

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 10/25/15

Departmental Concurrence

**SUBMITTAL TO THE FLOOD CONTROL AND  
 WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

606B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
 December 15, 2015

**SUBJECT:** Adopt Resolution No. F2015-37 for the Banning Master Drainage Plan  
 Line H, Stage 1 Project, Project No. 5-0-00177-01 and Intent to Adopt a  
 Mitigated Negative Declaration, District 5 [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. F2015-37, which finds the Project will not have a significant effect on the environment and is in compliance with Section 18 of the District Act, California Environmental Quality Act, and the Western Riverside County Multiple Species Habitat Conservation Plan;
2. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project based on the findings incorporated in the Initial Study and the conclusion that the Project will not have a significant effect on the environment with the incorporation of feasible mitigation;
3. Approve and authorize the District to proceed with the project; and
4. Direct the Clerk of the Board to deliver the Notice of Determination to the office of the County Clerk and the State Office of Planning and Research for filing within five (5) working days of this Board hearing.

**BACKGROUND:**

Summary  
 See Page 2.

*(Signature)*

WARREN D. WILLIAMS  
 General Manager-Chief Engineer

JDS:mcv  
 P8\172621

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** Budget Adjustment: No  
 For Fiscal Year: N/A

**C.E.O. RECOMMENDATION:**

APPROVE  
 BY: *(Signature)*  
 Steven C. Horn

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 11-1 of 11/03/15 | District: 5<sup>th</sup> | Agenda Number:

11-3

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Adopt Resolution No. F2015-37 for the Banning Master Drainage Plan  
Line H, Stage 1 Project, Project No. 5-0-00177-01 and Intent to Adopt a  
Mitigated Negative Declaration; District 5 [\$0]**

**DATE:** December 15, 2015

**PAGE:** Page 2 of 2

**BACKGROUND:**

**Summary (continued)**

The Riverside County Flood Control and Water Conservation District (District) proposes to construct, operate and maintain the Banning Master Drainage Plan Line H, Stage 1 project (project). The project is a proposed facility of the District's Banning Master Drainage Plan (MDP). The drain is being designed to convey 100-year storm flows rather than the 10-year proposed in the MDP. The project will convey flows to Smith Creek, which is primarily a natural wash, except for some concrete slope protection to protect the west bank of the creek.

The underground storm drain would be constructed along Hathaway Street, beginning at Barbour Street and extending approximately 0.5 mile south to Wesley Street and then continue east along Wesley Street for approximately 0.25 mile to Smith Creek.

The storm drain system is comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete box and approximately 4,000 feet of reinforced concrete pipe ranging in size from 30 inches to 72 inches in diameter. A wing wall outlet structure and riprap apron would be constructed at the storm drain outlet proposed at Smith Creek.

The estimated cost of the project is \$2,800,000 and is included in the District's Zone 5 budget; however, funding will not be requested until the project goes out to bid and a construction contractor is selected.

In accordance with the California Environmental Quality Act, the District has prepared an Initial Study for this project, which analyzes potential impacts it may have on the environment. The result of this study shows this project will not significantly impact the environment with the incorporation of feasible mitigation, and a Mitigated Negative Declaration is proposed.

**Impact on Residents and Businesses**

Improved flood control.

**ATTACHMENTS:**

1. Resolution No F2015-37
2. Section 18 Map (Attachment "A")
3. Engineer's Statement (Attachment "B")
4. Declaration of Postings for City of Banning City Hall and the County Clerk (Attachment "C")
5. Final Initial Study and Mitigated Negative Declaration (Attachment "D")
6. Mitigation Monitoring and Reporting Program (Attachment "E" on CD)
7. Notice of Determination (Attachment "F")
8. Authorization to Bill for Notice of Determination CDFW Filing Fees (Attachment "G")

P8\172621

1  
2 Board of Supervisors

Riverside County Flood Control  
and Water Conservation District

3  
4 **RESOLUTION NO. F2015-37**  
5 **COMPLYING WITH SECTION 18 OF THE DISTRICT ACT;**  
6 **ADOPTING A MITIGATED NEGATIVE DECLARATION AND**  
7 **A MITIGATION MONITORING AND REPORTING PROGRAM FOR**  
8 **THE BANNING MASTER DRAINAGE PLAN LINE H, STAGE 1**  
9 **PROJECT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL**  
10 **QUALITY ACT; AND APPROVING THE BANNING MASTER**  
11 **DRAINAGE PLAN LINE H, STAGE 1 PROJECT**

12 **WHEREAS**, on November 3, 2015, the Board of Supervisors adopted Resolution No.  
13 F2015-36 pursuant to Section 18 of the District Act giving notice of its intention to construct a  
14 project in Zone 5, within the city of Banning, designated as Banning Master Drainage Plan Line  
15 H, Stage 1 Project ("Project") and giving further notice the Project would be considered at a public  
16 hearing on December 15, 2015; and

17 **WHEREAS**, the Project is generally bounded to the south by Porter Street, to the west by  
18 South Hargrave Street, to the north by Interstate 10, and to the east by the City of Banning Water  
19 Reclamation Facility; and

20 **WHEREAS**, the Project consists of the construction, operation and maintenance of an  
21 underground storm drain system and an outlet within Smith Creek which is designed to provide  
22 100-year flood protection; and

23 **WHEREAS**, notice of the Section 18 public hearing was properly made, as required by  
24 law, by publication in the Press Enterprise and posting at Banning City Hall. In addition, the notice  
25 was posted at the County Clerk and at the District, and all persons desiring to be heard on the  
26 matter were given the opportunity to appear and present testimony, both oral and written, on  
27 December 15, 2015; and

28  
FORM APPROVED COUNTY COUNSEL  
BY:  DATE: 12/20/15  
MICHELLE CLACK

1           **WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the District  
2  
3 is the lead agency for the Project; and

4           **WHEREAS**, an Initial Study (SCH No. 2015061074) was prepared that thoroughly  
5 addresses the potential environmental effects of implementing the Project, including the  
6 construction, operation and maintenance of the various improvements identified therein; and

7           **WHEREAS**, the Initial Study determined that all impacts were either less-than-significant  
8 or could be mitigated to less-than-significant and a Mitigation Monitoring and Reporting Plan  
9 (MMRP) was prepared for the Project; and  
10

11           **WHEREAS**, the General Manager-Chief Engineer for the District has found the Project  
12 will not have a significant effect upon the environment and a Mitigated Negative Declaration  
13 (MND) has been prepared; and

14           **WHEREAS**, all CEQA documents for the Project, including the Notice of Intent to Adopt  
15 an MND, Initial Study, MMRP and the MND (SCH No. 2015061074) were made available for a  
16 30-day public review period beginning June 30, 2015, and were posted on the District's website,  
17 and were made available for public review at the District's office and at Banning City Hall; and

18           **WHEREAS**, the District received one (1) comment letter on the Draft Initial Study that  
19 was addressed in the Final Initial Study; and  
20

21           **WHEREAS**, the comment letter was from the California Department of Fish and Wildlife;  
22 and  
23

24           **WHEREAS**, the California Department of Fish and Wildlife's comments did not change  
25 the analyses nor the mitigation measures as proposed in the Draft Initial Study, and the District  
26 has determined that a Mitigated Negative Declaration is the appropriate CEQA document for the  
27 project; and  
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**WHEREAS**, the Final Initial Study and Mitigated Negative Declaration have been independently reviewed and reflect the independent judgment of the Board of Supervisors for the District and are deemed adequate for purposes of making decisions on the merits of the Project; and

**WHEREAS**, all provisions of CEQA and the District Rules to Implement the California Environmental Quality Act have been satisfied; and

**WHEREAS**, the District is an active participant and Permittee in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); and

**WHEREAS**, the Project is in compliance with Sections 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.0 and Appendix C of the MSHCP as supported by the conclusions of the Initial Study.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on December 15, 2015 based upon the evidence and testimony presented on the matter, both written and oral, that:

1. The Project is in compliance with Section 18 of the District Act. The Section 18 Map, which includes an illustration of the project's cross-sections, is attached hereto as Attachment "A"; the Engineer's Statement is attached hereto as Attachment "B"; and the Declaration of Postings for Banning City Hall and the County Clerk are attached hereto as Attachment "C".

2. There is no substantial evidence in light of the whole record that the Project, with mitigation, will have a significant adverse effect upon the environment and the Initial Study and the Mitigated Negative Declaration (Attachment "D" on CD entitled Banning Master Drainage Plan Line H, Stage 1 Supporting Documents for Resolution F2015-37) represent the independent judgement of the District.

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3. The Mitigated Negative Declaration is adopted based on the findings incorporated in the Initial Study and the determination that the Project will not have a significant effect on the environment.

4. The Mitigation Monitoring and Reporting Program (MMRP) attached to this Resolution (Attachment "E") is adopted pursuant to Public Resources Code §21081.6.

5. All obligations set forth to the District pursuant to applicable sections of the MSHCP have been analyzed and shall be implemented by the District as prescribed in the MSHCP Implementation Agreement.

6. The Project is approved and the District is hereby authorized to proceed with the Project.

7. Pursuant to Public Resources Code §21081.6, the custodians of the documents and materials that constitute the record of proceedings on which this decision is based are with the Clerk of the Board of Supervisors and the District. These documents and materials are located at 4080 Lemon Street, Riverside, California (Board) and at 1995 Market Street, Riverside, California (District).

8. The Board of Supervisors hereby directs staff to execute and file a Notice of Determination (Attachment "F") with the Riverside County Clerk's Office and the Office of Planning and Research within five (5) working days of adoption of this Resolution.

# Attachment "A"



Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

**Section 18 Map**  
**Banning MDP Line H, Stage 1**  
**Project No. 5-0-00177-01**

November 2015

## Legend

 Storm Drain Alignment



NTS

## **ATTACHMENT "B"**

**Banning Master Drainage Plan Line H, Stage 1  
Project No. 5-0-00177-01  
Engineer's Statement**

The proposed Banning Master Drainage Plan (MDP) Line H, Stage 1 project is generally located along South Hathaway Street, south of Interstate 10, in the city of Banning in Riverside County, California. The project is a proposed facility of the District's Banning MDP. The drain is being designed to convey 100-year storm flows rather than the 10-year proposed in the MDP. The project will convey flows to Smith Creek, which is primarily a natural wash, except for some concrete slope protection to protect the west bank of the creek.

The underground storm drain would be constructed along Hathaway Street, beginning at Barbour Street and extending approximately 0.5 mile south to Wesley Street and then continue east along Wesley Street for approximately 0.25 mile to Smith Creek.

The storm drain system is comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete box and approximately 4,000 feet of reinforced concrete pipe ranging in size from 30 inches to 72 inches in diameter. A wing wall outlet structure and riprap apron would be constructed at the storm drain outlet proposed at Smith Creek.

The estimated cost of the project is \$2,800,000.



**ATTACHMENT "C"**

**Declaration of Postings for City of Banning City Hall and  
Riverside County Clerk**

**CERTIFICATE OF POSTING**

(Original copy, duly executed, must be attached to original at the time of filing)

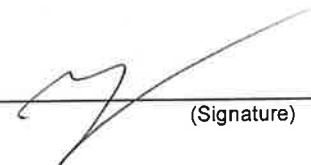
I, Mary Ann Meyer, do hereby certify that I am  
not \_\_\_\_\_, (NAME AND TITLE)  
a party to the within action or proceeding; that on 11-10-15, I posted a  
\_\_\_\_\_, (DATE)  
copy of the following document:

**RESOLUTION NO. F2015-36 SETTING A PUBLIC HEARING DATE FOR BANNING MASTER DRAINAGE PLAN LINE H, STAGE 1 PROJECT IN ACCORDANCE WITH SECTION 18 OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT ACT**

by posting at:

**RIVERSIDE COUNTY CLERK AND RECORDER'S OFFICE  
2724 GATEWAY DRIVE  
RIVERSIDE, CALIFORNIA 92507**

Date: 11-10-15

  
(Signature)

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Riverside County Flood Control  
and Water Conservation District

Board of Supervisors

**RESOLUTION NO. F2015-36  
SETTING A PUBLIC HEARING DATE FOR  
BANNING MASTER DRAINAGE PLAN LINE H, STAGE 1 PROJECT  
IN ACCORDANCE WITH SECTION 18 OF THE  
RIVERSIDE COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT ACT**

**WHEREAS**, Act 6642 of the State Legislature, Section 18 of the Riverside County Flood Control and Water Conservation District Act ("District Act") requires that the Riverside County Flood Control and Water Conservation District ("District") give public notice and conduct a public hearing prior to undertaking construction of District facilities; and

**WHEREAS**, this Board of Supervisors ("Board") intends to undertake a project within the city of Banning designated as the Banning Master Drainage Plan (MDP) Line H, Stage 1 Project ("Project"); and

**WHEREAS**, the Project is generally bounded to the south by Porter Street, to the west by South Hargrave Street, to the north by Interstate 10, and to the east by the City of Banning Water Reclamation Facility; and

**WHEREAS**, the Project consists of the construction, operation and maintenance of an underground storm drain system and an outlet within Smith Creek which is designed to provide 100-year flood protection; and

**WHEREAS**, the Section 18 Map, dated November 2015, bearing the name and showing the general location and typical cross sections of the Project (Attachment "A") is on file with the Clerk of the Board; and

**WHEREAS**, the engineering cost estimate of the Project, entitled "Engineer's Statement" (Attachment "B") is on file with the Clerk of the Board; and

**FILED / POSTED**  
County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder  
E-201501153  
11/10/2015 09:40 AM Fee: \$ 0.00  
Page 1 of 3

11.03.15 11-1

FORM APPROVED COUNTY COUNSEL  
BK: [Signature] 10/20/15  
DATE  
MICHELLE CLACK

Removed: By: Deputy  


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2. The District shall cause a copy of this Resolution and copies of the Section 18 Map and Engineer's Statement to be posted at least 21 days before said hearing at Banning City Hall located at 99 East Ramsey Street, Banning, California 92220.

3. The District shall cause a copy of this resolution and copies of the Section 18 Map and Engineer's Statement to be posted at least 21 days before said hearing at the Riverside County Flood Control and Water Conservation District located at 1995 Market Street, Riverside, California 92501.

4. The District shall cause a copy of this resolution to be posted at least 21 days before said hearing at the Riverside County Clerk and Recorder's Office, 2724 Gateway Drive, Riverside, California 92507.

5. The Clerk of this Board is directed to cause a copy of this resolution to be published twice, once at least 21 days before said hearing and once 7 days following the initial publication, in a newspaper of general circulation in accordance with Section 18 of the District Act.

ROLL CALL:

Ayes:	Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays:	None
Absent:	None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By  Deputy

# CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to original at the time of filing)

I, MARIE A. CALDERON, do hereby certify that I am  
not  
(NAME AND TITLE)  
a party to the within action or proceeding; that on NOV. 10, 2015, I posted a  
(DATE)  
copy of the following document:

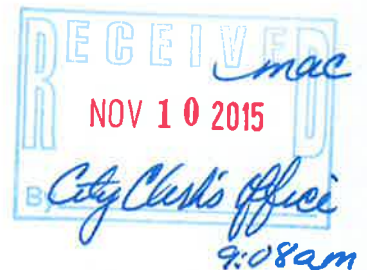
**RESOLUTION NO. F2015-36 SETTING A PUBLIC HEARING DATE FOR BANNING MASTER  
DRAINAGE PLAN LINE H, STAGE 1 PROJECT IN ACCORDANCE WITH SECTION 18 OF THE  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT ACT**

by posting at:

**BANNING CITY HALL  
99 EAST RAMSEY STREET  
BANNING, CALIFORNIA 92220**

Date: NOV. 10, 2015

*Marie A. Calderon*  
(Signature)



## **ATTACHMENT "D"**

### **Final Initial Study and Mitigated Negative Declaration**

**FINAL  
INITIAL STUDY  
FOR  
BANNING MASTER DRAINAGE PLAN LINE H,  
STAGE 1 PROJECT**

***Prepared For:***

Riverside County Flood Control  
and  
Water Conservation District

***Prepared By:***

Lilburn Corporation  
1905 Business Center Drive  
San Bernardino, California 92408

**December 2015**

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Appendix A	Air Quality Printout
Appendix B	Response to Comments

## INTRODUCTION

### Regulatory Framework

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000-21177), this Initial Study has been prepared to determine potentially significant impacts upon the environment resulting from the construction, operation and maintenance of the *Banning Master Drainage Plan Line H, Stage 1* project (collectively hereinafter referred to as the "Project"). In accordance with Section 15063 of the State *CEQA Guidelines*, this Initial Study is a preliminary analysis prepared by the Riverside County Flood Control and Water Conservation District (District) as Lead Agency to inform the Lead Agency decision makers, other affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed Project.

### Organization of the Initial Study

The Initial Study is organized as follows:

**Introduction:** Provides the regulatory context for the review along a brief summary of the CEQA process.

**Project Information:** Provides fundamental project information, such as the project description, project location and figures.

**Lead Agency Determination:** Identifies environmental factors potentially affected by the project and identifies the Lead Agency's determination based on the initial evaluation.

**Mitigated Negative Declaration:** Prepared when a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented which will reduce all potentially significant impacts to less than significant levels.

**Mitigation Monitoring and Reporting Program:** Identifies objectives, criteria, and specific procedures to administer the District's responsibilities under CEQA.

**Evaluating Environmental Impacts:** Provides the parameters the District uses when determining level of impact.

**CEQA Checklist:** Provides an environmental checklist and accompanying analysis for responding to checklist questions.

**References:** Includes a list of references and various resources utilized in preparing the analysis.

### Public Review and Comments Received

The Initial Study and Mitigated Negative Declaration were circulated for a 30-day public review and comment period. During this review period, the District received comments from:

- California Department of Fish and Wildlife;

Comments on the environmental analysis that were received during the public review period are included in the project's administrative record. If the environmental analysis is challenged in court, the challenge may be limited to only those issues raised during the public review period. Comments, and related responses, are included with the Initial Study document as Appendix B for consideration by the Board of Supervisors of the District. If the Board concurs with the findings presented herein the enclosed Mitigated Negative Declaration will be adopted and the project will be approved.

## PROJECT INFORMATION

1. **Project Title:**  
Banning Master Drainage Plan Line H, Stage 1
2. **Lead Agency Name and Address:**  
Riverside County Flood Control and Water Conservation District  
1995 Market Street  
Riverside, California 92501
3. **Contact Person Email Address and Phone Number:**  
Mike Wong: mwong@rcflood.org: 951.955.1233
4. **Project Location:**  
The Banning Master Drainage Plan Line H, Stage 1 project (hereinafter referred to as “Project”) area is generally bounded on the north by Interstate 10 Freeway, on the east by the City of Banning Water Reclamation Facility, on the south by Porter Street and on the west by South Hargrave Street in the City of Banning, Riverside County. The proposed project area can be found within Township 3 South, Range 1 West, and Sections 10, 11, 14 and 15 of the Cabazon 7.5 Series Topographic Quadrangle maps. See Figures 1 and 2 for additional information.
5. **Project Sponsor's Name and Address:**  
None.
6. **Description of Project:**  
The Riverside County Flood Control and Water Conservation District (RCFC&WCD) proposes to construct, operate and maintain an underground storm drain system comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete Box (RCB) and approximately 3,700 feet of reinforced concrete pipe ranging in size from 48-inches to 72-inches in diameter which is intended to collect tributary flows from the watershed roughly bounded by the Interstate 10/Union Pacific Railroad to the north, Hargrave Avenue to the west, South Hathaway Street to the east, and Wesley Street to the South. The underground storm drain would be constructed along South Hathaway Street, beginning at approximately East Barbour Street and extending approximately 0.5-mile south to Wesley Street and then continuing east along Wesley Street for approximately 0.25-mile to a proposed outlet at the Smith Creek Channel (see Figures 1 and 2). Existing utilities within Wesley and South Hathaway Streets may need to be relocated during construction. Associated appurtenant structures to be constructed within and adjacent to Hathaway Street and Wesley Street right-of-ways include inlets, and catch basins. A wing wall outlet structure and rip-rap apron would be constructed at the storm drain outlet proposed at Smith Creek. This wing wall outlet structure would require removal and reconstruction of existing concrete slope paving at Smith Creek.  
  
The purpose of the project is to provide storm drain facilities that can convey the one (1) percent chance flood that emanates from the tributary watershed defined by the Banning MDP. The project would not change any of the existing land use conditions.
7. **Lead Agency Discretionary Actions:**  
Discretionary actions that may be taken by the Lead Agency include, but are not limited to, the following:

- Approval of the Banning MDP Line H, Stage 1 project through Section 18 of the Riverside County Flood Control and Water Conservation District Act;
- Entering into agreements for utility owners to relocate its facilities;
- Project Advertisement for construction; and
- Property acquisition and obtaining easements. Property that RCFC&WCD may need to acquire or obtain easements on are included in the following table:

APN	PURPOSE
532180013	Underground Storm Drain/Outlet
532180052	Outlet Grading
531180025	Underground Storm Drain
541330002	Catch Basins
532130003	Catch Basins

**8. Surrounding Land Uses:**

The Banning Municipal Airport is located just north and east of the Project. Vacant land and airport industrial development occurs on the northwest side of the Project. The portion of the Project from Barbour Street to Charles Street has a land use designation of industrial; the parcels on the west side of the street are vacant and graded, the parcels on the east side of the street are developed with industrial uses. South of Charles Street the designated land use is rural residential and very low density residential; several parcels on the east side of Hathaway Street are vacant and graded, residential development occurs on the west side of the street.

	Existing Land Use	General Plan Land Use Designation
North	Airport, industrial, and vacant land	Public Facilities (Airport), Airport Industrial, Industrial
South	Vacant land and Residential	Rural Residential
East	Vacant land and residential	Very Low Density Residential
West	Residential development and vacant land	Rural Residential

**9. Environmental/Existing Site Conditions:**

The Project is located within the City of Banning near the southeast city limits. The Project would be constructed within the right-of-ways on Hathaway Street and Wesley Street. Both Hathaway Street and Wesley Street are developed asphalt roads. A portion of the storm drain from the terminus of Wesley Street to the Smith Creek outlet would be constructed within the private property; there is no asphalt road in this section of the alignment. Run-off rills and a small erosion channel were observed in the undeveloped portion of the storm drain alignment from the terminus of Wesley Street to Smith Creek. Smith Creek has a concrete bank within the Project area. A remnant stand of Riversidean alluvial fan sage scrub occurs along Smith Creek, above the ordinary

high water mark; predominant plant species consist of California buckwheat (*Eriogonum fasciculatum*), scale broom (*Lepidospartum squamatlum*), and California croton (*Croton californica*).

**10. Earlier Analyses Used:**

The Project is identified in the Master Drainage Plan (MDP) adopted by the RCFC&WCD in August 1995. However, the Project alignment, specifically the outlet location, has changed since the MDP adoption. Therefore, the District has elected to not use the previously adopted CEQA document and provide a standalone CEQA analysis for the Project.

**Impacts Adequately Addressed in Earlier Analyses:**

None.

**Mitigation Measures from Earlier Analysis:**

None.

**11. Other Public Agencies Whose Approval is Required:**

(e.g., permits, financing approval, or participation agreement.)

**Federal Agencies** (*not "public agencies" as defined by CEQA or required to take a CEQA action*)

None

**State Agencies**

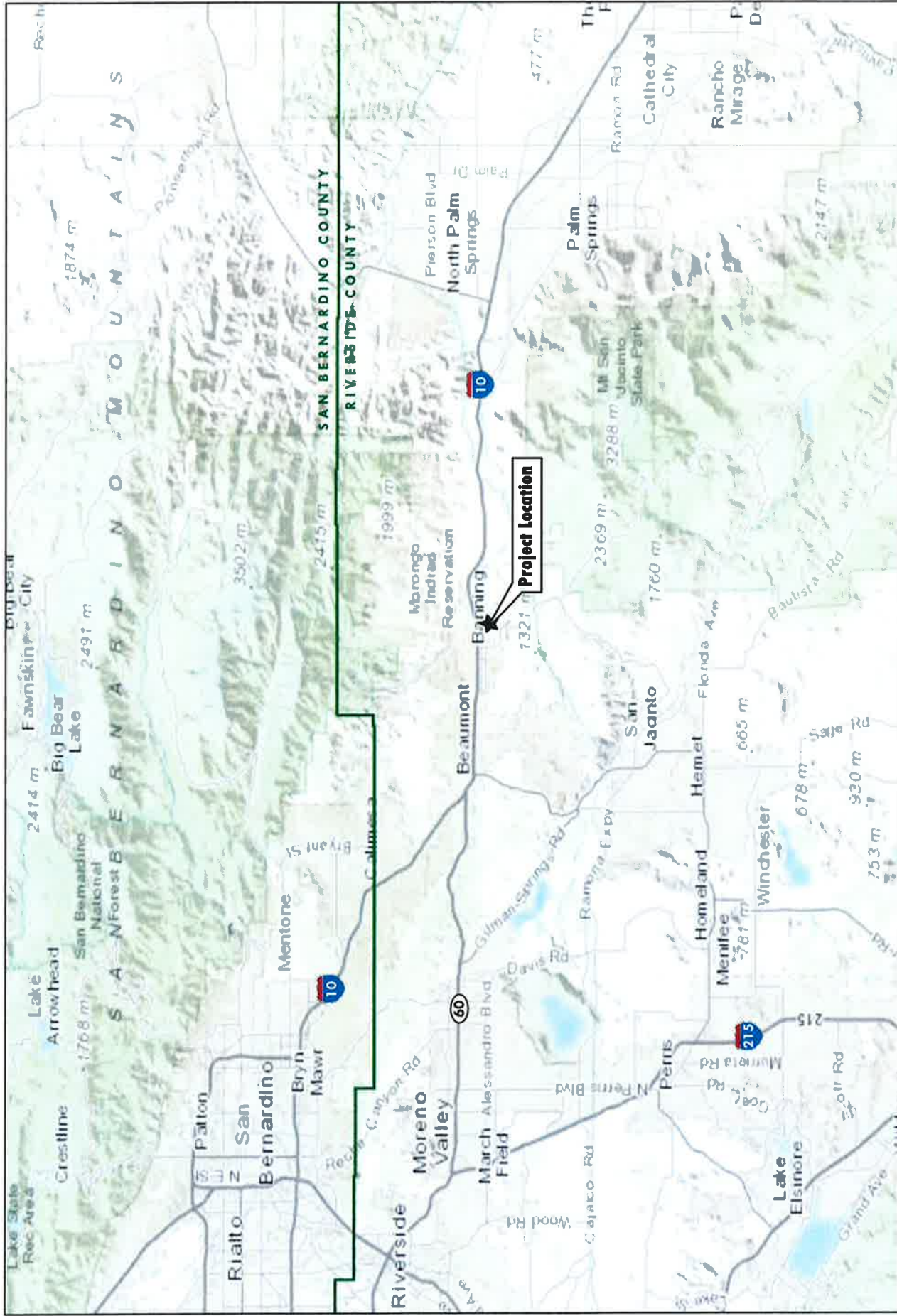
California Department of Fish and Wildlife (CDFW): Section 1602 Streambed Alteration Agreement.

**City/County Agencies**

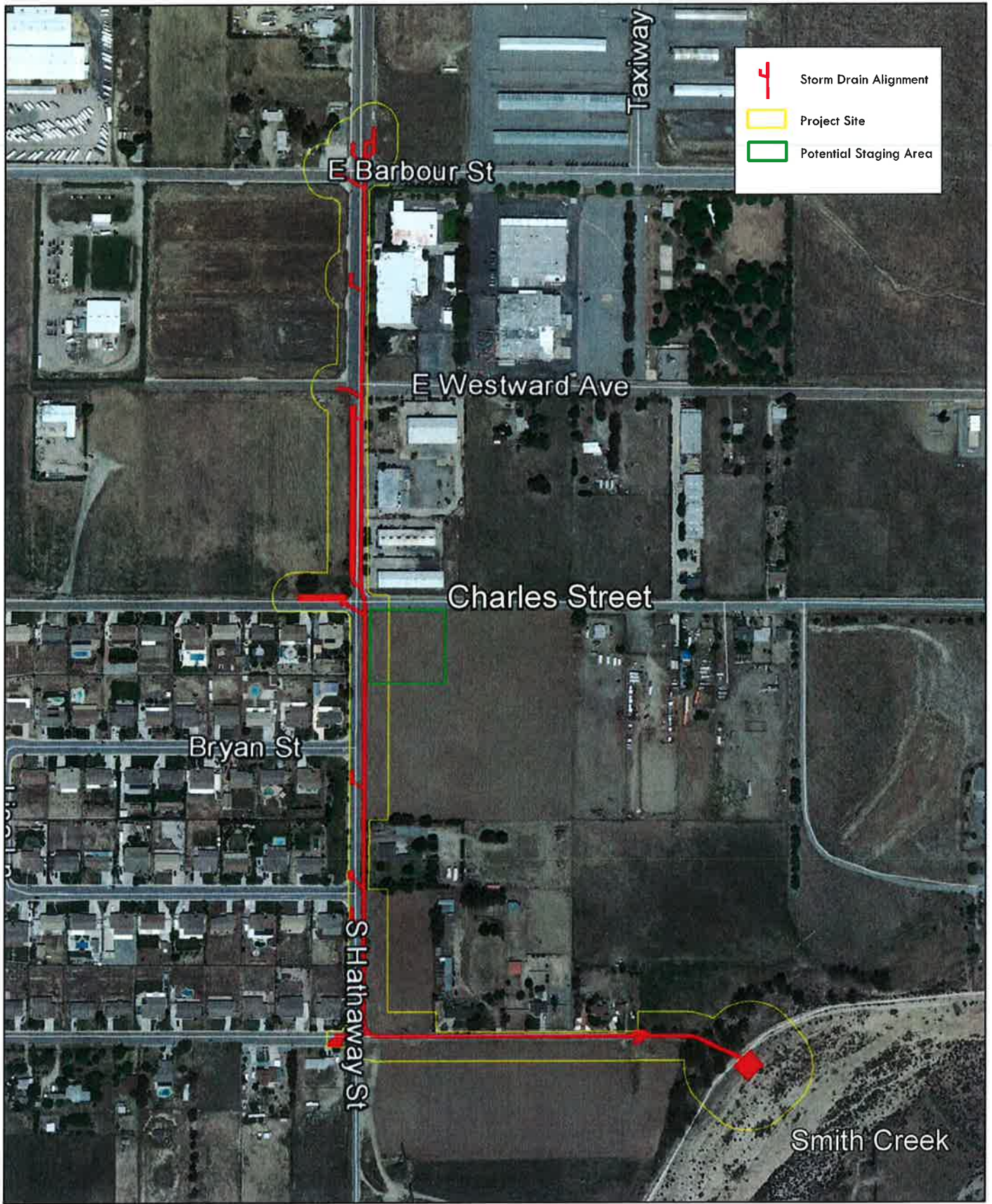
City of Banning: Approval of construction activities within County maintained road right-of-way.

**Financing Approval or Participation Agreements**

None.



**REGIONAL LOCATION**  
 Banning Master Drainage Plan Line H, Stage 1 Project  
 Banning, California  
**FIGURE 1**





**PROJECT VICINITY**

Banning Master Drainage Plan Line H, Stage 1 Project  
 Banning, California

**FIGURE 2**





 Project Site  
 Photo location and orientation

  
  
 Approximate Feet  
**LILBURN**  
 CORPORATION

**PHOTO LOCATION MAP**  
 Banning Master Drainage Plan Line H, Stage 1 Project  
 Banning, California  
**FIGURE 3**





Photo 1: Intersection of Barbour Street and Hathaway Street looking south.



Photo 2: Intersection of Charles Street and Hathaway Street looking south



Photo 3: Wesley Street looking east from the intersection with Hathaway Street



Photo 4: Undeveloped portion of Wesley Street looking west.



Photo 5: Proposed alignment on private property leading to Smith Creek (looking east).



Photo 6: Proposed outlet area on the Smith Creek Bank in the background and with Riversidian alluvial fan sage scrub creek bench in the foreground (looking east).

## LEAD AGENCY DETERMINATION

### Environmental Factors Potentially Affected

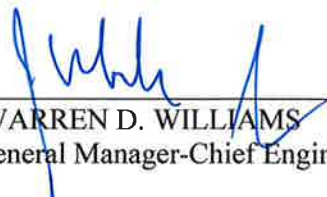
The environmental factors, as checked below, would potentially be affected by this project.

<input type="checkbox"/> Aesthetics <input type="checkbox"/> Agriculture Resources <input type="checkbox"/> Air Quality and Greenhouse Gas Emissions <input checked="" type="checkbox"/> <b>Biological Resources</b> <input checked="" type="checkbox"/> <b>Cultural Resources</b> <input type="checkbox"/> Geology/Soils <input type="checkbox"/> Hazards & Hazardous Materials <input type="checkbox"/> Hydrology/Water Quality <input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources <input type="checkbox"/> Noise <input type="checkbox"/> Population/Housing <input type="checkbox"/> Public Services <input type="checkbox"/> Recreation <input type="checkbox"/> Transportation/Traffic <input type="checkbox"/> Utilities/Service Systems <input checked="" type="checkbox"/> <b>Mandatory Findings of Significance</b>
--	--

### Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.**
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature:   
 WARREN D. WILLIAMS  
 General Manager-Chief Engineer

Dated: 12/3/18

**MITIGATED NEGATIVE DECLARATION**

**Project:**  
Banning Master Drainage Plan Line H, Stage 1

**State Clearinghouse Number:**  
2015061074

**Lead Agency and Project Sponsor:**  
Riverside County Flood Control and Water Conservation District  
1995 Market Street, Riverside, CA, 92501

**Project Contact:**  
Mike Wong

**Phone:**  
951.955.1233

**Email:**  
mwong@rcflood.org

**Project Description:**

The District proposes to construct, operate and maintain an underground storm drain system comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete box and approximately 3,700 feet of reinforced concrete pipe ranging in size from 48-inches to 72-inches in diameter. The underground storm drain would be constructed along South Hathaway Street, beginning at approximately East Barbour Street and extending approximately 0.5 mile south to Wesley Street and then continuing east along Wesley Street for approximately 0.25 mile to a proposed outlet at the Smith Creek Channel. Existing utilities within Wesley and South Hathaway Streets may need to be relocated during construction. Associated appurtenant structures to be constructed within and adjacent to Hathaway Street and Wesley Street right-of-ways include inlets, and catch basins. A wing wall outlet structure and riprap apron would be constructed at the storm drain outlet proposed at Smith Creek. This wing wall outlet structure would require removal and reconstruction of existing concrete slope paving at Smith Creek.

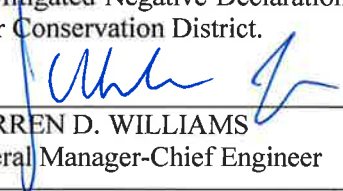
**Project Location:**

The Project area is generally bounded on the north by Interstate 10, on the east by the City of Banning Water Reclamation Facility, on the south by Porter Street and on the west by South Hargrave Street in the city of Banning, Riverside County. The proposed project area can be found within Township 3 South, Range 1 West, and Sections 10, 11, 14, and 15 of the Cabazon 7.5 Series Topographic Quadrangle maps.

**Lead Agency Finding:**

The General Manager-Chief Engineer of the Riverside County Flood Control and Water Conservation District has made a finding that the proposed project will not have a significant adverse effect on the environment. Supporting documents incorporated by reference include the CEQA Initial Study (and related technical appendices) and the Mitigation Monitoring and Reporting Program. This finding will become final upon adoption of this Mitigated Negative Declaration by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District.

Signature: \_\_\_\_\_

  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

Dated: \_\_\_\_\_

12/3/15

**Board of Supervisors Action:**

The Board of Supervisors of the Riverside County Flood Control and Water Conservation District, assembled in regular session on December 15, 2015, has determined that the **Banning Master Drainage Plan Line H, Stage I** Project will not have a significant adverse effect on the environment, and has adopted a Mitigation Monitoring and Reporting Program and a Mitigated Negative Declaration.

Signature: \_\_\_\_\_

KECIA HARPER-IHEM  
Clerk of the Board

Dated: \_\_\_\_\_

Copies to:

- 1) County Clerk
- 2) Flood Control

**MITIGATION MONITORING AND REPORTING PROGRAM  
Banning Master Drainage Plan Line H, Stage 1**

Issue	Potential Impact	Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
Biological Resources	The proposed Project contains suitable habitat for burrowing owl and implementation of the Project has the potential to impact burrowing owl.	<p>Mitigation Measure 1: A pre-construction survey for burrowing owls shall be conducted no more than 30-days prior to grading or ground disturbing activity. The pre-construction survey and any relocation of burrowing owls, if present, shall be conducted in accordance with current MSHCP survey guidelines and protocols.</p>	Pre-construction survey	RCFC&WCD	CDFW	No more than 30-days prior to grading or ground disturbance
Biological Resources	The proposed project has the potential to impact nesting birds if construction occurs during the nesting season.	<p>Mitigation Measure 2: If vegetation must be removed during the nesting season (February 1<sup>st</sup> – August 31<sup>st</sup>), a qualified biologist will conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. If active nests are identified, the biologist will establish appropriate buffers around the vegetation containing active nests. The vegetation containing active nests will not be removed, and no grading will occur within the established buffer, until a qualified biologist has determined that the nest is no longer active.</p>	Pre-construction survey	RCFC&WCD	CDFW; USFWS	Prior to grading or ground disturbance if construction is scheduled to occur between February 1 <sup>st</sup> – August 31 <sup>st</sup> .
Biological Resources	The proposed Project has the potential to impact USACE jurisdictional waters.	<p>Mitigation Measure 3: In order to avoid impacts to Corps jurisdictional area, prior to initiation of construction activities at Smith Creek, the jurisdictional area will be delineated by the RCFC&amp;WCD and marked for avoidance.</p>	Delineation of Project area	RCFC&WCD	USACE	Prior to grading or ground disturbance at Smith Creek.

Issue	Potential Impact	Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
Cultural Resources	Ground disturbing activities have the potential to impact cultural resources along Hathaway Street, south of Bryan Street and along Wesley Street from Hathaway Street to Smith Creek.	<p>Mitigation Measure 4:            An archaeological monitor shall be present for all excavations conducted along Hathaway Street, south of Bryan Street, and along Wesley Street from Hathaway Street to Smith Creek. Should resources be uncovered, the monitor shall identify and record the resource. If evidence of Native American resources is identified, a local Native American representative may be added to the monitoring program, if requested by the local Native American tribe (in this case, a representative of the Morongo Band of Mission Indians).</p>	Construction Monitoring	RCFC&WCD	State Historic Preservation Office	During earth work activities along Hathaway Street, south of Bryan Street and along Wesley Street from Hathaway Street to Smith Creek.

## EVALUATING ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (*e.g., the project falls outside a fault rupture zone*). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (*e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis*).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: No Impact or Less Than Significant" applies when the proposed project will not have a significant effect on the environment, does not require the incorporation of mitigation measures, and does not require the preparation of an Environmental Impact Report. The lead agency must briefly describe the reasons that a proposed project will not have significant effect on the environment and does not require the preparation of an environmental impact report.
5. "Mitigated Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced any effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses", as described in (-6) below, may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (CEQA Guidelines Section 15063(c)(3)(D).) The use of an earlier analysis as a reference should include a brief discussion that identifies the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (*e.g., general plans, zoning ordinances*). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.



8. **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
9. **The explanation of each issue should identify:**
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scenic vistas of the San Gorgonio and San Jacinto Mountains occur from the Project area. Temporary construction activities may result in limited localized effects on views of the San Gorgonio and San Jacinto mountains. Such impacts would be short-term and would not permanently obstruct or otherwise substantially adversely affect a scenic vista. Limited obstructed views during construction would constitute a less than significant impact.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Highway 243 is a designated State Scenic Highway from the Banning city limits to State Route 74 (California Department of Transportation – “Officially Designated State Scenic Highways”). State Highway 243 begins on 8 <sup>th</sup> Street south of Interstate 10, runs south to Lincoln Street, continues east to San Gorgonio Avenue to the Banning city limit; at the city limit San Gorgonio Avenue becomes the Banning-Idyllwild Panoramic Highway. San Gorgonio Avenue runs parallel to Hathaway Street and is located one mile west of the proposed storm drain alignment on Hathaway Street. Implementation of the proposed Project would not damage scenic resources within the designated State Scenic Highway as no permanent changes to any scenic resources would occur from the storm drain installation. No impacts are anticipated.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Temporary construction activities may result in limited localized effects to the existing visual character of the Project site due to the operation of construction equipment and equipment staging. However, upon completion of construction activities, no impacts would occur to the visual character or quality of the surrounding area from the storm drain project. Less than significant temporary impacts are anticipated during construction.				
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed Project is the construction of a storm drain within the Hathaway Street and Wesley Street right-of-ways, construction of manholes, construction of curb inlets, and construction of a reinforced concrete box storm drain outlet and rip-rap apron within Smith Creek. Operation and maintenance of the storm drain facilities would not involve any additional light or glare sources. All construction activities are expected to take place during daylight hours. Under rare emergency conditions, use of artificial lighting may be anticipated; however, any impacts would be temporary and, therefore, less than significant.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURAL &amp; FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

**FINAL  
INITIAL STUDY  
FOR  
BANNING MASTER DRAINAGE PLAN LINE H,  
STAGE 1 PROJECT**

*Prepared For:*

Riverside County Flood Control  
and  
Water Conservation District

*Prepared By:*

Lilburn Corporation  
1905 Business Center Drive  
San Bernardino, California 92408

**December 2015**

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## INTRODUCTION

### Regulatory Framework

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000-21177), this Initial Study has been prepared to determine potentially significant impacts upon the environment resulting from the construction, operation and maintenance of the **Banning Master Drainage Plan Line H, Stage I** project (collectively hereinafter referred to as the "Project"). In accordance with Section 15063 of the State *CEQA Guidelines*, this Initial Study is a preliminary analysis prepared by the Riverside County Flood Control and Water Conservation District (District) as Lead Agency to inform the Lead Agency decision makers, other affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed Project.

### Organization of the Initial Study

The Initial Study is organized as follows:

**Introduction:** Provides the regulatory context for the review along a brief summary of the CEQA process.

**Project Information:** Provides fundamental project information, such as the project description, project location and figures.

**Lead Agency Determination:** Identifies environmental factors potentially affected by the project and identifies the Lead Agency's determination based on the initial evaluation.

**Mitigated Negative Declaration:** Prepared when a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented which will reduce all potentially significant impacts to less than significant levels.

**Mitigation Monitoring and Reporting Program:** Identifies objectives, criteria, and specific procedures to administer the District's responsibilities under CEQA.

**Evaluating Environmental Impacts:** Provides the parameters the District uses when determining level of impact.

**CEQA Checklist:** Provides an environmental checklist and accompanying analysis for responding to checklist questions.

**References:** Includes a list of references and various resources utilized in preparing the analysis.

### Public Review and Comments Received

The Initial Study and Mitigated Negative Declaration were circulated for a 30-day public review and comment period. During this review period, the District received comments from:

- California Department of Fish and Wildlife;

Comments on the environmental analysis that were received during the public review period are included in the project's administrative record. If the environmental analysis is challenged in court, the challenge may be limited to only those issues raised during the public review period. Comments, and related responses, are included with the Initial Study document as Appendix B for consideration by the Board of Supervisors of the District. If the Board concurs with the findings presented herein the enclosed Mitigated Negative Declaration will be adopted and the project will be approved.

## PROJECT INFORMATION

**1. Project Title:**

Banning Master Drainage Plan Line H, Stage 1

**2. Lead Agency Name and Address:**

Riverside County Flood Control and Water Conservation District  
1995 Market Street  
Riverside, California 92501

**3. Contact Person Email Address and Phone Number:**

Mike Wong: mwong@rcflood.org; 951.955.1233

**4. Project Location:**

The Banning Master Drainage Plan Line H, Stage 1 project (hereinafter referred to as “Project”) area is generally bounded on the north by Interstate 10 Freeway, on the east by the City of Banning Water Reclamation Facility, on the south by Porter Street and on the west by South Hargrave Street in the City of Banning, Riverside County. The proposed project area can be found within Township 3 South, Range 1 West, and Sections 10, 11, 14 and 15 of the Cabazon 7.5 Series Topographic Quadrangle maps. See Figures 1 and 2 for additional information.

**5. Project Sponsor's Name and Address:**

None.

**6. Description of Project:**

The Riverside County Flood Control and Water Conservation District (RCFC&WCD) proposes to construct, operate and maintain an underground storm drain system comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete Box (RCB) and approximately 3,700 feet of reinforced concrete pipe ranging in size from 48-inches to 72-inches in diameter which is intended to collect tributary flows from the watershed roughly bounded by the Interstate 10/Union Pacific Railroad to the north, Hargrave Avenue to the west, South Hathaway Street to the east, and Wesley Street to the South. The underground storm drain would be constructed along South Hathaway Street, beginning at approximately East Barbour Street and extending approximately 0.5-mile south to Wesley Street and then continuing east along Wesley Street for approximately 0.25-mile to a proposed outlet at the Smith Creek Channel (see Figures 1 and 2). Existing utilities within Wesley and South Hathaway Streets may need to be relocated during construction. Associated appurtenant structures to be constructed within and adjacent to Hathaway Street and Wesley Street right-of-ways include inlets, and catch basins. A wing wall outlet structure and rip-rap apron would be constructed at the storm drain outlet proposed at Smith Creek. This wing wall outlet structure would require removal and reconstruction of existing concrete slope paving at Smith Creek.

The purpose of the project is to provide storm drain facilities that can convey the one (1) percent chance flood that emanates from the tributary watershed defined by the Banning MDP. The project would not change any of the existing land use conditions.

**7. Lead Agency Discretionary Actions:**

Discretionary actions that may be taken by the Lead Agency include, but are not limited to, the following:

- Approval of the Banning MDP Line H, Stage 1 project through Section 18 of the Riverside County Flood Control and Water Conservation District Act;
- Entering into agreements for utility owners to relocate its facilities;
- Project Advertisement for construction; and
- Property acquisition and obtaining easements. Property that RCFC&WCD may need to acquire or obtain easements on are included in the following table:

<b>APN</b>	<b>PURPOSE</b>
532180013	Underground Storm Drain/Outlet
532180052	Outlet Grading
531180025	Underground Storm Drain
541330002	Catch Basins
532130003	Catch Basins

**8. Surrounding Land Uses:**

The Banning Municipal Airport is located just north and east of the Project. Vacant land and airport industrial development occurs on the northwest side of the Project. The portion of the Project from Barbour Street to Charles Street has a land use designation of industrial; the parcels on the west side of the street are vacant and graded, the parcels on the east side of the street are developed with industrial uses. South of Charles Street the designated land use is rural residential and very low density residential; several parcels on the east side of Hathaway Street are vacant and graded, residential development occurs on the west side of the street.

	<b>Existing Land Use</b>	<b>General Plan Land Use Designation</b>
North	Airport, industrial, and vacant land	Public Facilities (Airport), Airport Industrial, Industrial
South	Vacant land and Residential	Rural Residential
East	Vacant land and residential	Very Low Density Residential
West	Residential development and vacant land	Rural Residential

**9. Environmental/Existing Site Conditions:**

The Project is located within the City of Banning near the southeast city limits. The Project would be constructed within the right-of-ways on Hathaway Street and Wesley Street. Both Hathaway Street and Wesley Street are developed asphalt roads. A portion of the storm drain from the terminus of Wesley Street to the Smith Creek outlet would be constructed within the private property; there is no asphalt road in this section of the alignment. Run-off rills and a small erosion channel were observed in the undeveloped portion of the storm drain alignment from the terminus of Wesley Street to Smith Creek. Smith Creek has a concrete bank within the Project area. A remnant stand of Riversidean alluvial fan sage scrub occurs along Smith Creek, above the ordinary



high water mark; predominant plant species consist of California buckwheat (*Eriogonum fasciculatum*), scale broom (*Lepidospartum squamatlum*), and California croton (*Croton californica*).

**10. Earlier Analyses Used:**

The Project is identified in the Master Drainage Plan (MDP) adopted by the RCFC&WCD in August 1995. However, the Project alignment, specifically the outlet location, has changed since the MDP adoption. Therefore, the District has elected to not use the previously adopted CEQA document and provide a standalone CEQA analysis for the Project.

**Impacts Adequately Addressed in Earlier Analyses:**

None.

**Mitigation Measures from Earlier Analysis:**

None.

**11. Other Public Agencies Whose Approval is Required:**

(e.g., permits, financing approval, or participation agreement.)

**Federal Agencies** (*not "public agencies" as defined by CEQA or required to take a CEQA action*)

None

**State Agencies**

California Department of Fish and Wildlife (CDFW): Section 1602 Streambed Alteration Agreement.

**City/County Agencies**

City of Banning: Approval of construction activities within County maintained road right-of-way.

**Financing Approval or Participation Agreements**

None.



LILBURN CORPORATION

**REGIONAL LOCATION**

Banning Master Drainage Plan Line H, Stage 1 Project  
 Banning, California

**FIGURE 1**



**PROJECT VICINITY**

Banning Master Drainage Plan Line H, Stage 1 Project  
Banning, California

**FIGURE 2**



### PHOTO LOCATION MAP

Banning Master Drainage Plan Line H, Stage 1 Project

Banning, California

**FIGURE 3**



Photo 1: Intersection of Barbour Street and Hathaway Street looking south.



Photo 2: Intersection of Charles Street and Hathaway Street looking south



Photo 3: Wesley Street looking east from the intersection with Hathaway Street



Photo 4: Undeveloped portion of Wesley Street looking west.



Photo 5: Proposed alignment on private property leading to Smith Creek (looking east).



Photo 6: Proposed outlet area on the Smith Creek Bank in the background and with Riversidian alluvial fan sage scrub creek bench in the foreground (looking east).

## LEAD AGENCY DETERMINATION

### Environmental Factors Potentially Affected

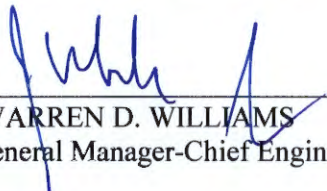
The environmental factors, as checked below, would potentially be affected by this project.

<input type="checkbox"/> Aesthetics <input type="checkbox"/> Agriculture Resources <input type="checkbox"/> Air Quality and Greenhouse Gas Emissions <input checked="" type="checkbox"/> <b>Biological Resources</b> <input checked="" type="checkbox"/> <b>Cultural Resources</b> <input type="checkbox"/> Geology/Soils <input type="checkbox"/> Hazards & Hazardous Materials <input type="checkbox"/> Hydrology/Water Quality <input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources <input type="checkbox"/> Noise <input type="checkbox"/> Population/Housing <input type="checkbox"/> Public Services <input type="checkbox"/> Recreation <input type="checkbox"/> Transportation/Traffic <input type="checkbox"/> Utilities/Service Systems <input checked="" type="checkbox"/> <b>Mandatory Findings of Significance</b>
--	--

### Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.**
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature:   
 WARREN D. WILLIAMS  
 General Manager-Chief Engineer

Dated: 12/3/15





**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Banning Master Drainage Plan Line H, Stage 1**

<b>Issue</b>	<b>Potential Impact</b>	<b>Mitigation Measures</b>	<b>Action</b>	<b>Implementation Responsibility</b>	<b>Governing Agency</b>	<b>Implementation Timing</b>
Biological Resources	The proposed Project contains suitable habitat for burrowing owl and implementation of the Project has the potential to impact burrowing owl.	Mitigation Measure 1: A pre-construction survey for burrowing owls shall be conducted no more than 30-days prior to grading or ground disturbing activity. The pre-construction survey and any relocation of burrowing owls, if present, shall be conducted in accordance with current MSHCP survey guidelines and protocols.	Pre-construction survey	RCFC&WCD	CDFW	No more than 30-days prior to grading or ground disturbance
Biological Resources	The proposed project has the potential to impact nesting birds if construction occurs during the nesting season.	Mitigation Measure 2: If vegetation must be removed during the nesting season (February 1 <sup>st</sup> – August 31 <sup>st</sup> ), a qualified biologist will conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. If active nests are identified, the biologist will establish appropriate buffers around the vegetation containing active nests. The vegetation containing active nests will not be removed, and no grading will occur within the established buffer, until a qualified biologist has determined that the nest is no longer active.	Pre-construction survey	RCFC&WCD	CDFW; USFWS	Prior to grading or ground disturbance if construction is scheduled to occur between February 1 <sup>st</sup> – August 31 <sup>st</sup> .
Biological Resources	The proposed Project has the potential to impact USACE jurisdictional waters.	Mitigation Measure 3: In order to avoid impacts to Corps jurisdictional area, prior to initiation of construction activities at Smith Creek, the jurisdictional area will be delineated by the RCFC&WCD and marked for avoidance.	Delineation of Project area	RCFC&WCD	USACE	Prior to grading or ground disturbance at Smith Creek.

Issue	Potential Impact	Mitigation Measures	Action	Implementation Responsibility	Governing Agency	Implementation Timing
Cultural Resources	Ground disturbing activities have the potential to impact cultural resources along Hathaway Street, south of Bryan Street and along Wesley Street from Hathaway Street to Smith Creek.	Mitigation Measure 4: An archaeological monitor shall be present for all excavations conducted along Hathaway Street, south of Bryan Street, and along Wesley Street from Hathaway Street to Smith Creek. Should resources be uncovered, the monitor shall identify and record the resource. If evidence of Native American resources is identified, a local Native American representative may be added to the monitoring program, if requested by the local Native American tribe (in this case, a representative of the Morongo Band of Mission Indians).	Construction Monitoring	RCFC&WCD	State Historic Preservation Office	During earth work activities along Hathaway Street, south of Bryan Street and along Wesley Street from Hathaway Street to Smith Creek.

## EVALUATING ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (*e.g., the project falls outside a fault rupture zone*). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (*e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis*).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: No Impact or Less Than Significant" applies when the proposed project will not have a significant effect on the environment, does not require the incorporation of mitigation measures, and does not require the preparation of an Environmental Impact Report. The lead agency must briefly describe the reasons that a proposed project will not have significant effect on the environment and does not require the preparation of an environmental impact report.
5. "Mitigated Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced any effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses", as described in (-6) below, may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (CEQA Guidelines Section 15063(c)(3)(D).) The use of an earlier analysis as a reference should include a brief discussion that identifies the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (*e.g., general plans, zoning ordinances*). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scenic vistas of the San Gorgonio and San Jacinto Mountains occur from the Project area. Temporary construction activities may result in limited localized effects on views of the San Gorgonio and San Jacinto mountains. Such impacts would be short-term and would not permanently obstruct or otherwise substantially adversely affect a scenic vista. Limited obstructed views during construction would constitute a less than significant impact.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Highway 243 is a designated State Scenic Highway from the Banning city limits to State Route 74 (California Department of Transportation – “Officially Designated State Scenic Highways”). State Highway 243 begins on 8 <sup>th</sup> Street south of Interstate 10, runs south to Lincoln Street, continues east to San Gorgonio Avenue to the Banning city limit; at the city limit San Gorgonio Avenue becomes the Banning-Idyllwild Panoramic Highway. San Gorgonio Avenue runs parallel to Hathaway Street and is located one mile west of the proposed storm drain alignment on Hathaway Street. Implementation of the proposed Project would not damage scenic resources within the designated State Scenic Highway as no permanent changes to any scenic resources would occur from the storm drain installation. No impacts are anticipated.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Temporary construction activities may result in limited localized effects to the existing visual character of the Project site due to the operation of construction equipment and equipment staging. However, upon completion of construction activities, no impacts would occur to the visual character or quality of the surrounding area from the storm drain project. Less than significant temporary impacts are anticipated during construction.				
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed Project is the construction of a storm drain within the Hathaway Street and Wesley Street right-of-ways, construction of manholes, construction of curb inlets, and construction of a reinforced concrete box storm drain outlet and rip-rap apron within Smith Creek. Operation and maintenance of the storm drain facilities would not involve any additional light or glare sources. All construction activities are expected to take place during daylight hours. Under rare emergency conditions, use of artificial lighting may be anticipated; however, any impacts would be temporary and, therefore, less than significant.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURAL &amp; FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data that inventories agricultural land resources in the State. Agricultural land is rated according to soil quality and irrigation status; the best quality land is classified as Prime Farmland. The maps are updated every two years and the latest maps are available digitally through the FMMP interactive mapping viewer.</p> <p>The Project site and vicinity was reviewed in the FMMP interactive map on May 9, 2014. The proposed storm drain alignment on Hathaway Street from its northern limit to Charles Street is identified as urban built-up land, south of Charles Street the area has a designation of “Farmland of Local Importance.. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is identified within the proposed alignment or in the immediate vicinity. Under existing conditions parcels south of Charles Street with a farmland of local importance designation are vacant and do not support agricultural uses. The proposed pipeline will be constructed within the Hathaway Street and Wesley Street right-of-ways and would not result in the conversion of farmland of local importance to non-agricultural use. No impacts would occur.</p>				
b) Conflict with existing agricultural zoning, agricultural use or land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Project site was reviewed in the Riverside County Williamson Act FY 2008/2009 Sheet 1 of 3 prepared by the California Department of Conservation Division of Land Resource Protection Conservation Program Support. Land in the immediate vicinity of the proposed storm drain alignment is classified as urban built-up land or as non-enrolled land. Additionally, undeveloped/vacant parcels in the immediate vicinity of the Project were researched in the Riverside County TLMA GIS online service; according to the database none of the parcels are enrolled in the Riverside County Agricultural Preserve program. Implementation of the Project would not impact Williamson Act Land or land within a Riverside County Agricultural Preserve.</p>				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Land use designations along the proposed storm drain alignment include: public facilities (Banning Airport), airport industrial, industrial, rural residential and very low density residential (City of Banning General Plan). The proposed storm drain would be constructed within the Hathaway Street and Wesley Street right-of-ways; a storm drain outlet would be constructed at Smith Creek. Vacant and undeveloped parcels south of Charles Street and adjacent to the alignment have a designation of farmland of local importance as determined by the California Department of Conservation Farmland Mapping and Monitoring Program. These parcels are not utilized as farmland or developed with agricultural uses; additionally the alignment is located within the Hathaway Street and Wesley Street right-of-ways and would not result in the conversion of farmland to non-agricultural uses. No impacts would occur.</p>				
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
According to the City of Banning General Plan with Zoning Overlay map, land uses along the proposed storm drain alignment include: public facilities (Banning Airport), airport industrial, industrial, rural residential and very low density residential. No land zoned as forestland, timberland, or timberland production occurs within the proposed storm drain alignment or in the immediate vicinity. No impacts are anticipated.				
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No forest land occurs within the project area. No impacts to forest land would result.				
<b>III. AIR QUALITY AND GREENHOUSE GAS EMISSIONS.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed drainage improvement project consists of a gravity fed storm drain within the Hathaway Street and Wesley Street right-of-ways in Banning. The project is located within the South Coast Air Basin (SCAB). To ensure continued progress toward clean air and comply with State and federal requirements in the SCAB, the South Coast Air Quality Management District (SCAQMD), in conjunction with the California Air Resources Board (CARB), the Southern California Association of Governments and the U.S. Environmental Protection Agency have prepared the Final 2012 Air Quality Management Plan (AQMP). SAAQMD is currently initiating an early development process for the 2016 AQMP. The AQMP incorporates the latest scientific and technological information and planning assumptions, including but not limited to local General Plans and regional plans. Upon completion of construction activities, operation and maintenance of the Project would result in minimal emissions comparable to construction emissions. Maintenance activities would include routine maintenance of access roads and of the outlet structure at Smith Creek approximately once a year. Maintenance may include but is not limited to re-grading/repairing access roads, trash removal, erosion control, and sediment and debris removal from the outlet structure. Restorative maintenance may be necessary in the event of large flooding events and would occur only in an as-needed basis. Approval of the project would not conflict with the 2012 AQMP as the improvements have been included in the plan. No impact is anticipated.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See discussion in III(c) below.				
c) Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard ( <i>including releasing emissions which exceed quantitative thresholds for ozone precursors</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drainage improvements within Hathaway Street and Wesley Street right-of-way would require earthmoving, material removal, and other activities such as grading and asphalt paving. The project's construction activities were screened for emission generation using South Coast Air Quality Management District (SCAQMD) "Air Quality Handbook" guidelines, Emission Factors for On-Road Heavy-Duty Diesel Trucks (2015) and SCAQMD Off-Road Mobile Source Emissions Factors (2015). These tables are used to generate emissions estimates for development projects. The criteria pollutants screened for included: reactive organic gases (ROG), nitrous oxides (NO <sub>x</sub> ), carbon monoxide (CO), and particulates (PM <sub>10</sub> and PM <sub>2.5</sub> ). Two of these, ROG and NO <sub>x</sub> , are ozone precursors.				



Issues and Supporting Information Sources:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Construction earthwork emissions are considered short-term, temporary emissions. Modeled emission estimates are presented in Table 1. The following construction parameters were assumed:

*Material Removal, Typical daily equipment:*

- The removal of construction debris (asphalt, concrete, earth, etc.).
- Approximately 45 mile haul distance (roundtrip)

*Drainage Improvement equipment (operating 8 hours per day, worst case scenario):*

- Bore/Drill Rig
- Concrete/Industrial Saw
- Crane
- Crawler Tractors
- Excavator
- Paving Equipment
- Roller
- Rubber Tired Loader
- Skid Steer Loader
- Tractor/Loader/Backhoe

**Table 1  
Construction Emissions  
“Development Improvements”  
(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Bore/Drill Rig	0.5	4.9	4.0	0.2	0.2
Concrete/Industrial Saw	0.7	3.9	3.2	0.3	0.3
Crane	1.9	16.3	7.0	0.7	0.7
Crawler Tractor	1.1	8.0	4.5	0.5	0.5
Excavator	1.7	11.9	8.4	0.6	0.6
Paving Equipment	0.8	5.5	3.4	0.4	0.4
Roller	0.7	4.6	3.2	0.3	0.3
Rubber Tired Loader	1.7	12.5	7.4	0.7	0.7
Skid Steer Loader	0.3	1.8	1.8	0.1	0.1
Tractor/Loader/Backhoe	0.5	3.6	3.0	0.2	0.2
Haul Truck	1.4	17.2	6.2	1.6	1.6
<b>Totals (lbs/day)</b>	<b>11.4</b>	<b>90.2</b>	<b>52.1</b>	<b>5.5</b>	<b>5.5</b>
SCAQMD Threshold	75	100	550	150	55
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: SCAQMD Off-Road Mobile Source Emissions Factors (2015)

As shown in Table 1 construction emissions would not exceed SCAQMD thresholds.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Compliance with SCAQMD Rule 403</i></p> <p>Although the proposed project does not exceed SCAQMD thresholds for construction emissions, the applicant is required to comply with all applicable SCAQMD rules and regulations as the South Coast Air Basin is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub>). The project contactor shall comply with all provisions of Rule 403.</p>				
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is construction, operation and maintenance of a storm drain within the Hathaway Street and Wesley Street right-of-way and an outfall to Smith Creek. The Project would improve storm water flow within the vicinity. As shown in Table 1 construction impacts are not anticipated to exceed SCAQMD thresholds. Maintenance activities on the alignment roads and outfall are expected to occur approximately once a year. Subsequent maintenance is expected to release infrequent and minor air emissions associated with trucks used on an as-needed basis for inspection or maintenance purposes. Operation and maintenance of the Project would result in minimal emissions comparable to construction emissions. Neither construction nor operational emissions would exceed the SCAQMD thresholds, therefore, the proposed drainage improvements are not anticipated to impact sensitive receptors.</p>				
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Project would improve storm water flow within the vicinity. The Project includes construction, operation and maintenance of a storm drain in existing road right-of-ways and an outfall to Smith Creek. The Project would not result in any permanent odor emission and operational emissions would not occur. Therefore, the proposed Project would not result in any permanent impacts to surrounding properties from objectionable odors.</p>				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>In September 2006 Governor Schwarzenegger signed Assembly Bill 32, The Global Warming Solutions Act of 2006. The Act requires that by the year 2020, the Greenhouse Gas (GHG) emissions generated in California be reduced to the levels of 1990.</p> <p>Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin or even at a neighborhood level. Greenhouse gas emissions are treated differently as the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. However the three gases that are currently evaluated are Carbon dioxide (CO<sub>2</sub>) Methane (CH<sub>4</sub>) and Nitrous oxide (N<sub>2</sub>O). GHGs emissions were evaluated using SCAQMD's Off-Road Mobile Source Emissions Factors (2015), Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (2015), and California Climate Action Registry General Reporting Protocol, 2009I; Table A9-8-C SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2. Model results for GHG emissions related to the Proposed Project are shown in Table 2. A threshold of 3,000 MTCO<sub>2E</sub> per year has been adopted by SCAQMD for determining a project's potential for significant impact to global warming for non-industrial projects (Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, SCAQMD, October 2008).</p>				

Issues and Supporting Information Sources:

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

**Table 2  
Greenhouse Gas Construction Emissions  
“Development Improvements”  
MT Per Year**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O <sup>1</sup>
Bore/Drill Rig	1320	0.0	0.0
Concrete/Industrial Saw	168	0.1	0.0
Crane	2064	0.2	0.0
Crawler Tractor	912	0.1	0.0
Excavator	1920	0.2	0.0
Paving Equipment	551.2	0.1	0.0
Roller	536.8	0.1	0.0
Rubber Tired Loader	1744.0	0.2	0.0
Skid Steer Loader	242.4	0.0	0.0
Tractor/Loader/Backhoe	534.4	0.0	0.0
Haul Truck	3410.1	0.1	0.0
Total lbs. per day	13,703.90		
Total in MT per day	6.84		
<b>Total CO<sub>2</sub>e Per Year</b>	<b>718.2</b>		
SCAQMD Threshold	3,000		
<b>Significant</b>	<b>No</b>		

Source: Emission Factors for On-Road Heavy-Duty Diesel Trucks (2014)

<sup>1</sup> California Climate Action Registry General Reporting Protocol, 2009I;

Table A9-8-C SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2

Note: 105 work day period

As shown in Table 2, GHG emissions related to the proposed Project would not exceed the SCAQMD GHG emissions threshold. Operation and maintenance of the Project would result in minimal emissions comparable to construction emissions. Therefore, impacts are anticipated to be less than significant.

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





There are no existing GHG plans, policies, or regulations that have been adopted by CARB or SCAQMD that would apply to this type of emissions source. As discussed in Section III (f) above, the GHG emissions generated by the proposed Project are temporary and fall well below the recommended significance threshold. It is possible that CARB may develop performance standards for Project-related activities prior to Project construction. In this event, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation. Therefore, impacts would be less than significant, and no mitigation would be required.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A General Biological Resources Assessment for the Master Drainage Plan Line H Storm Drain was prepared by Natural Resources Assessment, Inc. As described in the Biological Resources Assessment, surveys of the project area were conducted on May 12, 2014. Within the paved portions of the alignment there are no plant communities; undeveloped sections are either vegetated with ruderal plants, Riversidian alluvial fan sage scrub, or landscape plants.

The proposed project area is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey area for narrow endemic plant species, criteria area plant species, mammals, and burrowing owl. Sensitive biological resources identified from literature to have the potential to occur in the area include two California Native Plant Society (CNPS) Inventory List 1B.1 Plants: Marvin’s onion (*Allium marvinii*) and multi-stemmed dudleya (*Dudleya multicaulis*), and two species designated by the California Department of Fish and Wildlife as Species of Special Concern: Los Angeles pocket mouse (*Perognathus longimembris brevinasus*) and burrowing owl (*Athene cunicularia hypogea*). The Biological Resources Assessment concluded that the project site does not support suitable habitat for Marvin’s onion or multi-stemmed dudleya and that no impacts to these species or their habitat would occur.

The Biological Resources Assessment identified suitable habitat for burrowing owl. The focused burrowing owl survey area encompassed 500-feet on either side of the proposed storm drain alignment, where access was available, and was conducted on August 29, 2014; the survey area was determined to be unoccupied. Two natural burrows that could potentially be occupied by burrowing owl in the future were recorded. In order to avoid potential impacts to burrowing owl Mitigation Measure 1 shall be implemented.

A portion of the project area is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) Mammal Species Survey Area, which requires surveys for Los Angeles Pocket Mouse (LAPM). The Biological Resources Assessment identified suitable habitat for this species in undeveloped properties along the south side of Wesley Street and within Smith Creek. Protocol surveys for LAPM were conducted over a period of five night trapping sessions starting on September 5, 2014. The surveys focused on the determination of presence/absence; a total of 109 traps were set in suitable habitat along the alignment. A single grid of seven by seven (49 traps) was set within Smith Creek at the location of the proposed storm drain outlet.

North American deer mouse (*Peromyscus maniculatus*), Dulzura kangaroo rat (*Dipodomys simulans*), Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), and northwestern San Diego pocket mouse (*Chaetodippus fallax fallax*) were trapped within Smith Creek.

The area of Smith Creek to be permanently impacted by the project is approximately 0.1 acres, a portion of which is on the existing concrete bank along Smith Creek. The permanent impact area does not affect the riverine/riparian area of the Creek. Temporary impacts of up to 1.41 acres to the riverine/riparian habitat would be restored to pre-project conditions. Smith Creek is outside of the MSHCP Criteria Area and has not been identified as a core area for the conservation of LAPM as identified in the species objectives defined in the MSHCP. Therefore, Smith Creek does not provide long term conservation value for LAPM. Although focused surveys for the species returned positive; the Project net impact to suitable habitat is approximately 0.1 acres and permanent impacts would be avoided on more than 90% of suitable habitat on the property (1.66 of 1.76 acres). Therefore, mitigation measures and a Determination of Biologically Equivalent or Superior Preservation under the MSHCP are not required.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The Biological Resource Assessment identified suitable nesting habitat for birds along the eastern portion of the storm drain alignment and near the Smith Creek outfall that includes a row of eucalyptus trees near the creek bank and Riversidian alluvial fan sage scrub on the creek bench. Although no nests were observed during the field survey, raptors and all migratory bird species receive protection under the Migratory Bird Treaty Act (MBTA) of 1918. Additional protection is provided to all bald and golden eagles under the Bald and Golden Eagle Protection Act of 1940. It is possible that birds may nest at the site; therefore, if tree removal, or site grading will occur during nesting season (February 1 Through August 31) Mitigation Measure 2 shall be implemented.</p> <p><b>Mitigation Measure 1:</b></p> <p><b>A pre-construction survey for burrowing owls shall be conducted no more than 30-days prior to grading or ground disturbing activity. The pre-construction survey and any relocation of burrowing owls, if present, shall be conducted in accordance with current MSHCP survey guidelines and protocols.</b></p> <p><b>Mitigation Measure 2</b></p> <p><b>If vegetation must be removed during the nesting season (February 1 – August 31), a qualified biologist will conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. If active nests are identified, the biologist will establish appropriate buffers around the vegetation containing active nests. The vegetation containing active nests will not be removed, and no grading will occur within the established buffer, until a qualified biologist has determined that the nest is no longer active.</b></p>				
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The field survey conducted for the Biological Resources Assessment included an evaluation for jurisdictional waters and wetlands including riparian/riverine areas and vernal pools/fairly shrimp habitat within the proposed Line H pipeline alignment study area.</p> <p>The Biological Resources Assessment determined that no vernal pools or fairy shrimp habitats occur within the project. The soils within the project alignment are described as well-drained to excessively well drained, no clay or similar hard-packed surface soils that might retain water long enough to support fairy shrimp were identified.</p> <p>The project study area was surveyed for the presence of riparian and riverine habitats. No riparian habitat was identified within the study area. Implementation of the project would have a minimal temporary impact on riverine habitat on approximately .01 acres of the active stream within Smith Creek. The Biological Resources Assessment determined that temporary loss of riverine habitat would occur during construction; however, the impacted area would be allowed to return to existing functions and values after construction through restoration. There are no impacts to other resources of concern under the MSHCP. In addition, no MSHCP Criteria Areas occur downstream of the Project impact area at Smith Creek. Therefore, based on the above information, NRAI determined that no DBESP is warranted under section 6.1.2 of the MSHCP and no additional mitigation is necessary.</p>				
<p>c) Have a substantial adverse effect on biological resources involved within a jurisdictional water feature as defined by federal, state or local regulations (e.g., Section 404 of the Clean Water Act, Section 401 of the Clean Water Act, Section 1602 of California Fish and</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Game Code, Porter-Cologne Water Quality Control Act, etc.) through direct removal, filing, hydrological interruption, or other means?				

The field survey conducted for the Biological Resources Assessment included an evaluation for waters and wetlands subject to jurisdiction of the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act, California Department of Fish and Wildlife (CDFW) under Sections 1600 et seq. of the California Fish and Game Code, and the State Water Resources Control Board regulations.

No wetlands were recorded in the project area.

Smith Creek at the terminus of the proposed alignment is a jurisdictional water under the regulation of the Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board (RWQCB). Construction of the proposed storm drain outlet on the Smith Creek Bank may result in total impacts of approximately 1.5 acres on the Smith Creek bank and bench of which, permanent impacts are expected to be approximately 0.1 acres. No permanent impacts would occur within Smith Creek below the ordinary high water mark.

The lateral limit of Corps jurisdiction includes the active channel and extends to the Ordinary High Water Mark (OHWM) and to any wetland areas extending beyond the OHWM; thus the maximum jurisdictional area is represented by the OHWM or wetland limit, whichever is greater. A portion of the project study area extends into approximately 0.1 acres of Corps jurisdictional area within Smith Creek. The Project impact area does not extend into the jurisdictional limits of the Corps. A Section 404 permit would not be required by the Corps if impacts to the jurisdictional area are avoided.

CDFW jurisdiction consists of the bed and banks of Smith Creek including the concrete sided slopes. The CDFW jurisdictional area within Smith Creek includes a bench occupied by the Riversidian alluvial fan sage scrub plant community. Approximately 1.41 acres under the jurisdiction of the California Department of Fish and Wildlife would be temporarily impacted during construction and 0.09 acres would be permanently impacted by the construction of the outlet, wing wall, and apron.

It is anticipated that the proposed project would not need a Section 404 Permit from the Corps; therefore a Section 401 Certification would not be required from the RWQCB. Activities relating to the construction and maintenance of the storm drain facilities would be regulated by the RWQCB under the NPDES MS4 permit program and the General Construction permit. Prior to initiating construction, the RCFC&WCD would notify the RWQCB of its finding that no 404/401 permits are required; the RWQCB may pursue regulation of the construction through issuance of Waste Discharge Requirements.

The Biological Resources Assessment also discusses roadside ditches and an erosion-cut channel that flow into Smith Creek. Both the roadside ditches and erosion-cut channel are described as ephemeral with no habitat value. Flow from these does not affect the beneficial uses of Smith Creek. As such, the roadside ditches and erosion-cut channel are not subject to the jurisdiction of the Army Corps of Engineers, California Department of Fish and Wildlife, or the Regional Water Quality Control Board.

Per the findings in the Biological Resources Assessment, NRAI recommends that the appropriate permits required by the California Department of Fish and Wildlife and the Colorado River Regional Water Quality Control Board be obtained prior to initiating construction. Therefore, the RCFC&WCD would submit the findings of the Biological Resources Assessment to the California Department of Fish and Wildlife and the Colorado Regional Water Quality Control Board and obtain permits as necessary. If impacts to Corps jurisdictional area cannot be avoided, the Corps should also be notified and permits obtained per their direction. The following mitigation measure shall be implemented to ensure that impacts to jurisdictional waters are avoided and minimized.

**Mitigation Measure 3:**

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>In order to avoid impacts to Corps jurisdictional area, prior to initiation of construction activities at Smith Creek, the jurisdictional area will be delineated by the RCFC&amp;WCD and marked for avoidance.</b>				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Per the Biological Resources Assessment, due to the presence of residential development, commercial structures, and light industrial and agricultural land uses, the only remaining wildlife corridor within the project area is Smith Creek. Impacts to this corridor would be limited to the construction period and would not permanently impact wildlife movement. Impacts that may occur to the Smith Creek wildlife corridor during the construction of the storm drain outlet are not considered significant.</p> <p>The MSHCP San Gorgonio River/San Bernardino-San Jacinto Mountains Special Linkage area is located in the vicinity of the proposed storm drain alignment. The linkage area delineated in the MSHCP closest to the storm drain alignment is occupied by the Banning Airport. As reported in the Biological Resources Assessment, impacts to this section of the linkage area have already occurred and no additional impacts would occur as a result of the proposed storm drain project.</p>				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The City of Banning municipal code requires that a permit from the Superintendent of Public Works be procured prior to cutting down or removing any trees on public streets, lanes, alleys, or parkways (12.48.050). The RCFC&amp;WCD would submit the storm drain engineering plans for approval to the City. Should the final engineering plans identify removal of trees on public streets, permits required by the City upon their review would be procured to ensure compliance with local policies and ordinances protecting biological resources. No conflicts are anticipated.</p>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The Project Site is located within the planning area of the Western Riverside County MSHCP within The Pass Area Plan. The Western Riverside MSHCP includes a number of public and private activities that may or may not be subject to additional requirements, depending upon their location. Under Section 7.1 of the MSHCP covered activities outside Criteria Areas and Public/Quasi-Public Lands as identified in the MSHCP are permitted under the MSHCP subject to a determination of consistency with MSHCP policies that apply outside the Criteria Area (such as policies related to riparian and riverine areas, vernal pools, narrow endemic plant species, additional survey needs and procedures, and funding/fee issues). The proposed project alignment is not located on Public/Quasi-Public Lands, and is not within a designated Criteria Area. Additional surveys as required have been completed and consistency with the MSHCP is summarized below. The Project is consistent with Section 7.1 of the MSHCP and is a covered activity.</p> <p>The Project Site was evaluated in the context of the MSHCP in order to complete a consistency analysis. The MSHCP identified the project study area as potentially having habitat for narrow endemic plant species, Los Angeles pocket mouse, and burrowing owl. In addition, the MSHCP requires an assessment of riverine and riparian habitats, as well as vernal pools and potential fairy shrimp habitat.</p> <p><u>Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools (Section 6.1.2)</u></p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The Biological Resources Assessment determined that no vernal pools or fairy shrimp habitats occur within the project. The soils within the project alignment are described as well-drained to excessively well drained, no clay or similar hard-packed surface soils that might retain water long enough to support fairy shrimp were identified.</p>				
<p>The project study area was surveyed for the presence of riparian and riverine habitats. No riparian habitat was identified within the study area. Implementation of the project would have a minimal temporary impact on riverine habitat on approximately .01 acres of the active stream within Smith Creek. The Biological Resources Assessment determined that temporary loss of riverine habitat would occur during construction; however, the impacted area would be allowed to return to existing functions and values after construction through restoration. There are no impacts to other resources of concern under the MSHCP. In addition, no MSHCP Criteria Areas occur downstream of the Project impact area at Smith Creek. Therefore, based on the above information, NRAI determined that no DBESP is warranted under section 6.1.2 of the MSHCP and no additional mitigation is necessary.</p>				
<p>The Project is in compliance with Section 6.1.2 of the MSHCP and no conflicts related to riparian/riverine resources and conservation within the MSHCP are anticipated.</p>				
<p><u>Protection of Narrow Endemic Plant Species (Section 6.1.3)</u>  No narrow endemic plant species or their habitats were identified within the project study area and no impacts are anticipated. Based on the result of surveys required by Section 6.1.3 of the MSHCP, no impacts related to protected plant species under the MSHCP are anticipated.</p>				
<p><u>MSHCP Guidelines Pertaining to the Urban/Wildlands Interface (Section 6.1.4)</u>  The Urban/Wildlands Interface guidelines of the MSHCP address indirect effects associated with locating development in the MSHCP Conservation Area near wildlands or other open space areas. The Line H alignment is located along public streets and extends onto private lands. It is not within a MSHCP Criteria Area. The northern portion of the project alignment, Hathaway Street from the north project limit to Westward Avenue, is located adjacent to the San Geronio River/San Bernardino-San Jacinto Mountains Linkage as identified in the MSHCP. The portion of the special linkage adjacent to the proposed storm drain alignment is occupied by the Banning Airport. Impacts to this section of the special linkage area have already occurred and no additional impacts would occur associated with implementation of the proposed project.</p>				
<p>Implementation of the proposed project would result in an improvement to the existing conditions by controlling surface flow. It would not result in long-term edge effects such as drainage, toxics, lighting, noise, invasive species, or grading to the adjacent land uses or habitat in the MSHCP Conservation Area. No conflicts related to the guidelines in Section 6.1.4 of the MSHCP would occur.</p>				
<p><u>MSHCP Additional Survey Needs and Procedures (Section 6.3.2)</u>  Potential habitat for burrowing owl and LAPM was recorded along vacant fields immediately adjacent to the pipeline impact area and within the study area. Protocol surveys per the requirements of the MSHCP were conducted for these species and mitigation as recommended has been incorporated into the proposed project. See Section IV (a).   The Biological Resources Assessment identified suitable habitat for burrowing owl. The focused burrowing owl survey area encompassed 500-feet on either side of the proposed storm drain alignment, where access was available, and was conducted on August 29, 2014; the survey area was determined to be unoccupied. Two natural burrows that could potentially be occupied by burrowing owl in the future were recorded. In order to avoid potential impacts to burrowing owl Mitigation Measure 1 as described in Section IV(a) above shall be implemented.</p>				
<p>Implementation of the Project would permanently impact approximately 0.1 acres of LAPM habitat within Smith Creek. Smith Creek is outside of the MSHCP Criteria Area and has not been identified as a core area for the conservation of</p>				



Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>LAPM as identified in the species objectives defined in the MSHCP. Therefore, Smith Creek does not provide long term conservation value for LAPM. Although focused surveys for the species returned positive; the Project net impact to suitable habitat is approximately 0.1 acres and permanent impacts would be avoided on more than 90% of suitable habitat on the property (1.66 of 1.76 acres). Therefore, mitigation measures and a Determination of Biologically Equivalent or Superior Preservation under the MSHCP are not required consistent with Section 6.3.2 of the MSHCP.</p> <p><u>Flood Control Facilities (Section 7.3.7)</u>  This Section of the MSHCP applies to flood control facilities within MSHCP Criteria Areas or PQP lands. The Project is not located within a Criteria Area or PQP lands and is a covered activity under Section 7.1 of the MSHCP. Section 7.3.7 is not applicable to the proposed Project.</p> <p><u>Construction Guidelines (Section 7.5.3)</u>  Section 7.5.3 of the MSHCP outlines construction guidelines that must be implemented for projects located within the Criteria Area or PQP lands. The Project is not located within a Criteria Area or PQP lands, therefore, Section 7.5.3 is does not apply.</p>				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>A cultural resources investigation for the Project was completed by McKenna et al (June 2014). The investigation was facilitated through the completion of a records search at the UCR Eastern Information Center, inquiries through the Native American Heritage Commission and local Native American representatives, historic background research, a field survey, and analysis of the data compiled for the preparation of a technical report.</p> <p>Research into previous studies identified a minimum of 28 cultural resources investigations within a one-mile radius of the Project area and a minimum of 108 cultural resources within the same area. Within the Project area of potential impact, the research and field survey resulted in identification of a single pre-1969 residential structure at 1881 E. Wesley Street and the historic alignments of Barbour Street, Charles Street, Wesley Street, Westward Avenue, and Hathaway Street. Curbing, sidewalks, and other infrastructure now define these roadways. Evidence of the earlier roadways may be present beneath the modern improvements. Additionally, implementation of the project would not result in impacts to the residential unit as shown in the project plans. Per the findings of the Cultural Investigation, the only resource of any note is the presence of the remnants of fence lines on the eastern extent of Wesley street. The fence lines have been determined insignificant with respect to CEQA and NEPA criteria and, therefore the proposed storm drain would not result in and adverse impact in the area of these fences.</p> <p>Per the findings of the Cultural Investigation the proposed Project is anticipated to result in less than significant impacts to historical resources as defined in §15064.5.</p>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Research conducted as part of the Cultural Resources Investigation identified two areas of high sensitivity for the presence of prehistoric archaeological resources in the vicinity of Hathaway Street and Wesley Street. The extent of the resource is unknown; however, based on available information the resource would meet the definition of a significant resource under the state and federal definitions – specifically for its potential to yield significant scientific information</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>about the Native American occupation of the area. In order to avoid potential impacts to the resource the following Mitigation Measure shall be implemented.</p> <p><b>Mitigation Measure 4:</b></p> <p><b>An archaeological monitor shall be present for all excavations conducted along Hathaway Street, south of Bryan Street, and along Wesley Street from Hathaway Street to Smith Creek. Should resources be uncovered, the monitor shall identify and record the resource. If evidence of Native American resources is identified, a local Native American representative may be added to the monitoring program, if requested by the local Native American tribe (in this case, a representative of the Morongo Band of Mission Indians).</b></p>				
<p>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>No evidence of paleontological resources was identified during the survey conducted by McKenna et al.. The County of Riverside GIS system identifies the project area as being within an area of “Low Sensitivity” for paleontological specimens. Previously completed development and infrastructure excavations have failed to result in any identification of fossil specimens. Overall, the storm drain alignment was determined to be outside of an area of paleontological sensitivity.</p> <p>The cultural resources investigation determined that the project area is not considered sensitive for paleontological resources and therefore the project area is not considered sensitive for the identification of paleontological resources. However, future project-related excavation may result in impacts to buried resources along the storm drain alignment if such resources are encountered during construction activities. Implementation of the RCFC&amp;WCD standard “Accidental Discovery” specification would ensure that impacts to any discovered resources are less than significant.</p> <p><u>Accidental Discovery</u> - In the event that any hazardous materials, historical, archaeological, or paleontological resources are accidentally discovered within project limits, the Contractor shall immediately cease all construction or ground disturbance activity in the vicinity of the find and notify the Engineer. District will provide the appropriate professional to assess the significance of the discovery and, if necessary, develop appropriate management and treatment measures. The Contractor shall not resume construction in the affected area without Engineer's approval.</p>				
<p>d) Disturb any human remains, including those interred outside of formal cemeteries?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Construction activities, particularly grading, soil excavation and compaction, could adversely affect unknown buried human remains. Per State Health and Safety Code 7050.5, if human remains are encountered during construction, no further disturbance shall occur until the Riverside County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours by the Engineer. If the County Coroner determines that the remains are not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted by the Engineer to determine the most likely descendent for this area. Once the most likely descendent is determined, treatment of the Native American human remains will proceed pursuant to Public Resources 5097.98. The NAHC may become involved with decisions concerning the disposition of the remains.</p> <p>Should remains be uncovered during excavation or site preparation, appropriate authorities would be contacted as required by State law. Therefore, there would be a less than significant impact.</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a Known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The City of Banning is located at the boundary formed by the San Andreas Fault, of the North American and Pacific tectonic plates. According to the City of Banning General Plan the San Andreas Fault accommodates approximately 70% of the movement between the North American and Pacific tectonic plates; therefore, the Banning area in general is susceptible to potential intense seismic ground shaking.</p>				
<p>The San Gorgonio Pass Fault is the closest Alquist-Priolo Earthquake Fault Zone to the Project site as delineated in the latest State Earthquake Fault Zone maps and in Exhibit V-3 of the General Plan. The San Gorgonio Pass Fault is located approximately 2.5 miles north of Interstate 10. The San Gorgonio Pass fault zone is comprised of a series of north-dipping reverse and thrust faults connected by strike tear faults. The most recently active strands of faults occur at the base of the Banning Bench, in the central part of Banning. The Highland Scarp along the western edge of the City is considered an active segment of the San Gorgonio Pass fault zone. The San Gorgonio Pass fault is capable of producing a maximum credible earthquake magnitude of 7.4 – 7.6 (<math>M_{max}</math>).</p>				
<p>The proposed Project is an infrastructure project that includes construction of a storm drain within the right-of-ways of Hathaway Street and Wesley Street and construction of a storm drain outlet at Smith Creek. No habitable structures that would involve exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving earthquake rupture, or strong seismic ground shaking are proposed and no impacts are anticipated.</p>				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Refer to Item VI (a) (i) above.				
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Liquefaction occurs in loose, saturated, sandy sediments that are subjected to ground vibration. During liquefaction, involved soils behave like a liquid or semi-viscous substance and can cause structural distress or failure due to ground settlement, a loss of load-bearing capacity in foundation soils, and the buoyant rise of buried structures. Three general conditions induce liquefaction; 1) strong ground shaking for a sustained period of time, 2) presence of unconsolidated granular sediments, and 3) occurrence of water-saturated sediments within 50 feet of the ground surface.</p>				
<p>The City of Banning General Plan identifies this condition to be present within its planning area and identifies a moderate potential for liquefaction at the subject Project Site (Exhibit V-4 of the General Plan).</p>				
<p>A geotechnical investigation of the proposed alignment prepared by Matrix Geotechnical Consulting Inc. determined that the potential for liquefaction to occur on the site is considered negligible because of the absence of shallow ground water. The proposed Project does not include habitable structures that would involve exposure of people or structures to potential adverse effects related to seismic-related ground failure including liquefaction. No adverse effects related to liquefaction are anticipated.</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The City of Banning General Plan identifies an increased potential for landslides to occur where there is a high seismic potential, steep slopes and deeply incised canyons, rock with inherently weak components, or highly fractured and folded rock. The northernmost and southernmost portions of the city planning area are described as highly susceptible to seismically induced slope failure due to the proximity to mountains and hillsides. Additionally, areas with slopes steeper than 15 degrees are described as generally subject to slope failure. Elevation at the Project site ranges from approximately 2,100 feet above mean sea level (amsl) at the northern end to approximately 2,200 feet amsl at the southern end; no hillsides with slopes greater than 15 degrees occur in the immediate vicinity. The proposed Project does not include habitable structures that would involve exposure of people or structures to landslides. No adverse effects related to landslides are anticipated.</p>				
b) Result in substantial changes in topography, unstable soil conditions from excavation, grading or fill, or soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>A Preliminary Geotechnical Investigation of the proposed storm drain alignment was prepared by Matrix Geotechnical Consulting Inc. (May 2013). The investigation included a review of published geologic reports and/or maps, result of geologic field mapping, field exploration and laboratory testing, and recommendations pertaining to the geotechnical design aspects of the Project. Matrix concluded that the subject site is suitable for the proposed storm drain improvements provided that the recommendations present in their report are incorporated into the Project and are implemented during site excavation and construction. Recommendations from the geotechnical report would be incorporated into the Project final engineering designs and be included in final Project approvals as conditions of approval.</p> <p>The proposed Project is the construction of a storm drain within the Hathaway Street and Wesley Street right-of-ways, construction of manholes, construction of curb inlets, and construction of a reinforced concrete box storm drain outlet and rip-rap apron within Smith Creek. As shown on the preliminary project plans, all resurfacing and pavement delineation, curbs, sidewalks, and other improvements are to be reconstructed in and at the same locations and elevations as the existing improvements, unless otherwise noted in the engineering plans. Implementation of the proposed project does not involve permanent operational changes to surface conditions and the Proposed Project would not result in topography changes that would create unstable soil conditions.</p> <p>During construction activities, material excavated along the storm drain alignment would be temporarily stockpiled on site and used as backfill following installation of the reinforced concrete pipes. Standard erosion best management practices would be implemented by the Contractor to secure stockpiled material. Applicable conditions of approval as recommended in the geotechnical investigation would be implemented; therefore, less than significant impacts are anticipated during construction.</p>				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The San Gorgonio Pass Fault is the closest Alquist-Priolo Earthquake Fault Zone to the Project Site as delineated in the latest State Earthquake Fault Zone maps and in Exhibit V-3 of the General Plan. The San Gorgonio Pass Fault is located approximately 2.5 miles north of Interstate 10. The San Gorgonio Pass fault zone is comprised of a series of north-dipping reverse and thrust faults connected by strike tear faults. The most recently active strands of faults occur at the base of the Banning Bench, in the central part of Banning. The Highland Scarp along the western edge of the City is considered an active segment of the San Gorgonio Pass fault zone. The San Gorgonio Pass Fault is capable of producing a maximum credible earthquake magnitude of 7.4 – 7.6 (<math>M_{max}</math>).</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Elevations within the Project area range from approximately 2,100 feet amsl at the northern end to approximately 2,200 feet amsl at the southern end; there are no hills or prominent landforms in the immediate vicinity. It is not anticipated that implementation of the proposed project would result in soil that would become unstable as a result of the project or cause off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. No impacts are anticipated.				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Expansive soils (shrink-swell) are fine grained clay soils generally found in historical floodplains and lakes. Expansive soils are subject to swelling and shrinkage in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlements of the soil as expansion and contraction takes place. Information about shrink-swell classes and linear extensibility is available in the Natural Resource Conservation Service (NRCS) soil survey reports. A high shrink-swell potential indicates a hazard to maintenance of structures built in/on/or with material having this rating. Moderate to low ratings lessen the hazard. According to the NRCS three soil classes occur within the storm drain alignment: Gorgonio gravelly loamy fine sand, Hanford coarse sandy loam, and Greenfield sandy loam. As identified by the NRCS Gorgonio gravelly loamy fine sand has a limited potential for expansive soils attributed to flooding; Hanford coarse sandy loam and Greenfield sandy loam do not have limitation related to expansive soils. The findings are consistent with laboratory test results of the near surface soil conducted by Matrix as part of the Geotechnical Investigation; laboratory test of near surface soil indicate a very low expansion potential. The Project would implementation all recommendations included in the Geotechnical Investigation Report as discussed in Section VI(b) therefore no impacts related to expansive soils are anticipated..</p>				
e) Have soils incapable of adequately supporting any structures, fill or other improvements associated with the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Proposed Project is the construction of a storm drain within the Hathaway Street and Wesley Street right-of-ways, construction of manholes, construction of curb inlets, and construction of a reinforced concrete box storm drain outlet and rip-rap apron on the Smith Creek bank. During construction activities, material excavated along the storm drain alignment would be temporary stockpiled on-site and used as backfill following installation of the reinforced concrete pipes. All resurfacing and pavement delineation, curbs, sidewalks, and other improvements are to be reconstructed in and at the same locations and elevations as the existing improvements. The Geotechnical Investigation found that all existing artificial fill is prone to potential settlement; however, it is expected that the majority of these materials will be removed during the excavation of the alignment. The Geotechnical Investigation also found that the existing on site soil appears, from a geotechnical perspective, to be suitable material for use as fill, provided it is relatively free from rocks, general debris, and organic material. Implementation of recommendations from the Geotechnical Investigation Report would ensure that no impacts occur.</p>				
<b>VII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Construction, operation, and maintenance of the storm drain would involve short-term use of petroleum-based fuels, lubricants, pesticides and other small materials during construction and maintenance activities. The construction phase may include the transport of gasoline and diesel fuel to the project site and onsite storage for the sole purpose of fueling construction equipment. All transport, handling, use and disposal of substances such as petroleum products, solvents, and paints related to operation and maintenance of the proposed Project will comply with all Federal, State and local laws regulating the management and use of hazardous materials. Therefore, impacts related to creating a significant</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
hazard to the public or the environment through the routine transport, use or disposal of hazardous materials will be less than significant.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Construction of the Proposed Project would disturb more than one acre of land surface and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. Requirements of the permit would include development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The purpose of the SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and 2) identify, construct, and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction. The SWPPP would be developed by the RCFC&amp;WCD or its contractor and would include Best Management Practices (BMPs) to control and abate pollutants. Implementation of BMPs as identified in the SWPP would ensure that potential impacts associated with the release of hazardous materials to the public or to the environment are reduced to a less than significant level. Implementation of the Project would include routine maintenance along the alignment roads and storm drain outlet. Routine maintenance would occur approximately once a year and may include, but is not limited to, re-grading /repairing access roads, trash removal, erosion control, and sediment and debris removal from the outlet structure. Restorative maintenance may also be needed in the event of large flooding events. Restorative maintenance would occur infrequently on an as-needed basis and may include, but is not limited to, repairing/replacing the outlet structure and reestablishment of design lines and grades. Maintenance of the reinforced concrete storm drain would also occur infrequently on an as-needed basis and may include but is not limited to repair/replacement, and sediment and trash removal. Routine maintenance would implement standard practices and is not anticipated to create a significant hazard to the public or environment.</p>				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No school facilities occur within a quarter mile of the Project site; therefore, no impacts are anticipated. (See Section VII.a).				
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Pursuant to California Government Code Section 65962.5 the California Department of Toxic Substances Control (DTSC) compiles the Cortese List and updates it at least annually. The Cortese List includes hazardous waste facilities subject to corrective actions, land designated as hazardous waste property or border zone property, sites included in the abandoned site assessment program, and qualifying sites pursuant to Section 25356 of the Health and Safety Code. A copy of the most recent Cortese List was retrieved from the DTSC EnviroStor online database on May 20, 2014; the Project site is not identified on the list. No impacts are anticipated.</p>				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The Banning Municipal Airport is located near the north end of the proposed storm drain alignment. According to the City of Banning General Plan the airport averages approximately 10 to 15 takeoffs and landings daily, and about 12,000 operations per year. Air traffic is comprised primarily of private, single engine fixed-wing aircraft. Services available at the airport include: fuel, parking, flight school/flight school training, charter services, and rental car services. The proposed Project is the construction of underground gravity flow storm drain facilities that would terminate at an outlet to be constructed on the bank of Smith Creek. Construction, operation and maintenance of the storm drain would not create conditions that conflict with the airport land uses or create a safety hazard for people residing or working in the area. No impacts are anticipated.</p>				
<p>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No private airstrips are located in the vicinity of the Project area. No impacts related to private airstrips are anticipated.</p>				
<p>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The Emergency Preparedness Element of the General Plan outlines the potential for natural and man-made disaster that could affect the City of Banning and its Sphere of Influence and Planning Areas. According to the General Plan, in 1996 the City adopted the Multi-Hazard Functional Planning Guidance document that includes: 1) the Banning Emergency Plan; 2) twelve functional annexes that describe emergency response organization; and 3) a listing of operational data such as resources, key personnel, and essential facilities and contacts. The City does not have an established evacuation route, however, major intra-city roadways identified in the Emergency Preparedness Element in the vicinity of the project include: Hargrave Street, San Gorgonio Avenue, and Westward Avenue.</p> <p>Implementation of the proposed Project may temporarily interfere with emergency response in the event of a major disaster during project construction. To avoid impacts, on-street construction activities would conform to all City of Banning, Banning Police Department, and Riverside County Sheriff's Department access standards to allow adequate emergency access. Once construction is complete, normal traffic patterns would resume. Operation of the storm drain would not significantly interfere with emergency response or with evacuation plans.</p>				
<p>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where Wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>As identified in Exhibit V-10 of the City of Banning General Plan, the Project Site is located within a fire threat zone mapped as "High." The "high" fire threat zone includes most of the developed central portion of the City along Interstate 10. The zone is described as having minimal relief, hardscape, and vegetation predominated by landscape. There are no significant areas of brush, grass or trees within the Project Area; vacant parcels located along the alignment are either graded or otherwise appear to undergo annual weed abatement. Construction of the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Operation and maintenance of the proposed storm drain would occur beneath the surface of existing streets. No impacts related to wildlands or wildland fires are anticipated.</p>				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>VIII. HYDROLOGY AND WATER QUALITY.</b> Would the project:</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate or conflict with any adopted water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The construction, operation and maintenance of the proposed storm drain and appurtenant facilities would not generate any wastewater or increase urban runoff into existing storm drains. Dewatering of the underlying groundwater basin is not anticipated to be necessary for the majority of the storm drain alignment due to reported ground water level at more than 26 feet below the existing ground surface (Matrix 2013). If any groundwater is encountered and dewatering is necessary, discharge water would be pumped into existing storm drains or street gutters nearby. The Project would not create new sources of stormwater pollutants. Although it would change the timing of the delivery of storm runoff from adjacent developed area to Smith Creek. Any necessary dewatering discharges would be carried out in accordance with all applicable requirements of the Dewatering De Minimus Permit. Therefore, no significant impacts to water quality from construction or operation are anticipated.</p>				
b) Result in substantial discharges of typical stormwater pollutants ( <i>e.g. sediment from construction activities, hydrocarbons, and metals from motor vehicles, nutrients and pesticides from landscape maintenance activities, metals of other pollutants from industrial operation,</i> ) or substantial changes to surface water quality including, but not limited to, temperature, dissolved oxygen, pH, or turbidity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The Project would not create new sources of stormwater pollutants. Although it would change the timing of the delivery of storm runoff from the adjacent developed area to Smith creek, the impact is not expected to be significant.</p> <p>RCFC&amp;WCD is also required to comply with the NPDES Municipal Separate Storm Sewer System (MS4) permit issued by the Colorado River Basin Regional Water Quality Control Board. The Project will implement appropriate BMPs to prevent new sources of stormwater pollutants and, therefore, would be in compliance with the MS4 Permit. Less than significant impacts are anticipated.</p>				
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level ( <i>e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed project is not located within the area of a recharge basin that functions to replenish the underlying groundwater basin. During construction, the only groundwater that the proposed project has the potential to deplete would be from dewatering activities. Although groundwater is not likely to be encountered during construction, if any groundwater were to be encountered, dewatering would occur in quantities that would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. As such, no adverse impacts to groundwater supply or recharge are expected.</p>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a watercourse or wetland, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed storm drain would be constructed within the right-of-ways of public streets, and would therefore not alter the existing grade or drainage pattern of the vicinity. The Project is intended to collect existing flows from the watershed roughly bounded by the Interstate 10/Union Pacific Railroad to the north, Hargrave Avenue to the west, South Hathaway</p>				



Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Street to the east, and Wesley Street to the south; drainage patterns would not be changed and the course of a stream or river would not be altered. No impacts to drainage patterns or surface runoff are anticipated.				
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Refer to item VIII (e) above.				
f) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The purpose of the proposed project is to implement the Line H component of the Banning Master Drainage Plan to provide improved drainage and flood protection to the tributary watershed. The proposed Project would increase the capacity of the existing storm drain system and would not result in impacts related to the storm drain system.				
g) Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard boundary of Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Proposed Project is located between the delineated 100-year and 500-year flood hazard areas. A portion of the proposed Project is located within a FEMA mapped SFHA; however, the project is not a housing project. The proposed project will reduce the exposure of people and property to local flood hazards. No impacts related to flooding are anticipated.				
h) Place structures or fill within a 100-year flood hazard area, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project does not include any structures excepting the outfall at Smith Creek Channel; all other proposed improvements would occur underground and the ground surface would be reconstructed to pre-existing conditions following installation of the storm drain. The outfall would be constructed where an existing concrete slope occurs along the creek bank and would not impede or redirect flood flows; no impacts are anticipated.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The purpose of the proposed project is to implement the Line H component of the Banning Master Drainage Plan to provide improved drainage and flood protection to the tributary watershed. Implementation of the proposed Project would provide protection from loss, injury, or death involving flooding. No impacts are anticipated.				
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Due to inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards; therefore impacts from seiche and tsunami are not anticipated. The Project alignment is in an area of primarily flat and gently sloping topography. Soils in the area are relatively stable. The Project site is not located in an				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
area susceptible to mudflows. People or structures would not be at a significant risk related to seiche, tsunami, or mudflow.				
<b>IX. LAND USE PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is the construction, operation and maintenance of a gravity fed storm drain system within the right-of-ways of Hathaway Street and Wesley Street and private property, and the construction of a storm drain outlet within RCFC&amp;WCD rights-of-way at the Smith Creek bank. Land use designations along the proposed storm drain alignment include: public facilities (Banning Airport), airport industrial, industrial, rural residential and very low density residential. During project construction the local traffic patterns may be temporarily disrupted; however, access would remain available to all land uses.</p> <p>Once the storm drain is installed all resurfacing and pavement delineation, curbs, sidewalks, and other improvements are to be reconstructed in and at the same locations and elevations as the existing improvements. Operation and maintenance of the storm drain would not physically divide the existing community.</p>				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The RCFC&amp;WCD is responsible for the management of regional drainage within and in the vicinity of Banning. The RCFC&amp;WCD is empowered with broad management functions, including flood control planning and construction of drainage improvements. The City of Banning retains responsibility for managing local drainage and public works in cooperation with the RCFC&amp;WCD to address regional drainage concerns. The Banning Master Drainage Plan adopted by the RCFC&amp;WCD in 1995 serves as the drainage planning document for the region. The proposed Line H Storm Drain is identified in both the MDP and in the Flooding and Hydrology Element of the City of Banning General Plan as a recommended project. No conflicts with applicable land use plans or policies are anticipated.</p>				
<b>X. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Project site is located within a mineral resource zone area classified as MRZ-3 as identified in Exhibit IV-8 in the City of Banning General Plan. Areas classified as MRZ-3 are defined as containing mineral deposits, the significance of which cannot be evaluated from available data. The City of Banning General Plan identifies one aggregate producer within its planning area; the Banning Quarry which is located in the eastern portion of the city approximately 1.25 miles directly north of the proposed Project. The quarry is in an area mapped as MRZ-2 and is mined for rock, sand, and base materials used for concrete and construction.</p> <p>Implementation of the proposed Project would not result in the loss of known mineral resources because the site is not locally identified as an important mineral resource recovery site. Additionally, implementation of the proposed Project would not restrict access should the mineral resources in the immediate vicinity be identified at a later time.</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Refer to Item X (a) above.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. NOISE.</b> Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Operation and maintenance of the storm drain would not generate any noise that would impact nearby sensitive receptors; however, noise would be generated during the construction phase of the Project that may exceed the acceptable base ambient noise levels as established in the City of Banning General Plan and noise ordinance. As defined in the Noise Element of the General Plan, the applicable limit one-hour average for outdoor noise levels in residential areas is 55 dBA during daytime hours and 45 dBA during evening and nighttime hours. The applicable average noise level for outdoor noise in commercial and industrial areas is 75 dBA with no time restrictions.</p> <p>Per Section 8.44.085 of the City of Banning Municipal Code, capital improvement projects of a governmental agency are exempted from the provisions of the noise ordinance. Capital improvement projects as defined in the noise ordinance include construction of drainage facilities. To minimize noise impacts, proposed construction activities would be limited to daylight hours unless otherwise approved RCFC&amp;WCD. The temporary increase in ambient noise levels during construction in the residential areas south of Charles Street would be less than significant. There would be no noise generated by the proposed Project once construction is completed.</p>				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Ground-borne vibration is measured in terms of the velocity of the vibration oscillations. As with noise, a logarithmic decibel scale (V dB) is used to quantify vibration intensity. When ground-borne vibration exceeds 75 to 80 V dB, it is usually perceived as annoying to building occupants. The degree of annoyance is dependent upon the type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 100 V dB before any building damage occurs.</p> <p>It is anticipated that construction of the proposed Project would not involve pile-driving activities. Use of jackhammers and/or pavement breakers associated with construction would be of limited duration and not expected to affect a given location for more than a few days. Although construction would include the use of heavy equipment, it is unlikely that construction would result in significantly perceptible ground-borne vibration or ground-borne noise levels.</p> <p>Operation of the storm drain following construction would not generate any significant ground-borne vibration or ground-borne noise levels.</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Following construction, operation and maintenance of the storm drain would not result in a permanent increase to the ambient noise levels in the project vicinity. No impacts would occur.				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ambient noise levels in the project vicinity would temporarily increase above existing levels during project construction. Construction noise levels would fluctuate depending on the particular type, number, and duration of use of the various pieces of construction equipment. Although the proposed Project is exempted from the provisions of the noise ordinance, construction activities would be limited to daylight hours in order to minimize impacts to nearby residential sensitive receptors. Less than significant impacts are anticipated during project construction.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project is located within the Banning Airport Influence Area; existing and projected build-out noise contours in the vicinity of the airport show maximum noise levels of 65 db CNEL at the outermost contour (approximately Barbour Street within the project area). Construction crews would therefore be temporarily exposed to noise levels of up to 65 db CNEL related to airport uses when working at the northern limits of the storm drain alignment. As identified in the City of Banning Zoning Overlay Map the proposed storm drain alignment from Barbour Street to Charles Street is zoned for industrial land uses and acceptable outdoor noise at any time is 75 dBA. No temporary noise exposure related to the airport operation and uses during construction would occur.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No private airstrips occur in the vicinity of the proposed Project. No impacts would occur.				
<b>XII. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly ( <i>for example, by proposing new homes and businesses</i> ) or indirectly ( <i>for example, through extension of roads or other infrastructure</i> ) resulting in substantial adverse physical impacts or conflicts with the adopted general plan, specific plan, or other applicable land use or regional plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project is the construction operation and maintenance of a gravity fed storm drain system identified as Line H in the RCFC&WCD Banning Master Drainage Plan (MDP). The MDP covers an approximately 19 square-mile area bounded roughly by the San Gorgonio River on the north, Smith Creek on the south, Hathaway Street on the east and Highland Springs Road on the west. The purpose of the MDP is to provide guidance for an economical method of collecting and conveying storm runoff through the study area; the completed facilities as described in the MDP would provide improved drainage and a high level of flood protection.				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The purpose of the proposed Project is to implement the Line H component of the MDP to provide improved drainage and flood protection to the tributary watershed. Implementation of the proposed Project would extend infrastructure in the area. However, this infrastructure has been identified in the MDP to provide storm flow protection to the build out conditions of the City of Banning. Therefore population growth in excess of conditions already considered in the MDP would not result from Project implementation.</p>				
<p>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Proposed Line H Storm Drain would be constructed within the Hathaway Street and Wesley Street right-of-ways and would outlet at Smith Creek. Implementation of the project would not displace existing housing or require the construction of replacement housing elsewhere.</p>				
<p>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The Project would be constructed within the Hathaway Street and Wesley Street right-of-ways and would outlet at Smith Creek. Implementation of the Project would not displace people or require the construction of replacement housing elsewhere.</p>				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>XIII. PUBLIC SERVICES</b></p>				
<p>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:</p>				
<p>Fire protection?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The City of Banning has contracted fire protection with the Riverside County Fire Department. The Riverside County Fire Department provides full service including: fire protection, paramedic response, hazardous materials response, search and rescue, swift water rescue, and disaster preparedness. Construction of the proposed Project could have the potential to temporarily reduce access for emergency vehicles near the Project site. However, all construction activities would be carried out in accordance with all applicable City of Banning and RCFC&amp;WCD emergency access standards, and adequate access would be maintained during construction. Operation of the storm drain would not require additional fire protection. No substantial adverse physical impacts would occur to fire services.</p>				
<p>Police protection?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The Banning Police Department consists of 27 sworn personnel and 12 classified personnel. Services offered by the department include: field patrol, detective bureau, emergency tactical unit, gang task force, school resource officer, and reserve police officer program. Construction of the Proposed Project could have the potential to temporarily reduce access for emergency vehicles near the Project site. However, all construction activities would be carried out in accordance with all applicable City of Banning and Banning Police Department emergency access standards, and adequate access would</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
be maintained during construction. Operation of the proposed storm drain is passive and would not require additional police protection.				
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No population increase in the Project area would result from construction, operation and maintenance of the proposed storm drain. Accordingly, no impacts to local schools would result.				
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The construction, operation and maintenance of the proposed Project would not generate any additional population that would increase demand for neighborhood or regional parks or other recreational facilities. Accordingly, impact to parks would result.				
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The construction, operation and maintenance of the proposed storm drain is not expected to result in impacts associated with any other public facilities in the area or in the City of Banning as a whole.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities. The Project does not involve new housing or employment opportunities that would generate users that could result in an increased use of existing parks or recreational facilities or necessitate their expansion. No impacts are anticipated.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Proposed Project is the construction of a storm drain system within the Hathaway Street and Wesley Street right-of-ways. The Project does not involve the construction of recreational facilities or require expansion of existing recreational facilities. No impacts would occur.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION AND TRAFFIC.</b> Would the project:				
a) Conflict with an adopted plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</p>				
<p>The Circulation Element of the City of Banning General Plan outlines the existing road network and forecasts conditions at build out. In order to preserve and increase the available roadway capacity, the City has adopted a Transportation Demand Management ordinance compliant with the Riverside County Transportation Commission’s regional Congestion Management Program. The City’s policy is to maintain at minimum Level of Service C (LOS C) on city streets. LOS C is defined as stable operations with some restricted mid-block maneuverability.</p>				
<p>The proposed Project would be constructed within the Hathaway Street and Wesley Street right-of-ways. Land uses along the storm drain alignment include the Banning Municipal Airport, airport related industrial uses, and residential uses. During construction, local traffic patterns would be impacted along the alignment. The storm drain would be installed in sections no longer than 500 feet at a time within an approximately 2,000-foot long work zone. After the installation of the storm drain within the work zone, the open trench in the street would be backfilled, paved, and returned to normal operation. In order to be consistent with requirements specified by the City, as well as to ensure job-site safety the RCFC&amp;WCD would implement the following construction practices as part of a Traffic Control Plan (TCP).</p>				
<ul style="list-style-type: none"> <li>• Construction areas shall be guarded by barriers</li> <li>• During construction, temporary traffic control devices, signs, and flaggers would be provided to minimize traffic congestion. At nighttime, all barricades shall be provided with flashing/steady burn warnings, and all delineators shall have white reflective bands. All barricading and traffic controls shall conform to the latest editions of the Standard Specifications for Public Works Construction (Greenbook) and the Work Area Traffic Control Handbook (WATCH)</li> <li>• Safe and adequate pedestrian and vehicular access shall be provided to police and fire stations, schools, fire hydrants, hospitals, commercial buildings, industrial establishments, and residential uses. The access to these facilities shall be continuous and unobstructed.</li> <li>• Temporary traffic lanes shall have a minimum of 10 feet in width to provide safe access to cars, buses, trucks, and trailers.</li> <li>• The construction of the storm drain would create some minor temporary impacts to the existing street parking facilities. However, the RCFC&amp;WCD shall coordinate the construction activities with the City to minimize any potential impacts to the existing street parking facilities. The maximum length of open trench shall be limited to 500 feet.</li> <li>• The RCFC&amp;WCD shall assign a full-time construction inspector to the project to monitor construction activities and to ensure that all traffic requirements specified by the City are implemented.</li> </ul>				
<p>Temporary impacts to the local road network during construction are not anticipated to result in significant traffic load or congestion. Less than significant impacts are anticipated.</p>				
<p>b) Conflict with an adopted congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the appropriate congestion management agency for designated roads or highways?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Based on 24 workers in a typical 11-hour day driving alone to the project Site, the proposed Project is not expected to add more than 24 morning or evening peak hour trips. Traffic at the Project site would only be generated during the temporary construction period. No traffic would be generated by the operation and maintenance of the storm drain.</p>				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Traffic impacts during construction would be less than significant; no impacts would occur once the storm drain is operational.				
c) Substantially increase hazards due to a design feature ( <i>e.g., sharp curves or dangerous intersections</i> ) or incompatible uses ( <i>e.g., farm equipment</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction of the proposed storm drain would temporarily alter existing street/traffic patterns along the alignment. Temporary changes to traffic patterns and levels of service during the construction phase would be limited to the immediate area where construction activities are occurring. All changes to the traffic pattern would be coordinated with the City to minimize impacts to motorists, public transportation patrons, and pedestrians. No design features ( <i>e.g., sharp curves or dangerous intersections</i> ) or incompatible uses are proposed as part of this Project. No impacts are anticipated.				
d) Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed Project would not hinder emergency access to the area. All construction period detour or other changes to traffic patterns would allow for adequate emergency access. Following installation of the storm drain all surface streets would be repaved and resurfaced to pre-existing conditions. Less than significant impacts to emergency access are anticipated.				
e) Would the project result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lane closures during construction activities in the Hathaway Street and Wesley Street right-of-ways would result in temporary loss of street parking. The parking deficit would be temporary and would not affect the long-term street parking capacity along the storm drain alignment or in the surrounding vicinity. Operation and maintenance of the storm drain would not generate vehicle trips and would not require any parking. No significant impacts are anticipated.				
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, pedestrian facilities, or other alternate transportation or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project would not conflict with adopted policies supporting alternative transportation. As discussed above, construction activities would be coordinated with the City in order to minimize impacts to alternative transportation facilities ( <i>e.g., bus stops, bike lanes</i> ). Additionally, as identified in the Banning General Plan and in local transit maps, no designated bicycle lanes or bus stops occur along the proposed alignment. No impacts are anticipated.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Impact the following facilities requiring or resulting in the construction of new facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
Electricity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The proposed Project is the construction operation and maintenance of a gravity fed storm drain system that would not require electricity. Implementation of the proposed Project would not create demand for electricity that would require or result in the construction of new facilities or expansion of existing facilities. No impact is anticipated.</p>				
<p>Natural Gas</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is the construction of a gravity fed storm drain system. The system would not require natural gas for operation. According to the Circulation Element of the General Plan, a major high-pressure natural gas pipeline traverses the City under Lincoln Street through the City. Lincoln Street is located approximately 500 feet north of the Project area construction limits. Additionally, two crude oil or petroleum lines occur from the airport southwesterly to Wesley Street, then westerly to the western City Limits. During construction, some underground utilities may need to be relocated. The Underground Service Alert would be notified of planned excavation activities 48 hour before excavation. No impacts are anticipated.</p>				
<p>Communication System</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is the construction, operation and maintenance of a gravity fed storm drain system. Implementation of the Project would not require communication systems for operations. During construction, some existing underground utilities may need to be relocated. The Underground Service Alert would be notified of planned excavation activities 48 hour before excavation. No impacts are anticipated.</p>				
<p>Street lighting</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is a gravity fed storm drain system that does not require additional lighting or permanent lighting. No impacts to street lighting would occur.</p>				
<p>Public facilities, including roads and bridges</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The proposed Project would result in temporary impacts related to excavation at portions of Hathaway Street and Wesley Street for installation of the storm drain. All excavated areas would be backfilled and repaved once installation of the storm drain at each location has been completed. All resurfacing and pavement delineation, curbs, sidewalks, and other improvements are to be reconstructed in and at the same locations and elevations as the existing improvements. Impacts on the local roads would be temporary and less than significant.</p>				
<p>b) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The proposed Project is the construction, operation and maintenance of a new storm drain, outlet to Smith Creek, and associated facilities within the Hathaway Street and Wesley Street right-of-ways, private property and Smith Creek in the City of Banning. The storm drain is intended to collect flows emanating from the watershed roughly bounded by Interstate 10/Union Pacific Railroad to the north, Hargrave Avenue to the West, South Hathaway Street to the east, and Wesley Street to the south. Construction, operation and maintenance of the proposed storm drain is not anticipated to result in significant environmental effects.</p>				
<p>c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed Project is the construction, operation and maintenance of a gravity fed storm drain system and does not generate a demand for water resources. Implementation of the Project would not impact available water supplies.				
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed Project is the construction, operation and maintenance of gravity fed storm drain system that would outlet directly to Smith Creek. Operation of the storm drain would not require wastewater treatment and would not create a demand on the existing wastewater treatment provider.				
e) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Excavation and construction debris would be disposed of appropriately. The amount of debris generated during project construction is not expected to significantly impact landfill capacities. Operation of the storm drain would not generate any domestic solid waste. No significant impacts to landfill capacity are anticipated.				
f) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction debris would be recycled or disposed of in accordance to local and regional standards. Operation and maintenance of the Project would not generate any domestic solid waste. No significant impacts related to solid waste are anticipated.				
Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The proposed storm drain would be installed within the Hathaway Street and Wesley Street right-of-ways; less than significant impacts are anticipated from construction in the street right-of-ways. Undeveloped parcels adjacent to the pipeline alignment have potential habitat for burrowing owl and may be temporarily impacted by construction on the right-of-ways. The proposed outlet structure at Smith Creek would be constructed on the existing concrete bank. Additionally, a rip-rap apron would be installed within Smith Creek at the storm drain outfall. Construction of the outfall and associated improvements would result in permanent impacts to approximately 0.1 acres of Smith Creek, during construction an area of up to 1.41 acres on the Smith Creek bench would be temporarily impacted for access. Riversidian alluvial fan sage scrub on the Smith Creek bench would be temporarily impacted during construction. The Riversidian				

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>alluvial fan sage scrub provides cover and forage habitat for wildlife species, and during focused surveys the area was found to be occupied by Los Angeles pocket mouse, north American deer mouse, and Dulzura kangaroo rat. Impacts to the habitat of these species would be temporary and occur during construction of the outfall structure. The habitat would be returned to pre-construction conditions. Impacts to the Riversidian alluvial fan sage scrub and riverine functions of Smith Creek were determined to be less than significant and no mitigation is warranted. Potential impacts to burrowing owl would be reduced to a less than significant level via implementation of Mitigation Measure 1 as discussed in Section IV (a) of this checklist.</p> <p>Implementation of the proposed Project would not result in conditions that would degrade the quality of the environment, substantially reduce the habitat or restrict the range of sensitive wildlife resources and would not cause sensitive wildlife populations to drop below self-sustaining levels. Less than significant impacts are anticipated with the incorporation of mitigation.</p>				
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.</i>)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The proposed Project is the construction, operation and maintenance of a gravity fed storm drain and associated improvements within the Hathaway Street and Wesley Street right-of ways, private property and within RCFC&amp;WCD rights-of-way at Smith Creek. The Project is identified as the Line H storm drain recommended project in both the Banning Master Drainage Plan and City of Banning General Plan. The purpose of the Project is to provide improved drainage and flood protection to the tributary watershed. Implementation of the project would extend infrastructure in the area; however this infrastructure has been identified in the master drainage plan and General Plan to provide storm flow protection to the build-out conditions of the city. As discussed in this document, potential adverse impacts are temporary and will cease upon construction completion. Further, due to the Project's relatively small area of impact and short construction duration, potential impacts would not be cumulatively considerable.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The proposed Project is limited to the construction, operation and maintenance of a storm drain system. The proposed Project would result in infrastructure facilities to convey the one (1) percent chance flood that emanates from the tributary watershed. The project would not change any of the existing land use conditions. Implementation of the Project would not alter the existing grade or drainage pattern of the vicinity. Following installation of the storm drain all surface streets would be repaved and resurfaced to pre-existing conditions. No substantial adverse effects on human beings are anticipated either directly or indirectly.</p>				

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**APPENDIX A**  
**AIR QUALITY PRINTOUT**

**Banning Storm Drain Improvements  
Import & Export of Material**

Operation		Emission Factor	Units	Equation Variables		GHG Emissions		
				1	2	CO2 lbs/day	CH4 lbs/day	N2O g/day
<b>Delivery Vehicle Emissions Onsite</b>				<b># of trips per day</b>	<b>vmt</b>			
CO2	Export Material	4.210	lbs/mile	3	45	568.35		
	Import Material	4.210	lbs/mile	15	45	2841.75		
CH4	Export Material	0.000	lbs/mile	3	45		0.0	
	Import Material	0.000	lbs/mile	15	45		0.1	
N2O	Export Material	0.000	g/mile	3	45			0.0
	Import Material	0.000	g/mile	15	45			0.0
<b>Total</b>						<b>3410.1</b>	<b>0.1</b>	<b>0.0</b>
<b>MTCO2e</b>						<b>1.7</b>		

Source: SCAQMD: Emission Factors for On-Road Heavy Heavy Duty Diesel Trucks 2015

Note: 20 CY per load

Source N2O: California Climate Action Registry General Reporting Protocol, 2009I;

Table A9-8-C SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2

**APPENDIX B**  
**RESPONSE TO COMMENTS**



RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

November 30, 2015

Mrs. Leslie MacNair  
California Department of Fish & Wildlife  
Inland Deserts Region  
78-078 Country Club Drive, Suite 109  
Bermuda Dunes, CA 92203

Dear Mrs. MacNair:

Re: Draft Mitigated Negative Declaration  
Banning Master Drainage Plan Line H,  
Stage 1  
Project SCH#2015061074

Thank you for your July 28, 2015 letter commenting on the District's Banning Master Drainage Plan Line H, Stage 1 Project. The District has prepared this letter to address the environmental comments in your letter. Each numbered response below corresponds to the bracketed comments on the enclosed letter.

A-1 Sections IV (a), IV (b) and IV (f) of the CEQA document contain sufficient, specific, and current biological information on the existing habitat and species at the Project site as well as measures to minimize and avoid sensitive resources and mitigation measures to reduce any identified significant impacts. A General Biological Resources Assessment was prepared to support the CEQA document analysis and findings.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

A-2 Section IV (f) of the CEQA document includes a thorough discussion of consistency with the MSHCP (as outlined for the District in the Implementing Agreement). There are no other applicable approved habitat conservation plans or natural community conservation plans in the project area.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

A-3 Section IV (a) of the CEQA document includes a thorough discussion of burrowing owls.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

A-4 As outlined in Section IV (c) of the CEQA document, the Project will impact waters subject to the jurisdiction of the CDFW. The District will apply for a Section 1602 Streambed Alteration Agreement from the CDFW.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.



Mrs. Leslie MacNair  
Re: Draft Mitigated Negative Declaration  
Banning Master Drainage Plan Line H,  
Stage 1  
Project SCH#2015061074

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November 30, 2015

A-5 A discussion of cumulative impacts is provided in Section XVII (b) of the CEQA Document.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

A-6 Alternative analysis as outlined CEQA Guidelines Section 15126.6 is not required for Mitigated Negative Declarations; CEQA Guidelines Section 15126.6 applies only to Environmental Impact Reports.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

A-7 The Comment Letter recommends that the following CDFW concerns be addressed in the CEQA document:

"1. The CEQA document should quantify impacts to habitats and species as per the information requirements of CEQA. An accompanying map showing the areas of impact should also be included."

The Sections IV (a), IV (b) and IV (f) of the CEQA document contain sufficient, specific, and current biological information describing the existing habitat and species at the Project site.

"2. The CEQA document should include recent biological surveys for fauna and flora (CEQA Guidelines Section 15125(a))."

Section IV of the CEQA document included the results of a field survey habitat assessment, a jurisdictional delineation, and results of focused burrowing owls and small mammal trapping surveys.

"3. The CEQA document should provide an analysis of habitat conservation plans and natural community conservation plans, including the MSHCP. The CEQA document should include a discussion of how the project will affect reserve assembly; how the Project will affect the goals and objectives of the NCCP; the applicable policies and procedures that pertain to the Project; a discussion of survey requirements; and a list of proposed mitigation measures required by the NCCP."

The CEQA document includes a complete analysis of the Project's consistency with the MSHCP in Section IV (f). There are no other applicable approved habitat conservation plans or natural community conservation plans in the project area.

"4. The analysis in the CEQA document should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary)."

As outlined in Section IV (c) of the CEQA document, the Project will impact waters subject to the jurisdiction of the CDFW. The District will apply for a Section 1602 Streambed Alteration Agreement from the CDFW.

"5. The Department recommends that a CESA ITP be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project, and the applicant chooses not to process the Project through the NCCP."

Mrs. Leslie MacNair  
Re: Draft Mitigated Negative Declaration  
Banning Master Drainage Plan Line H,  
Stage 1  
Project SCH#2015061074

-3-

November 30, 2015

The Project is located within the Western Riverside MSHCP and is a covered activity under Section 7.1 of the MSHCP as discussed in Section IV of the CEQA document. Take is authorized through the MSHCP and a CESA ITP will not be required.

"6. The CEQA document should provide a thorough analysis of direct, indirect, and cumulative impacts and identify specific measures to offset such impacts."

A discussion of cumulative impacts is provided in Section XVII (b) of the CEQA Document.

"7. The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6)."

Alternative analysis as outlined CEQA Guidelines Section 15126.6 is not required for Mitigated Negative Declarations; CEQA Guidelines Section 15126.6 applies only to Environmental Impact Reports.

No new environmental issues have been raised by these comments and no modification of the IS/MND is required.

The proposed project and Mitigated Negative Declaration are scheduled to be considered by the District's Board on December 15, 2015. Should you have any further questions, please call Jason Swenson at 951.955.8080 or me at 951.955.1233.

Very truly yours,



MIKE WONG  
Engineering Project Manager

Enclosure

cc: Mike Wong  
Jason Swenson

JDS:mcv  
P8\201032



State of California -The Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Inland Deserts Region  
 78-078 Country Club Drive, Ste. 109  
 Bermuda Dunes, CA 92203  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
 CHARLTON H. BONHAM, Director



July 28, 2015

Mike Wong  
 Riverside County Flood Control and Water Conservation  
 1995 Market Street  
 Riverside, CA 92501

Subject: Draft Mitigated Negative Declaration Banning Master Drainage Plan Line H,  
 Stage 1 Project SCH# 2015061074

Dear Mr. Wong:

The California Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for the Banning Master Drainage Plan Line H, Stage 1 Project (Project). The Department is responding to the MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The Riverside County Flood Control and Water Conservation District proposes to construct, operate and maintain an underground storm drain system comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete Box (RCB) and approximately 3,700 feet of reinforced concrete pipe ranging in size from 48-inches to 72-inches in diameter which is intended to collect tributary flows from the watershed roughly bounded by the I-10/Union Pacific Railroad to the north, Hargrave Avenue to the west, South Hathaway Street to the east, and Wesley Street to the South. The underground storm drain would be constructed along South Hathaway Street, beginning at approximately East Barbour Street and extending approximately 0.5-mile south to Wesley Street and then continuing east along Wesley Street for approximately 0.25-mile to a proposed outlet at the Smith Creek Channel.

**Biological Resources and Impacts**

The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.



If state or federal endangered or threatened species have the potential to occur on the Project, site species specific surveys should be conducted using methods approved by the Department or assume the presence of the species throughout the project site. The CEQA document should include recent survey data (CEQA Guidelines Section 15125(a)). The CEQA document should also address species of special concern and federal critical habitat. To assist with review, an accompanying map showing the areas of impact should be included in the subsequent CEQA document. Additional maps detailing the location of endangered, threatened, or special of special concern should also be included in the subsequent CEQA document.

A-1

**Natural Community Conservation Program (NCCP) and California Endangered Species Act (CESA)**

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Plan Program (NCCP Program). Within the Inland Deserts Region, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, et seq., of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

A-2

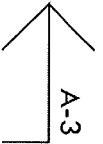
Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <http://www.rctlma.org/mshcp/>.

**Western Burrowing Owls**

The proposed Project site is located in potential habitat for the Western Burrowing Owl (*Athene cunicularia*). This species is designated a California Species of Special Concern. Section 15380 of the California Environmental Quality Act (CEQA) requires the lead agency to treat sensitive species as though they were listed, if the species meets the criteria for listing described in the section. The Department believes that the proposed project could further the decline of the above sensitive species. This species must be treated as though it were listed and appropriate avoidance, mitigation, and compensation for impacts need to be identified. Unavoidable impacts to the Western Burrowing Owl should be mitigated through acquisition and protection, in perpetuity, of high quality biological habitat. In addition, surveys and mitigation should be consistent

A-3

with the 2012 Department Staff Report on Burrowing Owl Mitigation (link: <http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf>).



### **Lake and Streambed Alteration Program**

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration is still required by the Department, should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). The Department is responsible for assessing and evaluating impacts to jurisdictional waters; typically accomplished through reviewing jurisdictional delineation (JD) reports, supporting information, and conducting site visits. Following review of a JD, the Department may request changes to the JD. The Department may also recommend that additional project avoidance and/or minimization measures be incorporated, or request additional mitigation for project-related impacts to jurisdictional areas.

The Department recommends submitting a notification early in the project planning process, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

The Department opposes the elimination of ephemeral, intermittent, and perennial streams, channels, lakes, and their associated habitats. The Department recommends avoiding stream and riparian habitat to the greatest extent possible. The CEQA document should include measures to avoid or minimize project impacts. Where adverse impacts cannot be avoided or minimized, the CEQA document should describe compensatory mitigation, for example, the creation and/or restoration of in-kind habitat either on- or off-site. Additional mitigation requirements through the Department's Lake and Streambed Alteration Agreement process may be required, depending on the quality of habitat impacted, proposed compensatory mitigation, project design, and other factors.



The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.



In the absence of specific mitigation measures in the CEQA document, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Guidelines Section 15002).

A-4

### Cumulative Impacts

The Project is proposed in a densely populated region of southern California. The regional scarcity of biological resources may increase the cumulative significance of Project activities. Cumulative effects analysis should be developed as described under CEQA Guidelines Section 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis.

A-5

### Alternatives Analysis

The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6). The analysis should include a range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources. The Department considers Rare Natural Communities as threatened habitats, having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts. The CEQA document should include an evaluation of specific alternative locations with lower resource sensitivity where appropriate. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.

A-6

Please note that the Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

### Department Recommendations

The Department has the following concerns about the Project, and requests that these concerns be addressed in the CEQA document:

A-7

1. The CEQA document should quantify impacts to habitats and species as per the informational requirements of CEQA. An accompanying map showing the areas of impact should also be included.

2. The CEQA document should include recent biological surveys for fauna and flora (CEQA Guidelines Section 15125(a)). The Department recommends that the Lead Agency contact the Department's California Natural Diversity Database (CNDDDB) in Sacramento, (916) 327-5960, to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code. If state or federal threatened or endangered species may occur within the project area, species specific surveys, conducted at the appropriate time of year and time of day, should be included with the CEQA document. Acceptable species specific surveys have been developed by the Department, and by the U.S. Fish and Wildlife Service, and are accessible through each agencies websites. Assessments for rare plants and rare plant natural communities should follow the Department's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. If the Department's 2009 guidelines were not used, surveys conducted after the issuance of the 2009 guidance should be updated following the 2009 guidelines. The guidance document is available here:

[http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols\\_for\\_surveying\\_and\\_evaluating\\_impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf)

3. The CEQA document should provide an analysis of habitat conservation plans and natural community conservation plans, including the MSHCP. The CEQA document should include a discussion of how the project will affect reserve assembly; how the Project will affect the goals and objectives of the NCCP; the applicable policies and procedures that pertain to the Project; a discussion of survey requirements; and a list of proposed mitigation measures required by the NCCP. A copy of any documents required by the NCCP (e.g., Determination of Biologically Equivalent or Superior Preservation) should be included with the CEQA document.

4. The analysis in the CEQA document should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary).

5. The Department recommends that a CESA ITP be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project, and the applicant chooses not to process the Project through the NCCP. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. The Department encourages early consultation, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA ITP. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

6. The CEQA document should provide a thorough analysis of direct, indirect, and cumulative impacts and identify specific measures to offset such impacts.

7. The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6).

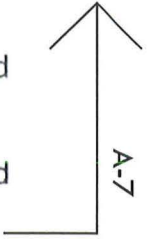
In summary, the Department requests that the CEQA document include current information regarding biological resources, adequately address whether the project will be processed through the MSHCP, provide a thorough analysis of cumulative impacts, and provide an alternatives analysis. If you should have any questions pertaining to these comments, please contact Mr. James Sheridan, Environmental Scientist, either via email at [James.Sheridan@wildlife.ca.gov](mailto:James.Sheridan@wildlife.ca.gov) or via phone at (760) 200-.9419.

Sincerely,



Leslie MacNair  
Regional Manager  
Inland Deserts Region

cc: Michael Flores, Senior Environmental Scientist, CDFW





## Notice of Determination

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**To: Office of Planning and Research**  
*For U.S. Mail:*  
 P.O. Box 3044  
 Sacramento, CA 95812-3044

*Street Address:*  
 1400 Tenth Street  
 Sacramento, CA 95814

**From: Riverside County Flood Control**  
 1995 Market Street  
 Riverside, CA 92501  
 Contact: Mike Wong  
 Phone: 951.955.1233

**County Clerk**  
 County of Riverside  
 2724 Gateway Drive  
 Riverside, CA 92507

**Lead Agency:** Same as above

**Subject:** Filing of Notice of Determination in compliance with Public Resources Code Section 21152.

**State Clearinghouse Number:** 2015061074

**Project Title:** Banning Master Drainage Plan Line H, Stage 1

### Project Location

The project site is generally bounded on the north by Interstate 10, on the east by the City of Banning Water Reclamation Facility, on the south by Porter Street and on the west by South Hargrave Street in the city of Banning, Riverside County. The proposed project area can be found within Township 3 South, Range 1 West, and Sections 10, 11, 14 and 15 of the Cabazon 7.5 Series Topographic Quadrangle maps.

### Project Description

The District proposes to construct, operate and maintain an underground storm drain system comprised of approximately 200 feet of 7-foot wide by 4-foot high reinforced concrete box and approximately 3,700 feet of reinforced concrete pipe ranging in size from 48-inches to 72-inches in diameter. The underground storm drain would be constructed along South Hathaway Street, beginning at approximately East Barbour Street and extending approximately 0.5 mile south to Wesley Street and then continuing east along Wesley Street for approximately 0.25 mile to a proposed outlet at the Smith Creek Channel. Existing utilities within Wesley and South Hathaway Streets may need to be relocated during construction. Associated appurtenant structures to be constructed within and adjacent to Hathaway Street and Wesley Street right-of-ways include inlets, and catch basins. A wing wall outlet structure and riprap apron would be constructed at the storm drain outlet proposed at Smith Creek. This wing wall outlet structure would require removal and reconstruction of existing concrete slope paving at Smith Creek.

### Determination

This is to advise that the Riverside County Flood Control and Water Conservation District (Lead Agency) has approved and certified pursuant to the California Environmental Quality Act (CEQA) the above-described Project on December 15, 2015 and has made the following determinations regarding the above-described Project:

- 1) The Project will not have a significant effect on the environment.
- 2) A Mitigated Negative Declaration (MND) was prepared for this Project pursuant to the provisions of CEQA.
- 3) Mitigation measures were made a condition of the approval of the Project.
- 4) A Mitigation Monitoring Program was adopted for this Project.
- 5) A Statement of Overriding Considerations was not adopted for this Project.
- 6) Findings were not made pursuant to the provisions of CEQA.

### Public Access to Environmental Document

The MND is available to the General Public at the Office of the Clerk of the Board, County Administrative Center, 4080 Lemon Street, Riverside, CA 92501. The MND is also available at the Riverside County Flood Control and Water Conservation District office located at 1995 Market Street, Riverside, CA 92501.

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Signature (Public Agency)

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Title

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Date

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Date Received for Filing at OPR