City of Banning
99 E. Ramsey Street · P.O. Box 998 · Banning, CA 92220-0998 · (951) 922-3125 · Fax (951) 922-3128

COMMUNITY DEVELOPMENT
DEPARTMENT

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING FOR SUN LAKES VILLAGE NORTH SPECIFIC PLAN AMENDMENT No. 6

To: State Clearing House, Governor's Office of Planning and Research
1400 Tenth Street, Sacramento, California 95814
-AND-
Agencies, Organizations, and Interested Parties

From: City of Banning
99 E. Ramsey Street · P.O. Box 998 · Banning, CA 92220-0998

Subject: Notice of Preparation (NOP) of an Environmental Impact Report and Scoping Meeting for the Sun Lakes Village North Specific Plan Amendment No. 6

Date: February 21, 2020

The City of Banning (City) is the Lead Agency under the California Environmental Quality Act (CEQA) for preparation of an Environmental Impact Report (EIR) for the Sun Lakes Village North Specific Plan Amendment No. 6 (proposed project), described below. The City is soliciting input from the public, agencies, organizations, and other interested parties regarding the scope and content of the environmental information presented in the EIR. The project description, location, and the potential environmental effects are described below.

The City will accept comments on the NOP regarding the scope and content of the EIR between February 21, 2020 and March 21, 2020. Written comments with the project name in the subject line may be sent via mail, e-mail, or fax no later than 5:00 PM on March 21, 2017. Please send your comments at the earliest possible date to:

Adam Rush, M.A., AICP
Community Development Director
99 E. Ramsey Street
Banning, CA 92220
(Fax) 951-922-3128
arush@banningca.gov

SCOPING MEETING

As part of the EIR scoping process, a public scoping meeting will be held by the City on **Monday, March 2, 2020 at 5:30 pm** at the Sun Lakes Village Community Center/Country Club, 850 Country Club Drive, Banning, California 92220. Verbal and written comments regarding the scope and content of the EIR will be accepted during the meeting.

PROJECT LOCATION

The project site is located on approximately 47 gross acres between Sun Lakes Boulevard and Interstate 10 approximately 840 feet east of Highland Springs Avenue. The Project site is also identified as APN 419-140-057. (See Figures 1 and 2).

PROJECT DESCRIPTION

The Project proposes Specific Plan Amendment No. 6 to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and "Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. The Specific Plan is also proposed to be amended to revise the permitted land uses; development standards (including maximum building height, setbacks, open space, landscaping, parking, and signage); design guidelines for development; and administration and implementation provisions as shown on the plans on file with the City.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

The following list identifies the environmental issues that, pursuant to the findings of the Initial Study, have been determined to pose ***no potentially significant environmental impacts and WILL NOT be analyzed in the EIR:***

- Aesthetics (scenic vistas, scenic highways)
- Agriculture and Forestry Resources
- Hazards and Hazardous Materials
- Geology and Soils (soils and seismic hazards)
- Hydrology and Water Quality (decrease groundwater supplies or interfere substantially with groundwater recharge; located in flood hazard, tsunami, or seiche zone).
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

The following list identifies the environmental issues that, pursuant to the findings of the Initial Study, have been determined to pose ***potentially significant environmental impacts and WILL be analyzed in the EIR:***

- Aesthetics (visual character, light and glare)
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils (Paleontological Resources)
- Greenhouse Gas Emissions
- Hydrology and Water Quality (water quality standards or waste discharge requirements; erosion/siltation; flooding, and storm drain capacity)
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

A copy of the Initial Study is available on the City's website at the address below:

(http://www.ci.banning.ca.us/426/Public-Notices-Announcements

Attachments:

Figure 1. Project Location Map/Aerial Photo
Figure 2. Proposed Land Use Plan

Figure 1
Project Location Map/Aerial Photo

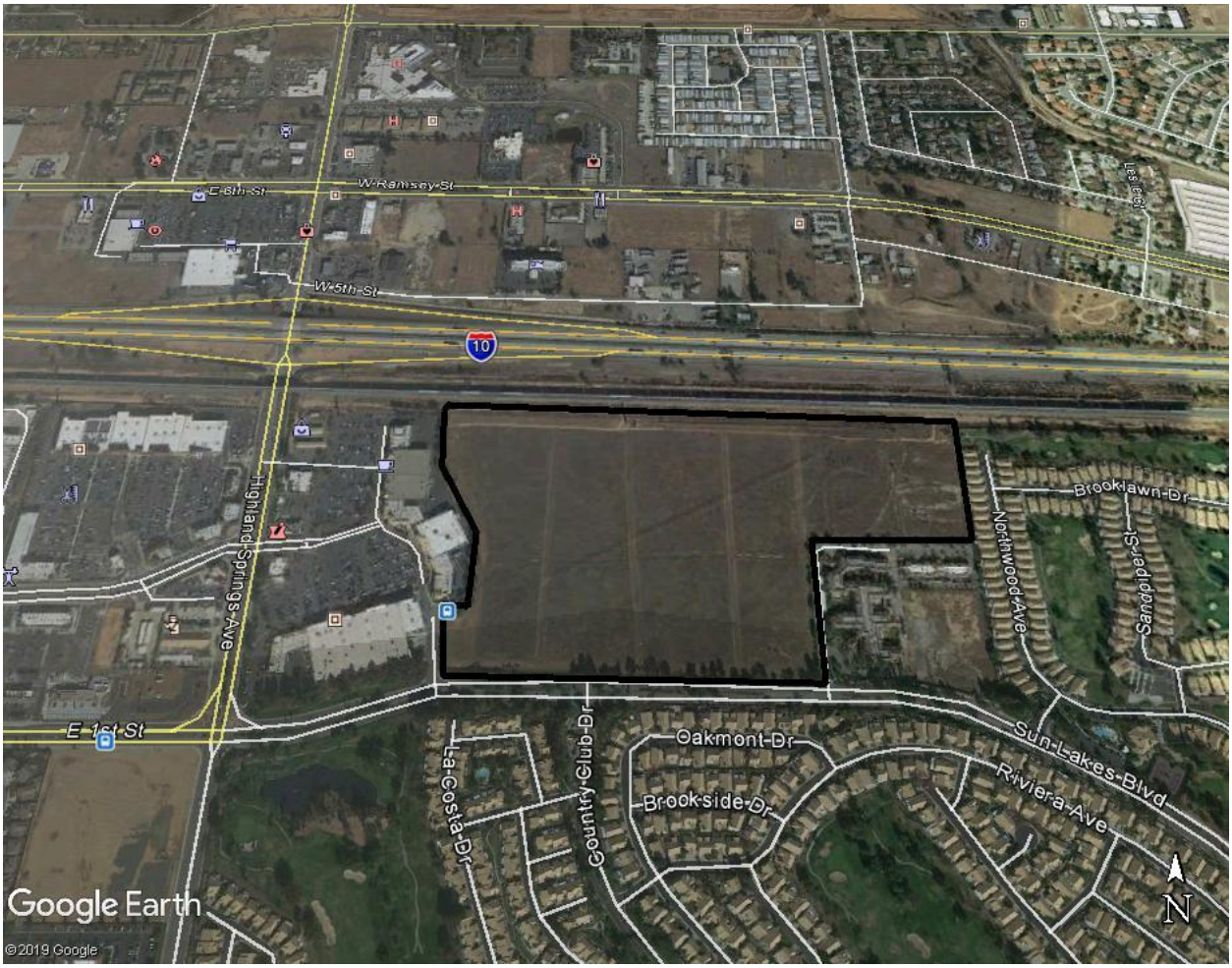

Figure 2
Proposed Land Use Plan

Initial Study

Sun Lakes Village North Specific Plan Amendment No. 6

City of Banning
99 E. Ramsey Street
Banning, CA 92220

Prepared by:
Romo Planning Group, Inc.
9431 Haven Avenue, Ste. 232
Rancho Cucamonga, CA 91730

February 18, 2020

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

INTRODUCTION

1.1 Purpose of the Initial Study

The City of Banning (Lead Agency) has been determined that an Environmental Impact Report (EIR) will be required for the project. One of the purposes of an Initial Study is to focus an EIR on the effects determined to be significant, identifying the effects determined not to be significant, (and) explaining the reasons for determining that potentially significant effects would not be significant." (State CEQA Guidelines, Section 15063(c)). Therefore, one of the key purposes of this Initial Study is to focus the EIR's analysis on impacts that are potentially significant as part of the Project, while eliminating potential impacts that are clearly less-than-significant.

1.2 Initial Study Document

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

1.3 Environmental Effects Not Found to be Potentially Significant

The following list identifies the environmental issues that, pursuant to the findings of this Initial Study, have been determined to pose ***no potentially significant environmental impacts***.

- Aesthetics (scenic vistas, scenic highways)
- Agriculture and Forestry Resources
- Hazards and Hazardous Materials
- Geology and Soils (soils and seismic hazards)
- Hydrology and Water Quality (decrease groundwater supplies or interfere substantially with groundwater recharge; located in flood hazard, tsunami, or seiche zone).
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

1.4 Potentially Significant Environmental Effects

The analysis presented in this Initial Study indicates that the Project may result in or cause potentially significant effects related to:

- Aesthetics (visual character, light and glare)
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils (Paleontological Resources)
- Greenhouse Gas Emissions

- Hydrology and Water Quality (water quality standards or waste discharge requirements; erosion/siltation; flooding, and storm drain capacity)
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Consistent with the conclusion and findings of this Initial Study, an EIR will be prepared for the Project. At a minimum, the EIR will evaluate the Project's potential environmental impacts under the topical areas identified above. Additional issues or concerns that may be raised pursuant to the EIR Notice of Preparation (NOP) process and/or scoping meeting(s) conducted for the Project will also be evaluated and addressed in the EIR.

2.0 PROJECT BACKGROUND

2.1 Project Location

The Project site is located on approximately 47 gross acres between Sun Lakes Boulevard and Interstate 10 approximately 840 feet east of Highland Springs Avenue as shown in Figure 1 – Project Location Map/Aerial Photo. The Project site is also identified as APN 419-140-057.

2.2 Project Description

Background

The Sun Lakes Village Specific Plan ("Specific Plan") was originally approved by the City of Banning on February 28, 1983. The Specific Plan consisted of 4,131 dwelling units, a 150-acre golf course, 12 acres of commercial use and 144 acres of office/industrial use on approximately 963 acres. The Specific Plan was has been amended four (4) times between 1984 and 2006 to accommodate various changes to the land use plan, infrastructure requirements, and the vehicle and pedestrian circulation plan.

Proposed Project

The Project proposes Specific Plan Amendment No. 5 to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and "Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. (See Figure 2- Land Use Plan).The Specific Plan is also proposed to be amended to revise the permitted land uses; development standards (including maximum building height, setbacks, open space, landscaping, parking, and signage); design guidelines for development; and administration and implementation provisions.

2.3 Previous CEQA Documentation

An EIR was certified for the original Specific Plan (1983). The EIR was relied upon for CEQA compliance for the various amendments prior to 2006. For Amendment No. 4 (2006), a Mitigated Negative Declaration was adopted.

CEQA (Section 15150) permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any document incorporated by reference shall be made available to the public for inspection at a public place or public building and requires that the Initial Study state where the incorporated documents will be made available for public inspection.

The following documents have been incorporated by reference and cited as appropriate:

- *The City of Banning General Plan,* various elements, adopted by the City Council on January 3 1, 2006 and as currently amended.

- *City of Banning General Plan with Zoning Overlay Map*, January 1, 2016 and as currently amended.

- *City of Banning Municipal Code* (various chapters), approved through November 15, 2019.
- *Draft Environmental Impact Report, for the Presley-Banning Property*, August 27, 1982.
- *Final Environmental Impact Report, for the Presley-Banning Property*, February 28, 1983.
- *Initial Study & Mitigated Negative Declaration No. 17-1504 for Careage Medical Office Building (GPA 17-2503, Zone Change 17-3503),* May 2018.

The Project's application materials and above described documents are on file with the City of Banning Community Development Department, 99 E. Ramsey Street Banning, CA 92220 and are hereby incorporated by reference.

2.4 Existing Site Conditions/Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]). In the case of the proposed Project, the Initial Study determined that an EIR is the appropriate form of CEQA compliance document, which requires a Notice of Preparation. Thus, the baseline environmental setting for the Project is the approximate date that the Project's Notice of Preparation was issued on February 21, 2020.

Land Use

The Project site consists of ± 47 acres. Existing and surrounding land uses are shown on Table 1.

Table 1. Existing and Surrounding Land Uses

Location	Existing Use
Site	Vacant land
North	Railroad tracks Interstate 10
South	Sun Lakes Boulevard followed by single-family residential homes
East	Senior apartments Assisted living/memory care residential facility single-family residential homes
West	Shopping center
Source: Field Inspection, December, 2019	

Existing General Plan Land Use Designations and Zoning Classifications

A summary of the existing General Plan land use designations and zoning classifications for the Project site and surrounding properties are shown on Table 2.

Table 2. Existing General Plan Designations and Zoning Classifications

Location	General Plan Designation	Specific Plan Designation
Site	Business Park (with Specific Plan Overlay) General Commercial (with Specific Plan Overlay)	Retail Commercial (Auto Dealer)
North	Public Facilities - Railroad/Interstate	N/A
South	Medium Density Residential (0-10 du/ac) (with Specific Plan Overlay)	Sun Lakes Specific Plan
East	Medium Density Residential (0-10 du/ac) High Density Residential (11-18 du/ac) High Density Residential-20/Affordable Housing Opportunity (20-24 du/ac) (all with Specific Plan Overlay)	N/A
West	General Commercial (with Specific Plan Overlay)	Retail Commercial

Source: Banning General Plan/Zoning Map

Access

Access is provided via Sun Lakes Boulevard which is a paved 4-lane roadway with a curb, gutter, and sidewalk and a raised median along the southern boundary of the site.

Drainage

The Project site currently drains southerly to Sun Lakes Boulevard and sheet flows to the existing storm drain system which conveys the flows to Smith Creek to the east and Potero Creek to the west.

Topography

The Project site is relatively flat with an elevation of 2,552 above mean sea level.

Vegetation

The site is characterized as a historically graded site that is regularly grubbed/disced. Primary vegetation consists of annual grasslands and ornamental vegetation. The site has also been exposed to other recurring anthropogenic activities such as ORV uses.

Figure 1
Project Location Map/Aerial Photo

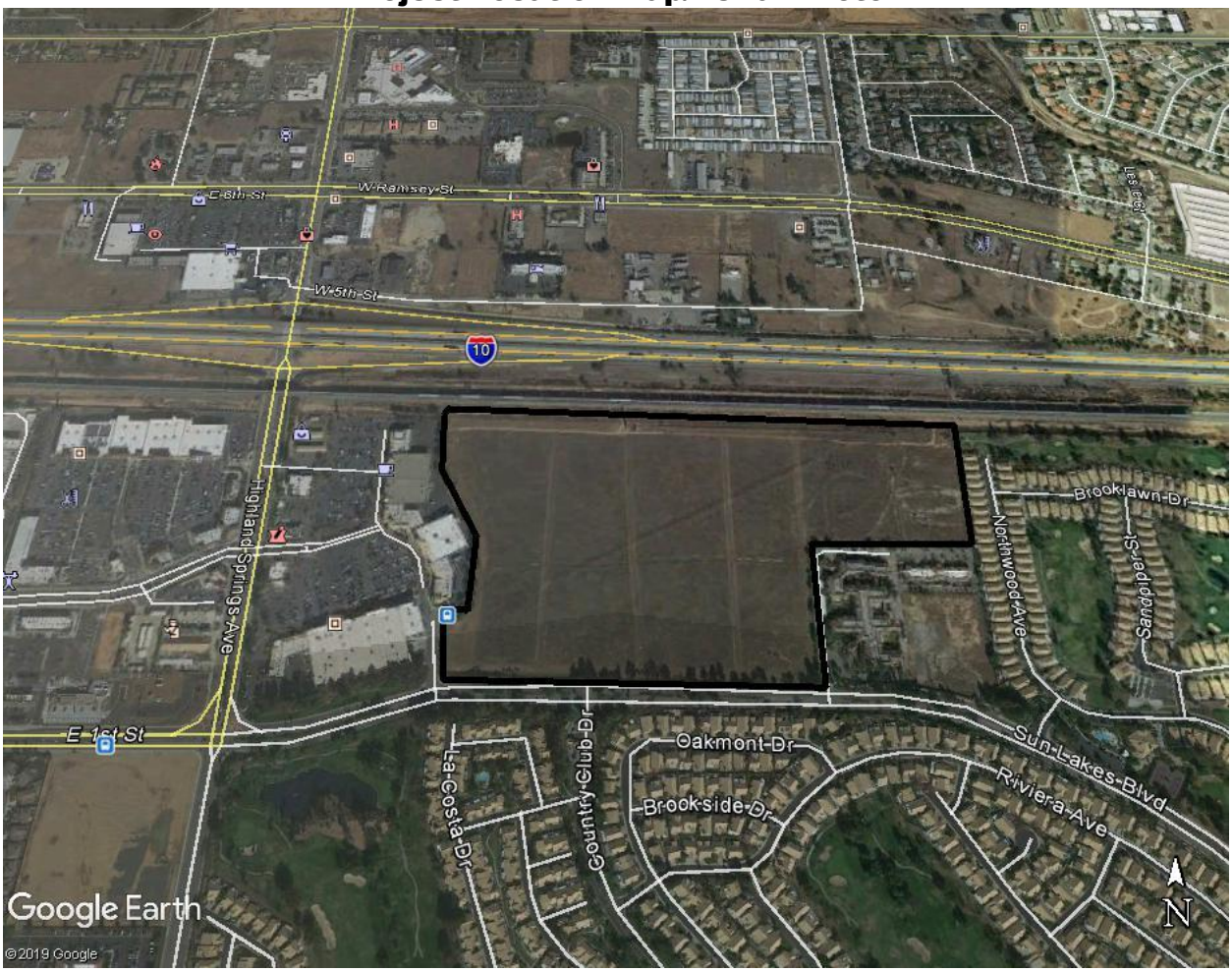

Figure 2
Proposed Land Use Plan

3.0 INITIAL STUDY CHECKLIST

Evaluation Format

This Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. The Project is evaluated based on its potential effect on twenty-one (21) environmental factors categorized as follows, as well as Mandatory Findings of Significance:

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

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

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

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

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

Environmental Factors Potentially Affected

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

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

Determination

On the basis of this initial evaluation:

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

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Applicant. A MITIGATED NEGATIVE DECLARATION will be recommended for adoption. ☐

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

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

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

By:

Adam Rush, Community Development Director	February 19 , 2020
Printed Name/Title	Date

3.1 AESTHETICS

Would the Project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			■	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				■
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	■			
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	■			

3.1 (a) Would the project have a substantial adverse effect on a scenic vista?

Determination: Less Than Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project proposes a Specific Plan that will allow development of business park, industrial, office, and commercial uses on a vacant site. As such, the construction and operation of future development allowed by the Specific Plan has the potential to result in impacts to scenic vistas.

The General Plan Environmental Resources Element describes Open Space for the Preservation of Natural Resources and Open Space for Outdoor Recreation as having scenic value. Open Space for the Preservation of Natural Resources refers to areas required for the protection of scenic resources, (GP, p. IV-19). Open Space for Outdoor Recreation includes areas of outstanding scenic, historic and cultural value. (GP. P. IV-22).

The majority of the City is located within the narrow east-west trending valley of the San Gorgonio Pass, which is dominated by the San Bernardino Mountains along the northern end of the valley and the San Jacinto Mountains along the southern end of the valley (GP DEIR, p. III-189). These mountain ranges present impressive viewsheds and dramatic scenery, including frequently snow-covered mountain peaks and ranges with rugged slopes. The Project site is located approximately 3

miles south of the foothills of the San Bernardino Mountains and approximately 1-mile north of the San Jacinto Mountains.

Because of the distance to the above identified scenic vistas and the intervening topography and development, the Project will not have an impact on scenic vistas.

This issue **WILL NOT** be evaluated further in the forthcoming EIR.

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

Determination: No Impact.
Sources: California Department of Transportation "Scenic Highway Program Eligible and Officially Designated Routes," General Plan, General Plan Figure 4.23, Google Earth.

Impact Analysis

California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. According to the California Department of Transportation, the Project site is not located within a State Scenic Highway. As such, there is no impact.

This issue **WILL NOT** be evaluated further in the forthcoming EIR.

3.1 (c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

According to the Census 2010 Urbanized Area Outline Maps, the Project site is located in the Riverside-San Bernardino, CA Urbanized Area. As such, the Project is subject to applicable General Plan and zoning regulations governing scenic quality. The Project proposes a Specific Plan that will allow development of business park, industrial, office, and commercial uses on a vacant site. As such, the construction and operation of future development allowed by the Specific Plan has the potential to result in impacts to the existing visual character or quality of public views of the site and its surroundings. Development standards regulating architecture and landscaping will be detailed in the forthcoming specific plan.

This issue **WILL** be evaluated further in the forthcoming EIR.

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

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project proposes a specific plan that will allow development of business park, industrial, office, and commercial uses on a vacant site. As such, the construction and operation of future development allowed by the Specific Plan has the potential to result in impacts relating to light and glare. Development standards regulating light and glare will be detailed in the forthcoming Specific Plan.

This issue **WILL** be evaluated further in the forthcoming EIR.

3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:	**Potentially Significant Impact**	**Less Than Significant Impact With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				■
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				■
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				■
d. Result in the loss of forest land or conversion of forest land to non-forest use?				■
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				■

3.2 (a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? .

Determination: No Impact
Sources: California Department of Conservation "Farmland Mapping and Monitoring Program.

Impact Analysis

According to the Riverside County Parcel Report obtained from the Map My County website on January 17, 2020, the site is identified as Farmland of Local Importance and Urban-Built Up Land. As such, the site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. The Project has no potential to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and no impact would occur in this regard.

This issue **WILL NOT** be addressed further in the EIR.

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

Determination: No Impact.
Sources: Banning General Plan Land/Zoning Map.

Impact Analysis

Agricultural Zoning

The Project site is designated as Business Park (with Specific Plan Overlay) and General Commercial (with Specific Plan Overlay). There is no agricultural zoning or uses in close proximity to the Project site. Therefore, the Project will not conflict with existing zoning for agricultural use.

Williamson Act

Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. According to the Riverside County Parcel Report for the Project, the site is not under a Williamson Act Contract. As such, there is no impact. No mitigation measures are required.

These issues **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Sources: Banning General Plan/ Zoning Map.

Impact Analysis

The Project site is designated as Business Park (with Specific Plan Overlay) and General Commercial (with Specific Plan Overlay). The Project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the Project site. Because no lands on the Project site are zoned for forestland or timberland, the Project has no potential to impact such zoning. No impact would occur.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact
Source: Field Survey.

Impact Analysis

The Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the Project site or in the immediate vicinity of the Project site, the Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Sources: Banning General Plan/Zoning Map, Field Survey.

Impact Analysis

The Farmland Mapping and Monitoring Program classifies the Project site as Farmland of Local Importance. Farmland of Local Importance is either currently producing, or has the capability of production; but does not meet the criteria of Prime, Statewide or Unique Farmland.

The site can be considered to be Fallow Agricultural Land. The description of this habitat and vegetation communities is based on the definitions found in MSHCP Section 2.1.3 and *A Manual of California Vegetation: Second Edition* (Sawyer et al. 2009). Fallow Agricultural Land includes fallow fields that have been recently disked, plowed, or are no longer used to produce crops and are slowly being encroached by non-native herbaceous plant species. In some cases, native annual wildflowers become established in fallow agricultural lands. As such, the Project site is not currently providing active agricultural land of use to the local economy.

In addition, the Project site has been planned for industrial, business park, and commercial uses by the General Plan since 1983 and this type of development has been anticipated for the Project site.

This issue **WILL NOT** be evaluated further in the EIR.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	■			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	■			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.	■			
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	■			

3.3 (a-d)

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project is located within the South Coast Air Basin (Basin) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is locally responsible for administration and implementation of the Air Quality Management Plan (AQMP). Development of the Project could result in the production of additional criteria air pollutants which may interfere with, or obstruct, the SCAQMD's implementation of the AQMP. The South Coast Air Quality Management District has developed regional and localized significance thresholds for regulated pollutants. As with any new development project, the Project has the potential to generate pollutant concentrations during both construction activities and long-term operation that may exceed regional and localized significance thresholds both individually and cumulatively.

Sensitive receptors near the Project site include residences which are located south and east of the Project site. Construction activities associated with the proposed Project would result in temporary sources of fugitive dust and construction vehicle emissions. Long-term operation of the Project would result in daily vehicular trips that would generate local emissions which could expose sensitive receptors to substantial pollutant concentrations.

The construction and operation of the proposed Project has the potential to result in odor impacts. Construction-related short-term odor impacts may include exhaust fumes as well as other emissions from construction vehicles. Once the Project is operational, mobile sources of odors may occur, including truck traffic serving the Project site operations.

These issues **WILL** be further evaluated in the EIR.

3.4 BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	■			
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	■			
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	■			
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	■			
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	■			
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	■			

3.4 (a-f)

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project site is currently vacant undeveloped land and may have the potential to support species that might be listed as candidate, sensitive or special status.

The Project site naturally sheet flows to Sun Lakes Boulevard may have features that may be potentially subject to regulations from California Department of Fish and Wildlife and US Fish and Wildlife Service. On a preliminary basis, the proposed Project could result in potentially significant impacts to riparian habitat, other sensitive natural communities, or wetlands.

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) requires surveys for burrowing owl and narrow endemic plants (Marvin's [Yucaipa] onion and many-stemmed dudleya).

For the reasons stated above, the Project has the potential to impact biological resources. These issues **WILL** be evaluated further in the EIR.

3.5 CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	■			
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5 or a tribal cultural resource pursuant to Public Resources Code 21074?	■			
c. Disturb any human remains, including those interred outside of formal cemeteries?	■			

3.5 (a-c)

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

Archaeological records maintained by the University of California, Riverside, Eastern Information Center indicate that the general area was subject to at least three prior studies and that a minimum of 25 cultural resources studies have been completed within one-mile of the Project site. Two reports in 1981 and 1982 specifically referenced the Old Stewart Ranch, and confirm that the current Project area is within the historic boundaries of the Old Stewart Ranch. Three cultural resources have been recorded within one-mile of the current Project area. As such, the Project site may have the potential to impact sub-surface cultural resources.

This issue **WILL** be evaluated further in the EIR.

3.6 ENERGY

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	■			
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	■			

3.6 (a-b)

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Construction of the Project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions. Construction of the Project would require electricity use to power some of the construction-related equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered, such as interior construction and architectural coatings.

Operation of the Project would create additional demands for electricity and natural gas as compared to existing conditions, and would result in increased energy use.

This issue **WILL** be evaluated further in the EIR.

3.7 GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				■
2) Strong seismic ground shaking?			■	
3) Seismic-related ground failure, including liquefaction?			■	
4) Landslides?				■
b. Result in substantial soil erosion or the loss of topsoil?			■	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			■	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			■	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				■
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	■			

3.7 (a) (1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Determination: No Impact.
Source: Riverside County Parcel Report.

Impact Analysis

The Project site is not located within an Alquist-Priolo (AP) Earthquake Fault Zone, and no known faults underlie the site. The San Gorgonio Pass Fault is the closest Alquist-Priolo Earthquake Fault Zone to the Project site as delineated in the latest State Earthquake Fault Zone maps and in Exhibit V-3 of the General Plan. The San Gorgonio Pass Fault is located approximately 2.5 miles north of Interstate 10. Because there are no faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: Less Than Significant Impact.
Source: Project Application Materials, Municipal Cod.

Impact Analysis

The Project site is located in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the Southern California area. As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the *California Building Code* (CBC). The City's Building and Safety Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the building during construction, which would ensure that all required CBC seismic safety measures are incorporated into the building. Compliance with the CBC as verified by the City's review process, would reduce impacts related to strong seismic ground shaking.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: Less Than Significant Impact.
Source: Riverside County Parcel Report, Municipal Code

Impact Analysis

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

- Seismic ground shaking of relatively loose, granular soils that are saturated or submerged can cause soils to liquefy and temporarily behave as a dense fluid. For liquefaction to occur, the following conditions have to occur:

    - Intense seismic shaking;

- Presence of loose granular soils prone to liquefaction; and
- Saturation of soils due to shallow groundwater.

The Riverside County Parcel Report for the site indicates that the site has a "low" potential for liquefaction.

Detailed design-level geotechnical studies and building plans pursuant to the *California Building Standards Code* are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the City Building and Safety Department. Therefore, compliance with the requirements of the *California Building Standards Code* as identified in a site specific geotechnical design would be reviewed by the City for appropriate inclusion, as part of the building plan check and development review process, would reduce the low potential for liquefaction to a less than significant level. As such, liquefaction is not anticipated in the event of seismic ground failure.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Source: Project Application Materials.

Impact Analysis

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

The Project site is relatively flat and there are no slopes on the site that are subject to a landslide.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: Less Than Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project site has historically graded site that is regularly grubbed/disced Therefore, the loss of topsoil is not a significant impact.

Soils in the Project area are particularly prone to erosion during the grading phase, especially during heavy rains. Reduction of the erosion potential can be accomplished through implementation of a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices for temporary erosion controls. Such measures typically include temporary catch basins and/or sandbagging to control runoff and contain sediment transport within the

Project site. The SWPPP is required for plan check and approval by the City's Building and Safety Department, prior to provision of permits for the Project, and would include construction BMPs such as:

- Silt fencing, fiber rolls, or gravel bags
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management
- Spill prevention and control
- Solid waste management
- Concrete waste management

This issue **WILL NOT** be evaluated further in the EIR.

3.7(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Determination: Less Than Significant Impact.
Source: Project Application Materials, Municipal Code.

Impact Analysis

Landslide

The Project site is relatively flat and there are no slopes on the site that are susceptible to a landslide.

Lateral Spreading

Lateral spread or flow are terms referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. The Project site is relatively flat and there are no slopes on the site that are susceptible to lateral spreading.

Subsidence

The Riverside County Parcel Report for the site indicates that the site is "susceptible" to subsidence. Soils in the Project area have been mapped as consisting primarily of well-drained, sandy loams of the Ramona sandy loam series. Sandy loams are not expansive and compact well for construction.

Liquefaction

The Riverside County Parcel Report for the site indicates that the site has a "low" potential for liquefaction.

Collapse

Collapse can occur in compressible fine-grained cohesive soil of low strength, which consolidate and cause settlement when subjected to fill or structural loads. Collapsible soils are low density, fine-grained granular soils. When these soils are saturated with water, the grains are realigned into a configuration of less volume, resulting in a rapid settlement under relatively low loads. Collapse is also principally caused by the extraction of subsurface liquids or mining of mineral resources. Sandy loams have a low potential for collapse and there are no mining activities occurring on or near the Project site.

Conclusion

Detailed design-level geotechnical studies and building plans pursuant to the *California Building Standards Code* are required prior to approval of construction. Compliance with the recommendations of a site specific geotechnical study for soils conditions is a standard practice and would be required by the City Building and Safety Department. Therefore, compliance with the requirements of the *California Building Standards Code* as identified in a site specific geotechnical design would be reviewed by the City for appropriate inclusion, as part of the building plan check and development review process, would reduce potential for the above described seismic issues to a less than significant level.

These issues **WILL NOT** be evaluated further in the EIR.

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

Determination: Less than Significant Impact.
Source: Project Application Materials.

Impact Analysis

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements.

The Project site is generally underlain by Ramona sandy loam soil which is generally not considered to be expansive. In addition, detailed design-level geotechnical studies and building plans pursuant to the *California Building Standards Code* are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the City Building and Safety Department. Therefore, compliance with the requirements of the *California Building Standards Code* as identified in a site specific geotechnical design would be reviewed by the City for appropriate inclusion, as part of the building plan check and development review process, would reduce the low potential for impacts related to expansive soils to a less than significant

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Source: Project Application Materials.

Impact Analysis

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

This issue **WILL NOT** be evaluated further in the EIR.

3.7 (f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Determination: Potentially Significant Impact.
Source:

Impact Analysis

Paleontological Resources

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

The Project site is underlain by alluvial deposits consisting of mainly of Qc: Quaternary Continental and Qal: Quantermary Alluvium. The potential for paleontological resources exist in these type of alluvial deposits.
This issue **WILL** be evaluated further in the EIR.

Unique Geologic Feature

Unique geologic features are those that are unique to the field of Geology. Unique geologic features are not common in Banning and the San Gorgonio Pass Area. The geologic processes that formed the landforms in Banning and the San Gorgonio Pass Area are generally the same as those in other parts of the state. What makes a geologic unit or feature unique can vary considerably. A geologic feature is unique if it:

• Is the best example of its kind locally or regionally;

- Embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally;

- Provides a key piece of geologic information important in geology or geologic history;

- Is a "type locality" (the locality where a particular rock type, stratigraphic unit or mineral species is first identified) of a geologic feature;

- Is a geologic formation that is exclusive locally or regionally;

- Contains a mineral that is not known to occur elsewhere in the City; or

- Is used repeatedly as a teaching tool.

The Project site is relatively flat and the subsurface material encountered at the site consists of disturbed topsoil and native soils. The upper native soils consist Ramona sandy loam. This type of soil feature is not considered "unique."

Based on the analysis above, the Project will not directly or indirectly destroy a unique geologic feature.

This issue **WILL NOT** be evaluated further in the EIR.

3.8 GREENHOUSE GAS EMISSIONS

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

3.8 (a-b)

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

Construction and operation activities associated with the Project would produce greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment and may conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

This issue **WILL** be evaluated further in the EIR.

3.9 HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			■	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			■	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				■
d. Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?				■
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				■
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			■	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires			■	

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

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

Determination: Less than Significant Impact.
Source: Project Application Materials.

Impact Analysis

Construction Activities

Heavy equipment that would be used during construction of the Project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for accidental releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonably consequence of the development of the Project than would occur on any other similar construction site. Construction contractors are required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Regional Water Quality Control Board. As such, impacts are less than significant.

Operational Activities

Federal and State Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by the businesses that would operate at the Project site. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (§ 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a Hazardous Materials Business Emergency Plan (HMBEP) to the Riverside County Department of Environmental Health (RCDEH) in order to register the business as a hazardous materials handler. Such business is also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to Riverside County Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

Potential hazardous materials impacts associated with long-term operation of the Project is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment. because Use, transport, handling, and disposal of any hazardous substances must comply with all federal, State and local laws regulating their management and use.

These issues **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.

Sources: Project Application Materials, Google Earth.

Impact Analysis

The Project site is not located within one-quarter mile of an existing or proposed school. The nearest school is the San Gorgonio Middle School is located approximately 2 miles northwest of the Project site. In addition, as discussed in the responses to issues 3.9 (a) and 3.9 (b) above, the use and handling of all hazardous or potentially hazardous materials must comply with all applicable federal, State, and local agencies and regulations. Impacts are less than significant.

This issue **WILL NOT** be evaluated further in the EIR.

3.9(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Determination: No Impact.
Sources: DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List,).

Impact Analysis

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As such, no impact would occur.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Source: Ontario International Airport Land Use Compatibility Plan.

Impact Analysis

The Project site is located approximately 4.5 miles west of the Banning Municipal Airport and is not within the *Banning Municipal Airport Compatibility Plan*. There is no impact.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: Less Than Significant Impact.
Sources: General Plan, Project Application Materials.

Impact Analysis

The City of Banning has adopted the *Local Hazard Mitigation Plan*, *2017 (*"Plan*").* The purpose of the Plan is to identify the City's hazards, review and assess past disaster occurrences, estimate the

probability of future occurrences and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The Plan was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 to achieve eligibility and potentially secure mitigation funding through Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance, Pre-Disaster Mitigation, and Hazard Mitigation Grant Programs.

The City has incorporated the *Local Hazard Mitigation Plan* by adoption into the Safety Element of the City's General Plan. The Safety Element of the General Plan includes a discussion of fire, earthquake, flooding, and landslide hazards. The Plan was adopted as an implementation appendix to the Safety Element. In addition, the City enforces the requirements of the California Environmental Quality Act (CEQA), which requires mitigation for identified natural hazards. The City has used these pre-existing programs as a basis for identifying gaps that may lead to disaster vulnerabilities in order to work on ways to address these risks through mitigation. Development of the Project will not impair implementation Plan as evidenced in the analysis in this Initial Study as it relates to emergencies as a result of hazards and natural disasters.

The City does not have an established evacuation route; however, depending on the location and extent of an emergency, major surface streets could be utilized to route traffic through the City. The I-10 Freeway and State Highway 243 to State Route 79 are also major regional access routes serving the City which could be used during disaster events. Emergency access to the Project site is available from Sun Lakes Boulevard. During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles to Sun Lakes Boulevard as required by the City. Therefore, the Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the Project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant.

This issue **WILL NOT** be evaluated further in the EIR.

3.9 (h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?

Determination: Less Than Significant Impact.
Source: General Plan.

Impact Analysis

According to Cal Fire website accessed on January 20, (https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/) the Project site is identified as being located in a Non-Very High Fire Hazard Severity Zones. In addition, the Project site is adjacent to railroad tracks and the I-10 on the north, and existing development to the east, west, and south. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires and no impact would occur.

This issue **WILL NOT** be evaluated further in the EIR.

3.10 HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	■			
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			■	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	■			
(i) Result in substantial erosion or siltation on- or off-site?	■			
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	■			
(iii) 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?	■			
(iv) Impede or redirect flood flows?	■			
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				■
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	■			

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

Determination: Potentially Significant Impact.
Source: Project Application Materials

Impact Analysis

Waste Discharge Requirements

Waste Discharge Requirements (WDRs) are issued by the Regional Water Quality Control Board under the provisions of the California Water Code, Division 7 "Water Quality," Article 4 "Waste Discharge Requirements." These requirements regulate the discharge of wastes which are not made

to surface waters but which may impact the region's water quality by affecting underlying groundwater basins. Such WDRs are issued for Publically Owned Treatment Works' wastewater reclamation operations, discharges of wastes from industries, subsurface waste discharges such as septic systems, sanitary landfills, dairies and a variety of other activities which can affect water quality.

Water Quality Requirements

The Porter-Cologne Act defines water quality objectives (i.e. standards) as "…*the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific a*rea" (§13050 (h)).

Construction Impacts

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

Pursuant to the requirements of the applicable Regional Water Quality Control Board, the Riverside County Municipal Storm Water Permit (MS-4), and the City of Banning, the Project proponent will be required to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The National Pollutant Discharge Elimination System permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

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

Operational Impacts

Storm water pollutants commonly associated with the type of land uses that could occupy the Project site include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, and pesticides.

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

The Project site currently drains southerly to Sun Lakes Boulevard. The portion of the site which drains to Sun Lakes Boulevard, sheet flows to existing storm drain system which conveys the flows to Smith Creek to the east and Potero Creek to the west. The proposed drainage on-site system is undefined at this time. Ultimately, surface runoff is anticipated to connect to the existing storm drainage system and discharge to Smith Creek to the east and Potero Creek to the west.

This issue **WILL** be evaluated further in the EIR.

3.10(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Determination: Less Than Significant Impact.
Source: City of Banning 2015 Urban Water Management Plan.

Impact Analysis

Groundwater Supplies

The Project site would be served with potable water by the City of Banning. Domestic water supplies from this service provider are reliant on groundwater from the Coachella Valley Hydrologic Unit, which encompasses several groundwater basins, including the Coachella Valley Groundwater Basin (Basin), within which the City is located. The Basin is underlain by several large subbasins, the boundaries of which are generally defined by fault lines that restrict the lateral flow of water. The Basin extends from Banning easterly to the Salton Sea.

The City is underlain by the San Gorgonio Pass Subbasin (SGP Subbasin) portion of the Basin. The City extracts groundwater from the Beaumont Storage Unit (Beaumont Basin), Banning Storage Unit, Cabazon Storage Unit, and the Banning Canyon Storage Unit of the San Gorgonio Pass Subbasin portion of the Coachella Valley Groundwater Basin. Because the City's water supply is primarily groundwater, the City is not subject to short-term water shortages resulting from temporary dry weather conditions. Further, as part of the Beaumont Basin adjudication, the City has the option of storing up to 80,000 acre feet of water in the Beaumont Basin. As such, impacts are less than significant.

Groundwater Recharge

Groundwater recharge in the area results from precipitation infiltrating into the ground within the surface water catchments and particularly in the canyons north of the City. An additional source of recharge is subsurface inflow (also referred to as underflow) from storage unit to storage unit, infiltration of Whitewater River diversions in the Banning Canyon, and from percolation of treated wastewater into the Cabazon Storage Unit. The Banning Canyon area receives water from the percolation of canyon flows through the gravelly soils of the canyon bottom. The San Gorgonio River running southerly through the Banning Canyon provides intake areas for distributing water to spreading ditches that interconnect with spreading ponds located approximately one-mile north of the Banning Bench to enhance percolation.

Development of the Project would increase impervious surface coverage on the site which would in turn reduce the amount of direct infiltration of runoff into the ground. This would have a less than

significant impact on groundwater recharge in the areas of the San Gorgonio Pass Subbasin that are managed for that purpose, since those recharge areas do not encompass the Project site. As such, impacts are less than significant.

This issue **WILL NOT** be evaluated further in the EIR.

3.10(c)	***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:***
(i)	***Result in substantial erosion or siltation on- or off-site?***
(ii)	***Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?***
(iii)	***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?***
(iv)	***Impede or redirect flood flows?***

Determination: Less Than Significant Impact.
Sources: Project Application Materials.

Impact Analysis

Existing Condition

The Project site currently drains southerly to Sun Lakes Boulevard. The portion of the site which drains to Sun Lakes Boulevard, sheet flows to existing storm drain system which conveys the flows to Smith Creek to the east and Potero Creek to the west.

Post-Development Condition

The Project entails a Specific Plan Amendment to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and "Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. (See Figure 2- Land Use Plan). The Specific Plan is also proposed to be amended to revise the permitted land uses; development standards (including maximum building height, setbacks, open space, landscaping, parking, and signage); design guidelines for development; and administration and implementation provisions. The proposed drainage on-site system is undefined at this time. Ultimately, surface runoff is anticipated to discharge to Smith Creek to the east and Potero Creek to the west. Surface runoff may possibly have a significant impact with respect to drainage patterns, siltation. flooding, storm drain capacity, and flood flows.

This issue **WILL** be evaluated further in the EIR.

3.10(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Determination: No Impact.
Sources: FEMA, California Department of Conservation.

Impact Analysis

Flood Hazard Zone

Per FEMA Flood Insurance Rate Map (FIRM) Panel No. 06065C0812G (effective date: August 28, 2008) the Project Site lies within an unshaded Zone "X" floodplain. Unshaded Zone "X" is defined as Area of Minimal Flood Hazard. As such, there is no impact.

Tsunami or Seiche Zone

According to the California Department of Conservation, California Official Tsunami Inundation Maps the site is not located within a tsunami inundation zone. The Project would not be at risk from seiche because there is no water body in the area of the Project site capable of producing as sesiche. As such, there is no impact.

This issue **WILL NOT** be evaluated further in the EIR.

3.10(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

As noted in the response to Issue 3.10 (c), the proposed drainage on-site system is undefined at this time. Ultimately, surface runoff is anticipated to discharge to Smith Creek to the east and Potero Creek to the west. Surface runoff may possibly have an impact on a water quality control plan or sustainable groundwater management plan.

This issue **WILL** be evaluated further in the EIR.

3.11 LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				■
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	■			

3.11 (a) Physically divide an established community?

Determination: No Impact.

Source: Project Application Materials.

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site consists of approximately 47-acres of undeveloped land that is adjacent to railroad tracks and I-10 to the north and existing development to the east, south, and west. There is no impact.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: Potentially Significant Impact.

Source: Project Application Materials.

Impact Analysis

The Project entails a Specific Plan Amendment to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and "Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. (See Figure 2- Land Use Plan). The Specific Plan is also proposed to be amended to revise the permitted land uses; development standards (including maximum building height, setbacks, open space, landscaping, parking, and signage); design guidelines for development; and administration and implementation provisions. The proposed amendments could possibly result in a significant impact due to conflicting with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

This issue **WILL be** evaluated further in the EIR.

3.12 MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				■
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				■

3.12(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Determination: No Impact.
Sources: General Plan.

Impact Analysis

The Project site is located within a mineral resource zone area classified as MRZ-3 as identified in Exhibit IV-8 in the City of Banning General Plan. Areas classified as MRZ-3 are defined as containing mineral deposits, the significance of which cannot be evaluated from available data. The City of Banning General Plan identifies one aggregate producer within its planning area; the Banning Quarry which is located in the eastern portion of the City approximately 1.25 miles northeast of the Project site. Implementation of the Project would not result in the loss of known mineral resources.

This issue **WILL NOT** be evaluated further in the EIR.

3.12(b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Determination: No Impact.
Source: General Plan.

Impact Analysis

The existing land use designations for the Project site is "Commercial" and General Commercial (with Specific Plan Overlay) which allows for light industrial, office, and retail uses. As such, the Project site is not delineated on a local general plan, specific plan or other land use plan as a locally important mineral resource recovery site. There is no impact.

This issue **WILL NOT** be evaluated further in the EIR.

3.13 NOISE

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	■			
b. Generation of excessive groundborne vibration or groundborne noise levels?	■			
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	■			

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

3.13 (b) Generation of excessive groundborne vibration or groundborne noise levels?

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

Noise

The Project would create a temporary increase in noise during construction activities. The Project would also result in long-term changes in ambient noise associated with typical business, industrial, and commercial activities. Noise would be generated by truck and passenger vehicle trips to and from the site on adjacent roadways; trucks backing up, starting, and idling; forklifts; and mechanical systems (heating, ventilation, and air conditioning). Long-term operational noises also include project-generated traffic and the resulting traffic noise on adjacent roads.

Groundborne Vibration

Some equipment used during construction would have the potential to create groundborne noise or vibration, including dozers, graders, cranes, loaded trucks, water trucks, and pavers. Continuous vibrations with a peak particle velocity (PPV) of approximately 0.10 inches per second are considered to cause annoyance. The Project is forecast to create potentially significant vibration levels generated during construction activities.

These issues **WILL** be evaluated further in the EIR.

3.13 (c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Determination: No Impact.
Source: Project Application Materials.

Impact Analysis

The Project site is located approximately 4.5 miles west of the Banning Municipal Airport and is not within the *Banning Municipal Airport Compatibility Plan*. There is no impact.

This issue **WILL NOT** be evaluated further in the EIR.

3.14 POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			■	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				■

3.14(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Determination: Less than Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project would not directly result in population growth because it does not propose any residential dwelling units. It is anticipated that new employees generated by the Project could come from within the local area and would not generate the need for any housing.

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

Water and sewer service to the Project site will be provided by the City of Banning. No additional water or sewer infrastructure will be needed to serve the Project other than connection to the existing water and sewer lines. Water and sewer infrastructure will not have to be extended in the area to serve the Project.

In addition, the analysis in Section 3.14, *Public Services*, of this Initial Study demonstrates that the impacts on public services are less than significant so the public service provider's ability to provide services will not be reduced.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.
Source: Project Application Materials.

Impact Analysis

The Project site contains does not contain any residential housing. Therefore, implementation of the Project would not displace a substantial number of existing housing, nor would it necessitate the construction of replacement housing elsewhere.

This issue **WILL NOT** be evaluated further in the EIR.

3.15 PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			■	
2) Police protection?			■	
3) Schools?			■	
4) Parks?			■	
5) Other public facilities?			■	

3.15(a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

FIRE PROTECTION

Determination: Less Than Significant Impact.
Sources: City of Banning, Riverside County Fire Department.

Impact Analysis

Fire protection services for the Project would be provided by the City of Banning through a contractual agreement with the Riverside County Fire Department, which contracts with the California Department of Forestry. Through a mutual aid agreement with surrounding communities, including Beaumont, Calimesa and Cabazon, each city has access to and benefits from the services provided by fire stations in other cities. The Project site is served by Fire Station #20 located approximately 0.6 roadway miles west of the site at 1550 E. 6th Street, Beaumont, CA.

Development of the Project would impact fire protection services by placing an additional demand on existing Riverside County Fire Department resources should its resources not be augmented. To offset the increased demand for fire protection services, the Project would be conditioned by the

City to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes.

Furthermore, the Project would be required to comply with the provisions of the City's Development Impact Fee Ordinance, which requires a fee payment to assist the City in providing for fire protection facilities. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional fire protection facilities.

Based on the analysis Above, the Project would not result in the need for new or physically altered fire facilities in order to maintain acceptable service ratios, response times or other performance objectives.

This issue **WILL NOT** be evaluated further in the EIR.

POLICE PROTECTION

Determination: Less Than Significant Impact.
Sources: City of Banning, Riverside County Sheriff's Department.

Impact Analysis

The Project Site is currently serviced by the City of Banning Police Department which is located approximately 4.5 miles east of the Project site at 125 E Ramsey Street in Banning. Development of the Project would impact fire protection services by placing an additional demand on existing Riverside County Fire Department resources should its resources not be augmented. The Project would be required to comply with the provisions of the City's Development Impact Fee Ordinance, which requires a fee payment to assist the City in providing for police protection facilities to offset impacts created by new development. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional police protection facilities. In addition, the Project site is located in a developed area of the City which is routinely patrolled. It is not anticipated that new police facilities will need to be constructed to serve the Project in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services

This issue **WILL NOT** be evaluated further in the EIR.

SCHOOLS

Determination: Less Than Significant Impact.
Sources: California Senate Bill 50 (Greene), Project Application Materials.

Impact Analysis

The Project does not create an additional need for housing thus directly increasing the overall population of the City and generating additional students to be served by the Banning Unified School District. However, the Project would be required to contribute fees to the Banning Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50).

Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services.

This issue **WILL NOT** be evaluated further in the EIR.

PARKS

Determination: Less Than Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project does not create a direct additional need for parkland as it does not propose residential uses. The payment of development impact fees will reduce any indirect Project impacts related to parks.

This issue **WILL NOT** be evaluated further in the EIR.

OTHER PUBLIC FACILITIES

Determination: Less Than Significant Impact.
Source: Project Application Materials.

Impact Analysis

As noted above, development of the Project would not result in a direct increase in the population of the Project area and would not increase the demand for public services, including public health services and library services which would require the construction of new or expanded public facilities.

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

This issue **WILL NOT** be evaluated further in the EIR.

3.16 RECREATION

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			■	
b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				■

Impact Analysis

3.16(a) Would the proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Determination: Less than Significant Impact.
Source: Project Application Materials.

Impact Analysis

The Project proposes a Specific Plan Amendment to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and "Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. (See Figure 2- Land Use Plan).The Specific Plan is also proposed to be amended to revise the permitted land uses; development standards (including maximum building height, setbacks, open space, landscaping, parking, and signage); design guidelines for development; and administration and implementation provisions.

Therefore, the Project would not cause a substantial physical deterioration of any park facilities or would accelerate the physical deterioration of any park facilities because the Project does not proposes residential dwelling units which would increase the population that would use parks. The payment of development impact fees will reduce any indirect Project impacts related to recreational facilities.

This issue **WILL NOT** be evaluated further in the EIR.

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

Determination: No Impact.

Source: Project Application Materials

Impact Analysis

As noted in the response to Issue 3.16(a) above, the Project does not propose any recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment. In addition, no offsite parks or recreational improvements are proposed or required as part of the Project.

Based on the above analysis, impacts related to parks and recreational facilities would be less than significant.

This issue **WILL NOT** be evaluated further in the EIR.

3.17 TRANSPORTATION

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, taking into account all modes of transportation including transit, roadway, bicycle and pedestrian facilities?	■			
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	■			
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	■		■	
d. Result in inadequate emergency access?			■	

3.17 (a) Conflict with a program, plan, ordinance or policy addressing the circulation system, taking into account all modes of transportation including transit, roadway, bicycle and pedestrian facilities?

Determination: Potentially Significant Impact.
Source: Project Application Materials

Impact Analysis

The Project proposes a Specific Plan Amendment to the Sun Lakes Village North Specific Plan that updates the Specific Plan document to amend the Specific Plan Land Use Plan from "Retail Commercial" to "Business Park" and 'Professional Office" along the primary I-10 Freeway frontage and "Commercial Retail" along the Sun Lakes Boulevard frontage. (See Figure 2- Land Use Plan).

The Project is forecast to generate vehicular and truck traffic from construction and operational activities. These trips will impact intersection and roadway segments in the Project area.

This issue **WILL BE** evaluated further in the EIR.

3.17 (b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Determination: Potentially Significant Impact.
Source: Project Application Materials

Impact Analysis

On September 27, 2013, SB 743 was signed into law. The Legislature found that with adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the state had signaled its commitment to encourage land use and transportation planning decisions and investments that

reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of greenhouse gas emissions (GHG), as required by the California Global Warming Solutions Act of 2006 (AB 32). Additionally, AB 1358, described above, requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users. SB 743 started a process that would fundamentally change transportation impact analysis as part of CEQA compliance. These changes will include the elimination of auto delay, level of service (LOS), and similar measures of vehicular capacity or traffic congestion as the basis for determining significant impacts under CEQA

As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

OPR developed alternative metrics and thresholds based on VMT. The guidelines were certified by the Secretary of the Natural Resources Agency in December 2018, and automobile delay, as described solely by level of service of similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment. There is an opt-in period until July 1, 2020, for agencies to adopt new VMT-based criteria.

Because this EIR is likely to be circulated for public review after July 1, 2020, the City, as the lead agency, will use a VMT metric in its analysis of traffic impacts.

This issue **WILL BE** evaluated further in the EIR.

3.18 TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	■			
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	■			

3.18 (a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Determination: Potentially Significant Impact.

Source: Project Application Materials.

Impact Analysis

Archaeological records maintained by the University of California, Riverside, Eastern Information Center indicate that the general area was subject to at least three prior studies and that a minimum of 25 cultural resources studies have been completed within one-mile of the Project site. Two reports in 1981 and 1982 specifically referenced the Old Stewart Ranch, and confirm that the current Project area is within the historic boundaries of the Old Stewart Ranch. Three cultural resources have been recorded within one-mile of the current Project area. Therefore, the Project site may have the potential to impact sub-surface tribal cultural resources.

This issue **WILL** be evaluated further in the EIR.

3.18(b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Determination: Potentially Significant Impact.

Source: Project Application Materials.

Impact Analysis

The Planning Department has initiated notification of the Project under both Senate Bill (SB) 18 and Assembly Bill (AB) 52 in order to determine there is a potential for tribal cultural resources to be present on the site.

This issue **WILL** be evaluated further in the EIR.

3.19 UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	■			
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years?			■	
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	■			
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	■			
e. Comply with federal, state, and local management and reduction statutes b. A resource determined by the lead agency,			■	

3.19 (a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Determination: Potentially Significant Impact.

Source: Project Application Materials.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Analysis

Water Facilities

The Project site would be served with potable water by the City of Banning. Via connection to the existing water supply system.

Wastewater Treatment Facilities

Wastewater generated by the Project is proposed to be conveyed to the Wastewater Reclamation Plant operated by the City of Banning for treatment via connection to the existing sewer system.

Storm Drainage Facilities

The Project site currently drains southerly to Sun Lakes Boulevard. The portion of the site which drains to Sun Lakes Boulevard , sheet flows to existing storm drain system which conveys the flows to Smith Creek to the east and Potero Creek to the west. The Project is proposing to construct storm drain facilities that will connect to the existing facilities in Sun Lakes Boulevard and ultimately discharge to Smith Creek and/or Potero Creek.

Electric Power Facilities

The Project will connect to the existing electrical distribution facilities available in the vicinity of the Project site operated by the Banning Electric Utility.

Natural Gas Facilities

The Project will connect to the existing Southern California Gas natural gas distribution facilities available in the vicinity of the Project site.

Telecommunication Facilities

The Project will connect to the existing facilities available in the vicinity of the Project site.

The installation of the facilities described above will have physical impacts on the environment.

These impacts **WILL BE** evaluated further in the EIR.

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

Determination: Potentially Significant Impact.

Source: City of Banning 2015 Urban Water Management Plan.

Impact Analysis

The Project site would be served with potable water by the City of Banning. The Project site would be served with potable water by the City of Banning. Domestic water supplies from this service provider are reliant on groundwater from the Coachella Valley Hydrologic Unit, which encompasses several groundwater basins, including the Coachella Valley Groundwater Basin (Basin), within which the City is located. The Basin is underlain by several large subbasins, the boundaries of which are generally defined by fault lines that restrict the lateral flow of water. The Basin extends from Banning easterly to the Salton Sea.

The City is underlain by the San Gorgonio Pass Subbasin (SGP Subbasin) portion of the Basin. The City extracts groundwater from the Beaumont Storage Unit (Beaumont Basin), Banning Storage

Unit, Cabazon Storage Unit, and the Banning Canyon Storage Unit of the San Gorgonio Pass Subbasin portion of the Coachella Valley Groundwater Basin.

Under the proposed Specific Plan amendment, the Project would create a water demand for potable water, wastewater, and landscaping for development of the 47 acre Project site. A project of this size has the potential to impact water supplies.

This impact **WILL** be evaluated further in the EIR.

3.19 (c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Determination: Potentially Significant Impact.
Source: City of Banning 2015 Urban Water Management Plan, City of Banning, Integrated Master Plan/Final Revision 1.2, 2018.

Impact Analysis

All wastewater flows collected within the City's service area are currently treated at one facility, the Banning WWTP. The WWTP is designed to treat wastewater to secondary standards and consists of the following processes: headworks, screening, grit removal, two primary clarifiers, two trickling filters, and two secondary clarifiers. The plant currently discharges the effluent to percolation ponds. The City contracts with United Water Services for the operation and maintenance of the WWTP. Recent upgrades of the plant resulted in an increase of secondary treatment capacity to 3.6 million gallons-per-day, including improvements that could accommodate future capacity to approximately 5.8 million gallons-per-day. On a daily basis the, plant currently receives an average flow of approximately 2.3–2.4 million gallons-per day.

Under the proposed Specific Plan amendment, the Project would create a wastewater demand for development of the 47 acre Project site. A project of this size has the potential to impact wastewater treatment capacity.

This issue **WILL** be evaluated further in the EIR.

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

Determination: Potentially Significant Impact.
Source: Project Application Materials.

Impact Analysis

The City of Banning contracts with Waste Management Inland Empire for solid waste and disposal services. Solid waste that is not diverted to recycling or composting facilities is transported to the Lamb Canyon Sanitary Landfill. The Lamb Canyon Sanitary Landfill is located in the City of Beaumont, approximately three miles southwest of the City of Banning. It is owned and operated by the Riverside County Waste Management Department and accepts solid waste collected from the

communities of Banning, Beaumont, Hemet and San Jacinto. It may also accept solid waste generated from anywhere within Riverside County.

Under the proposed Specific Plan amendment, the Project would create a wastewater demand for development of the 47 acre Project site. A project of this size has the potential to generate solid waste that will impact th ecap0acity of solid water collection facilities.

This issue **WILL** be evaluated further in the EIR.

3.19 (e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Determination: Less Than Significant Impact.

Source: Project Application Materials.

Impact Analysis

The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the Riverside Countywide Integrated Waste Management Plan which outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost effective waste management system that complies with the provisions of California Integrated Waste Management Act and its diversion mandates.

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

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

Based on the above analysis, impacts are less than significant.

This issue **WILL NOT** be evaluated further in the EIR.

3.20 WILDFIRE

WILDFIRE -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				■
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				■
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				■
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				■

3.20 (a-d)

Determination: No Impact.
Sources: General Plan, Cal Fire.

Impact Analysis

According to Cal Fire website accessed on January 20, (https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/) the Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones and no impact would occur.

This issue **WILL NOT** be evaluated further in the EIR.

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■			
b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■			
c. Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	■			

Impact Analysis

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

Determination: Potentially Significant Impact.
Source: This Initial Study.

Impact Analysis

As discussed in this Initial Study, biological resources, cultural resources, and tribal cultural resources may be significantly impacted by the Project.

These issues **WILL** be evaluated further in the EIR.

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

Determination: Potentially Significant Impact.
Source: This Initial Study.

Impact Analysis

The Project has the potential to result in cumulatively considerable impacts. As discussed in this Initial Study, implementation of the Project may result in potentially significant impacts under the environmental topics of:

- Aesthetics (visual character, light and glare)
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils (Paleontological Resources)
- Greenhouse Gas Emissions
- Hydrology and Water Quality (water quality standards or waste discharge requirements; erosion/siltation; flooding, and storm drain capacity).
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

To a certain extent, impacts of the Project, together with other known or anticipated projects in the area, may have a cumulative effect under all of the aforementioned environmental topics.

These issues **WILL** be addressed further in the EIR.

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

Determination: Potentially Significant Impact.
Source: This Initial Study Checklist.

Impact Analysis

As indicated by this Initial Study, the Project may cause or result in certain potentially significant environmental effects, resulting in potentially adverse effects to human beings. While adverse environmental effects that could affect human beings could, to some degree,

be substantiated under all CEQA issue areas, Project impacts that could directly affect human beings include:

- Aesthetics (visual character, light and glare)
- Air Quality
- Greenhouse Gas Emissions
- Hydrology and Water Quality (water quality standards or waste discharge requirements; erosion/siltation; flooding, and storm drain capacity).
- Land Use and Planning
- Noise
- Transportation
- Utilities and Service Systems

These issues **WILL** be evaluated further in the EIR.

4.0 REFERENCES

General References

California Department of Conservation. *California Important Farmland Finder*. Accessed on January 7, 2020 from http://maps.conservation.ca.gov/ciff/ciff.html.

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City of Banning, *Integrated Master Plan/Final Revision 1.2*, 2018.

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5.0 REPORT PREPARATION PERSONNEL

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