

**CITY OF BANNING**  
RIVERSIDE COUNTY, CALIFORNIA

**FINAL**  
**ENVIRONMENTAL IMPACT REPORT**  
(SCH# 2005011039)

FOR THE

**CITY OF BANNING**  
**COMPREHENSIVE GENERAL PLAN**  
**AND ZONING ORDINANCE**

PREPARED FOR

CITY OF BANNING  
99 EAST RAMSEY  
BANNING, CA 92220

PREPARED BY



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January 18, 2006

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**FINAL EIR  
RESPONSE TO COMMENTS  
ON  
DRAFT  
ENVIRONMENTAL IMPACT REPORT  
FOR THE  
BANNING  
COMPREHENSIVE GENERAL PLAN  
AND  
ZONING ORDINANCE**

**JANUARY 18, 2006**

**CITY OF BANNING, CALIFORNIA  
STATE CLEARINGHOUSE NO. 2005011039**

**AGENCY COMMENTS/RESPONSE TO COMMENTS**

The Response to Comments on the Draft EIR for the Banning Comprehensive General Plan and Zoning Ordinance project has been prepared in accordance with Section 15088, 15089 and 15132 of the California Environmental Quality Act (CEQA) Guidelines. The following agencies and interested parties have commented on the Draft EIR. Please note that Section I contains verbatim comments from agency and other interested parties, and subsequent responses. Section II contains the full text of commenting agency correspondence.

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## SECTION I

### RESPONSE TO COMMENTS

The following verbatim comments were received on the Draft EIR transmitted to various public agencies and interested parties. These comments concern aspects of the Draft EIR, including clarification of information, adequacy of analysis, and similar issues. Related comments may occasionally be combined to allow one response to address these related questions. The following responses have been prepared to address issues raised in the agency/interested party comments.

## A. CALIFORNIA DEPARTMENT OF FISH AND GAME

**A.1. Comment:** The City of Banning contains one portion of one Criteria Cell (Cell 227) and one Special Linkage Area. A description of the Special Linkage Area is found on page 3-245 of the MSHCP. The purpose of the Special Linkage Area is to contribute to the assembly of a portion of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage, which includes locations on Indian Lands and lands within and outside the MSHCP Plan Area. The State Department of Parks and Recreation discusses the importance of this Linkage in Letter D of section A4-Z4 of Volume V of the MSCHP. The letter states that this Linkage was “determined to be one of the top ten linkages in need or [sic] preservation,” according to the Southcoast Wildlands Missing Linkages project. The MSHCP states on page 3-246 of the MSHCP that Local Permittees will apply the following “rebuttal presumption of significance [sic], taken from Appendix G to the 1998 State CEQA Guidelines, when conducting CEQA review.

The EIR states that the City would apply the CEQA Guidelines for projects within the Special Linkage Area, but does not include the reference to the “rebuttable presumption of significance.” The Department believes that the “rebuttable presumption of significance” means that projects within the Special Linkage Area will be deemed to be significant unless proven otherwise. This distinction should be clarified in any subsequent document.

**A.1. Response:** The Biological Resources Element in Section IV of the Draft General Plan discusses the proposed General Plan in relationship to the Western Riverside County MSHCP (MSHCP). Section III.F of the Draft EIR discusses potential impacts of the proposed General Plan on species covered under the MSHCP.

As noted in Comment A.1. a portion of Criteria Cell 227 and portions of one Special Linkage Area occur within the General Plan study area. These are described on page IV-48 of the Draft General Plan, and page III-126 of the Draft General Plan and Draft EIR. They are shown graphically on Exhibit IV-2 in the General Plan, and on Exhibit III-22 in the Draft EIR.

The Draft General Plan and EIR note that guidelines set forth in the South Coast Wildlands’ Missing Linkages do not reference the San Gorgonio River linkage, and therefore the City would apply standards set forth in the CEQA Guidelines “in the absence of other guidance in the MSHCP.”<sup>1</sup>

The proposed General Plan land use map (see Exhibit III-2 in the EIR) designates the portion of the San Gorgonio River that lies within the Special Linkage Area as Open Space-Resources, intended for “lands for the preservation of water,

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<sup>1</sup> “Section III, Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance,” prepared by Terra Nova Planning and Research, Inc., June 2005.

biological, geotechnical or other hazard or resource.”<sup>2</sup> The Draft EIR includes mitigation measures to ensure that the proposed General Plan complies with requirements of the Western Riverside County MSHCP, including those for Criteria Cell 227 and the applicable Special Linkage Area (see Measures A and B in Section III.F of the Draft EIR).

Although discussion of specific development projects or sites is not appropriate at the General Plan EIR level, Policy 1 and Programs 1.A. and 1.B in the Biological Resources Element of the General Plan directly address the City’s participation in the MSCHP. Subsequent policies and programs do so indirectly in that they require City review and approval of future development in relationship to preservation of sensitive biological resources.

**A.2. Comment:** The information contained in a CEQA document should specify whether the project is within or outside of the “Criteria Area” or the “Special Linkage Area.” For projects located outside the Criteria Area or Special Linkage Area, the CEQA discussion should indicate whether the project is located in one of the special areas, (the narrow endemic survey area, in the additional survey area, includes riparian/riverine areas of vernal pools, fuels management or is at the urban/wildlands interface) and how the project is consistent with those policies or guidelines.

**A.2. Response:** Please see Response to Comment A.1, above. The Draft General Plan and EIR discuss MSHCP special survey requirements and graphically illustrate the special survey areas that occur in the General Plan study area (see Exhibits III-19, III-20 and III-21 in the EIR). As previously noted, policies and programs included in the General Plan relate directly and indirectly to compliance with the MSHCP. Mitigation measures provided in the Draft EIR also establish the special survey requirements (see Section III.F, Measures C and D). Although as stated above, discussion of specific development projects/sites is not appropriate at a General Plan level, policies and programs set forth in the General Plan, and mitigation measures in the EIR, are intended to ensure compliance with the MSCHP requirements within the City.

**A.3. Comment:** The Department concurs with the EIR in stating that impacts to jurisdictional waters will require a Lake and Streambed Alteration Notification Agreement from the Department.

**A.3. Response:** Comment noted.

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<sup>2</sup> Section 1, Ibid.

## **B. DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

**B.1. Comment:** The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.

**B.1. Response:** Comment noted. As stated on Page II-18 of the EIR, the U.S. EPA Envirofacts Data Warehouse for the City of Banning identifies two facilities that produce and release air pollutants, two facilities that have reported toxic releases, 31 facilities that have reported hazardous waste activities, and one facility that is permitted to discharge to waters of the United States. In addition, as stated on page II-19 of the EIR, the responsibility for regulating and monitoring the management, disposal, labeling, and use of toxic and hazardous materials lies with a variety of federal, state, and local agencies, including the U.S. Environmental Protection Agency, the California Office of Health Planning and Development, and the Riverside County Department of Health.

Although discussion of specific development projects or sites is not appropriate at the General Plan EIR level, the policies and programs contained in the Hazardous and Toxic Materials Element of the General Plan directly address the responsibility of project proponents relating to hazardous substances.

**B.2. Comment:** The project EIR should identify all known or potentially contaminated sites within the project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. A Phase I Assessment may be sufficient to identify these sites. Following are the databases of some of the regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Site Mitigation Program Property Database (formerly CalSites): A database primarily used by the California Department of Toxic and Substances Control.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by the U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A lists that is maintained by Regional Water Quality Control Boards.

- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

A database search for the City of Banning identified two facilities that produce and release air pollutants, two facilities that have reported toxic releases, 31 facilities that have reported hazardous waste activities, and one facility that is permitted to discharge to waters of the United States.

**B.2. Response:**

Comment noted. The EPA database search referenced in the above comment corresponds with information found on page II-18 of the EIR (as previously stated in Response B.1.). With regard to additional analysis of hazardous sites that have been identified, the Banning General Plan EIR is a "program" level EIR. Program EIRs analyze broad environmental impacts of a program, in this instance the Banning General Plan, with the acknowledgment that subsequent, site-specific, environmental review may be required on a case by case basis. The level of environmental analysis required for these later projects shall be determined by the Banning Community Development Department with input from other City departments as appropriate. The resultant environmental analysis may include Phase I and possibly Phase II Assessments.

**B.3. Comment:**

The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, and environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment in compliance with state regulations, policies, and laws.

All environmental investigations, sampling and/or remediation should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including Phase I and II investigations, should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.

If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, except for a gas station, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be

taken prior to construction if the proposed project is within a "Border Zone Property."

Since building structures, asphalt or concrete-paved surface areas or other structures are planned to be demolished, an investigation should be conducted for the presence of lead-based paints or products, mercury, and asbestos containing materials (ACMs). If lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations, policies and laws.

The project construction may require soil excavation and soil filling in certain area. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (818) 551-2171 to initiate pre application discussions and determine the permitting process applicable to the facility.

If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.

Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

If the project plans include discharging wastewater to storm drain, you may be required to obtain a wastewater discharge permit from the overseeing Regional Water Quality Control Board.

If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

**B.3. Response:**

Comment noted. As previously stated, an EPA database search for the City of Banning identified two facilities that produce and release air pollutants, two facilities that have reported toxic releases, 31 facilities that have reported hazardous waste activities, and one facility that is permitted to discharge to waters of the United States. The City of Banning is aware of these sites, and if development is proposed on these sites the City will require CEQA analysis, which may include Phase I and Phase II Assessments in order to determine the extent of impacts and the appropriate level of mitigation. If the proposed site is under remediation it will be addressed through City code compliance.

In addition, as projects on other sites throughout the City are brought before the Community Development Department, CEQA review will be required, at which time site specific mitigation measures will be determined, and, depending on the activity proposed, may include may include Phase I and II Assessments.

## C. BANNING FIRE SERVICES

- C.1. Comment:** On page III-202 – Under the heading “Fire Department Staffing”; Our method of determining appropriate staffing for the City of Banning is not based on numbers of staff per 1000 residents as eluded to in this section. The Cities (sic) “Fire Protection Master Plan” describes staffing requirements based on 3 people per engine, 2 people per rescue and 4 people per truck company. Equipment needs are based on construction: a new station with one engine company per 2000 households or per 3.5 million square feet of commercial construction. A truck company will be to maintain a 15-minute response time to areas that have 5 or more buildings that require a fire flow of 3500 gallons per minute or are 35 feet in height. Additional units will be added in areas where response time exceeds the established criteria on 90% of the calls.
- C.1. Response:** Comment noted. The intent of the reference to fire personnel per capita references the General Plan discussion of personnel per capita, and is not intended to reference how the Fire Department establishes staffing needs. The City closely coordinates with the Fire Department relating to staffing and facilities needs, and will continue to do so.
- C.2. Comment:** Under the heading “Proposed Fire Stations”; The entire paragraph needs to be rewritten. It states that 4 additional stations are proposed at the Banning airport with 2 other new stations proposed in other areas of town. Actually we are proposed 5 new stations, one in the N. W. portion of the City (or reopening the old fire station on Wilson St. near Kingswell St.) to house Engine 20 (moving it from Beaumont), another station in the S.E. area near the airport, one in the S.W. area, one in the proposed Banning Bench project and one in Black Bench when that is developed.
- C.2. Response:** Comment noted. The paragraph is misstated. The EIR is hereby amended to reflect the locations cited in the comment.
- C.3. Comment:** For the heading “Fire Marshall (sic) Services”; “Marshall” should be spelled with one “L” “Marshal”
- C.3. Response:** Comment noted.
- C.4. Comment:** On page II-17 Under the heading “Police Services”; In the next to the last line, third word from the right, the word “for” is spelled “fro”.
- C.4. Response:** Comment noted.

**D. RIVERSIDE COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT**

**D.1. Comment:** The Riverside County Flood Control and Water Conservation District has no comments at this time.

Thank you for the opportunity to review the DEIR. Please forward any subsequent environmental documents regarding the project to my attention at this office.

**D.1. Response:** Comment noted. The City regularly consults with the District on project-specific issues related to local and regional flood control facilities, as part of its application review and CEQA review processes.

## E. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

**E.1. Comment:** Policies of SCAG's Regional Comprehensive Plan and Guide and Regional Transportation Plan, which may be applicable to your project, are outlined in the attachment. **It would be helpful if the Final EIR would specifically cite the appropriate SCAG policies and address the manner in which the Project is consistent with applicable core policies or supportive of applicable ancillary policies. Please use our policy numbers to refer to them in your Final EIR. Also, we would encourage you to use a side-by-side comparison of SCAG policies with a discussion of the consistency or support of the policy with the Proposed Project.**

The Draft EIR should reflect the most current SCAG forecasts which are the 2004 RTP (April 2004) Population, Household and Employment forecasts for the Riverside County subregion and the City of Banning. These forecast follows:

**Western Riverside Subregion Forecasts**

	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
Population	1,430,893	1,614,605	1,830,421	2,037,129	2,230,185
Households	445,805	512,606	606,139	691,621	776,168
Employment	446,932	541,587	633,161	727,005	822,031

**City of Banning Forecasts**

	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
Population	26,917	29,213	33,623	37,972	42,140
Households	9,962	11,140	13,211	15,305	17,371
Employment	9,499	11,217	13,432	15,682	17,950

**E.1. Response:** Comment noted. The cited SCAG forecasts are hereby incorporated by reference into the Draft EIR.

**E.2. Comment:** *3.03 The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies*

**E.2. Response:** The Draft Comprehensive General Plan and the Draft EIR provide the foundation for long-term planning by the City, public utilities, and other public service providers to anticipate and time the extension, location and financing of the referenced infrastructure.

**E.3. Comment:** The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward

achievement of such goals and does not infer regional interference with local land use powers.

*3.05 Encourage patterns of urban development and land use, which reduce costs on infrastructure construction and make better use of existing facilities.*

*3.09 Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

*3.10 Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

**E.3. Response:** The General Plan makes a concerted effort through policies, programs and land use mapping to promote the types of land use patterns referenced. The efficient extension and cost-effective use of infrastructure and public service systems are stated goals, policies and programs of the Public Services and Facilities Chapter of the General Plan. Goals and policies and programs also call for the City's proactively support for new funding for such services. The General Plan Economic Development Element sets forth goals, policies, and programs to provide the opportunity to expedite development in order to create a viable, well balanced economy.

**E.4. Comment:** The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

*3.12 Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

*3.13 Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*

*3.16 Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*

*3.18 Encourage planned development in locations least likely to cause environmental impact.*

3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*

3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*

3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*

3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

**E.4. Response:**

A wide range of policies and programs are set forth in the Land Use, Circulation, Air Quality, Emergency Preparedness and other elements of the Draft General Plan that are directed toward complementary land uses that encourage transit and alternative modes of transportation. Mitigation measures set forth in Section III-B.3 of the Draft EIR traffic impact analysis include encouraging access to alternative modes of transportation, including buses and non-motorized means of conveyance. The Air Quality analysis of the EIR also direct the City to maintain a diversified transportation system, development of pedestrian-oriented retail centers, community-wide trails, dedicated bike lanes, and transportation management programs (see Section III-B and H of the Draft EIR).

The City General Plan and Program EIR also encourage infill development as a means of efficiently utilizing existing infrastructure and diversifying housing stock by placing medium and higher densities closer to existing and planned commercial services, and the convenient siting of bus stops. Land use planning was carried out throughout the General Plan process in order to minimize potential adverse environmental effects to the greatest extent practicable.

Both the Draft General Plan and the Program EIR provide a comprehensive analysis of sensitive biological, cultural and archaeological resources, as well as air and water resources. The Draft General Plan includes fully elaborated Archaeological and Historic Resources Element, Biological resources Element, Water Resources Element, and Air Quality Element. The Program EIR fully assesses the potential impacts of Plan buildout on these resources, and both the General Plan and EIR include policies, programs, and mitigation measures designed to assure that impacts remain below levels of significance. Furthermore, the Draft General Plan recognizes the importance of these resources and addresses their long-term protection and enhancement. The General Plan Land Use Element provides policies and programs that are designed to protect sensitive slopes and avoid or appropriately limit development in the vicinity of loud noise sources, flooding and geotechnical hazards. Sections III-C, D and I of the General Plan Program EIR provide mitigation measures that support and facilitate the protective goals and policies of the General Plan.

**E.5. Comment:** The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

*3.24 Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*

*3.27 Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

**E.5. Response:** The Land Use and Housing Elements of the General Plan and land use compatibility issues discussed in Section III-A of the Draft EIR include policies, programs and measures meant to enhance economic, employment and housing opportunities in the City. The Land Use Element and the Housing Element both serve to assure the availability of affordable housing and the meeting of the Regional Housing Needs Assessment.

One of the fundamental themes throughout the Banning General Plan is the sustainability and enhancement of community life in the City, including assuring a broad range of educational opportunities (see Schools and Libraries Element and Section III- K of the Draft EIR), housing opportunities (see Land Use and Housing Elements, and Sections III-A and L of the Draft EIR), health care and social services, (see the Public Building and Facilities Element and Section III-K of the Draft EIR), recreational facilities (see the Parks and Recreation Element and Section III-K of the Draft EIR), and enforcement and fire protection (see Police and Fire Protection Element and Section III-K of the Draft EIR).

**E.6. Comment:** The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility and the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals

- Maximize mobility and accessibility for all people and goods in the region.

- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.
- Maximize the productivity of our transportation system.
- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investments.

Regional Transportation Plan Policies

Transportation investments shall be based on SCAG'S adopted Regional Performance Indicators.

<u>Performance Indicator</u>	<u>Performance Measures</u>	<u>Definition</u>	<u>Performance Outcome</u>
Mobility	• Average Daily Speed	Speed-experienced by travelers regardless of mode.	10% Improvement
	• Average Daily Delay	Delay-excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are indicators used.	40% Improvement
Accessibility	• Percent PM peak work trips within 45 minutes of home		Auto 90% Transit 37%
	• Distribution of work trip travel time		Auto 8% Improvement Transit 8% Improvement
Reliability	• Percent variation in travel time.	Day-to-day change in travel times experienced by travelers. Variability results from accidents, weather, road closures, system problems and other non-recurrent conditions.	10% Improvement
Safety	• Accident Rates	Measured in accidents per million vehicle miles by mode.	0.3% Improvement
Cost Effectiveness	• Benefit-to-Cost (B/C) Ratio.	Ratio of benefits of RTP investments to the associated investments costs.	\$3.08
Productivity	• Percent capability utilized during peak conditions.	Transportation infrastructure capacity and services provided.	20% Improvement at known bottlenecks
		<ul style="list-style-type: none"> <li>• Roadway Capacity- vehicles per hour per lane by type of facility.</li> <li>• Transit Capacity-seating capacity utilized by mode.</li> </ul>	N/A
Sustainability	• Total cost per capita to sustain current system performance.	Focus in on overall performance, including infrastructure condition. Preservation measure is a sub-set of sustainability.	\$20 per capita, primarily in preservation costs.
Preservation	• Maintenance cost per capita to preserve system at base year conditions.	Focus is on infrastructure condition. Sub-set of sustainability.	Maintain current conditions
Environmental	• Emissions generated	Measured/forecast emissions include CO, NOX, PM10, SOX and VOC. CO2 as	Meets conformity requirements

	by travel.	secondary measure to reflect greenhouse emissions.	
<b>Environmental Justice</b>	• Expenditures by quintile and ethnicity	Proportionate share of expenditures in the 2004 RTP by each quintile.	No disproportionate impact to any group or quintile.
	• Benefit vs. burden by quintiles	Proportionate share of benefits to each quintile ethnicity. Proportionate share of additional airport noise by ethnic group.	

- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.
- RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.
- HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy #1.

**E.6. Response:**

With regard to *mobility*, General Plan policies in the Circulation Element establish Level of Service C as the minimum acceptable Levels of Service on all Study Area roadways, except for intersections along Ramsey Street and freeway interchanges, for which the goal shall be LOS D or better. In addition, the City shall encourage developers to adopt ride-share, vanpool, flex-time, and/or telecommuter employment programs to reduce peak hour traffic congestion. Efficient mass transit (bus) service is also expected to continue throughout the City.

Regarding *accessibility*, please see Response E.4, above. All of the core policies are addressed in the general Plan and Program EIR. With regard to *Environment*, General Plan policies and programs in the Circulation and Air Quality Elements are geared to reduction of emissions on a per mile basis, reduction of trips and trip length and conformity with the regional Congestion Management Plan. Regarding *reliability*, the cited reasonable and dependable levels of service measures can and will be achieved through the implementation of the General Plan and the mitigation measures set forth in Section III-B of the Program EIR.

*Safety* issues are also integral to the General Plan. Transportation system design guidelines embodied in the Circulation Element policies and programs, as well as the improvement plans set forth as mitigation in Section III-B of the Draft EIR, also address issues of transportation safety. Issues of *equity and environmental justice* are integral to many parts of the General Plan, including the Community Design Element, Housing Element, Land Use Element, Schools and Libraries Element and Health Services Element.

Issues of *cost-effectiveness* and *productivity* are also important themes throughout the General Plan. Both the Circulation Element and Program EIR address balancing the cost of land and improvements with the optimum level of service. Transportation improvements are expected to maintain current conditions, assure acceptable levels of service, optimize the use of traffic control measures, and prioritizing the maintenance and efficient use of existing facilities.

*Environmental* issues, including *sustainability and preservation*, are at the core of the Program EIR and are an essential theme of the General Plan. The policies and programs in the Air Quality Element have the goal of preserving and enhancing the local and regional air quality. Section III-H of the Draft Program EIR also addresses issues associated with air quality and emissions generated by travel.

**E.7. Comment:** The **Air Quality Chapter** core actions related to the proposed project includes:

*5.07 Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulations can be assessed.*

*5.11 Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.*

**E.7. Response:** The Circulation Element, Community Design Element and Utilities Element all incorporate policies and programs that are designed to reduce unit emissions of pollutants, including those from travel and use of energy, and encourage more efficient and innovating employment opportunities. The General Plan Program EIR utilizes a variety of regional planning effects, including regional goals and programs of the South Coast Air Quality Management District, the Transportation Planning (TRANSPLAN) model, and an assessment of nearby land planning. An essential theme of the General Plan is the logical compatibility of the planning effort with surrounding lands and jurisdictions.

**E.8. Comment:** Outdoor Recreation

*9.01 Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.*

*9.02 Increase the accessibility to open space lands for outdoor recreation.*

*9.03 Promote self-sustaining regional recreation resources and facilities*

**E.8. Response:** The General Plan identifies open space and public parklands available for recreation and enjoyment by all sectors of the community. The Land Use Plan provides additional lands for neighborhood and community parks at a level

consistent with and responsive to the increased demand associated with existing and planned development. This is recognized and reinforced throughout the General Plan and Program EIR.

**E.9. Comment:** Public Health and Safety

*9.04 Maintain open space for adequate protection of lives and properties against natural and man-made hazards.*

*9.05 Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipment.*

*9.06 Minimize public expenditure for infrastructure and facilities to support urban type uses in areas where public health and safety could not be guaranteed.*

**E.9. Response:** The Draft General Plan and Program EIR provide detailed background information, and policies and programs to assure the maintenance of open space and the protection of lives and properties from natural and man-made hazards. The General Plan also assigns low intensity land uses in potentially hazardous areas and the Program EIR includes mitigation measures designed to protect lives and property from various hazards occurring in the planning area. Management and mitigation measures limit the need to expend public funds and assure the construction of cost-effective improvements.

**E.10 Comment:** Resource Production

*9.07 Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.*

**E.10. Response:** There are 1,101 acres of agricultural lands within the planning area, of which only 48 are developed, and one sand and gravel operation. The General Plan and Program EIR identify these resources within the planning area and the need for their protection, in balance with other resource management issues.

**E.11. Comment:** Resource Protection

*9.08 Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

**E.11. Response:** The City is a participant in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). This MSHCP is a regional plan that provide for the protection of plant and animal species protected by the federal and state governments as threatened or endangered. The City is subject to the applicable features of the MSHCP, and, therefore, both sensitive ecosystems and species are to be protected under this multi-jurisdictional management plan.

**E.12. Comment:** The **Water Quality Chapter** core recommendations and policy options relate to the two water quality goals: to restore and maintain the chemical, physical and

biological integrity of the nation's water; and, to achieve and maintain water quality objectives that are necessary to protect all beneficial uses of all waters.

*11.02 Encourage "watershed management" programs and strategies, recognizing the primary role of local governments in such efforts.*

*11.05 Support regional efforts to identify and cooperatively plan for wetlands to facilitate both sustaining the amount and quality of wetlands in the region and expediting the process for obtaining wetlands permits.*

*11.07 Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.*

**E.12. Response:**

The General Plan Water Resources Element and the associated analysis in the Program EIR provide detailed discussions of water resources and the management programs recently adopted and now in effect. General Plan Flooding and Hydrology Element policies and programs also address the issue of enhancing groundwater recharge wherever practicable. The General Plan Biological Resources Element and the discussion in Section III-F of the Draft EIR both address the City's continuing participation in the soon to be released Western Riverside County Multiple Species Habitat Conservation Plan, which includes conservation strategies for wetlands. The City of Banning Public Works Wastewater Division is the local sanitary service provider, and are working to monitor demand for tertiary treated water within the General Plan Study Area and assess the feasibility of providing tertiary treated water for golf course and other landscape irrigation.

**E.13. Comment:**

The fundamental goal of the Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's **mobility, livability and prosperity**. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision-making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

**Principle 1: Improve mobility for all residents**

- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices.

Principle 2: Foster **livability** in all communities

- Promote infill development and redevelopment to revitalize existing communities.
- Promote developments, which provide a mix of uses.
- Promote “people scaled,” walkable communities.
- Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable **prosperity** for all people.

- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.
- Support local and state fiscal policies that encourage balanced growth.
- Encourage civic engagement.

Principle 4: Promote **sustainability** for future generations

- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- Utilize “green” development techniques.

**E.13. Response:**

Comment noted. With regard to *mobility*, the General Plan promotes mixed use development, as well as development adjacent to existing roadways and public transportation. The Banning Municipal Transit System provides fixed route bus service and a Dial-A-Ride service. In addition, the General Plan promotes pedestrian, equestrian, bicycle and golf cart circulation throughout the City.

*Livability* is a fundamental goal of the General Plan, primarily in the Land Use Element. A variety of housing types, from Ranch/Agriculture with a 10 acre minimum lot size to High Density Residential with 11 to 18 dwelling units per acre, are proposed in order to meet the needs of the community. This variety of housing types also addresses issues of *prosperity*. The City offers a variety of affordable housing units at competitive prices that are typically lower than those found in Riverside County. The Housing Element, the Economic Development Element, and Public Services and Facilities Elements are all intended to balance growth, educational opportunities, the cost of land and other improvements in an equitable manner.

*Sustainability* is a central goal of the General Plan and Program EIR, which is reflected in the Community Development and Environmental Resources sections of the General Plan and the Program EIR. The preservation of the General Plan Study Area for future generations is directly correlated with the reduction of development impacts and efficient growth.

**E.14. Comment:** All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

**E.14. Response:** Comment noted. The General Plan Program EIR constraints a wide range of mitigation monitoring and reporting programs to assure that mitigation measures are appropriately implemented.

## **F. STATE CLEARINGHOUSE**

- F.1. Comment:** The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on July 13, 200, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.
- F.1. Response:** Comment noted. As noted above, the City did receive comment directly from the California Department of Fish and Game and the Department of Toxic Substances Control, and has responded to these letters.

**SECTION II**  
**COMMENT LETTERS**  
**ON THE**  
**CITY OF BANNING**  
**COMPREHENSIVE GENERAL PLAN**  
**DRAFT**  
**ENVIRONMENTAL IMPACT REPORT**

The following comment letters were received on the Draft EIR transmitted to various public agencies and interested parties. Comments restated in Section I are bracketed in this section and correspond to the comment numbers in Section I.

**DEPARTMENT OF FISH AND GAME**

http://www.dfg.ca.gov  
Eastern Sierra-Inland Deserts Region  
4775 Bird Farm Rd.,  
Chino Hills, California 91709  
Phone (909) 597-9823  
Fax (909) 597-0067



A

July 11, 2005

Mr. Oscar Orci  
City of Banning  
99 E. Ramsey Street  
Banning, CA 92220

**Re: Environmental Impact Report for the City of Banning, Comprehensive General Plan and Zoning Ordinance, SCH #2005011039**

Dear Mr. Orci:

The California Department of Fish and Game thanks you for the opportunity to comment on the Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance.

The Department is responding as a Trustee Agency for fish and wildlife resources and a Lead Agency regarding jurisdictional waters and as a signatory to the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).

The MSHCP provides conservation for Covered Species and habitats. The MSHCP Area Plans provide guidelines for the conservation of quantities of habitat and conservation goals within a particular Area Plan. The Criteria Cells pinpoint the more specific geographic location of conservation lands and include criteria for the amount of land to be conserved within a particular cell or group of cells and the biological reasoning behind the criteria. The species objectives provide guidelines and goals for the conservation of individual plants and animals. The MSHCP also provides policies, such as the "Narrow Endemic Plant Species" (Section 6.1.3), "Database Updates/Additional Surveys" (Section 6.3), "Riparian/Riverine Areas/Vernal Pools" (Section 6.1.2), and "Urban/Wildlands Interface" (Section 6.1.4). These policies provide additional layers of protection to certain habitats and particular species.

The City of Banning contains a portion of one Criteria Cell (Cell 227) and one Special Linkage Area. A description of the Special Linkage Area is found on page 3-245 of the MSHCP. The purpose of the Special Linkage Area is to contribute to the assembly of a portion of the San Geronio River/San Bernardino-San Jacinto Mountains Linkage, which includes locations on Indian Lands and lands within and outside the MSHCP Plan Area. The State Department of Parks and Recreation discusses the importance of this Linkage in Letter D of section A4-Z4 of Volume V of the MSHCP. The letter states that this Linkage was "...determined to be one of the top ten linkages in need or preservation." according to the Southcoast Wildlands Missing Linkages project. The MSHCP states on page 3-246 of the MSHCP that Local Permittees will apply the following "rebuttable presumption of significance, taken from Appendix G to the 1998 State CEQA Guidelines, when conducting CEQA review.

The EIR states that the City would apply the CEQA Guidelines for projects within the Special Linkage Area, but does not include the reference to the "rebuttable presumption of significance." The Department believes that the "rebuttable presumption of significance" means that projects within the Special Linkage Area will be deemed to be significant unless proven otherwise. This distinction should be clarified in any

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subsequent document.

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The information contained in a CEQA document should specify whether the project is within or outside of the "Criteria Area" or the "Special Linkage Area." For projects located outside the Criteria Area or Special Linkage Area, the CEQA discussion should indicate whether the project is located in one of the special areas, (the narrow endemic survey area, in the additional survey area, includes riparian/riverine areas or vernal pools, fuels management or is at the urban/wildlands interface) and how the project is consistent with those policies or guidelines.

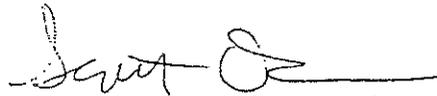
A 2

The Department concurs with the EIR in stating that impacts to jurisdictional waters will require a Lake and Streambed Alteration Notification Agreement from the Department.

A 3

Thank you for your cooperation. If you have any questions, please call Robin Maloney-Rames, Environmental Scientist, at the Ontario office of the Department of Fish and Game, (909) 980-3818.

Sincerely,



Scott Dawson  
Senior Environmental Scientist  
Habitat Conservation Planning

cc: Doreen Stadtlander, USFWS, Carlsbad



Department of Toxic Substances Control



Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA

5796 Corporate Avenue  
Cypress, California 90630

Arnold Schwarzenegger  
Governor

July 8, 2005

Mr. Oscar Orci  
City of Banning  
99 East Ramsey Street  
Banning, California 92220

LS

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF BANNING  
GENERAL PLAN AND ZONING ORDINANCE (SCH# 2005011039)

Dear Mr. Orci:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The General Plan Study Area encompasses approximately 23.2 square miles of incorporated City lands, with about 8.5 square miles of City of Banning lands, and about 5.2 square miles outside the City of Banning. A detailed assessment of current land uses and designations within the City and in the General Plan Study Area was conducted, and a new set of land use designations was developed for application to the lands within the Study Area. Modifications to the circulation system were also considered to address current and projected volumes on major roadways. The Banning Zoning Code was revised concurrently with the proposed General Plan. These two documents have been developed in agreement with one another and are consistent."

Based on the review of the submitted document DTSC has comments as follow:

- 1) The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.
- 2) The EIR should identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. A Phase I Assessment may be sufficient to identify these sites. Following are the databases of some of the regulatory agencies:

B 1

B 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Site Mitigation Program Property Database (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control.
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

A database search for the City of Banning identified two facilities that produce and release air pollutants, two facilities that have reported toxic releases, 31 facilities that have reported hazardous waste activities, and one facility that is permitted to discharge to waters of the United States.

- 3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the

B 2

B 3

potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state regulations, policies, and laws.

- 4) All environmental investigations, sampling and/or remediation should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including Phase I and II investigations, should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.
- 5) Proper investigation, sampling and remedial actions overseen by a regulatory agency, if necessary, should be conducted at the site prior to the new development or any construction.
- 6) If any property adjacent to the project site, is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, except for a gas station, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a "Border Zone Property."
- 7) Since building structures, asphalt or concrete-paved surface areas or other structures are planned to be demolished, an investigation should be conducted for the presence of lead-based paints or products, mercury, and asbestos containing materials (ACMs). If lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations, policies, and laws.
- 8) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

- 9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).
- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (818) 551-2171 to initiate pre application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If the project plans include discharging wastewater to storm drain, you may be required to obtain a wastewater discharge permit from the overseeing Regional Water Quality Control Board.
- 15) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

B 3

DTSC provides guidance for cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

Mr. Oscar Orci  
July 8, 2005  
Page 5

If you have any questions regarding this letter, please contact Mr. Joseph Cully, Project Manager, at (714) 484-5473 or email at [jcully@dtsc.ca.gov](mailto:jcully@dtsc.ca.gov).

Sincerely,



Greg Holmes  
Unit Chief  
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

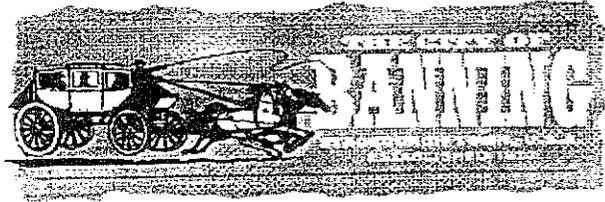
Mr. Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section  
CEQA Tracking Center  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

CEQA # 1151

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**CITY OF BANNING**  
**M E M O R A N D U M**

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**DATE:** July 15, 2005  
**TO:** Oscar Orci  
**FROM:** Ted Yarbrough  
**RE:** Fire Department Comments Regarding the General Plan  
Update EIR

Attached are our comments regarding the General Plan EIR.

Our Mission as a City is to provide citizens a safe, pleasant and prosperous community in which to live, work and play. We will achieve this in a cost effective, citizen friendly and open manner.

Banning Fire Services

In cooperation with the

California Department of Forestry and Fire Protection

P.O. Box 998 Banning, CA 92220 (951)922-3210 Fax (951)922-0318

Date: July 15, 2005

**FIRE DEPARTMENT COMMENTS:**

RE: Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance.

After reviewing the Fire Department portion of the EIR we recommend the following changes:

**On page III-202 -**

**Under the heading "Fire Department Staffing";**

Our method of determining appropriate staffing for the City of Banning is not based on numbers of staff per 1000 residents as eluded to in this section. The Cities "Fire Protection Master Plan" describes staffing requirements based on 3 people per engine, 2 people per rescue and 4 people per truck company. Equipment needs are based on construction: a new station with one engine company per 2000 households or per 3.5 million square feet of commercial construction. A truck company will be to maintain a 15-minute response time to areas that have 5 or more buildings that require a fire flow of 3500 gallons per minute or are 35 feet in height. Additional units will be added in areas where response time exceeds the established criteria on 90% of the calls.

C 1

**Under the heading "Proposed Fire Stations";**

The entire paragraph needs to be rewritten. It states that 4 additional stations are proposed at the Banning airport with 2 other new stations proposed in other areas of town. Actually we are proposing 5 new stations, one in the N.W. portion of the City (or reopening the old fire station on Wilson St. near Kingswell St.) to house Engine 20 (moving it from Beaumont), another station in the S.E. area near the airport, one in the S.W. area, one in the proposed Banning Bench project and one on Black Bench when that is developed.

C 2

**For the heading "Fire Marshall (sic) Services";**

"Marshall" should be spelled with one "L" "Marshal"

C 3

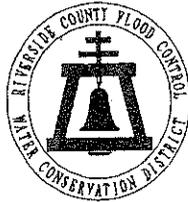
**On page II-17**

**Under the heading "Police Services";**

In the next to the last line, third word from the right, the word "for" is spelled "fro".

C 4

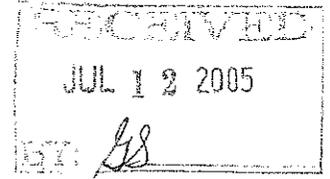
WARREN D. WILLIAMS  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.floodcontrol.co.riverside.ca.us

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

July 6, 2005



Mr. Oscar Orci  
Community Development Director  
City of Banning  
Post Office Box 998  
Banning, CA 92220

Dear Mr. Orci:

Re: Draft Environmental Impact Report for  
the City of Banning Comprehensive  
General Plan and Zoning Ordinance  
Updates

This letter is written in response to the Draft Environmental Impact Report (DEIR) for the City of Banning Comprehensive General Plan and Zoning Ordinance Updates. The project involves the assignment of land use designations on incorporated City Lands, the City Sphere-of-Influence, and an expanded planning area. The plan area is located within the city of Banning, Riverside County.

The Riverside County Flood Control and Water Conservation District has no comments at this time.

Thank you for the opportunity to review the DEIR. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any further questions concerning this letter may be referred to Jason Swenson at 951.955.8082 or me at 951.955.1233.

Very truly yours,

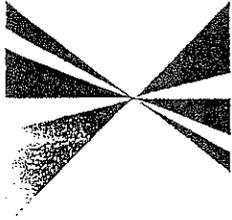
Handwritten signature of Teresa Tung in cursive script.  
TERESA TUNG  
Senior Civil Engineer

c: TLMA  
Attn: David Mares  
City of Banning  
Attn: Nicole Sauviat Criste

JDS:mcv  
PC95675

D 1

SOUTHERN CALIFORNIA



ASSOCIATION OF GOVERNMENTS

Main Office

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12th Floor

Los Angeles, California

90017-3435

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Orange County: Chris Norby, Orange County • Christine Barnes, La Palma • John Beaman, Brea • Lon Bone, Justin • Art Brown, Buena Park • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Calhryn DeYoung, Laguna Niguel • Richard Dixon, Lake Forest • Marilyn Poe, Los Alamitos • Tod Ridgeway, Newport Beach

Riverside County: Jeff Stone, Riverside County • Thomas Buckley, Lake Elsinore • Bonnie Flickinger, Moreno Valley • Ron Loweridge, Riverside • Greg Pettis, Cathedral City • Ron Roberts, Temecula

San Bernardino County: Gary Ovitc, San Bernardino County • Lawrence Dale, Barstow • Paul Eaton, Montclair • Lee Ann Garcia, Grand Terrace • Tim Jasper, Town of Apple Valley • Larry McCallon, Highland • Deborah Robertson, Rialto • Alan Wupner, Ontario

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneeme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

12 July 2005

Mr. Oscar Orci  
Director of Community Development  
City of Banning  
99 E. Ramsey Street  
Banning, CA 92220

RE: SCAG Comments on the Draft Environmental Impact Report (DEIR) for the City of Banning General Plan and Zoning Ordinance  
SCAG No. I 20050375

Dear Mr. Orci:

Thank you for submitting the Draft Environmental Impact Report for the City of Banning General Plan and Zoning Ordinance to the Southern California Association of Governments (SCAG) for review and comment. SCAG's responsibility as the region's clearinghouse per Executive Order 12372 includes the implementation of California Environmental Quality Act (CEQA) §15125 [d]. This legislation requires the review of local plans, projects and programs for consistency with regional plans.

SCAG staff has evaluated your submission for consistency with the Regional Comprehensive Plan and Guide (RCPG) and the Regional Transportation Plan (RTP). The Draft EIR does not yet address SCAG's Notice of Preparation (NOP) response, which outlined relevant policies and forecasts. We expect the Final EIR to respond fully to SCAG's published comments. We would appreciate notification of the Final EIR, especially should a change in project scope occur, and a minimum of 45 days to review the document when it becomes available.

A description of the proposed General Plan and Zoning Ordinance was published in the June 1-15, 2005 Intergovernmental Review Clearinghouse Report for public review and comment.

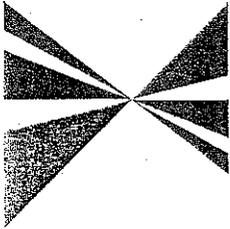
If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace  
Associate Regional Planner  
Intergovernmental Review

DOCS # 112110v1




**ASSOCIATION OF  
GOVERNMENTS**
**Main Office**

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www.scag.ca.gov

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Flickinger, Moreno Valley • Ron Loveridge,  
Riverside • Greg Pettis, Cathedral City • Ron  
Roberts, Temecula

San Bernardino County: Gary Oviatt, San  
Bernardino County • Bill Alexander, Rancho  
Cucamonga • Lawrence Dale, Barslow • Lee Ann  
Garcia, Grand Terrace • Susan Longville, San  
Bernardino • Deborah Robertson, Rialto

Ventura County: Judy Mikels, Ventura County •  
Glen Becerra, Simi Valley • Carl Morehouse, San  
Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou  
Correa, County of Orange

Riverside County Transportation Commission:  
Robin Lowe, Hemet

Ventura County Transportation Commission:  
Keith Millhouse, Moorpark

February 11, 2005

Mr. Oscar Orci, Community Development Director  
City of Banning  
99 E. Ramsey  
Banning, CA 92220

RE: **Comments on the Notice of Preparation for a Draft Environmental Impact  
Report for the City of Banning Comprehensive General Plan and Zoning  
Ordinance Updates, Riverside County, CA - SCAG No. I 20050021**

Dear Mr. Orci:

Thank you for submitting the **Notice of Preparation for a Draft Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance Updates**, to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the aforementioned **Notice of Preparation**, and have determined that the proposed Project is regionally significant per California Environmental Quality Act (CEQA) Guidelines (Section 15206). The proposed Project is a General Plan planning area of approximately 23,555 acres, including 14,823± acres in incorporated City lands, 5,435± acres of lands in the sphere of influence, and 3,296± acres of lands in the planning area. CEQA requires that EIRs discuss any inconsistencies between the proposed project and applicable general plans and regional plans (Section 15125 [d]). If there are inconsistencies, an explanation and rationalization for such inconsistencies should be provided.

Policies of SCAG's Regional Comprehensive Plan and Guide and Regional Transportation Plan, which may be applicable to your project, are outlined in the attachment. We expect the **Draft EIR and Associated Change of Zone and General Plan Amendment to specifically cite the appropriate SCAG policies and address the manner in which the Project is consistent with applicable core policies or supportive of applicable ancillary policies. Please use our policy numbers to refer to them in your Draft EIR and Associated Change of Zone and General Plan Amendment. Also, we would encourage you to use a side-by-side comparison of SCAG policies with a discussion of the consistency or support of the policy with the Proposed Project.**

Please provide a minimum of 45 days for SCAG to review the Draft EIR when this document is available. If you have any questions regarding the attached comments, please contact me at (213) 236-1852. Thank you.

Sincerely,

April Grayson  
Associate Regional Planner  
Intergovernmental Review



**COMMENTS ON THE PROPOSAL TO DEVELOP A  
 DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF BANNING  
 COMPREHENSIVE GENERAL PLAN AND ZONING ORDINANCE UPDATES,  
 RIVERSIDE COUNTY, CALIFORNIA**

**PROJECT DESCRIPTION**

The General Plan planning area includes a total of approximately 23,555 acres, including 14,823± acres in incorporated City lands, 5,435± acres of lands in the sphere of influence, and 3,296± acres of lands in the planning area.

**CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES**

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the \_\_\_\_\_

*3.01 The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review.*

Regional Growth Forecasts

The Draft EIR should reflect the most current SCAG forecasts which are the 2004 RTP (April 2004) Population, Household and Employment forecasts for the Riverside subregion and the City of Banning. These forecasts are as follows:

**Western  
 Riverside  
 Subregion  
 Forecasts**

	<b>2005</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>
Population	1,430,893	1,614,605	1,830,421	2,037,129	2,230,185
Households	445,805	512,606	606,139	691,621	776,168
Employment	446,932	541,587	633,161	727,005	822,031

**City of  
 Banning  
 Forecasts**

	<b>2005</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>
Population	26,917	29,213	33,623	37,972	42,140
Households	9,962	11,140	13,211	15,305	17,371
Employment	9,499	11,217	13,432	15,682	17,950

*3.03 The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

E 2

**GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING**

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

E 3

*3.05 Encourage patterns of urban development and land use, which reduce costs on infrastructure construction and make better use of existing facilities.*

*3.09 Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

*3.10 Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

**GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE**

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

E 4

*3.12 Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

- 3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*
- 3.18 *Encourage planned development in locations least likely to cause environmental impact.*
- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*
- 3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

E 4

**GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY**

The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*
- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social*

E 5

*services, recreational facilities, law enforcement, and fire protection.*

**REGIONAL TRANSPORTATION PLAN**

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

**Regional Transportation Plan Goals**

- Maximize mobility and accessibility for all people and goods in the region.
- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.
- Maximize the productivity of our transportation system.
- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investments.

**Regional Transportation Plan Policies**

Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.

<b>Performance Indicator</b>	<b>Performance Measures</b>	<b>Definition</b>	<b>Performance Outcome</b>
<b>Mobility</b>	• Average Daily Speed	Speed-experienced by travelers regardless of mode.	10% Improvement
	• Average Daily Delay	Delay-excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are indicators used.	40% Improvement
<b>Accessibility</b>	• Percent PM peak work trips within 45 minutes of home		Auto: 90% Transit: 37%
	• Distribution of work trip travel times		Auto: 8% Improvement Transit: 8% Improvement
<b>Reliability</b>	• Percent variation in travel time	Day-to-day change in travel times experienced by travelers. Variability results from accidents, weather, road closures, system problems and other non-recurrent	10% Improvement

conditions.

Performance Indicator	Performance Measures	Definition	Performance Outcome
Safety	<ul style="list-style-type: none"> <li>Accident Rates</li> </ul>	Measured in accidents per million vehicle miles by mode.	0.3% Improvement
Cost Effectiveness	<ul style="list-style-type: none"> <li>Benefit-to-Cost (B/C) Ratio</li> </ul>	Ratio of benefits of RTP investments to the associated investments costs.	\$3.08
Productivity	<ul style="list-style-type: none"> <li>Percent capability utilized during peak conditions</li> </ul>	Transportation infrastructure capacity and services provided. <ul style="list-style-type: none"> <li>Roadway Capacity - vehicles per hour per lane by type of facility</li> <li>Transit Capacity - seating capacity utilized by mode.</li> </ul>	20% Improvement at known bottlenecks  N/A
Sustainability	<ul style="list-style-type: none"> <li>Total cost per capita to sustain current system performance</li> </ul>	Focus in on overall performance, including infrastructure condition. Preservation measure is a subset of sustainability.	\$20 per capita, primarily in preservation costs
Preservation	<ul style="list-style-type: none"> <li>Maintenance cost per capita to preserve system at base year conditions</li> </ul>	Focus is on infrastructure condition. Sub-set of sustainability.	Maintain current conditions
Environmental	<ul style="list-style-type: none"> <li>Emissions generated by travel</li> </ul>	Measured/forecast emissions include CO, NOX, PM10, SOX and VOC. CO2 as secondary measure to reflect greenhouse emissions.	Meets conformity requirements
Environmental Justice	<ul style="list-style-type: none"> <li>Expenditures by quintile and ethnicity</li> <li>Benefit vs. burden by quintiles</li> </ul>	Proportionate share of expenditures in the 2004 RTP by each quintile.  Proportionate share of benefits to each quintile ethnicity.  Proportionate share of additional airport noise by ethnic group.	No disproportionate impact to any group or quintile

E 6

- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.
- RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.
- HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy #1.

## AIR QUALITY CHAPTER CORE ACTIONS

The Air Quality Chapter core actions related to the proposed project includes:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulations can be assessed.*
- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.*

E 7

## OPEN SPACE CHAPTER ANCILLARY GOALS

### Outdoor Recreation

- 9.01 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.*
- 9.02 *Increase the accessibility to open space lands for outdoor recreation.*
- 9.03 *Promote self-sustaining regional recreation resources and facilities.*

E 8

### Public Health and Safety

- 9.04 *Maintain open space for adequate protection of lives and properties against natural and man-made hazards.*
- 9.05 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipment.*
- 9.06 *Minimize public expenditure for infrastructure and facilities to support urban type uses in areas where public health and safety could not be guaranteed.*

E 9

### Resource Production

E 10

9.07 *Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.*

E 10

#### Resource Protection

9.08 *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

E 11

### WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The **Water Quality Chapter** core recommendations and policy options relate to the two water quality goals: to restore and maintain the chemical, physical and biological integrity of the nation's water; and, to achieve and maintain water quality objectives that are necessary to protect all beneficial uses of all waters.

E 12

11.07 *Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.*

### GROWTH VISIONING

The fundamental goal of the Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and **sustain** for future generations the region's **mobility**, **livability** and **prosperity**. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

E 13

Principle 1: Improve **mobility** for all residents

- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices

Principle 2: Foster **livability** in all communities

- Promote infill development and redevelopment to revitalize existing communities.

- Promote developments, which provide a mix of uses.
- Promote “people scaled,” walkable communities.
- Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable **prosperity** for all people

- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.
- Support local and state fiscal policies that encourage balanced growth
- Encourage civic engagement.

E 13

Principle 4: Promote **sustainability** for future generations

- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- Utilize “green” development techniques.

**CONCLUSIONS**

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

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## SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

### *Roles and Authorities*

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) is a *Joint Powers Agency* established under California Government Code Section 6502 et seq. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG's mandated roles and responsibilities include the following:

SCAG is designated by the federal government as the Region's *Metropolitan Planning Organization* and mandated to maintain a continuing, cooperative, and comprehensive transportation planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program pursuant to 23 U.S.C. '134, 49 U.S.C. '5301 et seq., 23 C.F.R. '450, and 49 C.F.R. '613. SCAG is also the designated *Regional Transportation Planning Agency*, and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082 respectively.

SCAG is responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the *South Coast Air Quality Management Plan*, pursuant to California Health and Safety Code Section 40460(b)-(c). SCAG is also designated under 42 U.S.C. '7504(a) as a *Co-Lead Agency* for air quality planning for the Central Coast and Southeast Desert Air Basin District.

SCAG is responsible under the Federal Clean Air Act for determining *Conformity* of Projects, Plans and Programs to the State Implementation Plan, pursuant to 42 U.S.C. '7506.

Pursuant to California Government Code Section 65089.2, SCAG is responsible for *reviewing all Congestion Management Plans (CMPs) for consistency with regional transportation plans* required by Section 65080 of the Government Code. SCAG must also evaluate the consistency and compatibility of such programs within the region.

SCAG is the authorized regional agency for *Inter-Governmental Review* of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12,372 (replacing A-95 Review).

SCAG reviews, pursuant to Public Resources Code Sections 21083 and 21087, Environmental Impacts Reports of projects of regional significance for consistency with regional plans [California Environmental Quality Act Guidelines Sections 15206 and 15125(b)].

Pursuant to 33 U.S.C. '1288(a)(2) (Section 208 of the Federal Water Pollution Control Act), SCAG is the authorized *Areawide Waste Treatment Management Planning Agency*.

SCAG is responsible for preparation of the *Regional Housing Needs Assessment*, pursuant to California Government Code Section 65584(a).

SCAG is responsible (with the Association of Bay Area Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments) for preparing the *Southern California Hazardous Waste Management Plan* pursuant to California Health and Safety Code Section 25135.3.



STATE OF CALIFORNIA  
 Governor's Office of Planning and Research  
 State Clearinghouse and Planning Unit



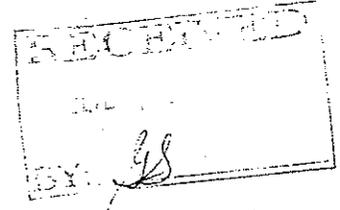
F

Arnold  
 Schwarzenegger  
 Governor

Sean Walsh  
 Director

July 14, 2005

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



Subject: City of Banning General Plan and Zoning Ordinance  
 SCH#: 2005011039

Dear Oscar Orci:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on July 13, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

F 1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
 Director, State Clearinghouse

**State Clearinghouse Data Base**

**SCH#** 2005011039  
**Project Title** City of Banning General Plan and Zoning Ordinance  
**Lead Agency** Banning, City of

**Type** EIR Draft EIR  
**Description** The General Plan Study Area encompasses approximately 23.2 square miles of incorporated City lands, with about 8.5 square miles of SOI lands, and about 5.2 square miles outside of the sphere in the Planning Area. A detailed assessment of current land uses and designations was developed for application to the lands within the Study Area. Modifications to the circulation system were also considered, to address current and projected volumes on major roadways. The Banning Zoning Code was revised concurrently with the proposed General Plan. These two documents have been developed in agreement with one another and are consistent.

**Lead Agency Contact**

**Name** Oscar Orci  
**Agency** City of Banning  
**Phone** (951) 922-3125 **Fax**  
**email**  
**Address** 99 E. Ramsey Street  
**City** Banning **State** CA **Zip** 92220

**Project Location**

**County** Riverside  
**City** Banning  
**Region**  
**Cross Streets** City-wide

Parcel No.	Township	Range	Section	Base
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**Proximity to:**

**Highways** 243  
**Airports** Banning  
**Railways** UPRR  
**Waterways** San Gorgonio River  
**Schools** Banning Unified School District  
**Land Use** Broad range of residential, commercial, public and industrial land uses in full service City.

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

**Reviewing Agencies** Resources Agency; Regional Water Quality Control Board, Region 7; Department of Parks and Recreation; Native American Heritage Commission; Department of Health Services; Department of Housing and Community Development; Department of Forestry and Fire Protection; Department of Fish and Game, Region 6; Department of Conservation; California Highway Patrol; Caltrans, District 8; Caltrans, Division of Aeronautics; Department of Toxic Substances Control; Office of Emergency Services

**Date Received** 06/01/2005 **Start of Review** 06/01/2005 **End of Review** 07/13/2005