64 percent (TEDF, p.43). Although the U.S. still depends on oil for fuel for gas-powered vehicles, it is important to note this dependency has declined in recent years due to alternative fuels, more efficient cars and trucks, and electric cars and trucks (USDOE ES).

5.3 REGULATORY SETTING

- **Federal**

At the federal level, the United States Department of Transportation (USDOT), the United States Department of Energy (DOE), and the United States Environmental Protection Agency (EPA) are three agencies with substantial influence over energy policies and programs. Generally, federal agencies influence and regulate transportation energy consumption through establishment and enforcement of fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding for transportation infrastructure improvements. Major federal energy-related laws and plans are discussed below.

- **Federal Energy Policy and Conservation Act (EPCA)**

The Federal Energy Policy and Conservation Act (EPCA) grants specific authority to the President of the U.S. to fulfill obligations of the U.S. under the international energy program; provide for the creation of a Strategic Petroleum Reserve capable of reducing the impact of severe energy supply interruptions; conserve energy supplies through energy conservation programs; provide for improved energy efficiency of motor vehicles, major appliances and other consumer products; provide a means for verification of energy data to assure the reliability of energy data; and to conserve water by improving the water efficiency of certain plumbing products and appliances. Furthermore, the EPCA established fuel economy standards for on-road motor vehicles in the United States. The National Highway Traffic and Safety Administration (NHTSA),

which is part of USDOT, is responsible for establishing additional vehicle standards and revising existing standards under the EPCA.

The NHTSA set new fuel economy standards that are estimated to require a combined passenger car and light truck average fuel economy level of 54.5 mpg by 2025 (NHTSA). It should be noted that heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model; instead, compliance is determined on the basis of each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. The Corporate Average Fuel Economy program, administered by the EPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a value for each manufacturer, based on city and highway fuel economy test results and vehicles sales. On the basis of the information generated under the program, USDOT is authorized to assess penalties for noncompliance. In the course of over a 30-year history, this regulatory program has resulted in vastly improved fuel economy throughout the United States' vehicle fleet, and also has protected against inefficient, wasteful, and unnecessary use of energy.

- **State**

At the State level, the CEC and CPUC are two agencies with authority over different aspects of energy. CPUC regulates privately-owned utilities in the energy, rail, telecommunications, and water sectors. CEC collects and analyzes energy-related data, prepares statewide energy policy recommendations and plans, promotes and funds energy efficiency programs, and adopts and enforces appliance and building energy efficiency standards. California is exempt under federal law from setting State fuel economy standards for new on-road motor vehicles. Major State energy-related laws and plans are discussed below.

- **California Energy Commission (CEC)**

The CEC was formed by Assembly Bill (AB) 1575 and is the State's primary energy policy and planning agency. AB 1575, which was adopted in 1975 in response to the oil crisis of the 1970s, also requires EIRs to consider wasteful, inefficient, and unnecessary consumption of energy and was the driving force behind the creation of Appendix F to the *CEQA Guidelines*. CEC was established to address the State's energy challenges, and is responsible for the creation of the State Energy Plan. The State Energy Plan identifies the emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The State Energy Plan recommends

that the State assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the fewest environmental and energy costs. The State Energy Plan also identifies a number of strategies, including providing assistance to public agencies and fleet operators, encouraging urban designs that reduce vehicles miles traveled, and accommodating pedestrian and bicycle access.

- **California Public Utilities Commission (CPUC)**

CPUC regulates investor-owned electric and natural gas utilities operating in the State, including SCG. The CPUC regulates the natural gas rates and natural gas services, including in-State transportation over the utilities' transmission and distribution pipeline systems, storage, procurement, metering, and billing. CPUC policy on natural gas infrastructure and capacity is to: 1) allow gas utilities to gain better access to new sources of supply, develop a diverse supply portfolio, and have adequate storage capacity for core procurement requirements; 2) ensure adequate, diverse utility natural gas pipeline and storage infrastructure for utilities and consumers; 3) assure delivery of supplies with a high degree of certainty, especially for core customers; 4) minimize transmission constraints; 5) provide access to a diverse portfolio of supplies; 6) reduce the likelihood of price spikes; 7) allow more gas to be stored when prices are low; 8) allow customers to match supplies with requirements; and 9) obtain fair access to utility transmission systems for suppliers and pipelines.

- **California Energy Code**

The California Energy Code (Title 24, Part 6 of the California Code of Regulations (CCR)) was established in 1978 to reduce California's energy consumption. Energy use standards in the code are updated periodically to reduce per-capita energy use and to include new programs, such as the California Renewable Energy Portfolio Standards and the California Solar Initiative. In 2008, the CPUC adopted the state's first "Long-Term Energy Efficiency Strategic Plan" for achieving energy savings in various sectors throughout California. In 2011, the Strategic Plan was updated to include a chapter related to lighting.

- **Title 24 of the California Code of Regulations**

Energy consumption by new buildings in the State is regulated by Title 24 of the California Code of Regulations. These efficiency standards (commonly referred to as Title 24 standards) apply to new construction of both residential and nonresidential buildings and regulate insulation, glazing, lighting, shading, water and space heating systems, as well as parking ratios to promote alternative transportation. The purpose of

Title 24, specifically Part 11, known as the 2016 California Green Building Standards (CALGreen) Code, is to encourage sustainable construction practices that reduce negative impacts on the environment through planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.[1] The CALGreen Code is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State.

According to the CEC, California's building efficiency standards (along with those for energy efficient appliances) have saved more than $74 billion in electricity and $64 billion in natural gas costs between 1975 and 2013 (CEC NR). Compliance with the current (2013) *Building Energy Efficiency Standards* will contribute an additional $1.6 billion in energy savings to the state over the next 30 years (CEC 2017a, p. 10). Building efficiency standards are enforced through the local building permit process. Local government agencies may adopt and enforce energy standards for new buildings, provided that standards meet or exceed those contained in Title 24. Since Title 24 was adopted after AB 1575, it has generally been accepted throughout the State that compliance with Title 24, along with federal and State regulations, ensures that projects will not result in the inefficient, wasteful, and unnecessary consumption of energy. As with other uniform building codes, Title 24 is designed to provide certainty and uniformity throughout the State while ensuring that the efficient and non-wasteful consumption of energy is carried out through design features.

According to the CEC, reducing energy use is a benefit to all. Building owners save money, Californians have a more secure and healthy economy, the environment is less negatively impacted, and the electrical grid can operate in a more stable State. The 2008 Standards for residential and nonresidential buildings, which became effective July 1, 2014, are expected to reduce the growth in electricity use by 613 gigawatt-hours per year (gWh/y), reduce the electrical peak demand by 195 megawatts, and reduce the growth in gas use by 10.0 million therms per year. The potential effect of these energy savings to air quality may be a net reduction in the emission of nitric oxide by approximately 59 tons per year, sulfur oxides by 2.4 tons per year, carbon monoxide by 41 tons per year and particulate matter less than 2.5 microns in diameter by 10 tons per year. Additionally, the CEC estimated that the implementation of the 2013 Standards may reduce statewide carbon dioxide equivalent emissions by 215 thousand metric tons per year (CEC BEES, p. 7-9). The 2016 Standards are 5 to 7 percent more energy efficient

[1] Cal Green Building Code 2016: https://www.documents.dgs.ca.gov/bsc/CALGreen/CALGreen-Guide-2016-FINAL.pdf

for nonresidential uses and 28 percent more efficient for residential uses compared to the 2013 standards.[2] The 2016 Building Energy Efficiency Standards have continued to improve upon the 2013 Standards for the new construction of, and additions and alterations to, residential and nonresidential buildings. The effective date of the 2016 Standards was January 1, 2017.

- **California Integrated Waste Management Act of 1989**

The California Integrated Waste Management Act of 1989 (AB 939) was enacted to reduce, recycle, and reuse solid waste generated in the State to the maximum extent feasible. Specifically, AB 939 requires local governments to identify an implementation schedule to divert 50 percent of the total waste stream from landfill disposal by 2000. AB 939 also requires local governments to promote source reduction, recycling, and safe disposal or transformation. Cities and counties are required to maintain the 50 percent diversion specified by AB 939 past 2000. The City achieved a diversion rate of 53 percent in 2006, the most recent data available. (CalRecycle).

AB 939 further requires each city to conduct a Solid Waste Generation Study and to prepare a Source Reduction and Recycling Element (SRRE) to describe how it would reach the goals. The SRRE contains programs and policies for fulfillment of the goals of AB 939, including the previously-noted diversion goals and must be updated annually to account for changing market and infrastructure conditions. As projects and programs are implemented, the characteristics of the waste stream, the capacities of the current solid waste disposal facilities, and the operational status of those facilities are upgraded, as appropriate. California local government are required to submit annual reports to the California Department of Resources Recycling and Recovery (CalRecycle) to update it on their progress toward the AB 939 goals, i.e., source reduction, recycling and composting, and environmentally safe land disposal (Public Resources Code Section 40050 *et seq*). To date, implementation of AB 939 has proven to be a successful method of reducing landfill waste in the City.

AB 341 (2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter.[3] In addition, AB 341 required the California

[2] http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2015-06-10_hearing/2015-06-10_Adoption_Hearing_Presentation.pdf

[3] Cal. Pub. Res. Code § 41780.01(a).

Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state's policy goal.[4] CalRecycle conducted several stakeholder workshops and published a discussion document in May 2012 titled *California's New Goal: 75 Percent Recycling*, which identifies concepts that CalRecycle believes would assist the state in reaching the 75 percent goal by 2020.[5]

The City contracts with Waste Management Inland Empire for solid waste and disposal services. Regarding construction and demolition material, Waste Management offers a variety of ways to recycle and reduce waste on construction sites. Landfill is further reduced through construction waste re-planning, source separation, mixed recycling, and the reuse or donation of used or excess construction materials (WM).

- **Renewable Portfolio Standard**

In 2002, California enacted legislation that requires investor-owned utilities and other electric service providers to procure at least 20 percent of retail electricity supplies from eligible renewable energy sources by 2017 and 33 percent by 2020. Utilities are required to disclose to consumers "accurate, reliable, and simple to understand information on the sources of energy that are being used... " (Public Utilities Code Section 398.1 (b))In 2015, Governor Edmund G. Brown, Jr. signed Senate Bill 350 deepening the commitment to renewable energy, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030 (CEC RPS).

- **Regional**

- **Western Riverside Council of Governments Subregional Climate Action Plan**

At the subregional level, the Western Riverside Council of Governments (WRCOG) developed a CAP to assist local cities and jurisdictions in meeting statewide goals, as well as to encourage input and coordination among participating jurisdictions. To meet emissions reduction targets, the WRCOG CAP considers existing programs and policies in the subregion that achieve GHG emissions reductions, in addition to new GHG reduction measures. This CAP uses consistent methodologies and allows jurisdictions to collaboratively implement regionally-effective measures using economies of scale which may lead to lower administrative costs and greater publicity of incentives. Several proposed measures apply to participating jurisdictions uniformly, because they respond to adoption of a state law (e.g., the Low Carbon Fuel Standard) or result from programs

[4] Cal. Pub. Res. Code § 41780.02.

[5] Available online at http://www.calrecycle.ca.gov/75percent/Plan.pdf (last accessed September 2013).

administered at the discretion of a utility serving multiple jurisdictions (e.g. utility rebates). Additional more discretionary measures have been adopted by participating jurisdictions, including Banning, to voluntarily commit to a participation level that can be implemented in their community.

- **Local**

  - **City of Banning General Plan**

The Land Use and Energy and Mineral Resources Elements of the Banning General Plan contain the following goals, policies and implementation measures related to creating a sustainable community and by extension to energy conservation:

Energy and Mineral Resources Element

Goal Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.

Policy 2 Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.

  - **Other Plans, Regulations or Ordinances**

There are no other local regulations or ordinances which address energy conservation.

  - **City of Banning Municipal Code**

Chapter 15.08 section 15.08.010 prescribes regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of building and structures incorporating the California Building Code, 2016 Edition.

Article II Chapter 17.32 of the City's Municipal Code assures that the City's water resources are not significantly impacted by high water consuming landscape plans, with implementation of the standards for water efficiency for all landscaping plans stated in Chapter 17.32.

5.4 PROJECT DESIGN FEATURES

The proposed Project incorporates the following features that reduce energy consumption:

- **Energy Efficiency**
  - Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
  - Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
  - Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
  - Install light colored "cool" roofs over office area spaces.
  - For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
  - For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
  - For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

- **Renewable Energy**
  - Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy to the City for review.

- **Water Conservation and Efficiency**

Reducing water use reduces the energy (electricity) indirectly used in water supply, treatment, and distribution, as well as wastewater treatment.

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

- **Solid Waste Measures**

Reducing solid waste disposed in landfills reduces energy associated with waste transportation and from landfill gases.

- Reuse and recycle construction waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

- **Transportation and Motor Vehicles**

- The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
- The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
- Provide adequate bicycle parking near building entrances.

- **On-Site Equipment and Loading Docks**
  - The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than five minutes.
  - Truck idling shall not exceed five minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than five minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
  - Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **Construction**
  - Require Construction Equipment to Turn Off When Not in Use.
  - Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project.
  - Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

These features may act to avoid or minimize potential impacts from energy consumption.

5.5 THRESHOLDS OF SIGNIFICANCE

The City has not established local CEQA significance thresholds as described in State *CEQA Guidelines* Section 15064.7. According to *CEQA Guidelines* Appendix F, CEQA "requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3))." Moreover, "[p]otentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project."

In accordance with the requirements of the California Environmental Quality Act (CEQA), the project may be deemed to have an impact with respect to energy conservation if it would:

- (Threshold A) Result in the wasteful, inefficient, or unnecessary consumption of energy. Impacts may include:
  - The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal;
  - The effects of the project on local and regional energy supplies and on requirements for additional capacity;
  - The effects of the project on peak and base period demands for electricity and other forms of energy;
  - The degree to which the project complies with existing energy standards;
  - The effects of the project on energy resources;
  - The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

5.6 IMPACTS AND MITIGATION MEASURES

- **Consistency with the City of Banning General Plan**

The Project's consistency with the applicable City's General Plan Energy Conservation goals and policies is provided in **Table 5-C – Consistency with City of Banning General Plan Goals and Policies.**

Impact Analysis:

Table 5-C – Consistency with City of Banning General Plan Goals and Policies

Consistency with City of Banning General Plan Policies and Program		
Goal/Policy No.	**Policy/Program**	**Statement of Consistency**
Energy and Mineral Resource Element		
Goal	*Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.*	The Project includes design features and mitigation measures to reduce energy consumption and increase sustainability, as discussed herein and in Section 4.5, Greenhouse Gas Emissions. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to the use and management of electricity.

Policy 2	*Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaics and other clean energy systems, directly into building design and construction.*	The Project includes a design feature that promotes alternative energy sources, as discussed herein and in Section 4.5, Greenhouse Gas Emissions. Consequently, the Project will be consistent with this policy and have a less than significant impact in regards to alternative energy systems.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

None are necessary.

Level of Significance after Mitigation:

Not Applicable.

- **Energy Consumption**

Threshold A: Would the Project result in wasteful, inefficient, and unnecessary consumption of energy? Impacts may include:

- **The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance and/or removal;**
- **The effects of the Project on local and regional energy supplies and on requirements for additional capacity;**
- **The effects of the Project on peak and base period demands for electricity and other forms of energy;**
- **The degree to which the Project complies with existing energy standards;**
- **The effects of the Project on energy resources;**
- **The Project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.**

- **Impact Analysis:**

As stated previously, Appendix F of the State CEQA Guidelines provides for assessing potential impacts that a project could have on energy supplies, focusing on the goal of conserving energy by ensuring that projects use energy wisely and efficiently. The analysis below addresses each of these potential energy impacts identified in Appendix F.

- **The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance and/or removal:**

    - Construction

The analysis in this section utilizes the assumptions from the Air Quality/Greenhouse Gas Analysis (AQ-GHG Study) for the Banning Distribution Center Project evaluated in Section 4.2 Air Quality and Section 4.5 Greenhouse Gas Emissions, respectively (refer to Appendix C). Because the California Emissions Estimator Model (CalEEMod) program used in this technical report does not display the amount and fuel type for construction-related sources, additional calculations were conducted and are summarized below. These calculations are contained in Appendix O of this DEIR. Project construction would require the use of construction equipment for grading, hauling, and building activities, as well as construction workers and vendors traveling to and from the Project site. Construction equipment requires diesel as the fuel source.

Fuel consumption from on-site heavy-duty construction equipment was calculated based on the equipment mix and usage factors provided in the CalEEMod construction output files as part of the AQ-GHG Report included in Appendix C of this DEIR. The total horsepower was then multiplied by fuel usage estimates per horsepower-hour included in Table A9-3-E of the SCAQMD's CEQA Air Quality Handbook. Fuel consumption from construction worker and vendor/delivery trucks was calculated using the trip rates and distances provided in the CalEEMod construction output files. Total vehicle miles traveled (VMT) was then calculated for each type of construction-related trip and divided by the corresponding county-specific miles per gallon factor using California Air Resources Board's (CARB's) EMFAC 2014 web-based data. EMFAC provides the total annual VMT and fuel consumed for each vehicle type. Consistent with CalEEMod, construction worker trips were assumed to include 50 percent light duty gasoline auto and 50 percent light duty gasoline trucks. Construction vendor trucks were assumed to be medium-duty and heavy-duty diesel trucks. Construction hauling truck trips were all

assumed to be heavy duty. Please refer to Appendix O of the DEIR for detailed calculations.

As shown below in **Table 5-D - Construction Energy Use**, a total of 186,832 gallons of diesel fuel, and 198,436 gallons of gasoline is estimated to be consumed during Project construction.

Table 5-D – Construction Energy Use[a]

Fuel	Fuel Consumption
Diesel	
On-Road Construction Trips[b]	119,356 Gallons
Off-Road Construction Equipment[c]	67,476 Gallons
Diesel Total	**186,832 Gallons**
Gasoline	
On-Road Construction Trips[b]	198,436 Gallons
Off-Road Construction Equipment[d]	-- Gallons
Gasoline Total	**198,436 Gallons**

Notes:
[a] Source: Table 1 – Total Construction-Related Fuel Consumption, Appendix O of DEIR.
[b] On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod for construction in 2019 and fleet average fuel consumption in gallons per mile from EMFAC2014 web-based data for SCAQMD's jurisdiction. See Table 2 – On Road Construction Trip Estimates, Appendix O of DEIR for calculation details.
[c] Off-road mobile source fuel usage based on a fuel usage rate of 0.05 gallons of diesel per horsepower (HP)-hour, based on SCAQMD CEQA Air Quality Handbook, Table A9-3E.
[d] All emissions from off-road construction equipment were assumed to be diesel.

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Construction equipment is also required to comply with regulations limiting idling to five minutes or less (CCR Title 13 §2449(d)(3)). Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. For comparison, the State of California consumed 15.1 billion gallons of gasoline and 4.2 billion gallons of diesel fuel in 2015.[6] Thus, the fuel usage during Project construction would account for a

[6] *California Board of Equalization, Net Taxable Gasoline Gallons 10 Year Report and Taxable Diesel Gallons of Diesel 10 Year Report*, available at http://planning.lacity.org/eir/5901sunset/deir/files/D_IVJ.pdf and http://www.cdtfa.ca.gov/taxes-and-fees/Diesel_10_Year_Report.pdf

negligible percent of the existing gasoline and diesel fuel related energy consumption in the State of California. Furthermore, it is expected that construction-related fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

- Operation

The Project will promote building energy efficiency through compliance with energy efficiency standards (Title 24 and CALGreen). The Project also reduces vehicle fuel usage due to compliance with regulatory programs and Project design features that reduce VMT. AB 1493 ("the Pavley Standard") requires reduction in GHG emissions from non-commercial passenger vehicles and light-duty trucks of model year 2009 and thereafter. Executive Order S-01-07 went into effect in 2010 and requires a reduction in the carbon intensity of transportation fuels used in California by at least 10 percent by 2020. It imposes fuel requirements on fuel that will be sold in California that will decrease GHG emissions by reducing the full fuel-cycle and the carbon intensity of the transportation fuel pool in California. The Advanced Clean Cars program, introduced in 2012, combines the control of smog, soot causing pollutants and greenhouse gas emissions into a single coordinated package of requirements for model years 2017 through 2025.

For operational activities, annual electricity and natural gas consumption were calculated using demand factors provided in the CalEEMod output as part of the greenhouse gas analysis included in Section 4.5, Greenhouse Gas Emissions, of this DEIR. The Project's total electrical consumption was estimated to be approximately 1,633,833 kWh (approximately 1.63 million kWh) of electricity per year and the natural gas consumptions was estimated to be approximately 2,030,000 kilo-British thermal units (kBTUs) or approximately 20,300 therms.[7]The electricity use associated with the Project's water consumption was estimated to be approximately 151,333 KWh per year[8]. As shown previously in **Table 5-A and Table 5-B**, City of Banning Electrical Utility produced approximately 127 billion kWh of electricity in 2016 and SCG produced approximately 5.1 million therms in 2016. At full build-out, the Project's electricity demand would be a negligible amount of the existing electricity and the natural gas demand would be a negligible percent of the existing natural gas use in SCG's service area.

[7] Per Table 3 – Annual Energy Consumption from Operation, Appendix O of the DEIR.

Energy impacts associated with transportation during operation were also assessed using the traffic data contained in the greenhouse gas analysis included in Section 4.5, Greenhouse Gas Emissions, of this DEIR. Based on the annual VMT, gasoline and diesel consumption rates were calculated using the South Coast Air Quality Management District-specific miles per gallon in EMFAC2014. As shown below in **Table 5-E – Annual Fuel Consumption**, a total of 1,554,697 gallons of diesel fuel, and 714,550 gallons of gasoline is estimated to be consumed each year.

Table 5-E – Annual Fuel Consumption[a]

Fuel Type[b, c]	Fuel Consumption (gallons/year)
Gasoline	714,550
Diesel	1,554,697

Notes:[a] Source: Table 3 - Annual Energy Consumption from Operation, Appendix O of DEIR.
[b] Mobile source fuel use based on annual vehicle miles traveled (VMT) from CalEEMod output (DEIR Appendix C) for operational year 2020 and fleet-average fuel consumption in gallons per mile from EMFAC2014 web based data in SCAQMD.
[c] Operational VMT for the Project was calculated at 29,582,525 miles per year based on the trip generation rate as calculated in the CalEEMod output.

Regulations previously identified related to energy conservation and fuel efficiency include but are not limited to Title 24 requirements for windows, roof systems, and electrical systems, and Pavley standards and Advanced Clean Cars Program. Additionally, mitigation measures in Section 4.2, Air Quality, also serve to reduce energy and fuel consumption.

Collectively, compliance with regulatory programs would ensure that the Project would not result in the inefficient, unnecessary, or wasteful consumption of energy.

- **The effects of the Project on local and regional energy supplies and on requirements for additional capacity**:

As addressed above, the Project's electrical consumption was minimal in-comparison to BEU supply. The Project will comply with applicable state, BEU, and City General Plan policies that require energy conservation to reduce electrical demand within the Project site. As discussed above, BEU's total electrical consumption was approximately 127 billion kilowatt-hours (kWh) in 2016. The Project demand would be a negligible amount of BEU's existing electricity use. As such, there will be adequate capacity to serve the proposed Project.

As addressed above, the Project's natural gas consumption was estimated to be approximately 20,300 therms. The Project will comply with applicable CPUC, state, SCGC, and City policies and standards that require energy conservation to reduce natural gas demand within the Project area. As discussed above, the Project demand would be a negligible percent of SCG's existing natural gas use. As the proposed Project's overall consumption of natural gas use is comparatively insignificant to existing SCG-wide use and as SCG continuously expands its network, as needed, to meet the need in Southern California, there will be adequate capacity to serve the proposed Project. Further, towards this same end, it should also be noted that SCG estimates total gas demand to decline at an annual rate of 0.6 percent from 2016 to 2035 as a result of modest economic growth, CPUC-mandated energy efficiency standards and programs, renewable electricity goals, decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure (CGR 2016, p. 64). The Project would therefore not have a significant effect on local and regional energy supplies.

- **The effects of the Project on peak and base period demands for electricity and other forms of energy:**

As described above, BEU produced approximately 127 billion kilowatt-hours (kWh) in 2016, and the Project is expected to have a negligible impact to BEU's total electricity usage. Therefore, it can be stated that the Project will not have a substantial effect on energy supplies.

The Project will meet Title 24 regulatory standards for windows, roof systems, and electrical systems. With regard to peak hour demands, purveyors of energy resources, including City of Banning Electric Utility, have established long standing energy conservation programs to encourage consumers to adopt energy conservation habits and reduce energy consumption during peak demand periods. The proposed Project supports these efforts and includes a number of Project design features that will not only reduce energy consumption during peak hour demands, but also during the base period. To this end, the Project will not substantially affect peak and base period demands for electricity or other forms of energy, such as natural gas.

- **The degree to which the Project complies with existing energy standards:**

The proposed Project would be required to comply with City, state and federal energy conservation measures related to construction and operations. Many of the regulations regarding energy efficiency are focused on increasing building efficiency and renewable

energy generation, promoting sustainability through energy conservation measures, as well as reducing water consumption and VMT. As described above in Section 5.3 and 5.4, the proposed Project will meet and/or exceed these regulatory requirements.

The California Energy Code building energy efficiency standards include provisions applicable to all buildings, residential and non-residential, which are mandatory requirements for efficiency and design. The proposed Project will comply with Title 24. This would be accomplished through among other things, implementation of energy reduction measures, such as energy efficient lighting and appliances. The Project would comply fully with existing energy standards.

- **The effects of the Project on energy resources:**

The effects of the Project on energy supplies and resources from a capacity standpoint are described above in the preceding analysis. In regards to the effects of the Project on energy resources, the Project is required to ensure that it does not result in the inefficient, unnecessary, or wasteful consumption of energy. Notable regulatory measures and Project design features are discussed in Section 5.3 and 5.4 include the following:

- Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
- Design buildings to achieve U.S. Green Building Council's LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
- Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
- Install light colored "cool" roofs over office area spaces.
- For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to

ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.

- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

Additionally, the following Project mitigation measures listed in Sections 4.2, Air Quality and 4.5, Greenhouse Gas Emissions, will reduce energy and fuel consumption:

MM GHG 1: High efficiency lighting shall be installed at the Project site.

MM AQ 5: Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.

- **The Project's projected transportation energy use requirements and its overall use of efficient transportation alternatives:**

As stated above, energy impacts associated with transportation during construction and operation of the Project would not result in the inefficient, unnecessary, or wasteful consumption of energy. Further with regard to transportation alternatives, the Project will provide alternative transportation choices because the Project area is served by the City of Beaumont Transit System route 2 (Beaumont, Casino Morongo and Outlet Malls). The nearest bus stop is located at the intersection of East Ramsey Street and Hargrave Street, 1.2 miles from the Project entrance. In addition, the Project provides bike racks to further encourage a variety of transportation choices. Specific design features incorporated in the Project include:

- The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
- The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

- Provide adequate bicycle parking near building entrances.

Level of Significance before Mitigation:

Less than Significant.

Mitigation Measures:

No mitigation measures are necessary; however, **MM AQ 5** and **MM GHG 1** listed in Sections 4.2, Air Quality, and 4.5, Greenhouse Gas Emissions, respectively, reduce energy and fuel consumption.

Level of Significance after Mitigation:

Not Applicable.

5.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Not Applicable.

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6.0 INTRODUCTION

The focus of the following discussion is on impacts from the Project that are significant and unavoidable as well as those impacts that were found to be less than significant with or without mitigation.

6.1 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

This topic is intended to address any impacts that cannot be mitigated to below a level of significance (State *CEQA Guidelines* Section 15126.2(b)). Significant impacts which cannot be avoided or eliminated if the Project is implemented have been discussed in detail throughout Sections 4.0 of this document. Potential impacts related to all impacts analyzed in this DEIR were found to be less than significant or less than significant with mitigation measures incorporated, except for Air Quality and Greenhouse Gas Emissions.

- Air Quality – Project specific and cumulative impacts result from the proposed Project's operational emissions of nitrogen oxides (NO_X). The proposed Project will result in an unavoidable significant adverse impact to regional air quality caused by operational NOx emissions in excess of the SCAQMD regional significance threshold for this pollutant. A statement of overriding considerations will be required by the City to move forward with the Project.
- Greenhouse Gas Emissions – Project-specific and cumulative impacts result from generation of greenhouse gas (GHG) emissions.

6.2 SUMMARY OF IMPACTS FOUND LESS THAN SIGNIFICANT IN THIS EIR

The following impact areas have been found to be less than significant or less than significant with mitigation in this DEIR:

- Biological Resources
- Cultural Resources
- Hydrology and Water Quality
- Noise
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

7.0 ALTERNATIVES TO THE PROPOSED PROJECT

7.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a proposed project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft EIR must describe, "A range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR does not need to consider every conceivable alternative; rather, it must consider a reasonable range of potentially feasible alternatives to the proposed project or to the location of the proposed project, which would avoid or substantially lessen significant effects of the proposed project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" [*CEQA Guidelines* Section 15126.6(b)]. The discussion of project alternatives must, "include sufficient information about each (to) allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the proposed project to the effect of not approving the proposed project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR needs to examine in detail only those that the Lead Agency determines could feasibly attain most of the basic objectives of the proposed project but would avoid or substantially lessen any of the significant effects of the proposed project. Per State *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

7.1.1 SUMMARY OF THE PROPOSED PROJECT

The Project applicant proposes construction and operation of approximately 1,000,000 square feet (sf) of industrial warehouse/distribution center uses located on the portion of the approximate 63.9-acre site south of Interstate-10. The warehouse building will feature approximately 88 dock doors on the northern side of the building, approximately 25 dock doors on the west side of the building, and approximately 96 dock doors on the southern side of the proposed building. The Project site will provide

approximately 174 automobile parking stalls, including approximately eight American Disabilities Act-compliant (ADA) handicapped parking stalls, and approximately 321 trailer parking stalls. There will be approximately 660,856 square feet of onsite landscaping as well as onsite stormwater infiltration basins and best management practices (BMP) facilities for stormwater quality treatment and attenuation of peak runoff rates to less than existing flows.

Access to the site for all vehicles and trucks will be from the Project driveway along improved John Street. A low profile secondary fire access road will be constructed of gravel, southwest of the project site, crossing the Ramsey Street Wash and onto Banning Airport property before it terminates at the Project site. The Project includes improving John Street from Lincoln Avenue to the Project Site. Additional offsite improvements include a lift station and construction of water lines and sewer to the lift station, located south of the Project site on City of Banning property.

The proposed Project also involves Tentative Parcel Map (TPM) #34335 to merge three parcels into one.

The proposed warehouse will function specifically as a distribution warehouse, which is used primarily for the storage and/or consolidation of manufactured goods with minimal assembly and no manufacturing prior to their distribution to secondary retail outlets. These facilities consist of large buildings typically larger than 100,000 square feet in size, often subdivided for individual tenants, with typical ceiling heights of 24- to 30-feet, land coverage ratio of approximately 50 percent, and a minimum dock-high loading door ratio exceeding one door per every 10,000 square foot of building area. They are also characterized by comparatively low employee densities due to a high level of automation; truck activities are frequently during off-peak hours; and good freeway access. Goods imported from the Ports of Long Beach and Los Angeles as well as other locations will be delivered via truck to the proposed distribution center and distributed via truck to both in- and out-of-state locations, thus benefiting both local and interstate commerce.

7.1.2 PROJECT OBJECTIVES

The purpose of the proposed Project is to construct and operate a warehouse building. The objectives include the following:

- Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's

General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway.

- Maximize efficient goods movement by locating a logistics center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two roundtrips per day.
- Develop and operate a logistics center that meets industry standards for operational design criteria.
- Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities and expansion of the tax base.
- Provide local employment for residents of the City to improve jobs-housing balance within the City.

7.1.3 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

The analysis in Section 4.0 of the DEIR determined that with implementation of mitigation measures, significant environmental impacts to air quality and greenhouse gas emissions (GHG) will result from the operation of the proposed Project.

7.2 RATIONALE FOR ALTERNATIVE SELECTION

State *CEQA Guidelines* Section 15126.6(a) requires that an EIR "…describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." According to this section of the State *CEQA Guidelines*, "…an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." An EIR is not required to consider alternatives which are infeasible. The City, as lead agency, is responsible for selecting a range of Project alternatives for examination, and there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the "rule of reason" (*CEQA Guidelines* Section 15126.6 (a)). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to an alternative. (*CEQA Guidelines* Section 15126.6 (f)(1)).

With respect to the selection of alternatives to be considered in an EIR, *CEQA Guidelines* Section 15126.6(b) states "…the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." That is, each alternative must be capable of avoiding or substantially lessening any significant effects of the proposed Project.

7.3 ALTERNATIVES CONSIDERED BUT REJECTED

Section 15126.6(c) of the State *CEQA Guidelines* specify that an EIR should identify alternatives that were considered by the lead agency, but were rejected during the scoping process and identify the reasons for eliminating the alternatives from further consideration. Section 15126.6(c) further indicates that a lead agency may eliminate an alternative from detailed consideration in an EIR if it fails to meet the basic Project objectives, is infeasible, or does not avoid significant environmental impacts. One such alternative was considered and rejected by the City.

7.3.1 ALTERNATIVE LOCATION

An alternative site location was considered, but then rejected from further consideration because the remaining vacant land that is zoned Industrial within the City's sphere of influence does not include parcels that meet the objectives of the Project. The remaining Industrial-zoned parcels are, at the largest, approximately 39 acres which is not large enough to meet the Project's objectives. Rather, because the proposed Project site is within an area of the City that is intended to be developed with a variety of industrial uses, the potential for an alternative site was rejected from further consideration.

7.4 ALTERNATIVES UNDER CONSIDERATION

The following alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the significant impacts of the Project as proposed. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the Project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with CEQA Guidelines, the alternatives considered in this DEIR include those that:

- Could accomplish most of the basic objectives of the Project;
- Are reasonably feasible given the nature of the Project and surrounding land uses; and,
- Could avoid or substantially lessen one or more of the significant effects of the Project.

Based on this information, the following development scenarios have been identified as potential alternatives to implementation of the proposed Project and will be analyzed further in this DEIR:

Alternative 1: No Project Alternative, which assumes that no development would occur on this site and the proposed site would remain in current conditions.

Alternative 2: Airport-related facilities, which assumes that the current designations would stay Public Facilities- Airport, which is the current land use designation for the southern portion of the Project site.

These alternatives are summarized in **Table 7.4-A**, below.

Table 7.4-A – Alternatives Summary

Alternative	Square Feet of Buildings
Proposed Project	1,000,000
No Project Alternative	0
Existing Land Use - Airport-facilities	696,960

7.4.1 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

Under the No Project Alternative 1, no development would take place within the Project site limits. No ground-disturbing activities would take place, nor would any form of structure be erected. None of the off-site infrastructure improvements would be needed under the No Project Alternative.

The following discussion compares the impacts of Alternative 1 with the impacts of the proposed Project, as detailed throughout Section 4.0, Environmental Impacts, of this DEIR. Several of the environmental impacts would be generally similar to the proposed

Project. For impacts that will not be generally similar, a conclusion is provided as to whether this alternative would result in one of the following:

1. Reduction or elimination of the impact;
2. A greater impact than the Project;
3. The same impact as the Project; or,
4. A new impact in addition to the impacts of the proposed Project impacts.

- **Alternative 1 – Environmental Impacts that are similar to the Proposed Project**

Alternative 1 would not result in similar, or the same, environmental impacts in any of the environmental impact areas analyzed in this DEIR because it does not involve development of the proposed Project site and the site would remain undeveloped.

- **Alternative 1 – Greater Environmental Impacts compared to the Proposed Project**

Alternative 1 would result in greater environmental impacts in one (Hydrology/Water Quality) impact area analyzed in this DEIR even though it does not involve development of the proposed Project site. *Hydrology and Water Quality*

Alternative 1 would retain the Project site's existing conditions and the existing storm drain facilities and storm flow patterns and capacity would remain. However, due to the area's relatively flat terrain and the lack of regional drainage infrastructure, flooding occurs in both major and minor storm events. With no development at the Project site, the Project proponent would not contribute to construction of regional drainage infrastructure to alleviate flooding conditions in the Project vicinity. Therefore, impacts to hydrology and water quality associated with Alternative 1 would be worse than those of the proposed Project.

- **Alternative 1 – Reduced Environmental Impacts compared to the Proposed Project**

Alternative 1 would result in fewer impacts to several environmental issue areas analyzed in the DEIR. The level of environmental impact associated with these topics would be reduced if the Project site was left in its original condition, as proposed by Alternative 1, No Project. A summary of these impacts is provided below.

  - **Air Quality**

Since no construction activity would occur, Alternative 1 would not generate any short-term construction emissions. Further, no new long-term emissions would result from increased traffic and increased use of energy resources. Due to the avoidance of short-

term and long-term criteria pollutant emissions, the air quality impacts of Alternative 1 would be less than those of the proposed Project.

- **Biological Resources**

Since no site preparation or construction activity would occur, Alternative 1 would not result in a change to the existing biology of the Project site. Existing and potential biological species would be able to continue to use the vacant, disturbed land on the Project site as habitat (including potential breeding and/or seasonal foraging habitat). Thus, impacts would be avoided compared to the proposed Project and impacts to biological resources associated with Alternative 1 would be less than that of the proposed Project. Under the No Project Alternative, no changes would occur to any of the drainages on site, and no enhancement activities would be conducted.

- **Cultural Resources**

Alternative 1 would retain the Project site's existing conditions. As noted in Section 4.4, this area is one of low potential for paleontological resources per the City's GP DEIR since the Project site overlays young alluvium, specifically Qow. Because there would be no site preparation, grading, or construction, impacts to previously undiscovered cultural resources at the Project site would be avoided and impacts associated with Alternative 1 would be less than those of the proposed Project.

- **Greenhouse Gas Emissions**

Due to the avoidance of short-term and long-term greenhouse gas emissions, Alternative 1's impacts with regard to greenhouse gas emissions would be less than those of the proposed Project.

- **Noise**

Since no construction activity would occur, Alternative 1 would not have any short-term noise impacts. Additionally, ambient noise increases created by Project-related operations and traffic would not occur. Therefore, under Alternative 1, impacts to noise would be avoided and less than that of the proposed Project.

- **Transportation and Traffic**

Alternative 1 would retain the Project site's existing conditions, which is a vacant parcel. Under Alternative 1, there would not be improvements to John Street. Construction and

traffic associated with this road would not be an impact. Therefore, impacts to transportation/traffic would be considered reduced compared to the proposed Project.

- **Tribal Cultural Resources**

Alternative 1 would retain the Project site's existing conditions. Because there would be no site preparation, grading, or construction, impacts to previously undiscovered tribal cultural resources at the Project site would be avoided and impacts associated with Alternative 1 would be less than those of the proposed Project.

- **Utilities/Service Systems**

Alternative 1 would retain the Project site's existing conditions. Because there would be no construction of water facilities including new wastewater, stormwater and potable water lines, impacts to wet and dry utilities would be avoided and impacts associated with Alternative 1 would be less than those of the proposed Project.

- **Summary of Alternative 1**

Under Alternative 1, No Project, the site would remain in existing conditions and the site would not be developed as a warehouse/distribution center or for any other use. **Table 7.4-B** provides a list of the Project objectives and whether Alternative 1 meets each objective. As evident from Table 8.4-B, the No Project Alternative does not meet the project objectives.

Table 7.4-B – Summary of Alternative 1 and Project Objectives

Project Objective	Alternative Meets Objective?
Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway.	**No** – Under Alternative 1, no buildings would be constructed and no industrial land uses would be developed consistent with the standards and guidelines relevant to the Project site and proposed uses.

Maximize efficient goods movement throughout the region by locating a distribution center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two roundtrips per day.	**No** – Under Alternative 1, there would not be any additional development at the Project site and it would not contribute to maximizing the movement of goods in the region.
Develop and operate a logistics center that meets industry standards for operational design criteria.	**No** – Under Alternative 1, there would not be development of a building to support a distribution center.
Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities, including opportunities for highly trained workers, and expansion of the tax base.	**No** – Under Alternative 1, there would be no opportunity to contribute to the economy since there would not be development of a distribution center on the Project site.
Provide local employment for residents of the City to improve jobs-housing balance within the City.	**No** – Under Alternative 1, there would be no opportunity for increased employment within the City of Banning for local residents.

7.4.2 ALTERNATIVE TWO: EXISTING LAND USE – AIRPORT FACILITIES

Alternative 2 would involve development of the Project site using the current land use designations, Public Facilities-Airport (PF-A), and would not include any industrial development on the portion of the site currently designated for Industrial. On the Project site, 20.2 acres are zoned Public Facility-Airport and the remaining 44 acres are zoned Airport Industrial. The development of the site under this alternative would be only related to the operation of the airport, including administrative offices, hangars, tie-downs, runways, restaurants, and flight schools as well as ancillary retail/service businesses related to the airport. The allowable site coverage for PF-A is lower than what is proposed by the Project; PF-A allows up to 25% of the site to be developed with structures. Under this alternative it would be assumed that a total of 696,960 square feet of buildings could be constructed. Offsite infrastructure would still be required to serve the uses envisioned under this Alternative.

The following discussion compares the impacts of Alternative 2 with the impacts of the proposed Project, as detailed in Section 4.0, Environmental Impacts, of this DEIR. Several of the environmental impacts would be generally similar to the proposed Project. For impacts that will not be generally similar, a conclusion is provided as to whether this alternative would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the Project;
- The same impact as the Project; or,
- A new impact in addition to the impacts of the proposed Project impacts.

- **Environmental Impacts that are similar to the Proposed Project**

Alternative 2 would result in similar, or the same, environmental impacts to the issue areas discussed below. The level of impact associated with these topics would be similar if developed as proposed by the Project or if developed with Alternative 2, the reduced intensity alternative at the Project site. A summary of these impacts is analyzed below.

- **Biological Resources**

Although Alternative 2 would have a smaller footprint with regard to building sizes and parking area, this Alternative 2 would still require modifications to some of the drainages on site, and could offer similar mitigation scenarios to the drainages. No other species not already discussed herein would be expected to be impacted by this Alternative. The extent and alignments of the off-site infrastructure improvements may be in different locations, but the impacts associated with these would be considered the same. Because Alternative 2 would be required to comply with the provisions of the Multiple Species Habitat Conservation Plan (MSHCP) and incorporate the same mitigation measures as the proposed Project, impacts would be similar related to biological resources to the proposed Project.

- **Cultural Resources**

Although Alternative 2 would have a smaller footprint with regard to building sizes and parking area, and still require off-site infrastructure improvements, this alternative would also have the potential to disrupt previously undiscovered cultural resources at the Project site. Thus, because Alternative 2 would be required to implement similar mitigation measures with regard to cultural and tribal resources, impacts would be similar to the proposed Project. As noted in Section 4.4, this area is one of low potential

for paleontological resources per the City's GP DEIR since the Project site overlays young alluvium, specifically Qow.

- **Hydrology and Water Quality**

Under Alternative 2, the same basic drainage facilities would be constructed as those proposed with the proposed Project. Drainage would be collected in same or similar drainage facilities as proposed by the Project. Impacts would still occur to these drainages however, the extent of the enhancement to the drainages may not be the same as the project. However, the same need to move and treat stormwater would exist for Alternative 2 and impacts would be considered the same.

- **Environmental Impacts which are greater than the Proposed Project**

Alternative 2 would not result in greater environmental impacts in any of the environmental impact areas analyzed in this DEIR because it involves development of the proposed Project site with a similar use as the proposed Project but with a smaller disturbance Project footprint.

- **Environmental Impacts which are less than the Proposed Project**

Alternative 2 would result in fewer impacts to the following issue areas. The level of environmental impact associated with these topics would be reduced if the Project site was developed as proposed by Alternative 2. A summary of these impacts is provided below.

- **Air Quality**

Development of Alternative 2 would develop approximately 31 percent less building square footage and thereby having a reduction in the amount of truck traffic, which in turn reduces operational air quality emissions. The long-term air quality impacts resulting from mobile sources would be reduced due to the decrease in building size and localized emissions of criteria pollutants would decrease due to the associated reduction in total truck trips accessing the site. Additionally, health risks associated with diesel exhaust would be reduced compared to the proposed Project because daily truck trips will decrease as a result of building size and use, thus decreasing impacts of toxic air contaminants. This impact would be less than that of the proposed Project.

Air quality impacts related to construction would be similar to the proposed Project and will not exceed short-term South Coast Air Quality Management District (SCAQMD) thresholds with implementation of similar mitigation because the daily construction

activity would be similar and the same site acreage would be disturbed. Operational NOx emissions would also be reduced under Alternative 2 due to a reduction in traffic, particularly truck traffic. Therefore, impacts to air quality would be less than the proposed Project.

- **Greenhouse Gas Emissions**

Development of Alternative 2 would result approximately 31 percent less building square footage and thereby having a reduction in the amount of truck traffic. Thus, the one-time construction-related greenhouse gas (GHG) emissions from development of Alternative 2 would be similar to the proposed Project. However, total GHG emissions from Alternative 2 would be less than the proposed Project due to the decrease in total traffic trip generation and building size. Alternative 2 would also comply with all present and future regulatory measures developed in accordance with AB 32 and CARB's scoping plan, and would be required to incorporate a number of Project design features that would further minimize GHG emissions. Thus, the GHG impacts associated with Alternative 2 are considered to be less to the proposed Project.

- **Noise**

Development of Alternative 2 would result in less disturbance area as the proposed Project. Similar types of construction equipment would still be expected, but the amount of construction equipment would be less since there would be less disturbance area, and therefore have less construction noise impacts.

Alternative 2 would develop approximately 31 percent less building square footage and thereby reduce overall traffic and truck trips. As with the proposed Project, Alternative 2 operations will generate noise from vehicle movements to and from the site and within the proposed parking areas, idling trucks, loading and unloading activities, trash compactors, and rooftop HVAC systems. Off-site noise from vehicles using the local roadways, and passing by the existing residences would still occur. However, given that Alternative 2 would include uses that are associated with the airport, the amount of vehicle traffic could be reduced and the amount of heavy duty trucks would be reduced as well. Consequently, impacts from noise would be less than the Project.

- **Transportation and Traffic**

As with the proposed Project, development of Alternative 2 will increase vehicle and truck traffic in the Project vicinity above existing conditions. However, development of Alternative 2 would reduce overall traffic and truck trips because the building area

would be reduced by 31 percent under this alternative. The proposed use under this Alternative and the use would be airport-related with more vehicle than truck traffic. Impacts and the improvements necessary could be less than what the Project would generate. Therefore, traffic impacts associated with Alternative 2 will be less than the proposed Project.

- **Summary of Alternative 2**

Under Alternative 2, Existing Land Use-Public Facilities –Airport, development at the site would be reduced by 31 percent and the site would be developed as airport-related business. **Table 7.4-C** provides a list of the Project objectives. As shown below, Alternative 2 does meet some of the Project Objectives.

Table 7.4-C – Summary of Alternative 2 and Project Objectives

Project Objective	Alternative Meets Objective?
Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway.	**No** – Under Alternative 2, no warehouse buildings would be constructed and no industrial land uses would be developed consistent with the standards and guidelines relevant to the Project site and proposed uses.
Maximize efficient goods movement throughout the region by locating a logistics center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two roundtrips per day.	**No** – Under Alternative 2, additional development at the Project site would not be related to constructing a distribution center.
Develop and operate a distribution center that meets industry standards for operational design criteria.	**No** – Under Alternative 2, there would not be development of a building to support a distribution center.
Positively contribute to the economy of the City through new capital investment, creation	**Yes** – Under Alternative 2, there would be opportunity to contribute to the economy

of new employment opportunities, including opportunities for highly trained workers, and expansion of the tax base.	with the building of airport-related buildings to support those tenants and uses.
Provide local employment for residents of the City to improve jobs-housing balance within the City.	**Yes** – Under Alternative 2, there would be opportunity for increased employment within the City of Banning for local residents.

7.5 COMPARISON OF ALTERNATIVES

The matrix approach to comparing the above-described alternatives is used for ease of directly comparing the proposed Project's significant effects with those of the alternatives, per State *CEQA Guidelines* Section 15126.6(d). **Table 7.5-A – Comparison of Impacts from Project Alternatives**, identifies the areas of potential environmental effects per CEQA and ranks each alternative as better, the same or worse impacts than the proposed Project with respect to each topic discussed in the DEIR.

Table 7.5-A – Comparison of Impacts from Project Alternatives

Environmental Issue	Alternative 1 No Project –No Build	Alternative 2 Existing Land Use
Air Quality	**Better** – No additional development would occur at the Project site and there would not be an increase in truck traffic to the Project vicinity. Therefore, air quality impacts would be less than the proposed Project.	**Less** – Because development at the Project site would be reduced by approximately 31 percent under Alternative 2, emissions associated with operation of the site would also be reduced and include more vehicle traffic than truck traffic. Short-term construction-related emissions would be similar to the proposed Project because similar construction equipment would be required for construction of Alternative 2.
Biological Resources	**Better** – No additional development would occur at the Project site and species could continue to occupy the disturbed habitat at the Project site. Therefore, impacts to biological resources would be less than the	**Same** – Although the building size would be reduced by approximately 31 percent under Alternative 2, the entire Project site would still be graded. Therefore, impacts to biological resources would be similar to

	proposed Project.	the proposed Project.
Cultural Resources	**Better** – Under Alternative 1, there would be no new disturbance of the Project site and impacts to cultural resources would be less than the proposed Project.	**Same** – Alternative 2, the reduced intensity alternative, would also require ground disturbing activities at the Project site and would have similar impacts to the proposed Project.
Greenhouse Gas Emissions	**Better** – No additional development would occur at the Project site and there would not be an increase in greenhouse gas emissions in the Project vicinity. Therefore, greenhouse gas emissions would be less than the proposed Project.	**Less** – The existing land use alternative would result in less greenhouse gas emissions because the number of trucks operating at the Project site would be reduced. Therefore, greenhouse gas emissions would be less than the proposed Project.
Hydrology and Water Quality	**Worse** for Hydrology – The Project site has six drainage features on site that function to drain water to Smith Creek, however the area is subject to flooding during major storm events. Development of the Project requires mitigation to create similar drainage features. The Project proponent would not contribute to construction of regional drainage infrastructure to alleviate flooding conditions in the Project vicinity.	**Same** – This alternative would also be required to comply with WQMP and NPDES permit standards and so overall impacts would still be less than significant and similar to the proposed Project as a result of implementation of this alternative.
Noise	**Better** – Without development of the Project site, there would be no short term construction-related noise impacts and there will be no Project-related increase in traffic noise and other operational noise. Therefore, impacts would be less than the proposed Project.	**Same –** The same noise generating activities (short term construction, long term operation) would still be present even with a 31% reduction in square footage.
Transportation and Traffic	**Better** – There would not be an increase in traffic originating from the Project area if the Project site is not further developed and impacts would be less than the proposed Project.	**Less** – Reduction in the building square footage would result in a reduction of Project-generated traffic. Therefore, impacts would be less than the proposed Project.
Utilities/Service Systems	**Better** – There would not be a need to construct additional facilities for water, sewer, and increased demand for refuse services. Therefore, impacts would be less than the proposed Project.	**Less** – Reduction in the building square footage would result in an approximately 31 percent reduction of Project-generated refuse and sewer. Therefore, impacts would be less than the proposed Project.
Environmentally Superior to	**Yes**	**Yes**

Proposed Project?		
Meets Most of the Project Objectives?	**No**	**No**

7.5.1 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The State *CEQA Guidelines*, Section 15126.6(e)(2), requires the identification of the environmentally superior alternative. Of the alternatives evaluated above, the No Project alternative is the environmentally superior alternative with respect to reducing impacts created by the proposed Project. The State *CEQA Guidelines* also require the identification of another environmentally superior alternative if the No Project alternative is selected as the environmentally superior alternative.

Of the remaining alternatives, the Existing Land Use Public Facilities-Airport (Alternative 2) is the next most environmentally superior alternative to the proposed Project. This alternative would reduce the size of the building by approximately 31 percent and include only airport-related facilities consistent with the existing land use designations of PF-A for the portion of the project site within that designation. When compared to the proposed Project, implementation of this alternative would result in a reduction of air quality, greenhouse gas emissions, utilities, and traffic impacts. Impacts related to biological resources, noise, cultural resources, tribal resources, as well as hydrology and water quality would essentially stay the same as the proposed Project.

City of Banning has examined a reasonable range of alternatives to the proposed Project, and Alternative 2 both meets some of the Project objectives and can be found to be environmentally superior to the proposed Project. The outcomes offered by Alternative 2 are limited when compared to the proposed Project, to the extent that:

- The proposed reduced intensity alternative will not optimize the economic potential of the undeveloped parcel.
- The proposed Alternative 2 will not improve the economic development potential of the City of Banning by reducing the potential sales tax revenue generated by development within the project site.
- The City Council voted to start proceedings to close the Banning Municipal Airport at its April 25, 2017 meeting, therefore the future economic forecast for airport-related facilities would be limited.

Alternative 2 would not result in maximum utilization of the land use as compared to the proposed Project, because only the portion of the site with the PF-A designation would be developed. On the Project site, 20.2 acres are zoned Public Facility-Airport and the remaining acres are zoned Airport Industrial. Therefore, although Alternative 2 is an environmentally superior alternative, it is not feasible for the economic, social, technological, and other factors identified above and thus is not being further considered for development in lieu of the proposed Project. Development of the existing land use project would also increase the demand for warehouse development at other sites in the area.

8.0 OTHER CEQA TOPICS

8.1 INTRODUCTION

The State *CEQA Guidelines* set forth several general content requirements for EIRs. Those applicable to this project include unavoidable adverse impacts (Section 15126(b)) which is discussed separately in Section 6.0 of this EIR, growth inducing impacts (Section 15126(d)), and significant irreversible impacts (Section 15126.2(c)).

8.2 GROWTH INDUCING IMPACTS

According to State *CEQA Guidelines* (Section 15126.2 [d]), a project may foster economic or population growth, or additional housing, either indirectly or directly, in a geographical area if it meets any one of the following criteria below:

- A project would remove obstacles to population growth;
- Increases in the population may tax existing community service facilities, causing significant environmental effects; or
- A project would encourage and facilitate other activities that could significantly affect the environment.

The Project will not remove obstacles to population growth or directly contribute to population growth. The proposed Project involves construction and operation of a single warehouse building in an area that the City has planned for this type of development. One comment letter was received from the Southern California Council of Governments (SCAG), recommending that consistency with the SCAG Regional Transportation Plan-Sustainable Communities Strategy (RTP-SCS) is included in the analysis for this Project. Because the proposed Project is consistent with the General Plan land uses for the site, development of the site in this manner would have been considered in the RTP-SCS projections. Therefore, the Project is consistent with the goals and strategies outlined in the RTP-SCS and no mitigation measures are necessary.

Although the Project involves expansion of infrastructure and roadway improvements in the immediate Project vicinity, these improvements have been planned for by the City's General Plan and are intended to mitigate additional impacts from operation of not only the Project site, but other similar development. Therefore, the Project does not remove barriers to population growth nor does it create growth that will overwhelm or exceed existing services.

The Project may indirectly induce population growth in the short term because it will be a new source of employment within the City. However, the extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a project. Construction of the proposed Project will create short-term construction jobs which are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area. The workers constructing the Project are also not expected to require additional housing needs beyond those which are currently available in the City of Banning, or the surrounding County areas.

The Southern California Council of Governments (SCAG) publishes population, housing, and employment predictions for all cities within their region, including the City of Banning, based on information gathered from local planning documents, such as general and specific plans, within each SCAG-participating jurisdiction. As shown in **Table 8.0-A – Demographics and Growth**, the City's population was 30,100 in 2012and is anticipated to grow to 32,400 in 2020, 36,500 in 2035 and 37,600 in 2040.[1] Additionally, the number of jobs is anticipated to increase to 10,000 in 2020, 13,500 in 2035 and 14,200 in 2040, from its previous level of 7,300 jobs.

Table 8.0-A – Demographics and Growth

	2012	2020	2035	2040 (SCAG)
Population				
City of Banning	30,100	32,400	36,500	37,600
Housing Units				
City of Banning	10,800	11,900	13,500	14,000
Employment				
City of Banning	7,300	10,000	13,500	14,200

[1] Source: SCAG Comment Letter on NOP, and the *Current Context – Demographics & Growth Forecast* Appendix to the *Final 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (Adopted April 2016);* February 2018. (http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS_DemographicsGrowthForecast.pdf)

The proposed Project is consistent with the land use designation for the portion of the site that contains the distribution center building; the portion of the site that is zoned Public Facilities – Airport contains the infiltration basins, Ramsey Street Wash and the parking lot. The Project building footprint is within the Airport Industrial zone, contained in the City's GP, which is included in SCAG's forecasts. Therefore, any potential increases in population as a consequence of the proposed Project would have been accounted for by SCAG when they developed their growth predictions. The Banning GP EIR also considered urbanization of land, in general, will have a growth inducing impact and found that development consistent with the Banning GP reflects the logical, geographic expansion of development within Western Riverside County. Thus, as the Project is substantially similar to other development within the City of Banning General Plan and in the Project vicinity, and is consistent with the land uses assumed by SCAG in their growth forecasts, the Project will also not result in urbanization in a remote location.

8.2.1 Consistency with Southern California Association of Governments' Regional Transportation Plan and Compass Growth Visioning

The Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization for Ventura, Los Angeles, Orange, Riverside, San Bernardino, and Imperial counties and is charged by the federal government to research and prepare plans for transportation, growth management, hazardous waste management, and air quality. SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including its Sustainable Communities Strategy (SCS) component pursuant to SB 375.

As recommended in SCAG's comment letter in response to the NOP (Appendix A), **Table 8.0-B – Proposed Project Consistency with the 2016 RTP/SCS Goals**, presents a side by side comparison of the 2016 RTP/SCS Goals and a discussion regarding the Project's consistency, non-consistency, or non-applicability with each goal.

Table 8.0-B – Proposed Project Consistency with the 2016 RTP/SCS Goals[2]

Goal	Analysis
2016 RTP/SCS Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness	***Consistent:*** The Project applicant proposes the construction and operation of an approximately 1-million square foot non-refrigerated high-cube warehouse building on the approximate 63.9-acre Project site. The building consists of 990,000 square-feet of high-cube (non-refrigerated) industrial/warehouse and approximately 10,000 square feet of office space on the southwest and southeast corners of the proposed building (see **Figure 3-6 – Project Site Plan**). The Project site is within the City of Banning General Plan, which was adopted by the City of Banning City Council on January 31, 2006. Specifically, the Project building is located within the land use zoned Airport Industrial and will provide convenient access to the I-10. Specific Project objectives that support 2016 RTP/SCS Goal 1 are: Develop an attractive warehouse spec building consistent with the Project site's Airport Industrial (AI) land use designation and zoning in the City of Banning's General Plan and taking advantage of the site's strategic location near Interstate 10 (I-10) freeway. Maximize efficient goods movement throughout the region by locating a warehouse in proximity to the Ports of Los Angeles and Long Beach. Develop and operate a warehouse that meets industry standards for operational design criteria. Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities and expansion of the tax base. Provide local employment for residents of the City to improve the jobs-housing balance within the City.
2016 RTP/SCS Goal 2: Maximize mobility and accessibility for all people and goods in the region	***Consistent:*** The Project applicant proposes a warehouse building within the City of Banning's General Plan area on a site that is currently vacant, but zoned for Airport Industrial and Public Facilities-Airport (PF-A). The Project site is surrounded by public facilities and land owned by the Morongo Band of Mission Indians. The public facilities the Project site is strategically surrounded by include the Union Pacific Railroad, Interstate 10 (I-10), and the Banning Municipal Airport, to support the distribution of goods throughout the region, and to limit traffic truck disruption to residentially-zoned areas within the City.
2016 RTP/SCS Goal 3: Ensure travel safety and reliability for all people and goods in the region	***Not-Applicable:*** Monitoring regional transportations systems is beyond the scope of the proposed Project, which is a warehouse building and outside the authority of the Project proponents. However, the Project does not include any component that would impede the attainment of this goal (DEIR section 3.4, Project Objectives).

[2] Source: SCAG Comment Letter on NOP

2016 RTP/SCS Goal 4: Preserve and ensure a sustainable regional transportation system	***Not-Applicable:*** Preserving and ensuring a sustainable regional transportation system is beyond the scope of the proposed Project and outside the authority of the Project proponents. However, the Project does not include any component that would impede the attainment of this goal (DEIR section 3.4, Project Objectives).
2016 RTP/SCS Goal 5: Maximize the productivity of our transportation system	***Consistent: See 2016 RTP/SCS Goal 2***
2016 RTP/SCS Goal 6: Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)	***Consistent:*** The impact on the environment as a result of Project implementation has been analyzed in this Draft EIR pursuant to CEQA. Mitigation measures, as appropriate, have been identified to reduce air quality impacts to the maximum extent practicable. To encourage active transportation the Project will: The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions. The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles. Provide adequate bicycle parking near building entrances (DEIR, section 3.3.3).
2016 RTP/SCS Goal 7: Actively encourage and create incentives for energy efficiency, where possible	***Consistent:*** The Project site is located in the City of Banning and will receive electricity from Banning Electric Utility (BEU), which buys electricity via contracts with the Southern California Public Power Authority (SCPPA)[3]. The SCPPA has the following incentive programs in place that may be used by the Project: Energy Efficient Central Air Conditioning/ Heat Pump Purchase Rebate: Monetary incentives for the purchase of a new central air conditioner and/or heat pump unit, replacing an existing air conditioning and/or heat pump, with an ENERGY STAR rated unit. Proposed incentives, based on the energy efficiency and size of the unit (tonnage), range from $100.00 to $500.00 per ton. Qualified Energy Star Products Rebate: Monetary incentives for the purchase of qualified new high efficiency Energy Star rated products that use less electricity than standard units of comparable size. Energy Star is a voluntary partnership between the U.S. Department of Energy, the U.S. Environmental Protection Agency, product manufacturers, local utilities, and retailers. Partners help promote efficient products by labeling them with the Energy Star logo and educating consumers about the benefits of energy efficiency. Qualified Products: dishwasher, clothes washer, room air conditioner, solar-powered attic

[3] Source: City of Banning website, February 2018, http://www.ci.banning.ca.us/57/Electric-Utility; City of Banning Clean & Green Report and Recommendations, June 2008, http://www.ci.banning.ca.us/DocumentCenter/Home/View/557

	fan, ceiling fan (4 fans maximum) and pool pump motors. Commercial Energy Conservation/Weatherization Rebates: Monetary incentives for commercial electric customers to replace inefficient materials with products that will improve the energy efficiency of their facility and reduce energy use. Customers can receive rebates for a variety of energy saving efforts alone or together. They include: Window/Door Replacement, Attic Insulation, Exterior Wall Insulation, and Lighting. New Construction Energy Conservation Commercial Incentives: Monetary incentives for new construction projects that exceed the energy efficiency above California's Title 24 standards pertaining to air conditioning equipment, lighting and insulation. Incentive amounts vary based on projected kW savings and cannot exceed $15,000 per facility. This incentive is designed to encourage developers to use higher energy efficient materials. The Project will meet all applicable standards under California's Green Building Code (CalGreen) and Title 24. This will be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient: <u>Energy Efficiency</u> Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings. Design buildings to achieve U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy. Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use. Install light colored "cool" roofs over office area spaces. For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated. For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements. For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

	Renewable Energy Design buildings to have "solar ready" roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy. Water Conservation and Efficiency Create water-efficient landscapes. Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 17.32 (Landscaping Standards) of the City's Municipal Code. Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products). Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Provide education about water conservation and available programs and incentives to the building operators to distribute to employees. Solid Waste Measures Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services. Transportation and Motor Vehicles The Project site will include approximately 10% of the total parking spaces dedicated to clean air/vanpool vehicles which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions. The Project site will include approximately 6% of the total parking spaces dedicated to electric vehicle charging facilities to encourage the use of low or zero-emission vehicles. Provide adequate bicycle parking near building entrances. On-Site Equipment and Loading Docks The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes. Service equipment (i.e., yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered. Construction

	Require Construction Equipment to Turn Off When Not in Use. Use locally produced ("locally produced" is defined as harvested or manufactured within the State of California or within 500 miles of the Project site) or manufactured building materials for at least 10% of the construction materials used for the Project. Use "green" building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.
2016 RTP/SCS Goal 8: Encourage land use and growth patterns that facilitate transit and active transportation	***Not-Applicable:*** Encouraging land use and growth patterns is beyond the scope of the proposed Project and outside the authority of the Project proponents. However, the Project does not include any component that would impede the attainment of this goal (DEIR section 3.4, Project Objectives).
2016 RTP/SCS Goal 9: Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies* *SCAG does not yet have an agreed-upon security performance measure	***Consistent:*** Maximizing the security of the regional transportation system is beyond the scope of the proposed Project and the authority of the Project proponents. However, the Project does not include any component that would impede the attainment of this goal (DEIR section 3.0, Project Description).

8.2.2 SHORT-TERM USE VERSUS LONG-TERM PRODUCTIVITY

The long-term effect of the proposed Project will be to convert the currently vacant and underutilized site into a warehouse/distribution center. Consequently, the characteristics of the physical, biological, cultural, aesthetic, and human environment will be impacted, as with any form of urbanization. The consequences of this urbanization include: incremental degradation of the regional air quality, incremental demands for public services and utilities, increased storm water runoff and increased natural resource consumption. However, these impacts will not be substantially different from those identified and planned for in the Banning GP.

Ultimate development of the Project would create long-term environmental consequences that are connected with any form of urbanization. However, the

proposed Project has been designed to benefit the community and population by providing increased opportunities for employment in closer proximity to residential development and will ultimately provide for a form of long-term productivity which appears compatible with human needs in the area.

8.3 SIGNIFICANT IRREVERSIBLE IMPACTS

Pursuant to State *CEQA Guidelines* Section 15126.2(c), an EIR must include a description of significant irreversible environmental changes that would be caused by the proposed action. Section 15126.2(c) reads as follows:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

An impact could fit into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or,
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

Determining whether the proposed Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Although the Project site is currently vacant, the City's General Plan anticipates that the site will eventually support uses that would generate jobs and revenue while expanding the availability of goods and services and the proposed Project would permanently alter the site by converting a predominantly vacant parcel to a developed use.

8.3.1 IRREVERSIBLE COMMITMENT TO RESOURCES

Implementation of the proposed Project would irreversibly commit the approximately 63.9 acre vacant and underutilized Project site to industrial uses. Although construction and operation of the proposed warehouse at the Project site would contribute to the incremental depletion of renewable and nonrenewable resources, the proposed Project would be consistent with other existing and planned development in the Project vicinity within the City of Banning General Plan.

Construction of the proposed Project will require the use of renewable resources such as lumber and other forest products, which could be expected to be replenished over the lifetime of the Project because sustainably harvested lumber supplies are increased as seedlings mature into trees. As such, the development of the Project would not result in the irreversible commitment of renewable resources. Nevertheless, there would be an incremental increase in the demand for these resources during construction of the Project.

Construction of the Project will also result in the use of non-renewable resources including building materials (e.g., asphalt, petrochemical construction materials, steel, copper and other metals, and sand and gravel) and fossil fuels, including the use of fossil fuels for construction equipment, the transport of construction materials to the Project site and the transportation of construction workers to and from the Project site (e.g., natural gas, gasoline, diesel fuel and other petroleum-based products). These materials and the resources used in their production are available in a finite supply and are generally not retrievable, although some of the materials are recyclable. Construction materials like concrete and asphalt, for example, can be crushed and recycled as road base. None of these materials are considered to be in short supply and are readily available for use in Project construction.

During Project operation, the Project would result in an irretrievable commitment of nonrenewable resources, such as energy resources and fossil fuels. Energy resources including petroleum and natural gas will be consumed during construction and operational phases of new development. Short-term, or construction-related, energy uses will include electricity for lights and construction equipment, and fossil fuels for construction equipment, and the transport of construction materials and workers to and from the Project site. Long-term energy resources include fuel consumed for the heating and cooling of the building, transportation of people and goods, as well as for lighting and other energy-related needs. Electricity consumption during construction and operation phases will increase the consumption of oil, coal, and natural gas used at

power plants located outside the City of Banning. Accordingly, this represents a long-term commitment to the continued consumption of these resources.

As discussed in Section 5.0, Energy Conservation, of this DEIR, natural gas, energy, and fuel consumption will not be a significant impact and the Project will not result in wasteful use of these resources. Further, this is a justified consumption of resources because the proposed Project is consistent with the City's planned use at the site and because there are no unique characteristics of the proposed Project that would make this Project operate at a less energy efficient level than other similar developments.

8.3.2 POTENTIAL ENVIRONMENTAL DAMAGE FROM ACCIDENTS

The Project applicant proposes a warehouse/distribution center; however, potential impacts related to the creation of a significant hazard to the public or environment through the routine transportation, use, or disposal of hazardous materials, and the creation of a significant hazard to the public or environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment were found to be less than significant without mitigation required during preparation of the Initial Study for this Project (Appendix A). Additionally, impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or planned school, and safety hazards for people residing or working in the project area, if within an airport land use plan or within two miles of a private or private-use airport will be reduced to less than significant levels through compliance with regulatory requirements.

The Project site is located within a seismically active region and would be exposed to ground shaking during a seismic event. In order to address the potential for moderate to severe ground-shaking that may occur during the lifetime of the proposed structures, the project will follow engineering and design parameters in accordance with the most recent edition of the UBC and/or the Structural Engineers Association of California parameters, as required in standard City conditions of approval.

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