4.12.1 INTRODUCTION

This section evaluates potential Project impacts on public services and utilities by identifying anticipated demand and evaluating its relationship to existing and planned public services facilities and utility services availability. For purposes of this EIR, public services consist of: (1) fire protection, (2) police protection, (3) schools, (4) library services, (5) health care services, and (6) parks and recreation. Utilities include: (1) solid waste collection and disposal, (2) wastewater conveyance and treatment, (3) energy, and (4) communications.

Other sections of the EIR evaluate related impacts: roads and emergency access are analyzed in Section 4.13, *Traffic and Transportation* impacts related to fire department response to wildfire are assessed in Section 4.8, *Hazards and Hazardous Materials*; stormwater and drainage are discussed in Section 4.9, *Hydrology and Water Quality*; and water supply and distribution, including a more detailed discussion of recycled water, is addressed in Section 4.14, *Water Supply*.

4.12.2 EXISTING CONDITIONS

4.12.2.1 ENVIRONMENTAL SETTING

FIRE PROTECTION SERVICES

Fire protection services are provided to the City of Banning by the Riverside County Fire Department (RCFD), which contracts with the California Department of Forestry (Cal Fire). As a contracting municipality, the City of Banning is part of the County's Regional Fire Protection Program. The City is served by the Oak Glen Division of the County Department and shares services with the cities of Beaumont, Calimesa, and Cabazon as well as adjacent unincorporated areas. This arrangement allows each city to have access to and benefit from the services provided by fire stations located within each other's municipal boundaries.[1]

The fire protection services contract between the City of Banning and Riverside County Fire Department also provides Banning with a Fire Marshal whose responsibilities include plan reviews, coordination with the City for disaster preparedness programs, and management of programs such as weed abatement, inspections, and hazardous materials.

The RCFD Oak Glen Division operates three stations located in the vicinity of the Project site: Station 20, Station 66, and Station 89; refer to Table 4.12-1, *Fire Stations within the Project Vicinity*.

[1] City of Banning, *General Plan EIR, Section K (Public Services) – Fire Protection*, pp III-201.

Station 20, located in the City of Beaumont, is approximately 0.34 mile from the intersection of Highland Springs Avenue and Wilson Street at the southwest boundary of the Project site and would be the first responder to any emergency calls originating within the Project during the initial phases of its development.

Paramedic services are provided by American Medical Response (AMR) through the Perris Command Center in coordination with RCFD.

Service Standards and Response Time Objectives

Banning has adopted a Fire Services and Fire Protection Master Plan. One of its goals is to have a fire station within five miles of Category III areas, the General Plan Police and Fire Protection Element includes a policy that calls for a 5-minute response time. Each of the three fire stations identified in Table 4.12-1 is located less than 5 miles from the intersection of Highland Springs Avenue and Wilson Street. Station 20, located approximately 0.35 miles from the Wilson/Highland Springs intersection, and has a response time to the Project site of approximately 3-5 minutes in normal, non-peak hour traffic. Travel time to the intersection of Highland Springs Avenue and Brookside Avenue in the northwest quadrant of the site, a distance of approximately 3.28 miles, is estimated to be approximately 6-8 minutes in non-peak traffic[2].

Proposed Future Facilities

According to the City's General Plan EIR, provision of an additional fire station is being considered in the northern portion of the City. Representatives for the City from the Riverside County Fire Department have indicated that additional fire protection units, facilities, services, and/or staffing could be needed in the area with development of the Butterfield Specific Plan Project.[3] As indicated, the additional units, services, and staffing could be located in the future at existing facilities, at future new facilities within the Project area, or in the surrounding area.

Fire Facilities Fee

The City of Banning assesses a Fire Facilities Impact Fee as a condition precedent to building permit issuance for all single-family homes constructed within the City (*MC Chapter 15.72.010*). The fee represents the property owner's *fair share* of the estimated cost to construct additional

[2] All distances to Project site are from Riverside County Station 20, Beaumont Battalion 3, Oak Glen Division, 1550 East 6th Street, Beaumont Career Firefighters. Distances calculated utilizing Google Earth Pro 2010 aerial image, path measurement tool, length in miles. Yahoo Maps driving directions tool providing driving directions, driving distance, and driving time.

[3] Email response from Battalion Chief Jeff Stowells on 8/18/10 and subsequent discussion with County Fire and Cal Fire, including at a meeting on 4/20/11 at the City with Battalion Chief Stowells, Assistant City Fire Marshall Doug Clarke, and City staff.

fire facilities serving the property. The amount of the fee is currently $1,335 per single family dwelling unit and is in addition to fire plan check and inspection fees.

Emergency Medical Response Services

Emergency medical services, including ambulance services, are currently provided under contract with the County by American Medical Response, a private contractor. Their services and vehicles are regional and there is no unit assigned specifically to Banning. The General Plan Police and Fire Protection Element includes a Goal of maintaining a 5-minute response time for the Fire Department Ambulance Services.

Table 4.12-1
Fire Stations Within the Project Vicinity

Station No.	Station Name	Address	Distance from Project Site	Participating Agencies	Equipment
Station 20	Beaumont	1550 E. 6th St., Beaumont, CA 92223	0.34 miles east of the southwest corner	CDF/Riverside County/Contract City with Paramedic Firefighters	1 City Medic Engine, 2 State Engines, 1 Dozer 1 Type I Haz Mat Unit
Station 66	Beaumont	628 Maple St., Beaumont, CA 92223	1.8 miles west of the southwest corner	CDF/Riverside County/Contract City with Paramedic Firefighters	1 City Medic Engine
Station 89	Banning	172 North Murray, Banning, CA 92220	3.5 miles east of the southeast corner	CDF/Riverside County/Contract City with Paramedic Firefighters	1 City Medic Engine, 1 OES Engine

Source: Riverside County Fire Department website, Accessed June 29, 2010 from http://www.rvcfire.org/opencms/facilities/FireStations/.

POLICE PROTECTION SERVICES

The City of Banning Police Department is headquartered in its new central station building, completed in 2010 and located at 125 E. Ramsey Street. The Department currently employs 41

sworn personnel and 20 classified personnel[4] and provides law enforcement services to the Project area.

The *Operations Department* includes the Patrol Division, Traffic Division, K-9 Team, Reserve Police Officer Program, Chaplain, and the Abandoned Vehicle Abatement (AVA) Program. The *Special Operations Department* is comprised of Community Oriented Policing, the Narcotics Task Force, and the Gang Unit.

Deployment

The Banning Police Department Patrol Division is currently organized into two 12-hour shifts per day. The Department divides the City into either two or three geographic areas or "beats." When personnel are deployed in a two beat system, the beats are divided at San Gorgonio Avenue and cover the east and west portions of the City. When personnel are deployed in a three beat system Beat #1 covers the area from San Gorgonio Avenue to the eastern City limits, Beat #2 covers between San Gorgonio Avenue and 22nd Street, and Beat #3 covers the area between 22nd Street to the western City limits.

Crime Rates

Burglaries and thefts account for the majority of crimes in the City, though the number of such incidents has been steadily decreasing since 2005. Between 1999 and 2008 crimes of all types have decreased and Banning's overall crime rate is now below the national average for a city of its size.[5]

Service Standards, Ratios, and Response Time Objectives

Banning Police Department officers respond to high priority calls within 3-7 minutes, depending on the time of the day and traffic flow. The City currently maintains a ratio of 1.4 sworn officers for every 1,000 residents; however, the City's General Plan establishes a level of service Goal of 2.0 sworn officers for every 1,000 residents. To achieve that Goal with the City's current population, Banning would need to hire an additional 17 sworn officers.

Facilities

In 2010 the Police Department moved into new "state of the art" facilities that anticipate, and are designed to accommodate, future needs for force expansion. The new facility not only houses the Police Department but also provides offices for the San Gorgonio Special Operations Gang Task Force and the Riverside County Youth Accountability Team.

[4] http://www.banningpolice.org/, accessed on July 13, 2010.

[5] City Data – Crime in Banning California, http://www.city-data.com/crime/crime-Banning-California.html, accessed 8/18/10.

Police Facilities Fees

The City imposes a Police Facilities Impact Fee on new development[6] that currently ranges from $24.00 per bed for nursing homes to $823 per unit for single family housing and $913 per unit for multifamily housing. These fees are used exclusively for acquisition of land, design, and construction or expansion of police facilities and represents new development's fair share of the cost of any needed new or expanded facilities.

PUBLIC SCHOOL FACILITIES – BEAUMONT AND BANNING UNIFIED SCHOOL DISTRICTS

The proposed Project is served by both the Banning Unified School District and the Beaumont Unified School District (USD). The majority of the Project site is west of the boundary between the two Districts, which is generally formed by Highland Home Road. The boundary between the Beaumont and Banning USDs may be adjusted at a later date by the districts to reflect the proposed Specific Plan PAs; however, the Project does not require or propose this action. Since that boundary shift has not been initiated or approved, the EIR analysis describes the distribution of pupils between the Districts based on the existing boundaries. The existing school district boundaries are shown in Exhibit 4.12-1, *Beaumont and Banning USD Boundaries*.

The Project proposes two 11+ acre elementary school sites located in Planning Areas 20 and 68. Per Title 5, California Code of Regulations, the net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment established in Tables 1-6 of the 2000 Edition, "*School Site Analysis and Development*" published by the California Department of Education. For an elementary school with a school enrollment of 450 students, the required acreage would be 9.2 acres. An elementary school with an enrollment of 750 students requires 13.1 acres. An elementary school with an enrollment of 1,200 students requires 16.4 acres.

Beaumont Unified School District

The Beaumont USD serves kindergarten through 12th grade and has a current enrollment of approximately 8,267 students.[7] The Project would be served by Sundance Elementary School, San Gorgonio Middle School, and Beaumont High School. As illustrated in Table 4.12-2, *Beaumont Unified School District School Facilities Serving the Project Site,* both the elementary and middle schools have existing excess capacity. The high school enrollment currently exceeds its design capacity; however, Beaumont USD is pursuing expansion of Beaumont High School. When complete, the expansion would include a 24-classroom addition that would accommodate approximately 600 students, increasing the school's capacity to 2,662 students

[6] Municipal Code 15.72.020.

[7] http://www.beaumont-ca.schoolloop.com/,accessed on June 30, 2010.

and 152 staff.[8] The Project proposes setting aside PA 20 in the Project area for a Beaumont USD school site.

Table 4.12-2
Beaumont Unified School District
School Facilities Serving the Project Site

School	Location	Enrollment	Current Capacity	Remaining Capacity
Sundance Elementary School (K-5)	1520 East 8th Street	696	807	111
San Gorgonio Middle School (6-8)	1591 N. Cherry Avenue	961	1375	414
Beaumont High School (9-12)	39139 Cherry Valley Boulevard	2214	2446	-232
Source: Beaumont Unified School District, School Year 2009-2010.				

Banning Unified School District

The Banning USD serves kindergarten through 12th grade in eight schools and an independent study home schooling program and enrolls approximately 5,000 students. The Banning USD schools that would serve the proposed Project, their location and capacity are provided in Table 4.12-3, *Banning Unified School District School Facilities Serving the Project Site.* All of these schools have existing excess capacity.

As boundaries between the Districts are currently configured, the Banning USD would serve portions of the Project residential Planning Areas (PAs) including all of PAs 50, 51 and 52. A potential boundary adjustment that would follow the proposed alignment of Highland Home Road through the Project site could shift PAs 60 and 61, containing approximately 412 housing units, to the Banning USD while moving portions of PAs 48, 49, 53 and 54, containing approximately 84 housing units, to the Beaumont USD. An elementary school site for the Banning USD is set aside in PA 68.

[8] Beaumont Unified School District; *Final Mitigated Negative Declaration, Beaumont High School Expansion. Sports Complex and Administrative Center,* March 2010. https://beaumont-ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1262503190764, accessed August 21, 2010.

Table 4.12-3
Banning Unified School District
School Facilities Serving the Project Site

School	Location	Enrollment	Capacity	Remaining Capacity
Hemmerling Elementary (K-4)	1928 W. Nicolet Street	461	632	171
Susan B. Coombs Intermediate (5-6)	1151 W. Wilson Street	706	772	66
Nicolet Middle School (7-8)	101 E. Nicolet Street	697	1041	344
Banning High School	100 W. Westward	1,063	1630	567
Source: Banning Unified School District reported on July 8 of 2009-2010 school year.				

School Facilities Revenue Sources

The *Leroy F. Greene School Facilities Act 0f 1998 (SB 50)* imposed limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development and authorized school districts to levy statutory school facilities fees on new development to finance the construction of schools.

In the Beaumont USD the residential rate is $3.30 per square foot and the commercial rate is $0.47 per square foot. In the Banning USD, the residential rate is $3.27 per square foot for residential units and $0.47 per square foot for commercial uses; both Districts levy Level II fees. The payment of school mitigation impact fees authorized by SB 50 is deemed to provide full and complete mitigation of Project impacts on school facilities pursuant to CEQA. In addition to revenue from developer fees, both the Banning and Beaumont USDs have successfully passed general obligation bond measures to generate funding for public school capital improvements.

LIBRARY SERVICES – BEAUMONT AND BANNING LIBRARY DISTRICTS

The boundaries of the Banning and Beaumont Library Districts presently coincide with the respective existing school district boundaries and the Project would be served by both Districts. Both library districts are members of the Inland Library System, which combines the efforts of member districts to locate, deliver, and share resources.

Beaumont Library District

The 12,000 square foot Beaumont Library is located at 125 East 8th Street. The District holds approximately 60,425[9] volumes. The Beaumont Library District is classified as an Independent

[9] Email correspondence with Banning Library District on July 6, 2010.

Special District Library by the State. It offers free public internet access, including free wireless connections, as well as computer classes to adults and adult literacy programs. Services to children include an extensive early childhood program and young readers program. Its website offers links to worldwide libraries, literacy programs, and early childhood education programs.

Banning Library District

The Banning Library District is also classified as an Independent Special District Library by the State.[10] The main 9,573 square foot Banning Public Library is located at 21 West Nicolet Street in the City of Banning and houses approximately 57,000 volumes. The 1,300 square foot Cabazon Branch library is located at 50171 Ramona Street in Cabazon and has approximately 4,000 volumes. The District provides internet access, English as a Second Language (ESL) services, adult literacy class, and a range of children's services and materials. Its website provides access to language learning programs, learning aides and courses, and online reference and databases. Although it is not a part of the Riverside County library system, it has computer access to library catalogs for all libraries within Riverside County.

Service Standards

Neither the Beaumont nor Banning Library Districts have an adopted library service standard. County of Riverside seeks to maintain a standard of two volumes and 0.5 square feet (sf) of library space per capita, which is consistent with the State standard. Based on the estimated General Plan buildout population and the State/County level of service standards, Banning and its SOI would require approximately 41,165 square feet of library space and approximately 164,066 volumes at General Plan buildout. The available library space and number of volumes available in the combined Banning and Beaumont facilities and Districts fall below the identified minimum standard. In 2006 the Beaumont District completed a Space Needs Assessment Study and Facilities Plan, which determined that the existing library facility is inadequate for serving the District's population and recommending the construction of a 44,880 square foot replacement library.

Library Facilities Revenue Sources

Libraries rely on a variety of federal, State, and local funding sources, as well as private contributions. The Banning Library District's revenue is largely from property taxes and supplemented by investment income, fees, fines, grants, and donations. The District's revenues have exceeded its expenditures by approximately $100,000 to $200,000 for the past 10 years. Ninety five (95) percent of the Beaumont Library District's funding comes from local property taxes. Its revenue also has exceeded expenses by $25,000 - $130,000 over the past decade.[11]

[10] California Public Library Organization, Appendix A, 2007, http://www.library.ca.gov/lds/docs/CAPubLibOrgRpt.pdf, accessed 8/23/2010.

[11] Riverside County LAFCO, Central Valley/Pass/Southwestern Riverside County Municipal Services Review 2006.

Federal funds come primarily in the form of grants to individual libraries that meet specified criteria. At the State level, the Public Library Fund (PLF) provides per capita allocations to public libraries and the California Library Services Act (CLSA) provides partial reimbursements for direct and interlibrary loans. Neither the City of Banning nor the City of Beaumont imposes a library facility impact fee, though the Banning Library District is considering the imposition of such a fee and retained a financial planning consultant to prepare a residential development impact fee justification study in 2006. Based on that study, the District has determined that any facilities objectives that include new construction will not be possible without additional funding.[12]

HEALTH CARE SERVICES

San Gorgonio Memorial Hospital (SGMH) is located at 600 North Highland Springs Avenue, immediately south of the Project at the corner of Highland Springs Avenue and Wilson Street. The hospital provides medical services to the cities of Banning and Beaumont. Currently, SGMH can serve up to 100,000 people annually. The total square footage of the hospital is expected to grow from its current 86,502 square feet to 274,843 square feet in 2014 as part of a facilities expansion program initiated to meet anticipated demand and current seismic codes. The proposed expansion is expected to serve a projected population of 225,000 people by 2025.[13]

RECREATION AND PARKS

Park and recreation services would be provided to the Project by the City of Banning Community Services Department. Park classifications within the City of Banning include: (1) tot lots, mini parks, pocket parks and plazas ranging in size from 0.5 acres – 3 acres; (2) neighborhood parks located within walking or bicycle distance of residences and ranging in size from 5 – 10 acres; (3) school parks built adjacent to but separate from educational facilities; (4) community parks that range in size from 20 – 50 acres designed to serve an area within a 5-mile radius of the park; (5) regional parks that are at least 50 acres in size and serve the entire City or region; and (6) special use parks linked to a specific activity, such as a skate park. The City currently collects a Parkland Impact Fee in the amount of $1,955 per single family detached unit, $1,485 per townhouse/duplex unit, $2,168 per multi-family unit, and $1,233 per commercial/industrial acre. The fee is assessed on new construction and is collected either at building permit or prior to issuance of certificate of occupancy.

Existing Public Parks and Programs

The City of Banning has seven developed parks totaling 66.67 acres, and owns additional 170 acres of undeveloped property, the majority of which has been planned for development as

[12] Ibid.

[13] http://www.sgmhf.org/getpage.php?name=hospital_expansion, accessed October 4, 2010.

Smith Creek Ranch Park. Riverside County owns the 160-acre Gilman Historic Ranch and Wagon Museum, located in the City of Banning. This regional park includes a historic ranch house, wagon museum, hiking trails, and open space. The City also owns and operates specialized recreational facilities such as the City's Community Center and Senior Center, Municipal Swimming Pool, and Skate Park located at Repplier Park. In addition, the City has an established Joint Use Agreement with the Banning Unified School District that allows the City to utilize some of the District's school campus facilities.

Parks and Recreation Master Plan

In 2010 the City prepared a Draft Master Plan for Recreation and Parks, which was adopted in January 2011. The Plan indicates that the City currently has a deficit of 75 acres of parkland and projects a deficit of 171 acres by 2020, based on the City's standard of 5 acres per 1,000 residents and projected population growth, if no additional park acreage is added to the City's inventory. The top priority recreation needs identified in the Draft Master Plan include trails, a dog park, sporting fields, picnic areas, and an equestrian center. Neighborhood parks are considered the most-critical target for development on the west side of Banning. The need for an additional Community Center/Senior Center and/or Teen/Youth Center in the western portion of the City is also identified as a mid-term project. The Master Plan has identified the Butterfield Specific Plan Project area as a potential location for future parks and further identifies the area north of I-10 and west of Highland Home Road as a "Gap Area" (i.e., an area where the ideal 0.5 mile service area radius for a neighborhood park has not been met). The development of the Butterfield Specific Plan is expected to address neighborhood park deficiencies in the identified western Gap Area, including the potential provision of a site for a new Community Center in Planning Area 15 in proximity to the Edison easement.

Bikeways and Trails

Bikeways, trails and pathways are also considered an important recreational resource by the City. While there are no bikeways within the City, several Class II and III bikeways have been proposed. Class II bikeways are signed and striped bicycle lanes within the paved right-of-way of a street. Class III bikeways are designated but unmarked bike routes that are located on the street amidst vehicular traffic.

Hiking trails are maintained in both the San Bernardino National Forest and the San Jacinto Mountains within the City's Sphere of Influence (SOI). A proposed trail system is shown in the Draft Master Plan that would provide establish trail head access to the proposed regional trail system from parks, city streets and the surrounding community. Two regional trails are planned or proposed through portions of the northern and eastern planning area, in conjunction with the MSHCP.

ENERGY

Electricity

Banning's Electric Department is located at 176 East Lincoln Street. The City-owned utility procures the majority of its electricity through contracts with the Southern California Public Power Authority.[14] These contracts include participation in the San Juan coal plant, the Palo Verde nuclear plant, and the Hoover Hydroelectric Uploading Project. The City covers its summer peak load requirements through power purchases in the Western System Power Pool (WSPP) Forward and Over-the-Counter markets. The City has an agreement with Southern California Edison (SCE) to utilize SCE's subtransmission system to bring Banning's power from the California ISO controlled high voltage transmission grid to Banning's distribution system at the Banning Substation. At the present time, the Utility's load is divided between various customer classes; residential uses account of 47 percent of the total demand for electricity, followed by commercial uses at 45 percent. The City's General Plan EIR utilized the electrical consumption rates provided by the South Coast AQMD in calculating electrical consumption for General Plan buildout; however, this EIR utilizes more current usage data provided by the City of Banning Electric Department, which is specific to the City, for its analysis.[15] Those usage rates by land use category are shown in Table 4.12-4.

Table 4.12-4
Estimated Electricity Usage Rates

Land Use	Annual Usage Rate	Project Utilization
Residential[1] (5,387 du)	6,460 Kilowatt-hour/unit/year	34,800.020 kWh/year
Retail Commercial[1] (549,000 sf)	27.8 Kilowatt-hour/square foot/year	15,262,200 kWh/year
Schools[1] (500,000 sf)	2.5 Kilowatt-hour/square foot/year	1,200,000 kWh/year
Waste Water Treatment Plant[2] 2 mgd capacity	1,541 Kilowatt-hour/million gallons/day	1,124,930 kWh/year
Golf Course[3]		300,000 kWh/year
Source: [1]Provided by City of Banning Utility Department, 2011; WWTP Electrical Usage for WWTP from Water Supply & Sustainability: US Electricity Consumption for Water Supply and Treatment 2002[16]. [3]Electical Usage for Golf Course estimated based on data from GCSAA, 2011		

[14] The Southern California Public Power Authority (SCPPA) is a Joint Powers Authority formed under the Joint Powers Act of 1980 and is comprised of 12 public power agency members including 11 cities. The SCPPA Finances the construction or acquisition of power plants and transmission lines, issues tax-exempt revenue bonds and has financed 4 generation projects, 3 transmission projects, 3 natural gas projects and 4 renewable energy projects.

[15] Electricity Usage Rate Factors provided by the City of Banning Electric Department by Fred Mason and Cornello Datuin – emails 3.21.11 based on 2009-2010 usage rates.

[16] *Water Supply and Sustainability: U.S. Electricity Consumption for Water Supply & Treatment – the Next Half Century, EPRI, Palo Alto, CA: 2000. 1006787.* askepri@epri.com accessed 3/22/11

According to the General Plan EIR, the Plan's buildout is anticipated to generate electrical consumption of about 424,637,277 kilowatt-hours (kWh) per year. This estimate was based on both then-existing and planned future development within the General Plan study area and included the approved Deutsch Specific Plan. Based on usage rates shown in Table 4.12-4 above, the proposed Project would demand approximately 52,687,150 kWh/year, or approximately 13 percent of the total projected consumption annual Citywide consumption. The General Plan EIR concluded that with incorporation of energy-efficient measures into new buildings and compliance with then-existing federal and State energy conservation measures, buildout of the General Plan would not have a significant adverse impact on the availability of electricity or the ability of the City's utility company to provide it, although the General Plan also assumed that the provision of sufficient energy at Plan buildout would require acquisition of additional generating capacity.

Since the adoption of the General Plan, the City has taken several steps to both expand its generating capacity and reduce the carbon footprint of its energy use. In March, 2004, the City adopted a *Renewables Portfolio Standard* (RPS) pursuant to the provisions of Senate Bill 1078, which includes a commitment to obtain 20 percent of its electricity requirement from renewable resources by December 31, 2017. At present, 21 percent of the City's electricity requirements are met by energy generated by renewable sources. In 2007 the City increased its commitment from 20 to 33 percent by December 2020

The City has also adopted a 10-Year (2004 – 2014) Electric System Master Plan. This Master Plan included the projected needs of the proposed Project (i.e., the then-titled Deutsch Project).[17] To meet the needs of the Project area and adjacent development the Master Plan proposed to construct a new 34-12kV "Sunset Substation" near the existing SCE transmission line adjacent to the northern border of the Project. The City purchased land from Pardee Homes and constructed this substation, which was placed in service in March 2009, preparing separate CEQA documentation.[18] This new substation occupies PA70 but it is not addressed as part of the Butterfield Specific Plan project EIR since no changes to the substation are proposed as part of this Project.

The City collects approximately $310/Dwelling Unit (DU) in energy metering and conservation fees. In addition, the City's impact fee list includes a $45 per unit fee for energy conservation and $1,800 per unit fee for new electric service. Energy conservation fees are collected quarterly from customers. The new electrical services fee is collected prior to meter installation.

---

[17] City of Banning, 10 Year Electric System Master Plan 2004-2014, December 2004, Section 1, Exhibit 1-2 Proposed Developments for the City of Banning, City of Banning Development Projects Table, http://www.ci.banning.ca.us/DocumentView.aspx?DID=597, accessed 9/3/2010.

[18] An electrical substation is a subsidiary station of an electricity generation, transmission and distribution system where voltage is transformed from high to low or the reverse, using transformers.

Natural Gas

The Southern California Gas Company provides natural gas services and facilities to the City of Banning. Approximately 86.5 percent of the natural gas supply is imported from Texas and is transported by three major east-west trending high pressure natural gas pipelines, one of which traverses the Project site. The Banning General Plan estimates that the typical residential energy user utilizes approximately 80,000 cubic feet of natural gas per unit per year, while commercial users utilize approximately 35 cubic feet of natural gas per square foot per year.

COMMUNICATIONS

Telephone Service

Verizon California provides telephone service in the City. Presently, there is no local Verizon customer service center located in the City of Banning; however, online account management is available to Banning customers and one central switching office is located within the Project vicinity at 160 West Hayes.

Cable Service

Cable television services are provided to the City of Banning by Time Warner Cable through a franchise agreement.

Internet Service

City residents have many options when choosing an internet service provider. Both Verizon and Time Warner offer high-speed DSL and Cable-Modem services.

Cellular Phone Service

Cellular phone service in the City of Banning is offered by a growing list of cellular phone providers. Cellular phone service companies are licensed and regulated by the State of California Public Utilities Commission (PUC).

WASTEWATER AND RECYCLED WATER

Sanitary Sewer System

Sanitary wastewater (sewer) services are provided to approximately 12,800 service connections by the City's Water and Wastewater Utility. The City owns and maintains gravity sewer mains

ranging in size from 8 inches to greater than 18 inches in diameter, four sewer lift stations, and several sewer force mains located within City owned public right-of-ways.

Wastewater Treatment

Wastewater is treated at the City's wastewater treatment plant (WWTP) located at 2242 East Charles Street, which is operated and maintained by United Water Service pursuant to a City contract. The plant's headworks are designed for an ultimate capacity of 7.8 million gallons per day (mgd). Future expansion of the treatment facility to an 8.2 mgd capacity is anticipated in the City's *Sewer System Study (2006).* Currently, the plant receives an average flow of approximately 2.5 mgd and is permitted for 3.6 mgd by the Regional Board.[19]

The City of Banning operates its wastewater treatment and wastewater collection and disposal systems pursuant to the requirements of Order No. 01-022 (CRBRWQCB), which deals specifically with the system's standards of operation. In addition, the City is covered by Order 01-077 NPDES No. CAS617002 Permit and Waste Discharge requirements, which among other things prohibits acceptance of waste in excess of the disposal system's design treatment capacity. Effluent limitations are shown in Table 4.12-5.

Table 4.12-5
Effluent Limitations Pursuant to Order No. 01-022

Constituent	Unit	30-Day Mean Discharge Rate[20]	7-Day Mean Discharge Rate[21]	Maximum
20°C BOD_5[22]	mg/L[23]	30	45	
Total Suspended Solids	mg/L	30	45	
Aluminum	mg/L	---	----	1.0
Iron	mg/L	-----	-----	0.3
Chloride	mg/L	40	80	

[19] City of Banning Water/Wastewater Utilities Department, Initial Study/Mitigated Negative Declaration, Wastewater Treatment Plant Expansion and Phase 1 Recycled Water System, May 2008, http://banning.ca.us/DocumentView.aspx?DID=473, accessed 9/7/2010.

[20] 30-day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 30 consecutive days as specified in the Monitoring and Reporting Program.

[21] 7 Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 7 consecutive days as specified in the Monitoring and Reporting Program.

[22] BOD – Biochemical Oxygen Demand.

[23] mg/L – milligrams per Liter.

To date, the City's wastewater treatment plant has met these specifications and criteria and there is no record of violations.

Improvements to the City's main wastewater treatment plant would be required to expand volume capacity needed to meet the needs of City of Banning at build out of the General Plan as well as to upgrade the plant to provide tertiary treatment of wastewater for recycled water distribution. Plant improvements have been planned by the City and are part of the City's adopted Capital Improvement Program (CIP).

Recycled Water

Currently the City treats wastewater to a secondary standard prior to discharge. It does not presently have the treatment capabilities or infrastructure to provide tertiary treated recycled water; however, the City is currently moving forward to complete a 1.5 million gallon per day (mgd) tertiary treatment upgrade of its main plant to produce recycled water that can be used for landscape irrigation pursuant to current State standards as a first step in increasing its recycled water capacity. Among the potential future users of recycled water is the Pardee Homes Butterfield Specific Plan Project.[24] The City has completed plans for the upgrade of the treatment facility and approved a Mitigated Negative Declaration (MND) in 2008. The Banning draft *Recycled Water Master Plan (2006)* estimates that recycled water demand in the City could total up to 5.0 mgd in the future, requiring further expansions of the City's wastewater treatment capabilities. As an option to the use of recycled water from the upgraded City WWTP, the Project has proposed to construct an on-site satellite WWTP to serve its needs. The optional on-site WWTP would have a capacity ranging from 1.7 t0 2 mgd; refer to Section 4.14, *Water Supply* for a more detailed discussion of recycled water as it pertains to the proposed Project.

Service Projections and Rates

The City's growth forecast, contained in the City's 2010 Water and Wastewater Rates Study,[25] indicates that the City lost approximately 780 Equivalent Dwelling Units (EDUs) or active connections to the water system in 2009 and projects that the City will not return to pre-2009 EDU connection levels until 2012. The reduction in active water connections would also translate into a reduction of wastewater generation.

[24] Butterfield Specific Plan - Related Projects.

[25] Rafteus Financial Consultants, Inc., City of Banning Water and Wastewater Rate Study Report, June 9, 2010, http://banning.ca.us/DocumentView.aspx?DID=735, accessed 9/7/2010.

SOLID WASTE

The City of Banning Public Works Department is responsible for the management of solid waste activities in the City. It contracts with Waste Management Inland Empire for solid waste collection and disposal services. Waste Management provides separate containers to residential users for trash, recycling, and green waste. Waste Management also provides free pickup of used motor oil, and electronic waste. Household hazardous waste is not collected by Waste Management IE.

City Generation Rates

Approximately 5,390.32 tons of solid waste, generated in the City of Banning, were disposed of in landfills during the first quarter of 2010. In 2006, the most current year for which CalRecycle data is available, the City disposed of 30,493 tons of solid waste from all sources.[26] Approximately 35 percent of the City's solid waste is generated by residential uses; 65 percent is generated by non-residential uses.[27] The largest components for household waste and business waste consist of organic materials, including food waste and paper.

Landfills

The City disposes of its waste in three regional landfills: Badlands, El Sobrante, and Lamb Canyon. Badlands and Lamb Canyon are County-owned and operated. El Sobrante is owned and operated by Waste Management IE. Table 4.12-6 provides the location, size and capacity of these landfills and details tonnage and destination of the City's solid waste.[28]

[26] California Integrated Waste Management Board *Jurisdictional Disposal and Alternative Daily Cover Tons by Facility, Single year Countywide Origin Detail* as shown in the *Riverside Countywide Integrated Waste Management Final 2008 Five-Year Review Report,* May 2009, Table 4, pp 11.

[27] Ibid. Table 1 – Sources of Generation, pp 6.

[28] County of Riverside Waste Management Department – State Jurisdictional Tonnage Report (2009)

Table 4.12-6
Landfills Serving the City of Banning

Landfill	Location	Permitted Disposal Area	Capacity (cubic yards)	Permitted Daily Maximum (tons per day)	Estimated Remaining Capacity (cubic yards)	Estimated Closure	Tonnage Disposed of by the City (2009 Tonnage Report)	Percentage of Total Banning Waste at Landfill
Lamb Canyon[29]	Beaumont, CA	145 acres	34,292,000	3,000	18,955,000	2021	17,336	70 %
El Sobrante[30]	Corona, CA	485 acres	184,930,000	16,054	145,530,00	2045	7,264	29.5%
Badlands	Moreno Valley, CA	150 acres	30,386,332	4,000	19,477,616	2016	35.76	0.5%
						TOTAL	**24,636**	100%

Source: Landfill Profiles – Cal Recycle.

Non-disposal Facilities – Diverted Waste

Pursuant to State requirements, each jurisdiction in the County has a diversion requirement of 50 percent for year 2000 and each year thereafter. The City's diversion rate in 2006 was approximately 53 percent. Several non-disposal facilities handle City-generated diverted waste. These include the Synagro Biosolids Compost Facility, the Perris Transfer Station/Materials Recovery Facility, the Moreno Valley Transfer Station, and the Mid-County Transfer Station/Materials Recovery Facility. In January 2011, the City amended Chapter 15.08 of its Municipal Code to, among other things, adopt the 2010 California Green Code, which imposes a mandatory 50 percent construction waste diversion requirement on most new construction and requires preparation of a Waste Management Plan prior to the issuance of building permits.

[29] Active Landfills Profile for Lamb Canyon Sanitary Landfill ((33-AA-0007) http://www.calrecycle.ca.gov/profiles/Facility/Landfill/LFProfile1.asp?COID=33&FACID=33-AA-0007, accessed 9/8/2010.

[30] Active Landfills Profile for El Sobrante Landfill (33-AA-0217) http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/LFProfile1.asp?COID=7&FACID=33-AA-0217, accessed 9/9/2010.

4.12.3 REGULATORY FRAMEWORK

FIRE SERVICES AND FACILITIES

2010 California Fire Code (CFC)

The *California Fire Code* (2010) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of wildland-urban interface area, among other issues. The CFC also references *Chapter 7A of the 2010 California Building Code* and *Section 313.3 of the 2010 California Residential Code*, which contain specific requirements for fire-safe construction, including the new requirement for installation of fire sprinkler systems in new construction single family and two family dwellings.

California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the *California Health and Safety Code*, and include regulations concerning building standards as also set forth in the *2010 California Building Code, 2010 California Residential Code* and related updated Codes.

City of Banning Municipal Code

The Municipal Code contains several chapters dealing with fire protection and fire services. These include Chapter 2.24, *Fire Department*, which authorizes the Fire Department to inspect buildings under construction for compliance with fire code requirements; Chapter 8.16, *Fire Prevention Code*, which was amended in December 2010 to incorporate the 2010 California Fire Code in its entirety; Chapter 10.44, *Emergency Response,* which outlines the City's emergency response cost recovery program; and Chapter 10.72.010, *Fire Facilities Fee*, which establishes a fire facilities developer fee assessed as a condition of building permit for single-family structures. In January 2011, Banning amended its Building Code (MC Chapter 15.08) to adopt the new 2010 California Building Code and 2010 California Residential Code in their entirety.

Also refer to Section 4.8, *Hazards and Hazardous Materials, Regulatory Framework,* for laws and regulations related to wildfire and development in Wildland-Urban Interface (WUI) zones.

POLICE SERVICES AND FACILITIES

City of Banning Municipal Code

The Municipal Code contains three chapters that deal directly with the provision of police protection services. These include Chapter 2.52, *Peace Officer and Public Safety Dispatcher Standards of Training Fire*, which obligates the city to adhere to the standards for recruitment and

training established by the California Commission of Peace Office Standards and Training; and Chapter 15.72.020, *Police Facilities Fee*, which establishes a police facilities developer fee. The police facilities developer fee applies to construction of any new single-family residential structure on an unimproved lot or unimproved parcel.

PUBLIC SCHOOL SERVICES AND FACILITIES

California State Assembly Bill 2926 (AB 2926) – School Facilities Act of 1986

In 1986, AB 2926 added Section 65995 to the *California Government Code* and authorized school districts to collect development fees based on demonstrated need to generate revenue for capital acquisitions and improvements.

California Senate Bill 50 (SB 50)

SB 50, adopted in 1998, defined the school impact fee "Needs Analysis" process in *Government Code Sections 65995.5-65998*. Pursuant to its provisions, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. Payment of statutory fee by developers serves as the total mitigation of the potential impact of a development on school facilities pursuant to CEQA.

California Government Code 66478

In *CGC Section 66478*, the legislature allows cities and counties to require the dedication of land for elementary schools.

City of Banning Municipal Code Chapter 3.36 (Fees and Service Charge Revenue)

Chapter 3.36 of the Municipal Code defines school fees as "pass through fees." The City requires developers to provide a school district-issued Certificate of Compliance, verifying the payment of required fees, prior to issuance of building permits.

LIBRARY SERVICES AND FACILITIES

There are no federal or State policies that are directly applicable to public library services within the Project area. The *California Education Code*, however, includes various provisions authorizing public library organizations, among them: (1) the *Library District Law* (*Education Code §19400 et seq.*); (2) the *Municipal Library Law (Education Code §18900 et seq.)*; and (3) the *Union and Unified High School District Library District Law (Education Code §18300 et seq.*).

HEALTH CARE SERVICES AND FACILITIES

The California Department of Health Care Services and the California Department of Public Health

These State agencies support and regulate the provision of health care services in the State, including the licensing of hospitals and the conduct of periodic inspections and surveys to ensure patient safety and adequate care.

PARKS AND RECREATION PROGRAMS AND FACILITIES

California Government Code 66477 (Quimby Act)

Section 66477 of the *California Government Code*, also known as the *Quimby Act*, provides local governments with the authority to require dedications or in-lieu fees for parkland, as a condition of residential subdivision approval. The statute allows local governments to require dedication of land, a fee payment, or a combination of both, under certain conditions.

City of Banning Municipal Code

The Municipal Code contains several provisions pertaining to Parks and Recreation. Chapter 12.36 contains rules and regulations for the use of the City's park facilities; Chapter 12.40 contains rules and regulations for the operation of the City's skate park; Chapter 15.68 imposes Park and Recreation fees on new residential, commercial, and industrial development for the purpose of funding acquisition, expansion and construction of parks and related public recreational facilities.

ENERGY (ALSO REFER TO SECTION 4.3, AIR QUALITY)

California Code of Regulations (CCR) Title 24

New buildings in California are required to conform to energy conservation standards specified in *Title 24 of the CCR*. The building efficiency standards are enforced through the local building code or individual agency permitting process. The City of Banning requires all new buildings to meet Title 24 standards. As noted in Section 4.3, *Air Quality*, in 2010 the State of California adopted the *California Green Building Code*, also called the CALGreen Code, amending *CCR Title 24, Part 11*. The purpose of the CALGreen Code is to enhance the design and construction of buildings through the use of building design and construction standards that either reduce negative environmental impacts, or have positive environmental impacts and by encouraging sustainable construction practices. The Green Code deals with planning and design; energy

efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. The Code became effective on January 1, 2011.

California Public Utilities Commission (PUC) General Order 131-D

New construction or relocation of existing SCE or Banning Utility electrical facilities that operate at or above 50 kV may have environmental consequences that are subject to CEQA, as implemented by the PUC and any proposed work will require review and potential permitting by the PUC.

City of Banning Municipal Code

The Municipal Code includes various provisions related to energy use and efficiency including Chapter 15.08, which adopts the *Uniform Solar Energy Code* as part of the City's Building Code; Chapter 17.12 – Land Use Development Standards which requires energy efficient lighting in commercial and industrial districts, and Chapter 17.08 which requires the use of energy efficient lighting in residential districts. On January 11, 2011, the City amended Section 15.08 of the Municipal Code to adopt the *2010 California Green Code*, among other revisions to its Building Code.

WASTEWATER AND RECYCLED WATER (ALSO REFER TO SECTION 4.14, WATER SUPPLY)

National Pollution Discharge Elimination System (NPDES) Permits

The NPDES permit system was established as part of the *Clean Water Act* (CWA) to regulate discharges from all point sources. Section 402(d) of the CWA establishes a framework for regulating nonpoint source (NPS) storm water discharges under the NPDES permit program. For point source discharges, such as sewer outfalls, each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge.

State of California Water Recycling Act

Enacted in 1991, the *Water Recycling Act* established water recycling as a priority in the State. The Act encourages municipal wastewater treatment districts to implement recycling programs to reduce local water demands.

California Code of Regulations, Title 22, Division 4, Chapter 3 Water Recycling Criteria

The wastewater treatment process and the use of recycled water is regulated by the State of California pursuant to the *California Code of Regulations, Title 22, Division 4, Chapter 3, Water Recycling Criteria*. According to these regulations, recycled water to be used for irrigation of public areas must be filtered and disinfected to tertiary standards.

Regional Water Quality Board (RWQCB)

NPDES permits are required for operators of municipal separate storm sewer systems, construction projects, and industrial facilities. These permits contain limits on the amount of pollutants that can be contained in the discharge of each facility of property. The City of Banning operates its wastewater treatment plant and wastewater collection and disposal systems pursuant to the requirements of Order No 01-022, issued by the RWQCB – Colorado River Basin Region. [31]

In addition, the City's wastewater treatment facility is covered by Order 01-077, NPDES No CAS617002, NPDES Permit and Waste Discharge Requirements for discharges of treated wastewater in the Whitewater River watershed. Water quality issues and associated regulatory permitting as it relates to other discharges is discussed in Section 4.9, *Hydrology and Water Quality*.

City of Banning Municipal Code Ordinance Nos. 1294 and 1321

The Municipal Code includes provisions for the assessment and collection of sewer connection fees and sewer frontage fees. The City also assesses a surcharge as part of its user fees to cover the cost of expanding conveyance, treatment and disposal facilities

SOLID WASTE

AB 939 – California Integrated Waste Management Act of 1989

The *California Integrated Waste Management Act of 1989 (*AB 939) requires all California cities and counties to achieve a 50% diversion rate by 2000. The *Riverside Countywide Integrated Waste Management Plan* (CIWMP) outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost effective waste management system that complies with the provisions of AB 939 and its diversion mandates. Additional statutes

[31] California RWQCB – Colorado River Basin Region, Order No. 01-022, http://waterboards.ca.gov/coloradoriver/board_decisions/adopted_orders/orders/2001/01_022wdr.pdf, accessed 9/7/2010.

pertaining to solid waste are found in *California's Public Resources Code*, *Government Code*, and *Health and Safety Code*, among others.

SB 1374, passed in 2002, requires that the annual report submitted to County Integrated Waste Management Board (CIWMB) also include a summary of the progress made in diverting construction and demolition waste materials. In addition, SB 1374 required the CIWMB to adopt a model ordinance suitable for adoption by a local agency, requiring 50 to 75 percent diversion of construction and demolition waste materials to landfills. Initially, local agencies were required to adopt the State's model diversion ordinance, but that requirement was dropped and the diversion program was made voluntary in the absence of a local waste diversion ordinance. Subsequent adoption of the *2010 California Green Code*, which became effective statewide on January 1, 2011, and has been incorporated into the City's Municipal Code, mandates the diversion of 50 percent of construction material waste and requires new development projects to submit a Construction Waste Management Plan prior to issuance of building permits.

The *California Solid Waste Reuse and Recycling Access Act of 1991*, as amended, requires each development project to provide an adequate storage area for collection and removal of recyclable materials.

City of Banning Municipal Code – Chapters 8.28 (Garbage Collection); 8.53 (Recycling); 8.64 (Waste Tires)

Solid waste is addressed in the City's Municipal Code as part of Title 8, *Health and Safety*. Chapter 8.53 allows the City to divert 50 percent of solid waste through increased recycling of reusable materials and to require that space in certain development projects be set aside to make future on-site composting projects possible. The Chapter 8.52.040 includes guidelines for all development projects.

City of Banning Municipal Code – Chapter 15.08 (Building Code – Construction Waste Diversion)

In January 2011 the City amended its Building Code and adopted the *2010 California Green Code*, which requires the development of a waste management plan and the diversion of 50 percent of construction waste materials generated by a new construction project. The requirement applies to developments that include low-rise residential (i.e., three stories or less) and most non-residential occupancies.

CITY OF BANNING GENERAL PLAN POLICIES

Police and Fire Services Element – Fire Services

- Policy 1: The City shall work closely with the Fire and Police departments to assure that adequate facilities are constructed and service is provided as development and growth occur to maintain and enhance levels of service and insurance ratings.

- Policy 2: The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.

- Policy 3: The City shall strictly enforce fire standards and regulations in the course of reviewing development and building plans and conducting building inspections of large multiple family projects, community buildings, commercial structures and motel structures.

- Policy 4: All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.

- Policy 8: The Police and the Fire Departments shall closely coordinate and cooperate with the City and County emergency preparedness teams and shall assure the most effective emergency response practical.

- Policy 9: The Fire Department shall maintain a 5-minute response time.

- Policy 11: The Fire Department Ambulance Services shall maintain a 5-minute response time.

- Policy 14: The City shall pursue all funding mechanisms to fund the need for police and fire services generated by new development.

The General Plan EIR also imposes mitigation measures to ensure the adequacy of fire protection services for the City. These include:

A. The City shall assure the timely expansion of fire protection services and facilities necessary to serve the City's population.

B. The Fire Department shall continue to review new development proposals and evaluate the Department's capacity to provide sufficient fire protection services. This shall include, but is not limited to, review of internal circulation patterns, street names and numbering systems.

C. The City shall routinely review and modify its structural fire assessment fees, as necessary, to ensure that these funds are adequate to cover annual operating costs.

D. The City and the Fire Department shall continue to enforce fire codes and other applicable standards and regulations in the course of reviewing development and building plans and conducting building inspections.

E. Through its development review and approval process, the City shall ensure that siting of industrial facilities, which involve storage of hazardous, flammable or explosive materials, shall be conducted in a manner that will ensure the highest level of safety in strict conformance with the Uniform Fire Code and other applicable regulations.

Police and Fire Services Element – Police Services

- Policy 2: The City shall review all proposals for new or significant remodeling projects for potential impacts concerning public safety.

- Policy 5: Crime prevention design techniques, including the use of "defensible space," high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development.

- Policy 6: The City shall continue to support and promote community-based crime prevention programs as an important augmentation to the provision of professional police protection services.

The General Plan EIR also imposes mitigation measures to ensure the adequacy of police protection services for the City. These include:

A. The City shall require all development proposals to be reviewed by the Police Department. Comments will be incorporated into project design or conditions of approval, as deemed appropriate.

B. The City shall consult and coordinate with the Police Department regarding the optimal location of future police stations, so as to assure that adequate staffing levels are provided to meet the demands of the City.

C. The City shall promote the utilization of crime prevention measures in project planning that result in "defensible space" as a means of providing security in residential, commercial, and industrial development.

D. The City shall continue to promote and support community-based crime prevention programs as an important augmentation to the provision of professional police protection services.

E. The City shall periodically review the level, quality, innovation, and cost-effectiveness of police protection services, including contract services, and shall remain flexible when considering the most effective means of providing these services to the community.

F. The City Police Department shall monitor calls in the General Plan Study Area. The City shall review response times and Police Department activity to assure adequate levels of protection.

Schools and Library Element – Public School Services

- Policy 1: Assist, cooperate and coordinate with the Banning and Beaumont Unified School Districts and state agencies in identifying, acquiring and developing school sites needed to meet future growth demands. Encourage the selection of potential school sites that are centrally located in areas of existing or future residential development.

- Policy 2: Continue to work with the Banning Unified School District to amend the District's boundary to encompass all lands within its corporate limits and sphere of influence.

- Policy 3: Schools and libraries shall be protected for excessive noise and traffic conditions, incompatible land uses, and the threat of on-site disturbances to the greatest extent practicable.

- Policy 4: The City shall cooperate in securing school impact fees from developers, in accordance with State law.

- Policy 5: The City shall proactively work with the Banning Unified School District to improve the level and quality of education whenever possible.
- Public Facilities Element Policy 6: Critical structures and facilities (including the civic center, hospitals, fire stations, police stations, schools, and major communication facilities shall be restricted from geologically and hydrologically hazardous areas.

The General Plan EIR also imposes mitigation measures to ensure the adequacy of educational facilities. These include:

A. Developers shall continue to be assessed the statutory school mitigation fees for residential and commercial development.

B. In the event that developers in the General Plan Study Area utilize Mello-Roos or other type of public facilities financing districts, Banning Unified School District and Beaumont Unified School District shall participate in the discussion of how the developer may cooperate with the District in its funding mechanism.

Schools and Library Element – Library Services

- Policy 10: The City will encourage the Library Board to confer and coordinate with Mt. San Jacinto College to explore the provision of library services, and cooperative efforts with the Banning Public Library in conjunction with the proposed MSJC Education Center.

- Policy 11: The City shall coordinate with the Banning Public Library to assure that adequate library space, services, and resources are provided to meet the educational and literary needs of the community.

- Policy 12: Recognizing the importance of the library system for educational and cultural development within the community, the city shall explore the need for and feasibility of expanded library facilities and resources, including the potential for and appropriateness of accessing on-line resources associated with the Riverside County library system.

The General Plan EIR also imposes mitigation measures to ensure the adequacy of library facilities. These include:

A. The City and County shall continue to monitor and assess the existing usage rate and level of service provided at the libraries in the General Plan Study Area to determine the need for additional services and facilities.

B. The City shall consult and coordinate with Riverside County to determine appropriate mitigation fees necessary to provide adequate library services.
C. The City shall explore the need for and feasibility of expanded library facilities and resources, including the potential for and appropriateness of accessing on-line resources associated with the Riverside County library system.

Health Services Policies

The City of Banning's General Plan includes the following policies related to health care services and specifically, to hospital (critical structures) facilities:

- Policy 6: Critical structures and facilities (including the civic center, hospitals, police stations, schools, and major communication facilities) shall be restricted from geologically and hydrologically hazardous areas.

The General Plan EIR does not require any mitigation measures for health care services.

Parks and Recreation Element

- Goal 1: Provide a high quality public park system with adequate land and facilities to provide recreational facilities and activities for the City's residents.

- Goal 2: Provide a comprehensive bikeway, trail and walking path system that connects homes to work places, commercial venues and recreational facilities, and which enhances the safety and enjoyment of cyclists, equestrians, and pedestrians.

- Policy 1: Update the Master Parks and Recreation Plan so as to assure adequate parklands and facilities that meet the immediate and future needs of the community and is complementary to the natural environment.

- Policy 2. The City will distribute parks and recreation facilities in a manner that is convenient to City neighborhoods and balanced within population concentrations.

- Policy 3: Require developers of new residential projects to provide on-site recreational and/or open space facilities in addition to City-wide park requirements.

- Policy 5: The City shall consider alternative methods of providing park and recreational amenities to meet future population demands.

- Policy 6: The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.

- Policy 7: The City should continue to work with the Morongo Band of Mission Indians and neighboring cities and communities to create a regional bicycle and trail network.

- Policy 8: The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians and/or pedestrians.

The General Plan EIR does not propose any mitigation measures regarding parks and recreation.

Public Services Element - Energy

- Goal 1: Efficient, sustainable, and environmentally appropriate use and management of energy to ensure long-term availability and affordability.

- Policy 1: Promote energy conservation throughout all areas of the community and all sectors of the economy including planning and construction of urban uses.

- Policy 3: Proactively support long-term strategies that assure affordable and reliable production and delivery of electrical power to the community.

- Policy 5: To ensure the timely expansion of facilities in a manner that minimizes environmental impacts and disturbance of existing improvements, the City shall confer and coordinate with service and utility providers in planning, designing and siting of supporting and distribution facilities.

- Policy 6**:** The City shall proactively support the widespread integration of energy resource conserving technologies throughout the community.

- Policy 9**:** Utility lines on scenic roadways, major streets and in the downtown shall have primary consideration for undergrounding.

- Policy 10**:** Major utility facilities, including power and other transmission towers, cellular communication towers and other viewshed intrusions shall be designed and sited to ensure minimal environmental and viewsheds impacts and environmental hazards.

The General Plan EIR includes the following mitigation measures related to energy:

A. Developers shall coordinate and cooperate with the Banning Public Works Department and Banning Electric Department in implementing local management programs that reduce demands on generating capacities.
B. All proposed developments shall comply with the requirements of the Uniform Building Code and Title 24 of the California Code of Regulations.

C. Project developers shall be required to utilize energy efficient design to minimize solar gains and reduce air conditioning loads.

D. The use of energy efficient lighting fixtures in developments within the General Plan Study area will be required.

Public Services Element – Telecommunications

- Policy 11**:** The City shall encourage the planning, development and installation of state-of-the art telecommunications and other broadband communications systems as essential infrastructure.

- Policy 13: The City shall investigate lower cable rates for ungated neighborhoods.

Public Services Element - Wastewater Systems and Recycled Water

- Goal 1: A comprehensive range of water, wastewater and utility services and facilities that adequately, cost-effectively, and safely meet the immediate and long-term needs of the City.

- Policy 2: Sewer connection shall be required at the time a lot is developed when service is available.

- Policy 3: In the event a sewer line exists in the right-of-way where a for-sale residential unit is served by a septic system, the septic system shall be properly abandoned prior to sale and/or close of escrow, and the unit shall be connected to the sewer system.

The General Plan EIR includes the following mitigation measures related to wastewater services:

A. All development shall be connected to the City-wide sewer system, to the greatest extent possible.

B. The City shall investigate and evaluate alternative methods of financing a city-wide sewer system and converting existing septic systems to sewer.

C. The City and its Utility Department – Sewer Division shall assure that adequate wastewater collection and treatment facilities are provided to serve development in the General Plan Study Area.

D. The City shall monitor demand for tertiary treated water within the General Plan Study Area and shall investigate the feasibility of providing tertiary treated water as demand warrants.

Public Services Element – Solid Waste

- Policy 7: The City shall continue to confer and coordinate with its solid waste service franchisee to maintain and, if possible, exceed the provision of AB 939 by expanding recycling programs that divert valuable resources from the waste stream and returning these materials to productive use.

- Policy 8: The City shall support, and to the greatest extent practical, shall encourage commercial and industrial businesses to reduce and limit the amount of packaging and potential waste associated with product sale and production.

The General Plan EIR includes the following mitigation measures related to solid waste:

A. All new development shall establish recycling programs as part of the planning process. Programs shall include recycling provisions for residences as well as for commercial establishments.

B. Recycling receptacles should be provided to multi-family development.

C. Recycling provisions for commercial and business establishments should include separate recycling bins. Items to be recycled at commercial establishments may include white paper, computer legal paper, glass and aluminum cans.

D. As landscaping debris comprises a significant percentage of residential solid waste, developers shall contract for professional landscaping services from companies which compost green waste. On-site composting and grass recycling (whereby lawn clippings are left on the lawn) is also encouraged.

E. Recycling of construction waste through on-site grinders and the use of wood waste recycling facilities are encouraged, wherever possible.

4.12.4 PROJECT IMPACT AND MITIGATION ANALYSIS

The previously certified Deutsch Specific Plan EIR addressed development of the Project site with up to 5,400 dwelling units. Impacts discussed below are generally consistent with the impacts described in the 1985 Deutsch Specific Plan EIR and subsequent EIR Update in 1993. This analysis has been updated to reflect the currently proposed Butterfield Specific Plan, including the proposed off-site infrastructure and a 21-acre unincorporated parcel. The City's General Plan EIR also provides an analysis of the impacts of the buildout of the General Plan on public services and utilities, which analysis included the Deutsch Specific Plan in its overall assessment of buildout impacts. This EIR analysis is based on review of available documents, including the proposed Butterfield Specific Plan and its associated preliminary tentative tract maps, and also reflects the updating service/utility information based on contacts with affected agencies.

The Butterfield Specific Plan itself reflects input from a various agencies including: the Banning and Beaumont School Districts as regards the location of proposed school facilities and boundary issues; City Public Works and Water/Wastewater Department as regards proposed alignments, sizing and design solutions for water supply, wastewater treatment, and the use of recycled water; Southern California Edison as regards the relocation of existing power lines, treatment, and potential use of existing utility easements; the Riverside County Fire Department and Cal Fire regarding the location of a proposed new fire station, fire protection issues and proposed mitigation measures; and with City Community Services regarding the location and development of parks and a potential community center within the SP boundaries.

4.12.4.1 FIRE SERVICES AND FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

The following threshold of significance is based on Appendix G of the 2010 CEQA *Guidelines.* For the purposes of this EIR, implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

a) Result in substantial adverse environmental impacts associated with the provision of new or physically altered fire protection facilities or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance standards.

ANALYTIC METHOD

Impacts on fire protection services are considered significant if an increase in population or building area would result in inadequate response times, and/or increased demand for services

that would require construction of new fire protection facilities. The following analysis considers the potential impacts of the proposed Project on the City's objective for response of 5 minutes or less for emergency calls.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations described in the Regulatory Framework section will avoid or reduce potential impacts related to fire protection. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) In addition to paying over $7 million[32] in potential City fire facility impact fees, the Project proposes the zoning for a 1.6-acre site for the construction of a new fire station within the Project site, currently designated in the southeast corner of Planning Area 60 though subject to location change, which would substantially improve fire services within and beyond the Project area and place additional resources in closer proximity to wildland areas, helping to reduce the risk associated with wildfire for the entire community.

2) The Project will include the construction of three above-ground water storage tanks with a total storage capacity of 3.5 million gallons, the installation of pump stations, and the installation of water mains, laterals, and hydrants sufficient to provide fire flow at required pressure to all portions of the Project.

3) The Project will include the construction of an approximate 14-acre multi-use basin within the 30.4-acre PA 71 to detain upstream flows and provide water storage for irrigation and other needs, including emergency water supplies in the event of fire.

4) All homes within the Project constructed subsequent to 2011 will include in-house fire protection sprinkler systems per new State regulations, which the City will enforce through its building and occupancy permit process.

5) Prior to approval of any final tract map, the applicant shall submit a Fire Response Plan consistent with City Municipal Code and Fire Department regulations to insure full compliance with building codes, fuel modification requirements, provision of irrigation, adequacy of water supply and pressure, adequacy of access and lighting, etc.

Also refer to Project Design Features 1, 2, and 3 in Section 4.8, *Hazards and Hazardous Materials* of the EIR for additional features related to reduction of fire risk in wildland-urban interface areas.

[32] For residential units at current prevailing fees of $1,335/unit, not counting misc. City fees, public improvement fees, plan check fees, and general fund revenue through property and sales tax.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-1: Need for New or Physically Altered Fire Facilities

Threshold: *Would the Project result in substantial adverse environmental impacts associated with the provision of new or physically altered fire protection facilities or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance standards?*

Determination: Less than Significant with Mitigation Incorporated

Implementation of the proposed Project will result in the construction and occupancy of over 5,000 homes, two schools, a golf course and club house, a potential community center, and a retail shopping center. To reduce its impacts on fire services the Specific Plan incorporates a variety of design and land use elements including the irrigation of slopes and fuel modification zones, the provision of adequate water supply and pressure to meet fire code requirements for fire flow, provision of interior sprinkler systems as required by the 2010 CRC and CBC, and the development of a coherent street system with multiple points of access, with streets sized to accommodate emergency vehicles. Section 4.8, *Hazards and Hazardous Materials,* specifically discusses Project design features and mitigation measures that address wildfire hazard as it impacts the Project site. Mitigation measures included in that section are incorporated by reference into this analysis.

Fire response time have been estimated for the Project by accessing and utilizing internet mapping services (such as Google Earth for distance and Yahoo Maps for driving distance & response times from existing fire stations and existing addresses surrounding the Project Site). Based on this analysis, City response time standards can be met for the majority of the Project site located south of Brookside Avenue; however, response time from existing fire stations serving the site to areas north of linear extension of the Brookside Avenue right of way through the Project to Highland Home Road (i.e., PAs 60 and 61) may exceed six minutes. The Fire Department has indicated that additional fire protection services, units, and/or facilities may be needed as development takes place on the Project site in general. To initially address this potential issue, the Specific Plan incorporates a dedicated fire station site proposed to be conceptually located within PA 60, although additional fire facilities adequate to serve this portion of the Project could be provided elsewhere in the Project prior to construction of PA 60 or changes in other requirements and standards could occur during the 30-year implementation phase of the Project that would address this need. The construction of this fire station could be funded by using the over $7 million in fire facilities impact fees that will be generated by the Project as it develops and/or through a funding generated by a Community Facilities District (CFD). The Project will also generate annual property and sales tax that can be allocated to help support ongoing facility staffing and operation.

In order to ensure that adequate fire services are available to all portions of the Project site with response times that correspond to City standards, Mitigation Measure PSU-1 is required. Mitigation Measure PSU-1 provides for needed flexibility in determining appropriate timing for additional fire services. Also, Mitigation PSU-1 will allow for the Fire Chief to make the decision for the timing, potential need for development, and location of a new fire station within the Project, that is initially conceptually located in PA 60, and/or the provision of additional fire response units or services.

In addition to Mitigation Measure PSU-1, the Project will also address the reduction of wildland fire hazard through the implementation of State and local regulations and Mitigation Measures HAZ-10, HAZ-11, and HAZ-12. The reduction of fire hazard related to the presence of a high pressure natural gas pipeline through the project site would be addressed through the replacement of existing pipeline as provided for in Mitigation Measure HAZ-6, all contained in Section 4.8, *Hazards and Hazardous Materials*, of this EIR. Potential environmental impacts associated with the construction of a fire station within the Project boundaries are addressed as part of the total Project in the various sections of this EIR.

Mitigation Measures

PSU-1 Applicant shall communicate and work with the Fire Chief throughout Project development to determine the appropriate timing for a potential addition of a fire response unit (medic squad, fire engine), or the need for a fire station that is conceptually located in PA 60 but could be located in any Planning Area as described within the Specific Plan. When the fire station or a response unit is determined to be necessary, the Applicant shall fund and/or construct the fire response unit and/or fire station, and would subsequently be credited the cost of the fire response unit or fire station towards the payment of applicable fire fees.

Cumulative Impact on Fire Facilities

Determination: Less than Significant with Mitigation Incorporated

As additional development occurs in the Fire Department's Oak Glen service area there would be an overall increase in the demand for fire protection services, which is expected to result in the need for additional and/or expanded fire protection facilities. In its response to the Project's NOP, Cal Fire stated, "The increase in acreage [represented by] the Butterfield SP will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service using existing facilities, given the projected increase in population and the number and location of new structures." Accordingly, cumulative future development would result in the need for additional facilities. This is a potentially significant cumulative impact. Development of the Butterfield Specific Plan would contribute to the need for additional fire facilities; however, the Project has sufficiently mitigated for its contribution to the cumulative impact by

providing funds and a potential site for the construction of a new fire station to serve both the Specific Plan area and adjacent, yet to be developed neighborhoods.

Level of Significance After Mitigation

Project's impacts on fire facilities would be less than significant with mitigation incorporated.

4.12.4.2 POLICE SERVICES AND FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

For the purposes of this EIR, implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

b) Result in substantial adverse environmental impacts associated with the provision of new or physically altered police protection facilities or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance standards.

ANALYTIC METHOD

The City of Banning has established objectives for staffing levels for the Police Department in its Comprehensive General Plan. The following analysis considers the potential impacts of the proposed development on the City's objective for a level of service equating to 2.0 sworn officers per 1000 population.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations noted below will avoid or mitigate potential impacts related to police protection. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) The Project will be developed in phases over a period of up approximately 30 years, which would allow the Department time to respond to any need for additional facilities and/or officers that might be required to serve the Project area, as funding becomes available. The Project will be paying over $4 million in dedicated Police Facility Fees, in addition to all other fees assessed and Project contributions toward General Fund revenue through property tax and sales tax.

2) The majority of the residential development within the Project consists of traditional single-family homes having frontage on public streets. This type of development provides "eyes on the street", which is the essence of defensible space design, as required by the City's General Plan.

3) Based on meetings with City police officials, the Applicant modified Specific Plan design guidelines and sited school facilities to provide dual vehicle access into and out of all development areas, landscaping along Project perimeter walls to deter graffiti, and has located schools and parks so that they would have adequate street frontage to facilitate police surveillance.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-2: Need for New or Physically Altered Police Facilities

Threshold: *Would the Project result in substantial adverse environmental impacts associated with the provision of new or physically altered police protection facilities or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance standards?*

Determination: Less than Significant with Mitigation Incorporated

The development of 5,387 additional housing units within the Butterfield Specific Plan would result in a population increase of roughly 14,168 persons. Based on the Banning Police Department's adopted officer-to-resident ratio goal, stated in the General Plan, the Project could generate a demand for as many as 28 additional sworn officers at full build out; however, the need for additional officers to meet the City's officer-to-resident ratio would occur slowly and incrementally over time. Accordingly, existing facilities, including the new police headquarters building, could remain adequate for the provision of police services to the Project for much of its development period.

To finance any new facilities, or the expansion of existing facilities, the City assesses a Police Facilities Fee on all new development. Payment of this fee, which is adjustable over time as the City determines its facilities needs, insures that each new development pays its "fair share" of the cost of providing the police facilities needed to serve a growing population. Based on the current fee structure, the Project would be contributing over $4 million in City police fees through Project build-out. In addition, the Project will result in indirect contributions to the City's General Fund through sales and property taxes and thus provide financial support for expanded police operations.

Policy 5 of the General Plan requires that: "Crime prevention design techniques, including the use of "defensible space," high security hardware, optimal site planning and building

orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development." The majority of new residential development within the Project is expected to consist of single-family homes. Research and urban planning principles have established that the close juxtaposition of the street to the private front lawn, even allowing for standard front yard setbacks, and the positioning of living area windows at the front of the home that is typical of single family residential neighborhoods helps residents maintain an "eye on the street" and act to maintain and control its use, thus creating a "defensible space" from a policing perspective.

Multifamily and cluster housing have different challenges in providing "defensible space" and "eyes on the street." For example, multi-family housing is often oriented to interior courtyards, turning its back on the public domain and taking the eyes of residents off of the street. Other issues include the isolation of vehicular parking from the residential unit, which can compromise security, or the lack of "pubic domain" open space designed to draw residents out of their units so that they can establish relationships with their neighbors and develop a shared sense of community. Accordingly, multi-family housing must be deliberately designed to achieve the same level of public domain security and crime reduction that is more readily available in standard single family residential neighborhoods. Design solutions can include such things as orienting the front doors and living area windows to the public street without providing the "protection" of walls and fencing while providing back doors in these same units that allow access to more secure play areas and open space. Additional design solutions include the clustering of parking in close proximity to units or the provision of enclosed garages or semi-subterranean parking garages that can be secured, the provision of motion activated security lighting, and the clustering of multifamily units around shared courtyard spaces with appropriate amenities that draw residents into the common area and encourage the development of relationships between neighbors through interaction in the "public" domain.

Since the proposed Project includes the development of cluster and/or multifamily housing in addition to single family neighborhoods, Mitigation Measure PSU-2, which requires incorporation of defensible space design elements into the Project's multi-family and cluster housing developments, will be required to maintain compliance with the General Plan and to facilitate policing of the community. With the payment of the Police Facilities Fee and the implementation of Mitigation Measure PS&U-2, the impact of the Project on police facilities would be reduced to a less than significant level.

Mitigation Measures

PSU-2 The Project shall incorporate the principles of defensible space as defined by the U.S. Department of Housing and Urban Development Office of Policy

Development and Research[33] in the design of cluster housing and/or multifamily housing within the proposed Project to reduce the impact of such development on police services. These principles shall be incorporated through inclusion of the following design solutions:

- Orienting the front doors and living area windows to the public street without providing "protection" of walls and fencing while providing back doors in these same units that allow access to more secure play areas and open space.
- Clustering parking in close proximity to units or the must provide enclosed garages or semi-subterranean parking garages that can be secured.
- Providing motion-activated security lighting.
- Clustering multifamily units around shared courtyard spaces with appropriate amenities that draw residents into the common area and encourage the development of relationships between neighbors through interaction in the public domain.

Cumulative Impacts

Determination: Less than Significant with Mitigation Incorporated

The City General Plan anticipates a need for additional police facilities based a goal of 2.0 sworn officers per 1000 population and the known capacity of then-existing facilities. The City has recently built a new police headquarters building; however, to meet City service ratios at General Plan build out the Police Department would need to hire approximately 80 new sworn officers. The new headquarters building may not be able to accommodate this level of staffing, requiring the provision of additional police facilities. This is a potentially significant cumulative impact. The City assesses a Police Facilities Fee on all new development in the City to fund the construction of new and/or the expansion of existing police facilities needed to address community needs. The fee is based on a calculation of the Project's "fair share" of the overall cost of providing adequate police facilities to the community. The proposed Project would participate in that program and additionally, would implement Mitigation Measure PSU-2 to ensure incorporation of defensible space design into multifamily and cluster housing to help reduce the need for new officers to adequately police the community. Accordingly, the Project's impact on police facilities would be less than cumulatively considerable.

[33] See Oscar Newman, *Creating Defensible Space*, 1996, Institute for Community Design Analysis, US Department of Housing and Urban Development, Office of Policy Development and Research for applicable guidelines and design criteria.

Level of Significance After Mitigation

With incorporation of Project Design Features and Mitigation Measure PSU-2, and payment of Police Facilities Fees the Project's impact on police facilities would be less than significant.

4.12.4.3 PUBLIC SCHOOL FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

Implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

> a) Result in substantial adverse environmental impacts associated with the provision of new or physically altered school facilities or the need for new or physically altered school facilities.

ANALYTIC METHOD

Each District has identified student generation factors for new development and has published those rates. The generation rates for the Beaumont Unified School District were last modified in 2010 and are lower than those used in the City's General Plan. Since the 2010 generation factors are the most current, those are used in determining the number of students potentially generated by the full buildout of the proposed Project.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations noted below will avoid or mitigate potential impacts related to school facilities. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) In addition to paying prevailing school impact fees at the time of building permit issuance,[34] the Specific Plan addresses the need for additional school facilities created by its development by setting aside two 11+ acre school sites (i.e., in PA 68 for Banning USD and PA 20 for Beaumont USD) to increase available school facilities.

[34] Estimated to be more than $40 million based on residential units alone and current prevailing fees, assuming an average of 2,500 SF per unit.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact 4.12-3: Need for New or Physically Altered School Facilities

Threshold: *Would the Project result in substantial adverse environmental impacts associated with the provision of new or physically altered school facilities?*

Determination: Less than Significant with Mitigation Incorporated

To determine potential school facilities needs attributable to the proposed Project, school age population generation factors provided by both Districts were applied to the approximate maximum number of dwelling units located within each of the Districts given the existing District boundary. Based on this, the analysis assumes that approximately 390 of the proposed dwelling units located in Planning Areas 50, 51, 52 would be located in the Banning USD jurisdiction, with the remaining approximately 4,997 residences located within the Beaumont USD jurisdiction. Table 4.12-7, *Students Generated by the Proposed Project*, summarizes the total number of students that could be generated by the Project at buildout for each school level. The impact of the Project would be incremental over time.

Table 4.12-7
Students Generated by the Proposed Project

Grade Level	Student Generation Rate	Total Student Generation (Lower Maximum)
Banning Unified School District – 390 residential units[a,b]		
Kindergarten – 6th Grade	0.308	120
7th and 8th Grade	0.098	38
9th – 12th Grade	0.183	71
Total Banning USD		229
Beaumont Unified School District – 4,997 residential units[c,d,]		
Kindergarten – 5th Grade	0.2762	1,380
6th – 8th Grade	0.1327	663
9th – 12th Grade	0.1716	858
Total Beaumont USD		2,901
TOTAL STUDENT GENERATION		3,130

a. Student Generation Rates are based on the Banning Unified School District Master Plan (2005).
b. Student Generation Rates are taken from the Beaumont Unified School District Residential Development School Fee Justification Study, March 2010, pp 8 (Student Generation Factors per Residential Unit

The Project would comply with Government Code Section 65995 and would pay prevailing school facility impact fees at the time of building permit issuance, which would provide full mitigation of the Project's impacts on school facilities, pursuant to SB50 and the *California Government Code*. The General Plan EIR identifies payment of these fees as the primary mitigation measure for school impacts; refer to Section 4.12.3, *Regulatory Framework*, which sets forth all of the General Plan policies and GP EIR mitigation measures that apply to public schools.

Project impacts to public schools would be fully addressed through compliance with existing laws and regulations including the payment of school facilities fees for each dwelling unit located within the boundaries of the receiving school district, and through the provision to two potential school sites within the development (PSU-3). Accordingly, the Project's impacts on school facilities would be less than significant.

Mitigation Measures

PSU-3 The Project shall include potential school sites within the development by designating and setting aside two 11+ acre Planning Areas (i.e., PA 68 for Banning Unified School District and PA 20 for Beaumont Unified School District) to increase available school facilities.

Cumulative Impacts

Determination: Less than Significant

The proposed Project could generate a need for additional school facilities in both the Banning and Beaumont Unified School Districts as the number of students projected to be generated by the Project at buildout substantially exceeds the capacity available or reasonably projected to be available, at existing schools. To mitigate the potential impacts to school facilities created by the growth anticipated by the City's General Plan, Policy 4 requires the City to assist, cooperate and coordinate with the Banning and Beaumont Unified School Districts and State agencies in identifying, acquiring and developing school sites needed to meet future growth demands and encourage the selection of potential school sites that are centrally located in areas of existing or future residential development. The Butterfield Project provides two school sites to mitigate impacts to public schools occasioned by its development, in compliance with this policy.

General Plan Policy 4 further requires the City to cooperate in securing school impact fees from developers, pursuant to State law. The Butterfield Project will be conditioned to pay School District Facilities Fees and will require proof of payment prior to the issuance of building permits for affected units. Lastly, General Plan Policy 2 requires the City to continue to work with the Banning Unified School District to amend the District's boundary to encompass all lands within its corporate limits and sphere of influence. The initial action to accomplish that

goal was taken in 2005, when boundaries were adjusted south of I-10, and discussions continue between the City and the Banning and Beaumont Districts to adjust boundaries between Highland Home Road and Highland Springs Avenue north of I-10, as proposed by the Specific Plan. The location of schools and student generation estimates contained in this EIR are based on those proposed revised boundaries, as are the proposed locations of the school sites within the Specific Plan. Accordingly, the proposed Project fully conforms to General Plan policies designed to mitigate development impacts to public schools.

SB 50 provides that the impact of new development on school facilities for purposes of CEQA shall be fully mitigated through the payment of District School Facilities Fees. The General Plan EIR mitigation measures for public schools reflect that understanding. Since the proposed Project would pay the District-mandated fees at the annually adjusted level imposed by each District and, in addition, would also make available two elementary school sites which, when developed, would have capacity equal to, or exceeding that required to accommodate the number of students generated by the proposed Project, the Project would fully mitigate its impacts pursuant to existing policies and its contribution to any cumulative impact of new development on public schools would not be cumulatively considerable.

Level of Significance After Mitigation

With the payment of District-levied School Facilities Fees and the dedication/offer of school sites to both the Banning and Beaumont Unified School Districts, the proposed Project would have a less than significant impact on school facilities at both the Project and cumulative level

4.12.4.4 LIBRARY SERVICES AND FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

Implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

a) Result in substantial adverse environmental impacts associated with the provision of new or physically altered public facilities or the need for new or physically altered public facilities.

ANALYTIC METHOD

Impacts on public facilities are considered significant if an increase in population would result in inadequate facilities that cannot be mitigated through statutorily defined means. While library impacts are still measured in terms of volumes and square footage per capita, these standards are in flux due to the introduction of digital access to library services and cross-

District collections; however, the current adopted standards are used in this analysis to determine the significance of Project impacts on the existing library system.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-4: Need for New or Physically Altered Library Facilities

Threshold: *Would the Project result in substantial adverse environmental impacts associated with the provision of new or physically altered public library facilities?*

Determination: Less than Significant

Both the Banning and Beaumont Library Districts are funded primarily by General Fund revenue allocated to the District by the City it serves. Project residents would have access to both public library systems and could, therefore, increase the use of facilities and programs in both Districts. Both Districts have an existing deficit of space pursuant to current State standards; however, neither District has adopted a facilities space to population ratio standard.

Both the Banning and Beaumont Library District are part of the Inland Library System, which allows each District library to access the collections of other system libraries. In addition, both Districts have access via the internet to the full catalogue of the County of Riverside Library System holdings. Accordingly, no real deficit exists in terms of volumes held by either Beaumont or Banning. The need for additional library facilities, if warranted, would typically be provided through General Fund revenue, redevelopment revenue, user fees, facilities fees, and/or fundraising programs such as "Friends of the Library" activities in addition to State grants and may also be funded through the imposition of library facilities fees on new development, if adopted in the future. The Project would contribute substantially toward overall City General Fund revenue and therefore proportionally increase revenue available to the local library districts that could be used to expand existing facilities.

Determining actual library space needs resulting from the implementation of the Project is difficult in the absence of an adopted space standard. The City's General Plan and General Plan EIR indicate that the issue of library facilities would be addressed by careful monitoring of usage and consideration of developer fees to fund future expansion if warranted. Both the Banning and Beaumont Districts are considering the imposition of library facilities fees on new residential development and, if adopted, the Project would pay its assessment.

Increasingly, Districts around the County have addressed facilities needs through joint-use agreements with local school districts. Further, it should be noted that at present, library facilities and their use are transitioning from fixed collections to multi-media programs that rely heavily on new information technology and increasingly focus on the distribution of software products, while new facilities are increasingly focused on facilitating community internet

access. These changes in function may result in changes in facilities standards and the distribution of those facilities over the life of the Project. As functions change, joint use agreements with local recreation and parks districts for use of community centers could also provide a means of efficiently expanding library facilities and functions. Mobile libraries have also been used to extend library services to under served areas without necessitating the expansion of fixed facilities.

While acknowledging the service challenges, the City's General Plan EIR found that the build out of the General Plan would not create a significant and unavoidable impact on library facilities. The Deutsch Banning Specific Plan, which Butterfield amends, was included in the land use and population growth numbers that support that analysis. The Butterfield Project would pay any Library Facilities Fee that might in future be levied on new development. In addition, the Project would provide school sites that would be developed with schools that would include on-site libraries that could be used jointly with the library districts and would additionally provide a location for a new community center that could be jointly used to increase community access to the internet, a primary function of existing library facilities.

Based on the General Plan finding, and in the absence of any locally adopted space to population standard for facilities, and given that the Project would pay any Library Facilities Fee assessed by either the Beaumont or Banning Library Districts, if adopted, the proposed Project would have a less than significant impact on library facilities.

Cumulative Impacts

Determination: Less than Significant Impact

Although there is an existing deficiency in library space and volumes based on current State standards, neither the Banning nor the Beaumont Library District have an adopted space-to-population ratio standard. Cumulative development within the service areas of the two library districts is expected to result in increased use of existing library facilities and programs; however, increasingly, access to library collections and programs is via the internet and both library systems maintain effective interactive websites for that purpose. Though not every household has access to internet technology, enough do to make it difficult to anticipate what facility needs will be in the future or how those needs will be met.

Both Districts have indicated in their adopted planning documents that any expansion of library facilities that involves new construction would require additional funding. Each District has the ability to impose library facilities fees on new development to fund facility expansion and have indicated that such fees are likely in the future. The Districts may also expand access through joint use agreements with the school district with which they share boundaries.

The General Plan EIR analyzed cumulative impacts on the Banning Library District resulting from new development, including the Butterfield project, and concluded that the impact would be mitigated through careful monitoring of library use and consideration of the use of library facilities fees on new development to fund new facilities construction if those facilities are warranted, which the Project would pay if required. By these means the Project would fully mitigate its impacts pursuant to existing policies and its contribution to any cumulative impact of new development on library facilities would not be cumulatively considerable.

Level of Significance After Mitigation

Project-related impacts on library facilities would be less than significant.

4.12.4.5 HEALTH CARE SERVICES AND FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

Implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

a) Result in substantial adverse environmental impacts associated with the provision of new or physically altered public facilities or the need for new or physically altered public facilities.

ANALYTIC METHOD

There are no adopted standards for the number of beds or physicians per capita required to provide "adequate" hospital services. Accordingly, this analysis will focus on the ability of the San Gorgonio hospital to serve the anticipated City population at General Plan build out.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations described above will avoid or mitigate potential impacts related to health service facilities. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) The Project will be developed in phases over a period of up to 30 years, which would allow the San Gorgonio Hospital ample time to respond to any need for additional facilities that could be triggered by Project development, as funding becomes available.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-5: Need for New or Physically Altered Hospital Facilities

Threshold: *Would the Project result in substantial adverse environmental impacts associated with the provision of new or physically altered hospital facilities?*

Determination: Less than Significant

The City of Banning General Plan EIR addressed potential impacts to health services resulting from buildout of the General Plan and concluded that buildout of the General Plan would not result in a significant impact to health services. Because the Deutsch Specific Plan Project's projected contribution to the demand for hospital facilities was considered in the General Plan analysis, and the Butterfield Project is generally consistent with the Deutsch Specific Plan, implementation of the proposed Project is not expected to have any significant adverse impacts on medical facilities in the area.

Cumulative Impacts

Determination: Less than Significant

The San Gorgonio Memorial Hospital has independently planned for population growth in its service area and will have capacity to serve up to 225,000 persons per year once its new facilities are completed in 2014. Therefore the anticipated cumulative impact of new development on hospital facilities would be less than significant.

Level of Significance After Mitigation

The Project's impact on adequacy of hospital facilities would be less than significant.

4.12.4.6 PARKS AND RECREATION PROGRAMS AND FACILITIES

SIGNIFICANCE THRESHOLD CRITERIA

Implementation of the proposed Project may result in a potentially significant impact if the proposed Project would:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

ANALYTIC METHOD

This analysis relies on the City's adopted standard for parks as stated in its Master Plan and reviews the facilities that would be provided by the Project, as well as existing facilities that could be used by Project residents, to determine whether the Project's development would have an adverse effect. Environmental impacts associated with the development of recreational facilities within the Project are considered as part of the overall development analyzed in this EIR and are treated separately.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations noted below will avoid or mitigate potential impacts related to recreation and park facilities. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) The Project includes park, open space and recreational uses that total approximately 428.8 acres (or approximately 27.8% of the Project footprint. Developed park acreage may be credited toward part, or all, of the Project's required parkland fees, which are estimated to be in excess of $10 million.

2) The Project would offer two elementary school sites for dedication to the Banning and Beaumont USDs. These sites, totaling 23 acres, would be located in PA 20 and PA 68. If constructed, both sites could provide joint use of play ground / field facilities for neighborhood recreational uses.

3) The Project will include 19 neighborhood mini-parks in PAs 22-34, 62, 64, 65-67, and 72 that would include combinations of play equipment, play areas, sport courts, shade structures, picnic areas, passive turf play areas, sand boxes, benches, and basic related amenities.

4) The Project will include neighborhood recreation parks in PAs 21 and 63, ranging in size from 3 to 4 acres, to serve the active and passive recreational needs of residents. The parks would be centrally located and would be accessible through a pedestrian system of walkways and paths.

5) The Project plans to provide 41-acres of larger community parks with sports facilities within portions of the Project's 430 foot-wide SCE easement, specifically in PAs 36, 37, and 38. These parks are intended to be used for fields and sports courts,

playgrounds, trails, and off-street parking and can be accessed via pedestrian walkways or public streets.

6) The Project would include an 18-hole, 253.9-acre golf course and clubhouse in PAs 35 and 39, located through the central portion of the Project area. Though privately owned, the golf course would be open to the public seven days a week with the potential for nighttime driving range hours.

7) The Project would include the construction and/or extension of trails within and adjacent to open space PAs 19, 50-52, 60-61, 68, 69, 73, 74, 75, and within the natural open space area located on the northeastern portion of the Project site. These trails will provide connections between the residential communities and the natural open space areas within and adjacent to the Project.

8) The Project would also include a 30.4-acre multiuse basin in PA 71, where Smith Creek enters the site. This basin could also serve as a recreational amenity for viewing, hiking, fishing, and/or picnicking.

9) The Project's parks, trails and open space areas would be maintained by an Landscape Lighting and Maintenance District (LLMD), or other similar entity for use by the Project residents and would not impact the City's General Fund. The Project golf course will be specifically open to the general public for a use fee and owned, operated, and maintained by a private operator.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-6A: Increased Use of Existing Recreational Facilities

Threshold: *Would the Project result in an increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated*?

Determination: Less than Significant

At full buildout the proposed Project would include 19 neighborhood/mini parks, 2 neighborhood recreation parks, 3 community park areas, 2 potential joint-use school sites, and a 253.9-acre golf course. The Project's active recreational parks include 17.5 acres of neighborhood mini parks, approximately 8.0 acres of neighborhood recreation parks, and three community parks totaling 41 acres located within the 430 foot wide SCE easement. In addition, the Project would provide trails and bikeways as described in Section 3.0, *Project Description*, and a 30-acre multi-use basin area that could potentially serve as a recreational amenity for viewing, hiking, fishing, or picnicking.

While the Project would add approximately 14,545[35] new residents to the City, the park and recreational needs of those residents would be largely accommodated within the Project itself based on the currently adopted City standard of 5 acres of park/recreation land for every 1000 residents. In addition, the Project would pay approximately $10 million dollars in City-imposed park facilities fees, less whatever off-sets are allowed pursuant to City code to provide funding for acquisition and improvement of planned park facilities (including regional parks) that would benefit Specific Plan area residents. Table 4.12-8 identifies the facilities to be provided by the proposed Project by type, location, and acreage. Table 4.12-8 does not include the other public open space/recreational amenities that are proposed for the Project, such as the public 247+ acre golf course, 30+ acre north basin recreational lake, and trails in the northern open space area. Although Table 4.12-8 totals 66.5 acres for parkland use, the combined additional public open space and recreational amenities acreage would exceed the City's goal of 5 acres of parkland per 1,000 residents.

It should be noted that locations of proposed parks are approximate and subject to adjustment as development of the Project proceeds. Further, should the golf course not be constructed due to market or other constraints which would dictate outer recreational uses, the Specific Plan allows for active and/or passive uses in this area including parks, trails, native habitat, and biological mitigation area while retaining groundwater recharge and wetland mitigation functions. In addition, the Specific Plan would allow for the development of publicly financed and operated Community Center in any Planning Area. The Community Center would be allowed by Conditional Use Permit (CUP) in all residential Planning Areas and in all neighborhood/mini-park Planning Area as well as in the golf course/drainage Planning Areas 35 and 39.

While the new residents of the Project would be expected to make use of specialized recreational facilities, such as the City's Community Center/Senior Center, skate park, municipal swimming pool, or planned regional Smith Creek Park, the Project would also generate sales and property tax revenue to support the operation and maintenance of these facilities through the City's General Fund to offset any physical deterioration that might occur as a result of increased public usage. Accordingly, the Project would have a less than significant impact on existing public recreational facilities and parks. In addition, the Project's provision of active recreational facilities including neighborhood parks, mini parks, potential new Community Center, and a publicly accessible golf course would address the needs of the Project itself and the identified deficiencies in the "Gap Area No 1" identified in the Draft Recreation and Parks Master Plan and thus the development would have a net beneficial impact on the City's available recreational amenities.

[35] 14,545 persons is based on 2.7 persons per dwelling unit, as stated in the Draft 2008 Housing Element and as utilized in the Butterfield Specific Plan, which is a more conservative factor for this parks analysis (the currently adopted General Plan has a population factor of 2.6 persons per dwelling unit).

Table 4.12-8
Parkland Use and Acreage

Type of Park	Planning Area	Acreage
Community Park	PA 38	16.4
Community Park	PA 37	15.1
Community Park	PA 36	9.5
Mini-Park	PA 65	2.0
Mini-Park	PA 32	0.7
Mini-Park	PA 33	0.5
Mini-Park	PA 62	0.7
Mini-Park	PA 64	0.9
Neighborhood Park	PA 66	1.4
Neighborhood Park	PA 34	1.7
Neighborhood Park	PA 72	0.8
Neighborhood Park	PA 67	1.7
Neighborhood Park	PA 24	0.6
Neighborhood Park	PA 31	0.9
Neighborhood Park	PA 25	0.8
Neighborhood Park	PA 30	0.4
Neighborhood Park	PA 28	0.6
Neighborhood Park	PA 22	1.6
Neighborhood Park	PA 23	0.5
Neighborhood Park	PA 26	0.5
Neighborhood Park	PA 27	0.4
Neighborhood Park	PA 29	0.8
Recreation Neighborhood Park	PA 63	4.3
Recreation Neighborhood Park	PA 21	3.7
Golf Course	PA 35/39	253.9
North Basin/Smith Creek	PA 19/71	38.3
Open Space	PA 69, 73-75	70.1
	Total: 24 PAs	**Total: 66.5 ac**

Recreation Neighborhood Park These parks consist of 3-4 acres that serve the active and passive recreation needs of the proposed Project. Proposed amenities may include: restrooms and off-street parking, sport courts, swimming pools, play areas, and other basic related amenities. These facilities would also be equipped with lighting to accommodate nighttime activities and provide additional security and safety. Other facilities, including visitor information centers and gift shops would be allowed with a conditional use permit.

Community Park These parks are located within the Project's existing 430' wide Southern California Edison (SCE) easement parks and are intended to be used for ball fields and sports courts. It may also include golf oriented public use and related facilities, playgrounds, trails, and off-street parking.

Neighborhood and Mini-Parks Neighborhood mini-park sites are identified to serve neighborhoods within the park's vicinity. These parks are anticipated to include play equipment, sport courts picnic areas, and basic related amenities.

Note: Planning Areas 3, 4, and 5, currently planning for residential use, have a commercial overlay in the Specific Plan. In the event that these PAs are converted to commercial use, the parks located in PAs 26 and 27 would not be built and the area would be incorporated into the commercial development.

Impact Analysis 4.12-6B: Construction of Recreational Facilities

Threshold: *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Determination: Less than Significant with Mitigation Incorporated

The Specific Plan (Section 3.6.3) estimates that City parkland or in lieu fee requirements total 73 acres. As noted in Impact Analysis 4.12-6A and Table 4.12-8, the proposed Project includes the provision of park and recreation facilities, including 66.5 acres of active parkland, 253.9 acres of open space use as a golf course, 38.3 acres of lake and drainage facilities, and 70.1 acres of additional open space including a trails system. The environmental affects resulting from the construction of park facilities (i.e., construction phase air quality, water quality, lighting, and use of hazardous materials for maintenance) have been addressed programmatically in Sections 4.01, *Aesthetics – Light and Glare;*, 4.03, *Air Quality – Construction Phase Impacts;* and 4.08, *Hazards and Hazardous Materials – Operational Phase Impacts;* 4.11, *Noise;* and 4.13, *Water Supply,* of this EIR. Construction of proposed parks would be subject to all applicable mitigation measures identified in those sections.

Operation of the proposed facilities could result in noise and light effects that could potentially impact adjacent residential uses within the Project site. The small neighborhood and mini-parks would include small scale play equipment suitable for young children in addition to seating, turf and similar facilities. It is not expected that these small neighborhood facilities would be used at night or in the early morning hours and they are not expected to be a source of noise during those sensitive periods. Further, where they abut residential lots they would be separated from the residential use by block walls, which would attenuate daytime noise. These parks would not include night lighting unless needed for security purposes to allow for adequate policing, in which case the lighting would be subject to the provisions of Section 5.106.8 of the California Green Code (i.e. shielding and spillage) as well as the provision of the City's Municipal Code and Mitigation Measure AES-7, all of which would prohibit park lighting spillage into adjacent residential lots. The recreation neighborhood parks located in PAs 21 and 63 and the community parks proposed for PAs 36, 37, and 38 would be separated from sensitive adjacent residential uses by public streets. The parks would be designed so that the most active recreational uses are concentrated along the South and North Loop Collector Streets, which would provide significant separation from residential uses and noise attenuation features would be incorporated into building construction to the extent needed to ensure that interior noise levels in adjacent residential uses remain within acceptable limits. Night use, if permitted, would be limited to specific hours and night lighting would be reduced to the minimum required for security purposes and further regulated by Code requirements and Mitigation Measure AES-7. Night use and night lighting of the golf course are not anticipated but if they occur, lighting would be subject to Code requirements and Mitigation Measure AES-7. Noise impacts from activity on the golf course are not anticipated to be significant.

With adherence to Code requirements, cited Mitigation Measures, and appropriate design strategies, impacts resulting from park or golf course use on nearby sensitive residential uses would be less than significant.

Cumulative Impacts

Determination: Less than Significant

The City's General Plan assumes a need for an additional 411 acres of recreation and parkland at buildout to serve the population anticipated at General Plan build out based on the City's 5 acre per thousand population standard. In addition to the General Plan, the City is currently reviewing a Draft Master Plan for Recreation and Park Facilities that is expected to be adopted in 2011 to guide the development of recreational facilities to meet current and anticipated demands through 2020. The standards and impact issues identified in the pending Master Plan are used in this analysis of cumulative impacts as the represent the current planning of the City. The City currently owns 64 acres of developed parkland, additional recreational facilities, and 161 acres of undeveloped parkland for which master plans have been developed and are pending funding. The City also contains the 126-acre Gilman Ranch Museum Regional Park, owned and operated by the County of Riverside Regional Park and Open Space District, leaving the City with a shortfall of 60 acres of parkland once planned park facilities are constructed on City-owned sites.

The proposed Project site is located within a "Gap Area" identified in the Draft Master Plan. Park facilities located within the Project area could be accessed by residents living outside of the Butterfield Specific Plan boundaries but still within the "service area radius" of specific facilities. In addition, the Project may include a site for the development of a new Community Center and would pay City-imposed Parkland Facilities Fees of as much as $10 million over the life of the Project, which could be used to construct the Center or to construct additional park facilities. Therefore, the Project would address an identified deficiency in existing facilities and services, including locational gaps in facilities, and would contribute approximately 66.5 acres of active park facilities, in addition to potentially two joint school/park use sites, and a 253.9-acre golf course, and a system of trails, bikeways and open space. While a deficit in overall park acreage for the City may still exist, the proposed Project would add to the City's inventory of public recreation resources and its contribution to any cumulative significant condition would not be cumulatively considerable.

Level of Significance After Mitigation

The Project's impact on Recreation and Park facilities would be less than significant.

4.12.4.7 ENERGY

SIGNIFICANCE THRESHOLD CRITERIA

The following thresholds of significance are based on Appendix F and Appendix G of the 2010 CEQA Guidelines, which set forth guidelines for addressing impacts of a proposed Project on energy resources. For the purposes of this EIR, implementation of the proposed Project may result in a potentially significant impact if the proposed Project would cause either of the following results:

a) Require or result in the construction of new energy production and/or transmission facilities or expansion or existing facilities, the construction of which could cause significant environmental effects.

b) Encourage the "inefficient, wasteful and unnecessary consumption of energy" (PRC 21100(b) (3)).

ANALYTIC METHOD

To determine potential impacts on energy supplies resulting from implementation of the proposed Project, the projected increase in electricity demand was compared to the adopted 10-Year Master Plan for Electricity (2004), to evaluate whether or not there would be an adequate and reliable source of electricity to serve the proposed Project, and whether infrastructure improvements would be necessary. The demand for natural gas was analyzed based on projected consumption and availability of supply. As note previously, the Project is generally consistent with the previously approved Deutsch Specific Plan and the City's General Plan. As such, the energy-related demands associated with the Project have been factored into long-range public service and utility planning. Additional discussion and mitigation related to energy efficiency is provided in Section 4.5, *Climate Change.*

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations described above (and in Sections 4.3, *Air Quality* and 4.5, *Climate Change*) will avoid or mitigate potential impacts related to energy. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) Homes within the Project have the option to participate in Pardee Home's "Living Smart" program, which meets or exceeds local, State, and national standards for green home building, including the incorporation of features and options that reduce energy demand and promote use of alternative energy sources and non-motorized transportation (refer to Section 4.5, *Climate Change*).

2) The "Deutsch Substation," called for in the City's 10-Year Electricity Master Plan and as allowed for in PA 70 of the Specific Plan, has already been completed by the City (2009) on the 4.2-acres located within this PA. The substation facilitates interconnection with SCE's transmission lines and provides for the distribution of electricity to the Project and other sites in the City's northwest area.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-7A: New Energy Production or Transmission Facilities

Threshold: *Would the Project require or result in the construction of new energy production and/or transmission facilities or expansion or existing facilities, the construction of which could cause significant environmental effects*?

Determination: Less than Significant with Mitigation Incorporated

The City of Banning Electric Department supplies electricity to the Project site. The City owns a combined total of 27.4 megawatts of capacity, which covers the bulk of its power requirements. To cover its peak summer demand the City purchases power through the Western System Power Pool. Power is delivered to the City system through Southern California Edison transmission lines.

In 2004 the City adopted a 10-year Electric System Master Plan (ESMP) that analyzed the City's ability to serve a system peak demand of 73 MW. In developing its peak demand forecast the City considered both existing demand and projected future demand generated by then approved or pending projects. Among these was the Deutsch Specific Plan Project, which was projected to generate a peak demand of approximately 17,473 kVA based on a development that included 5,400 residential units and 50 acres of retail commercial. [36] The proposed Butterfield Specific Plan is an amendment and restatement of the Deutsch Specific Plan and proposes fewer residential units and similar commercial square footage; therefore, the 2004 Master Plan estimate of demand would be valid for the Butterfield Project. In the years since the adoption of its ESMP the City has seen an over 10 percent *reduction* in peak demand.[37] The Department's estimates of peak demand in 2013 have been significantly reduced to approximately 45.153 MW, or approximately the same levels as in 2004, as compared to the 2004 ESMP projection of a peak demand of approximately 73 MW for that projection period. Accordingly, the facilities and demand analysis contained in the 2004 ESMP can be considered valid well beyond its target sunset date.

To meet the projected additional demand of the Butterfield Specific Plan Project and other anticipated growth in the northwest portion of the City, the ESMP proposed the construction of

[36] City of Banning 10-year Electric System Master Plan, Exhibit 1-2, *Proposed Developments for the City of Banning,*
[37] City of Banning, Integrated Resource Plan, *One Year Update*, July 2009

a new substation within the Project site. That substation was constructed and came online in March 2009, ahead of the originally anticipated schedule, and is currently in service. According to the City's 2009 *Annual Report to the Western Power Pool*, this substation, "*…will provide the necessary infrastructure to help meet Banning's anticipated load growth in the northwest portion of the City*."[38] In this same document the City states that it, "*does not currently foresee the acquisition of any additional resources, other than renewable resources, and therefore does not anticipate any adverse environmental effects caused by new resource acquisition*." Since no additional supplies are required for the proposed Project, its development will not require or result in the construction of new energy production facilities. Further, the extension of energy services to the Project would be a natural extension of existing infrastructure and would not result in a disjointed pattern of utility extensions.

The proposed Project includes the relocation of certain existing Southern California Edison power transmission lines as described in detail in Section 3.0, *Project Description,* of the EIR. This activity includes relocation and reconstruction of approximately 2,700 linear feet of above ground power lines on 5 new power poles, and the replacement of three existing poles with four new poles to move the system farther away from the proposed homes along a length of approximately 600 feet. Approximately 900 lineal feet of existing overhead line will be relocated as underground line while 1800 lineal feet will continue as overhead lines. The physical impacts of the proposed relocation and undergrounding of existing SCE lines and poles will have a less than significant effect on the environment, since the activity would be taking place in areas already disturbed by site grading and related construction activity. The potential visual impact of proposed utility relocations is addressed in Section 4.2, *Aesthetics/Light & Glare* and the relocation of a portion of the existing high pressure natural gas pipeline is discussed in Section 4.8 *Hazards and Hazardous Materials*. The Project will also require the installation of underground electrical power lines and natural gas lines throughout the Project. These underground utility lines would be constructed within public street right-of-way and would not result in significant environmental impacts since the ROW would already be disturbed as a result of grading, street construction and related trenching. In addition, the contractor will ensure that precautions are taken to avoid the Southern California Gas Company pipeline observed crossing the property that may be present along the alignments of proposed off-site infrastructure (refer to Mitigation Measure HAZ-6). Given all of the foregoing, the Project's impacts on energy generation and transmission facilities would be less than significant.

Impact Analysis 4.12-7B: Consumption of Energy

Threshold: *Would the Project encourage the inefficient, wasteful or unnecessary consumption of energy?*

Determination: Less than Significant

[38] Ibid, page 10, *Environmental Effects*

The residential, commercial, and institutional uses to be developed as part of the Project will be designed and constructed pursuant to the applicable provisions of CCR Title 24, and the City's energy and lighting efficiency standards. In addition, Specific Plan Design Guidelines include provision for the use of photovoltaic panels integrated into the roofline of residential structures, consistent with General Plan Energy Policy 2. All new construction facilitated by the Specific Plan would be required to comply with *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*, contained in Title 24, Part6, of the California Code of Regulations as amended in 2008. These standards became effective on January 1, 2010 and have been incorporated into the City's Building Code. In addition, the Project would be required to comply with the lighting power requirements of the California Energy Code, CCR, Part 6 and Section 5.106.8 of California Green Code, which requires automatic exterior light control for nonresidential buildings. Further, the Project would reduce the number of street lights on interior streets by eliminating mid-block lights, subject to City review, and/or use of LED street lights, resulting in an energy savings. While not mandatory, the California Green Code encourages design that achieves at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards. At Butterfield, homebuyers can have their homes constructed pursuant to Pardee's LivingSmart program to maximize energy efficiency (refer to Section 4.5, *Climate Change*, for a detailed discussion). Therefore, the Project would not encourage the wasteful or inefficient use of energy and its impacts relative to this threshold would be less than significant.

Cumulative Impacts

Determination: Less than Significant

The City's 10-Year ESMP assumes the need for additional transmission facilities to meet the requirements of anticipated growth including the development of the Butterfield Specific Plan but does not indicate a need for additional generation facilities. The General Plan anticipates the need for both additional transmission and additional generation facilities with full buildout of the General Plan. Projections regarding demand growth made in the 2004 ESMP have not been realized within the Plan's intended timeframe. Rather, the City has experienced a decline in demand of more than 10 percent since the Plan's adoption. Other than on-site utility relocations noted above, the proposed Project can be served with existing facilities, including an already constructed and operating substation, and with existing generating capacity. In addition, because of the energy efficiency features required by the 2008 California Energy Code and 2010 Green Building Code, which would be implemented by the Project, in addition to features integrated into the Project pursuant to Pardee's LivingSmart Program, the Project would meet or exceed local, State and federal energy conservation guidelines and regulatory requirements. Therefore, while the cumulative impact of growth pursuant to the General Plan could be cumulatively significant insofar as it could require additional generation and transmission facilities, the Project's contribution to cumulative impacts would not be cumulatively considerable.

Level of Significance After Mitigation

The Project's impact on transmission facilities and energy utilization would be less than significant.

4.12.4.8 COMMUNICATIONS SYSTEMS

THRESHOLD SIGNIFICANCE CRITERIA

Implementation of the proposed Project could result in a potentially significant impact if the Project would:

a) Result in a need for new systems or substantial alterations to communications systems, the construction of which could result in significant environmental effects.

ANALYTIC METHOD

To determine potential impacts on communication services the projected increase in demand was referenced against the City General Plan standards to determine the availability of an adequate and reliable source of communication services.

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations described above will avoid or mitigate potential impacts related to communications services. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) As part of the City's standard plan check review and tract map development process, the Applicant will make appropriate provision for telecommunication services.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-8: Adequate Telecommunication Facilities

Threshold: *Would the Project result in a need for new systems or substantial alterations to existing communication systems?*

Determination: Less than Significant

Cable, internet, and phone services would be extended through the Project by their providers as part of the dry utility installations. Cell towers to serve the area are in place or can be constructed unobtrusively within the Project site if needed. Telecommunications is a consumer-driven utility that will provide service as customers request that service. Since the telecommunications industry is rapidly evolving, it is not reasonable or practical to plan for technological changes over the 30-year implementation span of the Project; however, such changes can be accommodated with the Project as it develops. Installation of facilities and cabling necessary to support telecommunications is performed by the service provider as each tract in the Specific Plan is developed. As new technologies emerge, it has been the practice of service providers to upgrade their existing systems on an as-needed basis in occupied areas where infrastructure has already been installed. Based on current service provision, adequate capacity exists to serve the proposed Project. Therefore, impacts would be less than significant.

Cumulative Impacts

Determination: Less than Significant

Increased development due to regional growth would result in an increase in demand for telecommunication services; however, telecommunications is a reactive utility that will provide customers service as requested and the service provider would construct those systems in accordance with applicable local, State and federal regulations as need arise. The Project would be adequately served by existing facilities and therefore would not contribute considerably to any future cumulative need for additional facilities.

Level of Significance After Mitigation

The Project's impact on communication services would be less than significant.

4.12.4.9 SANITARY SEWER AND RECYCLED WATER

THRESHOLD SIGNIFICANCE CRITERIA

Implementation of the proposed Project could result in a potentially significant impact if the Project would:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could case significant environmental effects.

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

ANALYTIC METHOD

To determine impacts to wastewater associated with the proposed Project, estimated future wastewater flows are compared to the capacity of the wastewater treatment plant to determine whether sufficient capacity exists and/or whether there is a need for additional wastewater treatment systems. The Butterfield Specific Plan area's projected irrigation water demand to serve the Project's common landscaped areas as well as the golf course is estimated at 1,321 acre-feet/year (e.g., the projected ultimate wastewater generation of 1.34 mgd, without allowing for conservation, equates to 1,502 acre-feet/year).[39] Approximately 75%of the total wastewater flow that would enter the proposed optional on-site satellite plant would be treated and discharged as recycled water. The other 25% of the total volume of wastewater flows, consisting primarily of residual biosolids and excess treated gray water, will be discharged to the City's sewer system via a new sewer trunk line for delivery to the City's main treatment plant. It is anticipated that recycled water from a Project satellite plant, the City's main treatment plant, or a combination of both would be the preferred source to meet common area and golf course irrigation demand, if available.[40]

It should be noted that the wastewater generation estimates used in this analysis do not reflect the level of water conservation that would be achieved by the Project's compliance with current City and state regulations, including the 2010 California Green Building Standards Code (Title 24, Part 11) which includes a mandatory 20 percent reduction in indoor water use, with voluntary standards for 30, 35, and 40 percent reductions and requires separate water meters for nonresidential building's indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for large landscape projects such as golf courses, parks, and slope irrigation. Nor do these generation estimates include water savings which could be achieve through adherence to Pardee Home's LivingSmart program for voluntary reductions in excess of the mandatory 20 percent or by improved technology made available over the 30-year implementation phase of the Project. Additional detailed discussion is provided in Section 4.14, *Water Supply*, as it relates to water conservation, reclamation, and use of recycled water. Also, a detailed conservation scenario discussion is provided in Appendix J, Water Supply Assessment.

[39] This figure is "without conservation", which results in a higher wastewater generation figure, consistent with the project WSA. "With conservation", the wastewater generation would be 0.84 MGD, which equates to 942 AFY.

[40] Butterfield Specific Plan, Section 3.5.4 (July 28, 2010).

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing ordinances and regulations described above will avoid or mitigate potential impacts related to wastewater and recycled water facilities and services. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) The Project has been designed to provide an optional satellite wastewater treatment facility, on-site (southern portion of PA 70), should connection and extensions to the City's existing treatment plant be less desirable. This provides the opportunity to divert wastewater from the City's existing plant, and maximize use of recycled water.

2) The Project has been designed to maximize use of recycled water, through provision of a comprehensive on-site recycled water system pursuant to City requirements. In addition, as note above, the Project includes options to either utilize an on-site water treatment plant to deliver recycled water to the site (and thereby diverting wastewater from the City's treatment plant), or deliver recycled water from the City's plant should recycled water be available from the existing plant in the future.

3) The optional on-site treatment plant also creates the opportunity to divert additional wastewater flows generated by other (off-site) existing or future uses, to further reduce flows of wastewater to the City's treatment plant, allowing its new capacity to support additional development, and further maximize use of recycled water in compliance with the City's General Plan Goals and Policies. These recycled water options are addressed in further detail in Section 4.14, *Water Supply*.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-9A: Wastewater Treatment Requirements

Threshold: *Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Determination: Less than Significant

The proposed Project is expected to generate approximately 1.34 mgd (without conservation) is wastewater at full build-out, not including adjustments based on future anticipated water demand reductions due to conservation. Project-generated wastewater would be handled by either the City's existing treatment plant or a potential optional on-site satellite wastewater

treatment plant, built as part of the Project. The City's wastewater treatment plant currently receives approximately 2.5million gallons per day (mgd) of wastewater. The plant is currently permitted to accept no more than 3.6 mgd, although its headworks are designed for a 7.8 mgd capacity. At present the City has completed plans for a 1.5 mgd expansion of its treatment plant and a permit for the proposed expansion has been processed by the Regional Board. Once constructed, this expansion could increase the plant's capacity to 5.1 mgd. Expansion of currently permitted capacity would require an amendment to the plant's RWQCB operating permit.

At current operating levels, the City's wastewater treatment plant has approximately 1.1 mgd in unused capacity. The Project's wastewater generation at build-out with conservation is not anticipated to exceed that available capacity. With completion of the proposed plant expansion, there could be an excess capacity of 1.76 mgd[41] available after all of the proposed Project's needs were addressed. Accordingly, the proposed Project would not cause any exceedence of the wastewater treatment requirement of the applicable Regional Water Quality Board.

Alternatively, or in combination with the planned expansion of the City's treatment plant, the Project could supplement the City's wastewater treatment capacity through the construction and operation of a satellite waste water treatment plant on-site. The capacity of the proposed alternative treatment plant stated in the Specific Plan is 1.5 to 2.0 mgd.. Approximately 25 percent of its received flows into the satellite plant would be discharged into the City's sewer system to the main treatment plant. The proposed satellite plant would have the capacity to treat the estimated wastewater generated by the proposed Project at build-out and additional wastewater generated by existing uses located nearby. The proposed on-site water treatment plant would require a permit from the RWQCB and would be operated pursuant to RWQCB requirements together with those of the DHS. In addition to capping capacity the RWQCB permit would regulate the quality of discharge through the existing wastewater treatment plant since any discharges from the alternative satellite treatment plant would be to the City's sewer system.

Whether by utilizing reasonably anticipated expansion of the City's Wastewater Treatment Plant or on-site wastewater treatment, the Project would not result in an exceedence of RWQCB wastewater treatment requirements and the Project's impact as regards this threshold would be less than significant.

The proposed Project would pay City-assessed sewer connection fees in excess of $20 million for sewer connection in addition to ongoing user fees. Connection fees are used in part by the City to defray the cost of any necessary facility upgrades. In addition, the Project would minimize wastewater facility impacts by maximizing use of recycled water. Water quality permitting issues are discussed in greater detail in Section 4.9, *Hydrology and Water Quality*. Wastewater

[41] (1.1 mgd in unused capacity – 0.84 = 0.26 + 1.5 mgd = 1.76).

currently discharged from the City's Treatment Plant complies with the treatment requirements of its RWQCB-issued Permits. With payment of required connection fees and compliance with required regulatory agency permits, the Project will not have significant impacts related to RWQCB wastewater treatment requirements.

Impact Analysis 4.12-9B: Water and Wastewater Facilities Expansion

Threshold: *Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Determination: Less than Significant with Mitigation Incorporated

The Project proposes construction of an on-site and off-site water, wastewater and recycled water system, as described in Section 3.0, *Project Description* and referenced in Impact Analysis 4.12-9A. Impacts associated with the provision of water and recycled water distribution infrastructure are addressed in Section 4.13, *Water Supply*. As noted above, the proposed Project would require either the expansion of existing City wastewater treatment facilities or the construction of a satellite wastewater treatment facility on site.

The environmental impacts associated with the proposed expansion of the City's Wastewater Treatment Plant have been addressed in the 2008 *Wastewater Treatment Plan Expansion and Phase I Recycled Water System Initial Study/Mitigated Negative Declaration (IS/MND)*. That study determined that the potential impacts associated with the proposed expansion would be less than significant or could be mitigated to a less than significant level.

The environmental effects associated with the construction and operation of an on-site wastewater treatment facility are addressed with the appropriate sections of this document. The optional on-site wastewater treatment facility could result in aesthetics, noise, odor, and hazards impacts. No unmitigated impacts have been identified. Accordingly, whether the Project is served by the expanded City Wastewater Treatment Facility or the on-site satellite facility effects associated with facilities construction would be less than significant.

The Project also proposes various off-site water, wastewater and recycled water facilities, the majority of which would be constructed within existing roadways and would be below ground, Any impacts associated with construction of these facilities have been addressed in appropriate sections of this EIR. No long-term environmental affects associated with operation of these subsurface facilities are anticipated.

Should the applicant not construct the on-site satellite wastewater treatment plant, and instead rely upon the City to deliver recycled water to the Project, two off-site pump stations would need to be constructed as part of the conveyance infrastructure. As illustrated in Exhibit 3.0-12,

the 2840 Zone recycled water pump station is conceptually located on Lincoln Street east of Sunset Avenue, in an area characterized by existing residential, industrial and vacant lots. Reconnaissance surveys of this area did not indicate the presence of any sensitive resources that could be impacted by either construction or operation of the facility.

If the on-site wastewater treatment plant is construction then, as illustrated in Exhibit 3.0-13, the applicant may construct an optional off-site sewer lift station to allow diversion of wastewater from off-site areas to the proposed on-site plant to allow production of recycled water in the interim period before the Project's full wastewater generation potential is realized. Implementation of this option would further reduce wastewater treatment demand at the City's existing treatment plant, and further maximize use of recycled water. The location for this potential off-site sewer lift station is conceptually shown at the corner of Omar Street and Ramsey Street. Although this area is generally characterized by commercial/industrial buildings and vacant lots, the specific intersection of Omar and Ramsey may have sensitive resources including eucalyptus windrows and drainages that traverse parcels at the northwest corner of this intersection. These resources would require careful consideration during facility design, should this option be implemented. Mitigation Measure PSU-4 is required to ensure that potential impacts associated with the construction of a sewer lift station at the Omar Street location are avoided and/or effectively mitigated. Implementation of PSU-4 and PSU-5 would result in the reduction of potential impacts of off-site infrastructure, specifically the impacts associated with sensitive resources to less than significant levels.

Mitigation Measures

PSU-4 Off-site infrastructure improvements shall comply with all of the same mitigation measures for on-site facilities, as applicable. Off-site facilities shall provide for:

a Fair market compensation for private land acquisition, if City-owned parcels are not available. Such acquisition shall be either through voluntary sale or through eminent domain proceedings in accordance with local and State law.

b. A general biological assessment for off-site above ground infrastructure by a qualified biologist. If sensitive resources are determined to be present, those resources shall be assessed and/or delineated, mitigation measures shall be developed and imposed.

PSU-5 Prior to the issuance of building permits for the Satellite Wastewater Treatment Plant and wastewater facilities, the Applicant shall prepare a site-specific construction-level noise analysis analyzing potential on- and off-site noise impacts. In addition, the analysis shall evaluate the potential noise impacts to existing and proposed sensitive receptors. Construction and implementation of the wastewater

treatment plan would require a Conditional Use Permit (CUP) to be approved by the City of Banning, as well as design review of the proposed site plan and building architecture, landscaping and lighting. Compliance with the existing regulations (specified under Impact 4.8-1) and on-going monitoring of the plant's operations would reduce potential impacts associated with the routine use, handling, transport, and storage of hazardous materials.

Also, refer to Mitigation Measures AQ-8 and NOI-5.

Impact Analysis 4.12-9C: Wastewater Treatment Requirements

Threshold: *Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

Determination: Less than Significant

Refer to Analysis 4.12-9A. The wastewater treatment provider for the Project has existing and planned capacity that would exceed the combined total capacity needed to serve the Project in addition to its existing commitments and still leave a potential excess capacity of 1.76 mgd. If the Project supplements that treatment capacity by constructing and operating an on-site satellite treatment facility, the Project would have only limited impact on existing treatment capacity.

The Project would extend sewer infrastructure from the Project site to the City's wastewater treatment plant as part of its off-site improvements. The cost of the infrastructure improvements, including off-site lift station, would be borne by the Project. Accordingly, the wastewater treatment provider would have sufficient capacity to serve the proposed Project in addition to its existing commitments and the Project's impact would be less than significant.

The City of Banning has an adopted Capital Improvement Program that includes upgrades and expansion of the City's wastewater treatment infrastructure sufficient to accommodate the proposed Project. Its 2006 *Recycled Water Master Plan* and its 2009-2010 *Rates Study* anticipate and include the construction of the Butterfield Specific Plan Project. In addition, the City's Municipal Code allows the City to require extension of wastewater infrastructure to the Project site as a condition of approval for the Project. Accordingly, the City has and would have the capacity to serve the proposed Project as it develops over time. Therefore, this impact is less than significant.

Cumulative Impacts

Determination: Less than Significant

The General Plan EIR estimates that buildout of the General Plan has the potential to generate approximately 8,203,300 gallons of wastewater per day. This figure includes potential wastewater generated within the proposed Butterfield Specific Plan Project. The City's 2006 *Sewer System Study* anticipates a need to expand capacity at the City's treatment plant as well as the need to expand the balance of the City's sewer collection and transmission system. In addition, the City's plans include creation of a network for the distribution of recycled water to eligible users. Citywide facility improvements are funded through connection fees, user fees, plan check fees, General Fund revenue, and other sources. As noted above, the Project can fully mitigate its impacts. Further, the proposed expansion of the City's wastewater treatment facilities would take place with or without the Project. Therefore, the Project's contribution to the cumulative impacts would not be cumulatively considerable.

Level of Significance After Mitigation

The Project's impact on sanitary sewer facilities and recycled water facilities would be less than significant in the Project and cumulative conditions.

4.12.4.10 SOLID WASTE

SIGNIFICANCE THRESHOLD CRITERIA

There could be a significant adverse impact on solid waste services and facilities if the Project:

a) Would be served by a landfill that does not have sufficient permitted capacity for project's solid waste disposal needs;

b) Not comply with Federal, State, and local statutes and regulations related to solid waste;

ANALYTIC METHOD

To determine impacts related to solid waste associated with the proposed Project, estimated future generation of solid waste are compared to the capacity of the landfills available to the City to determine whether sufficient capacity exists and/or whether there is a need for additional landfill capacity that has not yet been identified or quantified. Solid waste generation was estimated based on generation factors provided in the City's General Plan EIR

PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND EQUIREMENTS

Existing ordinances and regulations described above will avoid or mitigate potential impacts related to solid waste. In addition, the following Project Design Features will also reduce, avoid, or offset potentially adverse impacts:

1) Project homes will be constructed with "standard" and "optional" features pursuant to Pardee Home's "Living Smart" Program, which includes encouraging, among other things, material conservation and the use of recycled or sustainable resources in new homes.

2) All construction on the Project site would comply with the solid waste diversion mandate contained in the 2010 California Green Code, which includes provisions requiring the diversion of a minimum of 50 percent of all construction waste.

IMPACT ANALYSIS AND MITIGATION MEASURES

Impact Analysis 4.12-10: Landfill Capacity and Compliance with Regulations

Threshold: *Would the Project be served by a landfill that does not have sufficient permitted capacity for Project's solid waste disposal needs?*

Threshold: *Would the Project fail to comply with federal, State, and local statutes and regulations related to solid waste?*

Determination: Less than Significant with Mitigation Incorporated

Specific Plan build-out will increase the total City wide generation of solid waste. In estimating the potential impact of the General Plan buildout, the EIR used waste generation factors for specific land uses. The potential solid waste that could be generated by the proposed Project was estimated using these same factors and is illustrated in Table 4.12-9.

Table 4.12-9
Projected Solid Waste Generation at Project Build-out

Type of Development at Build-out	Annual Waste Generation Factor	Project Unit No./Square Footage	Projected Annual Waste Generation at Build-out
single-family dwelling units	2.04 tons/unit/yr	4,191 DU	8,550 tons/yr
multi-family dwelling units	1.17 tons/unit/yr	1,196 DU	1,399 tons/yr
commercial space	0.0024 tons/sq. ft./yr	549,000 SF	1,318 tons/yr
Source: "Assessments for Solid Waste Impacts," Deutsch Specific Plan EIR, 1992.			

Since the adoption of the City's General Plan the State has mandated diversion rates for solid waste and the City has implemented a number of programs designed to bring it into compliance with these goals. To date, the City has achieved a minimum 53 percent diversion rate for solid waste from all categories of land use. In January 2011, the City adopted the 2010

California Green Code as part of its Building Code. The Green Code mandates a diversion rate of 50 percent for all construction wastes. The proposed Project would be required to comply with all federal, State, and local regulations including recycling and diversion. Accordingly, it is reasonable to apply the City's current diversion rate to the Project's solid waste stream, which would reduce the total of solid waste generated by the Project to approximately 5,295 tons per year. Table 4.12-10 shows the percentage of contribution of the proposed Project to the entire waste stream at existing landfills and the Project waste stream at General Plan build-out.

Table 4.12-10
Project Contribution to Solid Waste Stream and Landfill Capacity Impacts

Landfill	Remaining Capacity (cy)	Remaining Capacity (percent)	Permitted Daily Maximum (tpd)	Banning Average Daily Contrib. (tpd)	Banning Average Daily Contrib. (GP Buildout) (tpd)	Project Contrib. at Buildout (with diversion) (tpd)	Perc. Daily Contrib.
Lamb Canyon	18,955,000	55.3%	3,000	41	169	9	5.5
El Sobrante	145,530,000	78.7%	16,054	11.2	45.9	5.43	12
Badlands	19,477,616	64.1	4,000	6.4	26.6	0.8	3
Source: City of Banning Comprehensive General Plan EIR; Cal Recycle Landfill Profiles							

As stated in the General Plan EIR, the City's total impact on all of the landfills that serve it is small in comparison to the permitted capacity of each of the landfills. That remains the case at full General Plan buildout. The proposed Project would contribute from 3- 12 percent of the total City waste stream to any one of the landfills that serve it. All have existing unused capacity sufficient to accommodate the projected waste stream growth, assuming continued compliance with diversion requirements.

The proposed project also includes a golf course and two public schools. The golf course clubhouse could be expected to generate and dispose of a waste stream similar in content to a typical commercial use; however, the primary waste generated by the golf is green waste, comprised of grass clippings, leaves, brush and other vegetative trimmings. Recycling of green wastes can be managed using recommended best management practices recommended by the Golf Course Superintendent Association of America (GCSAA) which include leaving grass clippings where the fall on roughs and fairways, using leaves and brush as mulch, and by on-site or off-site composting. Composting is regulated by the SCAQMD because of the potential for emissions and may be best handled through the separate collection of unused green waste by licensed haulers and transport to a licensed composting facility. To ensure the maximum feasible reduction in the waste stream generated by the Specific Plan's golf course, Mitigation Measure PSU-6 shall be imposed.

The proposed Project also includes two school sites. Food waste and recyclable paper are two of the most prominent materials in school waste streams. The City of Banning, Banning Unified School District, Beaumont Unified School District, WRCOG and Waste Management have in place a recycling program within both the Beaumont and Banning Unified School Districts, which manages waste reduction and waste recycling programs within the District.

In addition, Pardee Home's LivingSmart Program includes measures to reduce solid waste during both construction and operation of the Project and to maximize the use of recycled and sustainable materials. The program meets or exceeds federal, State, and local standards.

Accordingly, the Project would not adversely impact existing land fill capacity, would be fully compliant with all federal, State, and local requirements for solid waste diversion and recycling, and, with the addition of Mitigation Measure PSU-6, its impacts with regard to solid waste would be reduced to a less than significant level.

Mitigation Measures

PSU-6 The operator of the Butterfield Specific Plan Golf Course shall prepare and implement a Operational Waste Management Plan that incorporates to the extent feasible the Best Management Practices for the management of green waste recommended by the Golf Course Superintendent Association of America (GCSAA) including separate collection and recycling of green waste by a licensed hauler and recycling facility, on-site use of green waste for landscape mulching, and other methods acceptable to the City and the SCAQMD so as to reduce the facility's impact on landfill capacity.

Cumulative Impacts

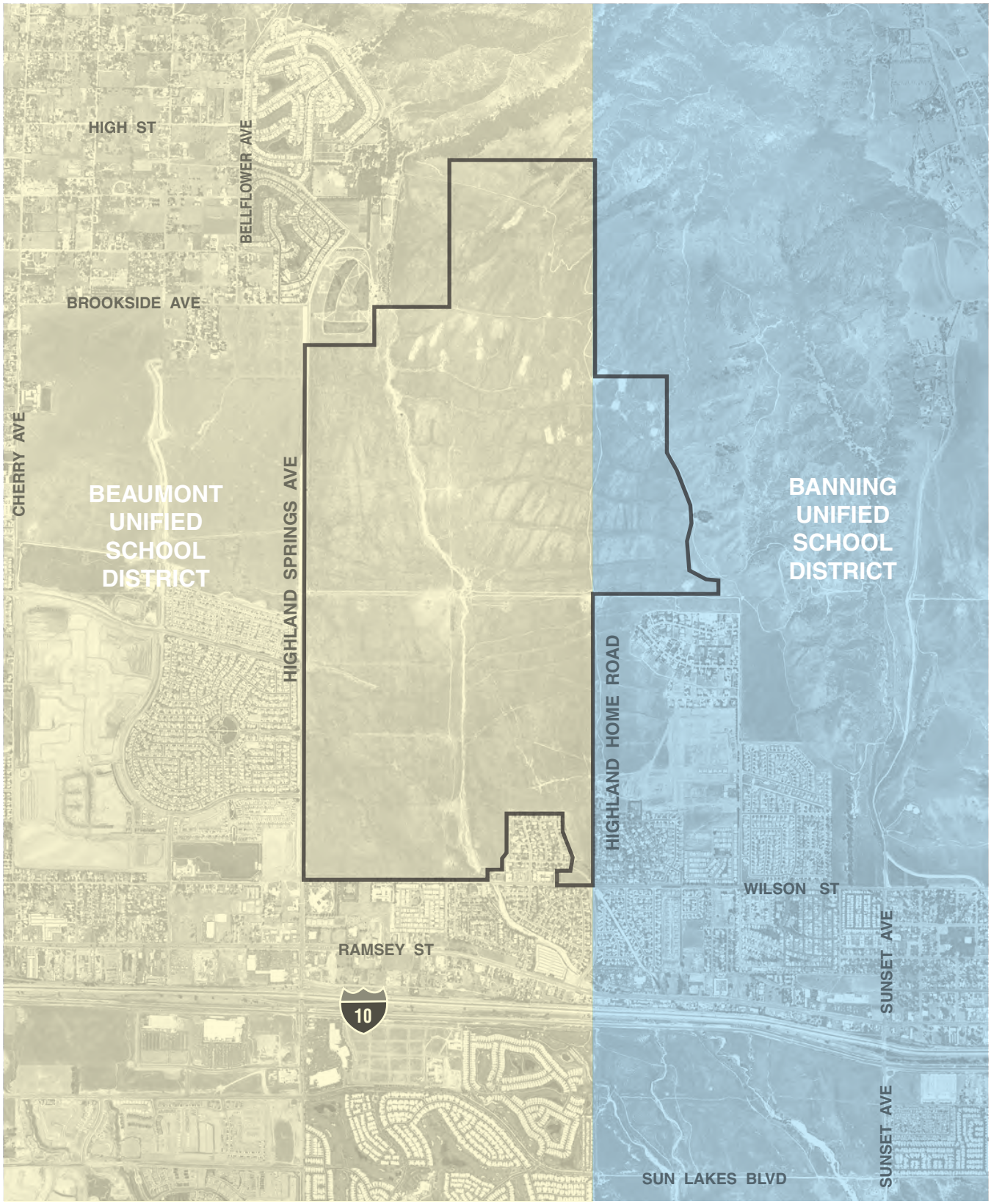
Determination: Less than Significant with Mitigation Incorporated.

At buildout, the City is estimated to generate approximately 88,223 tons of solid waste per year; however, the estimate did not include the application of verifiable diversion factors. The General Plan states that the proposed land uses within the General Plan Study Area are not anticipated to produce unusually high quantities of solid waste. All mitigation measures imposed by the City's General Plan EIR that address solid waste, listed in the Regulatory Framework Section of this analysis, would be applied to the proposed Project. Waste Management Services, which contracts with the City for solid waste disposal, administers a recycling program for the City and also operates transfer stations to which solid waste is transported for sorting and potential recycling prior to being forwarded to area land fills. Mitigation Measure PSU-6 would ensure that the golf course operator implements efficient green waste recycling and diversion practices. Each of the school districts has a waste management and recycling plan in place and coordinates with its respective city and waste

hauler. Existing landfills have significant remaining capacity and also contain land area sufficient to allow for expansion of existing operations and capacity. While cumulative development within the County will increase the volume of solid waste, continuing recycling efforts including those mandated by current and pending legislation, and current State and local codes, should result in increasing reductions in overall solid waste volumes. Cumulative impacts are anticipated to be less than significant and the Project's contribution to cumulative impacts would itself not be cumulatively considerable.

4.12.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The Project's impact on landfills would be less than significant in the Project and cumulative conditions with mitigation incorporated.



SOURCE: Beaumont Unified School District,
"School Districts & Cities Including Spheres of Influence
in Riverside County", 2008
Google Earth Imagery (Aerial photo date pre-2009)

NOT TO SCALE

RBF CONSULTING

5/27/11 JN: 65-100290

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN EIR

Beaumont and Banning USD Boundaries

EXHIBIT 4.12-1