

Draft Environmental Impact Report

Menifee Commerce Center Project

SCH No. 2021060247

Lead Agency



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ES EXECUTIVE SUMMARY

ES.1 Introduction

The purpose of this Draft Environmental Impact Report (Draft EIR) is to inform decision-makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from implementation of the Menifee Commerce Center (Project). This Draft EIR (State Clearinghouse No. 2021060247) for the Project was prepared to: (1) identify the potential environmental impacts of the Project utilizing the revised CEQA Appendix G Environmental Checklist Form (2022); (2) discuss alternatives to the Project; and (3) propose mitigation measures that will avoid, offset, or minimize significant environmental impacts of the Project. This document was prepared in conformance with the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.). More specifically, this summary has been prepared in accordance with California Public Resources Code, Section 21061 and CEQA Guidelines §15123, Summary.

ES.2 Project Location

The approximately total 72 net-acre Project site is generally located within the northeastern portion of the City of Menifee, within the County of Riverside. Regional access to the Project site is provided by Interstate 215 (I-215), which runs north-south through the center of the City and State Highway (SH) 74 located approximately 1,500 feet from the Project site. Local access is provided via Ethanac Road, Sherman Road, Dawson Road, and Trumble Road.

ES.3 Project Description

The Project proposes the development of approximately 1,640,130 square feet of e-commerce/fulfillment warehouse space (including mezzanine and office space) within two concrete tilt-up buildings. Refer to **Section 2.6** for a summary of the two evaluated project scenarios. The Project also proposes associated facilities and improvements of the Project sites including loading dock doors, on-site landscaping, and related on-site and off-site improvements. The Project also includes various discretionary approvals including a general plan amendment, change of zone, specific plan amendment, plot plan and tentative parcel map approval.

ES.4 Areas of Controversy

State CEQA Guidelines §15123 (b)(2) and (3) require that this section of the Project EIR identify areas of controversy known to the Lead Agency, issues raised by agencies and the public, and issues to be resolved, including the choice among alternatives and whether, or how to, mitigate the significant effects. The following issues of concern have been identified during the review period of the distribution of the Notice of Preparation (NOP) and public meetings:

- Aesthetic Impacts
- Potential development next to residential land uses.

- Comprehensiveness of the Draft EIR.
- Feasibility of mitigation measures.
- Adequate air quality analysis, greenhouse gas emissions analysis, and noise analysis.
- Hydrology/flooding and transportation/traffic issue as they pertain to Project.
- Traffic impacts associated with development.

The aforementioned issues have been considered in this Draft EIR, where applicable, in **Sections 4.1: Aesthetics** through **4.15: Utilities and Service Systems**. However, despite the incorporation of Project Design Features, Standard Conditions of Approval, and feasible mitigation measures, significant and unavoidable impacts to air quality and greenhouse gas emissions remain.

ES.5 Significant Environmental Impacts

The following **Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures** provides a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this Draft EIR. Refer to **Sections 4.1** through **4.15**, for a detailed description of the environmental impacts and mitigation measures for the Project. As noted above, all impacts of the Project can be mitigated to less than significant levels with the exception of air quality and greenhouse gas emissions.

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.2, Air Quality		
<p>Impact 4.2-1</p> <p>Would the Project conflict with or obstruct implementation of the applicable air quality plan?</p>	Significant and Unavoidable Impact	<p>Feasible mitigation measures are proposed to lessen the severity of impacts; however, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SCAB.</p> <p>Refer to MMAQ-2 to MMAQ-12 below.</p>
<p>Impact 4.2-2</p> <p>Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	Significant and Unavoidable Impact	<p>Feasible mitigation measures are proposed to lessen the severity of impacts; however, the residual significance of this impact would be significant and unavoidable.</p> <p>Refer to MMAQ-1 to MMAQ-12 below.</p> <p>MM AQ-1: Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Menifee denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project.</p> <p>MM AQ-2: The Project's contractors shall prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day. The Project's general contractor</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>shall designate an officer to monitor the construction equipment operators on-site for compliance.</p> <p>MM AQ-3: The Project Applicant shall be required to provide information on transit and ridesharing programs to construction employees, which shall be made available in the construction trailer at all times.</p> <p>MM AQ-4: The Project shall be required to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10g/L. All specifications, plans, and or details necessary to verify compliance shall be included in the Project's applicable construction drawings. Prior to issuance of a building permit, the City of Menifee Building and Safety Department shall confirm that plans include the following specifications:</p> <ul style="list-style-type: none"> ▪ To reduce VOC emissions associated with architectural coating, the Project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications shall be reviewed by the City of Menifee's Building and Safety Department for compliance with this mitigation measure prior to issuance of the Project's building permit. ▪ Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints. ▪ Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors. ▪ For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org). ▪ Use compliant low-VOC cleaning solvents to clean paint application equipment.

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> ▪ Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions. ▪ Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency. <p>MM AQ-5: Prior to issuance of tenant occupancy permits, Project operator’s with more than 100 employees shall prepare a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> ▪ Provide a transportation information center and on-site TDM coordinator to educate employers, employees, and visitors of surrounding transportation options. ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site. ▪ Provide on-site car share information for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day. ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service. ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. ▪ Post both bus and MetroLink schedules in conspicuous areas. ▪ Configure their operating schedules around the MetroLink schedule to the extent reasonably feasible. <p>MM AQ-6: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage.</p> <p>MM AQ-7: The facility operator shall provide tenants with an information packet that:</p> <ul style="list-style-type: none"> ▪ Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.</p> <ul style="list-style-type: none"> ▪ Provides information on the United States Environmental Protection Agency’s SmartWay program and tenants shall use carriers that are SmartWay carriers. ▪ Recommends the use of electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters. ▪ Recommends the use of water-based or low VOC cleaning products. <p>MM AQ-8: Prior to issuance of Certificate of Occupancy, the Project shall be required to install air filtration in the unconditioned warehouse facility, with a minimum of 1 air change per hour, in order to promote worker well-being.</p> <p>MM AQ-9: All on-site outdoor cargo-handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be electric or non-diesel fueled. All on-site indoor forklifts shall be powered by electricity or other non-diesel fuel.</p> <p>MM AQ-10: Conduits for the installation of electrical hookups to allow future electric vehicle (EV) trucks and trucks with auxiliary power units (APU) shall be installed at a ratio of one charging station for every 50 dock high doors.</p> <p>MM AQ-11: Parking areas shall be designed to accommodate EV charging stations for passenger cars consistent with CalGreen Chapter 5 requirements.</p> <p>MMAQ-12: All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Menifee Planning Department to verify, to the City’s satisfaction, that all landscaping equipment utilized will be electric powered.</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.3, Biological Resources		
<p>Impact 4.3-1</p> <p>Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM BIO-1: If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) will be determined by the wildlife biologist, and will depend on the level of noise and/or surrounding disturbances, line of sight between the nest and the construction activity, ambient noise, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.</p> <p>MM BIO-2: The Project Developer shall retain a qualified biologist to conduct a 30-day preconstruction survey for burrowing owl. The results of the single one-day survey would be submitted to the City prior to obtaining a grading permit. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If burrowing owl are detected during the pre-construction survey, the Project applicant and a qualified consulting biologist would be required to prepare and submit for approval a burrowing owl relocation program.</p>
Section 4.6, Geology and Soils		
<p>Impact 4.6-7</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM GEO-1: To reduce damage from expansive soils, the contractor shall frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather.</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
<p>Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>		<p>MM GEO-2: Additional soluble sulfate testing shall be conducted at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations are present, specialized concrete mix designs shall be required.</p>
<p>Impact 4.6-9</p> <p>Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM GEO-3: Prior to issuance of grading permits, the applicant will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be documented in the PRIMP. The PRIMP would be submitted to the City prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:</p> <ol style="list-style-type: none"> 1. Description of the project site and proposed grading operations. 2. Description of the level of monitoring required for earth-moving activities. 3. Identification and qualifications of the paleontological monitor to be employed during earth moving. 4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens. 5. Direction for fossil discoveries to be reported to the developer and the City. 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays. 7. Sampling methods for sediments that are likely to contain small fossil remains, if any. 8. Procedures and protocol for collecting and processing of samples and specimens, as necessary. 9. Fossil identification and curation procedures. 10. Identification of the repository to receive fossil material 11. All pertinent maps and exhibits 12. Procedures for reporting of findings 13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.7, Greenhouse Gas Emissions		
<p>Impact 4.7-1</p> <p>Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>	<p>Significant and Unavoidable Impact</p>	<p>Feasible mitigation measures are proposed to lessen the severity of impacts; however, the residual significance of this impact would be significant and unavoidable.</p> <p>MMs AQ-2 through AQ-12 in Section 4.2, Air Quality apply.</p> <p>MM GHG-1: Prior to issuance of tenant occupancy permits, the Project owner or operator shall be required to install a total 314kwdc solar photovoltaic (PV) system on Building 1 (226kwdc) and Building 2 (88kwdc) or offset an equivalent amount of energy demand with renewable energy through either the purchase of renewable energy or implementation of alternative renewable measures that would offset an equivalent amount of energy demand subject to approval by the Community Development Director or his/her designee. To allow future operators to earn WAIRE Program points pursuant to SCAQMD’s Rule 2305, the exact timing of the PV system installation may be modified at the discretion of the Community Development Director or his/her designee. The PV requirement is subject to the utility provider agreeing to serve and facilitate the use of PV as well as final approval from the Airport Land Use Commission (if required).</p> <p>MM GHG-2: Prior to the issuance of a building permit for tenant improvements, the Project Applicant or successor in interest shall provide documentation to the City of Menifee demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) Certified equivalent standards. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-3: The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City of Menifee standards for Recyclable Collection and Loading Areas within the screened truck court area subject to approval by the Community Development Director or his/her designee. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-4: Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that the property’s landscape maintenance contract includes contractual language that all landscaping maintenance equipment used on-site shall be 100 percent electrically</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>powered. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-5: Prior to issuance of Certificate of Occupancy, the Project shall be required to construct cool pavement and/or portland cement concrete (PCC) for site paving in order to reduce heat island effects.</p>
<p>Impact 4.7-2</p> <p>Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>	<p>Significant and Unavoidable Impact</p>	<p>Feasible mitigation measures are proposed to lessen the severity of impacts; however, the residual significance of this impact would be significant and unavoidable.</p> <p>MMs AQ-2 through AQ-12 in Section 4.2, Air Quality apply, as do MMs GHG-1 through GHG-5.</p>
<p>Section 4.8, Hazards and Hazardous Materials</p>		
<p>Impact 4.8-1</p> <p>Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM HAZ-1: Prior to issuance of a demolition permit of the on-site structures, preparation of a demolition plan for the safe dismantling and removal of building components and debris including a plan for lead and asbestos abatement shall be required. The demolition plan shall be submitted to the City's (Building and Safety Department) for review and approval prior to commencement of demolition activities.</p> <p>Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos-containing materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than one percent in construction materials. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.</p> <p>Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.</p> <p>MM HAZ-2: If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.</p> <p>If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High-Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, § 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Building Official.</p>
Section 4.9, Hydrology and Water Quality		
<p>Impact 4.9-1</p> <p>Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM HYD-1: Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board. This process requires that the applicant electronically submit Permit Registration Documents (PRDs) prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee.</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>The required Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Menifee Engineering Department for review and approval, identifying specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:</p> <ul style="list-style-type: none"> A. Comply with the requirements of the State of California's most current Construction Stormwater Permit. B. Temporary erosion control measures shall be implemented on all disturbed areas. C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season. D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs. E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains. F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure. G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction. H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval by the City of Menifee Engineer. The City of Menifee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>MM HYD-2: The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with O&M Plan for submittal together with the associated grading and improvement plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City (Menifee) and County (Riverside) water quality requirements, for review and approval by the City of Menifee Engineering Department, including the following:</p> <ul style="list-style-type: none"> ▪ Site Design BMPs ▪ Source Control BMPs ▪ Treatment Control BMPs ▪ BMP Sizing ▪ Equivalent Treatment Control Alternatives ▪ Regionally-Based Treatment Control BMPs ▪ O&M Responsibility for Treatment Control BMPs.
<p>Impact 4.9-3</p> <p>Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>Result in substantial erosion or siltation on- or off-site?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM HYD-1 and MM HYD-2 apply.</p>
<p>Impact 4.9-4</p> <p>Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM HYD-3: Prior to issuance of grading permits, the Project Applicant shall submit final parcel map(s) for review and approval by the City of Menifee, including final drainage design plans supported by a final drainage study. The tract maps, grading plans, and final drainage study shall demonstrate compliance with applicable City and County drainage plans, policies, design guidelines and regulations including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations.</p>

Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?		
<p>Impact 4.9-5</p> <p>Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>Impede or redirect flood flows?</p>	Less than Significant with Mitigation Incorporated	MM HYD-1 and MM HYD-2 apply.
<p>Impact 4.9-6</p> <p>Would the project in flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation?</p>	Less than Significant with Mitigation Incorporated	MM HYD-1, MM HYD-2, and MM HYD-3 apply.
Section 4.11, Noise		
<p>Impact 4.11-1</p> <p>Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	Less than Significant with Mitigation Incorporated	<p>MM NOI-1: Construction Noise Control. To avoid unnecessary annoyance from construction noise, the following construction noise control measures shall be implemented:</p> <ul style="list-style-type: none"> ▪ Perform all construction in a manner to minimize noise and vibration. The contractor should be required to select construction processes and techniques that create the lowest noise levels. ▪ Equip all internal combustion engines with a muffler of a type recommended by the manufacturer. ▪ Turn off idling equipment. ▪ Perform noisier operations during the times least sensitive to receptors. ▪ Implement a noise control monitoring program to limit the impacts. ▪ The construction contractor should be required by contract specification to comply with all local noise ordinances and obtain all necessary permits and variances.

ES.6 Alternatives to the Project

State CEQA Guidelines §15126.6(a) requires an EIR to provide a selection of suitable alternatives to a project, or a project location, which would realistically reduce the project's impacts to the environment while retaining the main character of the project. In response to the potentially significant impacts that were identified, the Draft EIR includes the following alternatives for consideration by decision-makers upon actions related to the Project:

Alternative 1: No Project Alternative

The purpose of the No Project Alternative is to give decision-makers the ability to compare the impacts of approving the Project with impacts or not approving the Project, thus leaving the Project site undeveloped. The No Project analysis is required to discuss the existing conditions as they were at the time of publication of the Notice of Preparation (June 11, 2021) and analyze the potential impacts of the Project site if the land were to continue under applicable existing plans, policies, and designations. Under the No Project Alternative, the existing primarily vacant land uses, and residencies would remain and the development of the proposed warehousing buildings and associated on- and off-site infrastructure improvements would not proceed. However, the existing environmental conditions would not be necessarily preserved, and some form of industrial development could still occur pursuant to the City of Menifee General Plan, Menifee North Specific Plan, and Municipal Code.

Alternative 2: Reduced Building Intensity Alternative

Alternative 2 assumes that the Project would undergo a 15% reduction in the overall square footage of the proposed warehouse buildings for both Sites 1 and 2. This indicates that Alternative 2 would marginally minimize impacts related to the scale of the Project. Therefore, environmental impact areas such as aesthetics, land use and planning, energy, public services, and utilities and service systems may see a nominal improvement regarding potential impact significance. Additionally, Alternative 2 would reduce air quality and GHG emissions and traffic by approximately 15%.

Alternative 3: Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative

Alternative 3 assumes that Building 1 would be built at a slightly smaller scale (1,249,279 SF versus the proposed Project at 1,254,160 SF). Additionally, Building 2 would not be constructed. In its place on the portion of the site totaling approximately 20-acres located west of Sherman Road, east of Trumble Road, south of Ethanac Road and north of McLaughlin Road would be developed with a trailer/auto parking lot consisting of 757 automobile parking stalls and 350 trailer parking stalls. Overall, Alternative 3 would be slightly less construction intensive, but has the potential to be more traffic intensive and thus generate more air quality, energy, GHG emissions, noise, and transportation impacts than the proposed Project.

Environmentally Superior Alternative

State CEQA Guidelines require that an Environmentally Superior Alternative be identified for each project. No Project Alternative is the environmentally superior alternative because it would avoid many of the proposed project's impacts. Therefore, in compliance with CEQA requirements, this Draft EIR also identifies an environmentally superior alternative among the other alternatives. Based on analysis

conducted in **Section 6.0: Alternatives**, Alternative 2 was chosen as the Environmentally Superior Alternative. These alternatives are further discussed in **Section 6.0: Alternatives**.

ES.7 Summary of Environmental Impacts & Mitigation Measures

Table ES-1 contains a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this EIR. Refer to **Sections 4.1** through **4.16**, for a detailed description of the environmental impacts and mitigation measures for the Project. Mitigation has been proposed for the following sections:

- 4.2: Air Quality;
- 4.3: Biological Resources;
- 4.6: Geology and Soils
- 4.7: Greenhouse Gas Emissions;
- 4.8: Hazards and Hazardous Materials;
- 4.9: Hydrology and Water Quality; and
- 4.11: Noise.

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1.0 INTRODUCTION AND PURPOSE

This document is a Draft Environmental Impact Report (EIR) prepared for the Menifee Commerce Center (Project) in compliance with the California Environmental Quality Act (CEQA), Public Resources Code (PRC) § 21000 et seq, and the California Code of Regulations (CCR) § 15000 et seq. This Draft EIR has been prepared for the City of Menifee (City) and evaluates the potential environmental impacts associated with construction and operation of 1,640,130 square feet among two warehouse buildings: Building 1 would total approximately 1,254,160 square feet (SF) of high-cube warehouse/fulfillment center, inclusive of 144,220 SF of mezzanine, and 14,500 SF of office space; Building 2 would total approximately 385,970 SF of general warehouse, inclusive of 10,000 SF of office space. The Project is generally bounded by a Riverside County Flood Control channel, a Southern California Edison (SCE) easement, and McLaughlin Road to the south, Ethanac Road to the north, Dawson Road to the east, and Trumble Road to the west, in the northeastern part of the City in Riverside County, California.

The Project site's existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI) and an existing zoning of Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). As shown in **Figure 2-7: Menifee North Specific Plan**, the proposed Project would be located within Planning Area (PA) 2 which is an area designated *Industrial* under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations. The majority of the site designated as Industrial under the Menifee North SP is made up of three parcels and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP), (see Table 2-2)). As shown in **Table 2-3**, all three designations (Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project is consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP (Industrial) designation (see Table 2-4), the amendments noted in Section 2.8, Discretionary Actions and Approvals would be required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The necessary amendments are summarized below:

- Change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).
- Change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 ("Industrial").

The General Plan land use and zoning classification amendments would allow for the boundary modification of Specific Plan No. 260 (Menifee North Specific Plan Amendment) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-035 within Planning Area 2 ("Industrial"). The CEQA

Guidelines are located within the CCR, Title 14, Division 6, Chapter 3, §§ 15000-15387, while the CEQA Statute is codified as Public Resources Code (PRC) §§ 21000-21189.57.

This Draft EIR evaluates the potential impacts or benefits on the environment resulting from implementation of the Project. **Section 2.0: Project Description**, provides detailed descriptions of the construction and operational components of the Project. **Section 4.0: Environmental Analysis**, discusses the regulatory environment, existing conditions, environmental impacts, and mitigation measures for the Project. Following public review of the Draft EIR, a Final EIR will be prepared, in which the City of Menifee will respond to public comments on the Draft EIR.

1.1 Purpose of the Environmental Impact Report

According to § 15121 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a proposed project. The purpose of this Draft EIR for the Project is to review the existing conditions at and in the vicinity of the Project site; identify and analyze the potential environmental impacts; and suggest feasible mitigation measures or alternatives to reduce significant adverse environmental effects, as described in **Section 2.0: Project Description** and **Section 6.0: Alternatives to the Project**. The potential impacts include both temporary construction-related effects and the long-term effects of development, operation, and maintenance of the Project, as described in **Section 2.0: Project Description**.

The intent of this EIR is to address the potential Project impacts utilizing the most current and detailed plans, technical studies, and related information available. This EIR will be used by the City as the lead agency, other responsible and trustee agencies, interested parties, and the general public to evaluate the potential environmental impacts of the Project.

1.2 Compliance with CEQA

According to the CEQA Guidelines (14 CCR § 15064[f][1]), preparation of an EIR is required whenever a project may result in a significant effect on the environment. An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project. CEQA requires that state and local government agencies consider the environmental effects of projects over which they have discretionary authority before taking action on those projects.

This document analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by § 15146 of the CEQA Guidelines. The analysis considers the activities associated with the Project to determine the short-term and long-term effects associated with their implementation. This EIR discusses both direct and indirect impacts of the Project, as well as cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

Based on significance criteria, the effects of the Project have been categorized as either “no impact,” “less than significant impact,” “less than significant with mitigation incorporated,” or “significant unavoidable impact” (refer to **Section 4.0: Environmental Analysis**). Mitigation measures are recommended for potentially significant impacts, to avoid or lessen impacts. In the event the Project results in significant unavoidable impacts, even with implementation of feasible mitigation measures, the decision-makers may approve the Project based on a “Statement of Overriding Considerations.” This determination would require the decision-makers to balance the benefits of the Project to determine if they outweigh identified unavoidable impacts. The CEQA Guidelines § 15093 provides in part the following:

- CEQA requires that the decision-makers balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the reason to support its action based on the Final EIR and/or other information on the record. This statement may be necessary if the agency also makes the finding under § 15091 (a)(3) of the CEQA Guidelines.
- If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination.

1.3 Notice of Preparation/Early Consultation

In compliance with the CEQA Guidelines, the City has provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various federal, State, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of the Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. Pursuant to CEQA Guidelines § 15082, the City circulated the NOP directly to public agencies, special districts, and members of the public who had requested such notice, and property owners within a 300’ foot radius. The NOP was distributed on June 11, 2021 with a 30-day public review period ending on July 12, 2021. The NOP and comment letters received are provided in **Appendix 9.1: Notice of Preparation and Scoping Meeting Notice**.

During the scoping process, certain environmental topics were identified as having the potential for significant environmental impacts. The following issues identified as “potentially significant impact” in the NOP are addressed in detail in this EIR:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions

- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The NOP also noted that cumulative and growth-inducing impacts would be analyzed and that alternatives would be considered. Discussions of cumulative impacts can be found at the end of each resource section (**Sections 4.1 through 4.15** of this Draft EIR). A discussion of alternatives can be found in **Section 6.0**.

Public Scoping Meeting

A notice of a public scoping meeting for the Project was included within the NOP. A public scoping meeting was held on June 29, 2021 at 6PM both in-person at City Council Chambers located at 29844 Haun Road, Menifee, CA 92586, and virtually via ZOOM.

A total of six comment letters were received in response to the NOP. The comment letters received during the NOP comment period (June 11, 2021 through July 12, 2021), along with the NOP are included in **Appendix 9.1**.

Areas of concern that were identified during the comment period include:

- Community impacts
- Air quality and noise impacts on students/community
- Transportation impacts
- Implementation of local hire and skilled and trained workforce requirements
- Vehicle miles traveled
- Wildlife impacts
- Drainage facilities

Native American Consultation

In accordance with Assembly Bill (AB) 52, the City requested formal tribal consultation with tribes on January 17, 2019. The following tribes were contacted for consultation: Agua Caliente Band of Cahuilla Indians (ACBCI), Pechanga Band of Luiseño Indians (PBLI), Rincon Cultural Resources Department, and Soboba Band of Luiseño Indians (SBLI). To date, responses have been received from ACBCI, PBLI, and SBLI, and are detailed in **Section 4.14: Tribal Cultural Resources**.

The City initiated Senate Bill (SB) 18 with tribes on January 28, 2019. The following tribes were contacted for consultation: ACBCI, Augustine Band of Cahuilla Indians (ABCI), Cabazon Band of Mission Indians, Cahuilla Band of Indians, Los Coyotes Band of Cahuilla and Cupeño Indians, Morongo Band of Mission Indians, Ramona Band of Cahuilla, Santa Rosa Band of Cahuilla Indians, PBLI, Rincon Band of Luiseño Indians (RBLI), SBLI, and Torres-Martinez Desert Cahuilla Indians. To date, responses have been received from ACBCI, ABCI, PBLI, RBLI, and SBLI, and are detailed in **Section 4.14: Tribal Cultural Resources**.

1.4 Compliance with CEQA

The Draft EIR is available to the public for review at the location listed below and on the City website at:

- City of Menifee Community Development Department Counter located at 29844 Haun Road, Menifee, CA 92586.
- Sun City Library located at 26982 Cherry Hills Road, Menifee, CA 92586
- Menifee Library located at 28798 La Piedra Road, Menifee, CA 92584
- <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>

In accordance with CEQA Guidelines §§ 15087 and 15105, this Draft EIR will be circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft EIR and are encouraged to provide information that they believe should be included in the EIR.

Comment letters should be sent to:

Brett Hamilton, Senior Planner
Community Development Department
City of Menifee
29844 Haun Road
Menifee, CA 92586
bhamilton@cityofmenifee.us

Final EIR

Upon completion of the 45-day Draft EIR public review period, the City will evaluate all written comments received during the public review period on the Draft EIR. Pursuant to CEQA Guidelines § 15088, the City will prepare written responses to comments raising environmental issues. Pursuant to CEQA Guidelines § 15132 (Contents of Final Environmental Impact Report), the Final EIR will be prepared and will include:

- a) The draft EIR or a revision of the draft;
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- d) The lead agency's responses to significant environmental points raised in the review and consultation process; and
- e) Any other information added by the lead agency.

Additionally, pursuant to CEQA Guidelines § 15088 (Evaluation of and Response to Comments), after the Final EIR is completed, the City will provide a written proposed response to each public agency on comments made by that public agency at least ten days prior to certifying the EIR.

Certification of the Final EIR

The Draft EIR, as revised by the Final EIR, will be considered by the Planning Commission City Council (the decision-making body for the Project) for certification, consistent with CEQA Guidelines § 15090, which states:

Prior to approving a project, the lead agency shall certify that:

1. The Final EIR has been completed in compliance with CEQA;
2. The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and
3. The Final EIR reflects the lead agency's independent judgment and analysis.

Regarding the adequacy of an EIR, according to CEQA Guidelines § 15151, "An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

Project Consideration

After certification of the Final EIR, the City Council may consider approval of the Project. A decision to approve the Project would be accompanied by specific, written findings, in accordance with CEQA Guidelines § 15091 and, if necessary, a specific, written Statement of Overriding Considerations, in accordance with CEQA Guidelines § 15093.

1.5 Format of the EIR

The purpose of this EIR is to enable the City and other responsible and trustee agencies and interested parties to evaluate the environmental impacts of the Project.

This Draft EIR is organized into nine sections:

- Section ES** **Executive Summary**, provides a project summary and summary of environmental impacts, and the proposed mitigation measures and alternatives.
- Section 1.0** **Introduction**, provides CEQA compliance information.
- Section 2.0** **Project Description**, provides Project history, as well as the environmental setting, Project characteristics and objectives, phasing, and anticipated permits and approvals that may be required for the Project.

- Section 3.0 Basis of Cumulative Analysis**, describes the cumulative analysis' proposed approach and methodology.
- Section 4.0 Environmental Analysis**, provides a discussion of the existing conditions for each of the environmental impact areas. This section also describes methodologies for significance determinations, identifies both short-term and long-term environmental impacts of the Project, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. This section includes a discussion of cumulative impacts that could arise as a result of the implementation of the proposed Project.
- Section 5.0 Additional CEQA Considerations**, summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes, growth-inducing impacts, and energy conservation, in accordance with CEQA Guidelines Appendix F.
- Section 6.0 Alternatives to the Project**, describes potential Project alternatives, including alternatives considered but rejected from further consideration, the No Project Alternative, various Project Alternatives, and identifies the Environmentally Superior Alternative.
- Section 7.0 Effects Found Not to Be Significant**, describes potential impacts that have been determined not to be significant throughout the EIR process.
- Section 8.0 EIR Consultation and Preparation** identifies the CEQA lead agency and EIR preparation team, as well as summarizes the EIR consultation process.
- Section 9.0 Appendices**

1.6 Responsible and Trustee Agencies

Lead Agency

City of Menifee

For this Project, the City of Menifee is the lead agency under CEQA. This Draft EIR has been prepared in accordance with PRC § 21000 et seq. and the State CEQA Guidelines (CCR § 15000 et seq.). CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare an EIR.

Trustee, Responsible, and Cooperating Agencies

Other federal, state, and local agencies are involved in the review and approval of the Project, including trustee and responsible agencies under CEQA. Under CEQA, a trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. A responsible agency is an agency other than the lead agency that has responsibility for carrying out or approving a project. Responsible and trustee agencies are consulted by the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft EIR. Responsible

agencies also use the CEQA document in their decision-making. Several agencies other than the City of Menifee may require permits, approvals, and/or consultation in order to implement various elements of the Project.

1.7 Incorporation by Reference

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines § 15148 or have been incorporated by reference in accordance with CEQA Guidelines § 15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are hereby incorporated by reference into this EIR and are available for review online and at the City. Information contained within these documents has been utilized for various sections of this EIR.

City of Menifee General Plan

The City adopted the comprehensive Menifee General Plan (GP) in 2013. Additionally, the City's 2021-2029 Housing Element was adopted in December 2021. The City of Menifee Land Use map was updated in December 2021. The Menifee GP constitutes the City's overall vision, values, goals, policies, and implementation actions to guide growth and development in the City for the next several decades. The Menifee GP Community Values provide the foundation of the GP and will help preserve or build upon the features or items that create the essence of Menifee. The community values: small town atmosphere, balanced growth, town center/urban core, infrastructure, employment, circulation, natural resources, growth opportunities, recreation, and public services. The GP evaluates the existing conditions and provides long-term goals and policies necessary to guide growth and development in the direction that the community desires. Through its goals and policies, the Menifee GP serves as a decision-making tool to guide future growth and development decisions.

The Menifee GP consists of the following elements and was used throughout this EIR as a source of baseline data:

- Land Use Element
- Housing Element
- Circulation Element
- Open Space and Conservation Element
- Community Design Element
- Economic Development Element
- Safety Element
- Noise Element

The Menifee GP is accessible here: <https://www.cityofmenifee.us/221/General-Plan>.

City of Menifee General Plan Final Environmental Impact Report (December 2013, Amended May 2020 and June 2020) (SCH #2012071033)

The Menifee GP Final Environmental Impact Report (Menifee GP Final EIR) analyzed the potential environmental impacts that would result from Menifee GP implementation. At the time of the preparation of the Menifee GP Final EIR, the City was 62 percent developed. Approximately 33 percent was developed with residential land uses. Agricultural land uses accounted for approximately 6 percent (1,651 acres), and

the remaining land (approximately 10 percent) was occupied by educational, commercial, industrial, manufacturing, utilities, golf courses, and local park and recreation land uses. The City had approximately 32,859 dwelling units and 11,982,509 square feet of nonresidential uses. Theoretical buildout of the proposed Land Use Plan is projected to accommodate approximately 63,754 dwelling units and 158,948 people. Buildout of the Menifee GP is not linked to a time frame. Based on the historical rate of growth in the City, the amount of development that can be accommodated by the Land Use Plan is not likely to occur within the next 50 years.¹ The Menifee GP Final EIR concluded significant and unavoidable impacts concerning Agricultural and Forestry Resources, Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Traffic.

The Menifee GP Final EIR is accessible here: <https://www.cityofmenifee.us/262/Environmental-Impact-Report>.

Menifee Municipal Code

The Menifee Municipal Code (MC) regulates municipal affairs within the City's jurisdiction including, without limitation, zoning regulations (codified in MC Title 9). MC Title 9 is the primary tool for implementing the GP's Goals and Policies. The MC is referenced throughout this EIR to establish the Project's baseline requirements according to the City's regulatory framework.

The Menifee MC is accessible here: <https://www.cityofmenifee.us/318/Municipal-Code>.

Title 9 is available here: <http://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx#secid--1>.

Menifee North Specific Plan 260

The Menifee North Specific Plan 260 was approved by the County of Riverside in 1994 and provides a comprehensive set of plans, regulations, conditions, and programs for guiding the systematic development of the Specific Plan area. The Project site is located with Planning Area (PA) 2: Industrial Park of the Menifee North SP. The first planning objective of the SP is to provide a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of the community and region.

The Menifee North Specific Plan 260 is accessible here at City Hall, located at 29844 Haun Road, Menifee, CA 92586.

¹ City of Menifee. 2013. *Menifee General Plan Draft Environmental Impact Report*. <https://www.cityofmenifee.us/262/Environmental-Impact-Report> (accessed February 2021).

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2.0 PROJECT DESCRIPTION

2.1 Purpose

The City of Menifee (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Environmental Impact Report (EIR) for the Menifee Commerce Center (Project). The following Project Description is provided in conformance with CEQA Guidelines § 15124. It discusses the geographic setting, Project location, Project setting, current City land use and zoning designations, Project characteristics, Project objectives, and discretionary actions required to implement the Project. This information will be the basis for analyzing the Project's impacts on the existing physical environment in **Section 4.0** of this EIR. The Project Description contains the following:

1. The precise location and boundaries of the Project shown on a detailed map, along with a regional location map;
2. A statement of the objectives sought by the Project including the underlying purpose of the Project and Project benefits;
3. A description of the Project's technical, economic, and environmental characteristics along with engineering and public service facilities details;
4. A statement describing the intended uses of the EIR, including a list of all necessary approvals and permits, a list of agencies that may use the document in their decision-making, and a list of related consultation and environmental review necessary under local, state, and federal laws, regulations, and policies.

The information presented within the Project Description will both accurately describe the Project and assist in further review and assessment of its potential environmental impacts.

2.2 Project Location

The Project is generally bounded by a Riverside County Flood Control channel, Southern California Edison Easement, and McLaughlin Road to the south, commercial uses, non-conforming residential, vacant land and Ethanac Road beyond to the north, Dawson Road to the east, and Trumble Road to the west. Trumble Road is the jurisdictional boundary between the City of Menifee and the City of Perris. The Project site is generally located in the northeastern part of the City in Riverside County, California (refer to **Figure 2-1: Local Vicinity Map**). The Project site is comprised of seven parcels; refer to **Table 2-1: Assessor Parcel Numbers**. The Project site is located approximately 0.3-mile (1,400 feet) east of Interstate 215 (I-215) and approximately 0.4-mile (1,500 feet) south of State Highway (SH) 74 (see **Figure 2-2: Regional Vicinity Map**).

Table 2-1: Assessor Parcel Numbers

Parcel	APN
1	331110035
2	331110027
3	331110041
4	331140021
5	331140025
6	331140010
7	331140018
Source: Riverside County. ND. Map My County. https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public (accessed March 2021).	

2.3 Existing Site Conditions

The majority of the Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances associated with agricultural activities. These disturbances have eliminated the natural plant communities that once occurred on the Project site which has resulted in a majority of the Project site being dominated by non-native vegetation and heavily compacted soils.

Topography

Ground surface cover throughout the site consists of dense native grass and weeds. The southeast and southwest regions of the site include ranch-style residential lots, each with non-conforming single-family residences and detached out structures. Ground surface cover surrounding the residences consists of exposed soil with limited areas of concrete pavements and some medium to large size trees around the perimeters of the properties.

Several soil berms are located at the northwest corner of the site, near Tumble Road. Site topography slopes downward towards the west at a gradient of 0.5± percent. There is approximately 9.0 feet of elevation difference across the site.

Watershed

For the Building-1 site, the existing elevations across the site vary from 1,437 feet above mean sea level (amsl) at the easterly property line to 1,431 amsl at the westerly property line. The existing drainage pattern for the site and the general area is characterized by sheet flows that follow the slope to the west.

For the Building-2 site, the existing elevations across the site vary from 1,432 amsl at the easterly property line to 1,428 amsl at the westerly property line. The site slopes down at approximately 0.3 percent grade to the west. The existing drainage pattern for the site and the general area is characterized by sheet flows that also follow the slope to the west.

The existing runoff from both sites continue to flow west until it is intercepted by a cutoff channel adjacent to Interstate-215 off-ramp at Ethanac Road. Water flows ultimately reach and discharge into Romoland Line-A which drains into the San Jacinto River before finally reaching Canyon Lake and Lake Elsinore.

Jurisdictional Conditions

The National Wetlands Inventory maps does not depict any wetland resources on or immediately bordering the Project site or street improvement areas. Additionally, no blueline streams, ponded areas, pits, or water features have been documented on the topographic maps for the Project site or street improvement areas. There are also two existing non-conforming single-family residences and associated out structures located on APNs 331110027 and 331140018. See **Table 2-2** for existing land use(s) by parcel.

Table 2-2: Existing Land Uses

APN	Existing Land Use
Building 1 Site	
331140021	Vacant undeveloped
331140025	Vacant undeveloped
331140010	Vacant undeveloped
331140018	Single-family residential
Building 2 Site	
331110035	Vacant undeveloped
331110027	Single-family residential
331110041	Vacant undeveloped
Source: Google. 2021. Google Maps. https://www.google.com/maps/@33.7399016,-	

2.4 General Plan Land Use Designations and Zoning Classifications

The site’s existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI)(see **Figure 2-3: Existing General Plan Land Use Designations**). The site’s proposed land use designation is Menifee North Specific Plan (SP) (see **Figure 2-4: Proposed General Plan Land Use Designations**). The City’s General Plan (GP) Land Use Map was amended December 2021.¹

The Project site’s existing zoning classifications are Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). (see **Figure 2-5: Existing Zoning Classifications**). The site’s proposed zoning classification is Menifee North SP (see **Figure 2-6: Proposed Zoning Classifications**). The City’s Zoning Map was amended February 2022.²

As shown in **Figure 2-7: Menifee North Specific Plan**, the proposed Project would be located within Planning Area (PA) 2 which is an area designated *Industrial* under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations. The majority of the site designated as Industrial under the Menifee North SP is made up of three parcels and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP), (see Table 2-2). **Table 2-3: General Plan**

¹ City of Menifee. 2021. *General Plan Land Use Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan-Land-Use-Map---December-2021> (accessed February 2022).

² City of Menifee. 2022. *Zoning Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---February-2022> (accessed February 2022).

Permitted Uses, provides a description of the allowed uses for the land uses currently making up the Project site.

Table 2-3: General Plan Permitted Uses

Designation	Details
Specific Plan (SP) Menifee North SP Planning Areas 2 and 3	<p>The purpose of a specific plan is to provide detailed policies, standards, and criteria for the development or redevelopment of an area. As required by state law, specific plans generally consist of a land plan, circulation plan, development standards, design guidelines, and phasing plan and set forth detailed implementation programs necessary to serve the development.</p> <p>The actual designation of each area will be SP followed by a corresponding number (e.g., SP-1). Land uses within the SP areas depicted on the land use plan are conceptual and will be shown to provide context with surrounding uses. Actual land uses are illustrated in detail in the specific plan documents (zoning).</p> <p>Planning Areas (PA) 2 and 3 are Industrial parcels which allow Industrial uses intended to support the commercial uses in the region and to blend in with the adjacent industrial uses.</p>
Heavy Industrial (HI) Maximum 0.50 FAR	More intense industrial activities, such as manufacturing uses, that can generate significant impacts such as excessive noise, dust, and other nuisances.
Business Park (BP) Maximum 0.60 FAR	Industrial and related uses including warehousing/distribution, assembly and light manufacturing, repair facilities, and business parks, including corporate offices. Employee-intensive uses, including research and development, technology centers, “clean” industry, and supporting hotel and ancillary retail uses are also permitted.
<p>Source: General Plan. 2020. <i>Land Use Element</i>. https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322 (accessed April 30, 2022).</p>	

As shown in **Table 2-3**, all three designations Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project *is* consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP (Industrial) designation (see Table 2-4), the amendments noted in Section 2.8, Discretionary Actions and Approvals would be required to consolidate the site’s designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The necessary amendments are summarized below:

- Change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).
- Change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 (“Industrial”).

- The General Plan land use and zoning classification amendments would allow for the boundary modification of Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-035 within Planning Area 2 (“Industrial”).

For existing and proposed land use designations and zoning classifications by parcel see **Table 2-4: General Plan Land Use Designations and Zoning Classifications**.

Table 2-4: General Plan Land Use Designations and Zoning Classifications

APN	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation	Existing Zoning Classification	Proposed Zoning Classification
331110035	Menifee North Specific Plan (SP)	Menifee North Specific Plan (SP)	Menifee North SP	Menifee North SP
331110027	Heavy Industrial (HI)		Heavy Industrial/Manufacturing (HI)	
331110041	Menifee North Specific Plan (SP)		Menifee North SP	
331140021	Business Park (BP)		Business Park/Light Industrial (BP)	
331140025	Menifee North Specific Plan (SP)		Menifee North SP	
331140010	Heavy Industrial (HI)		Heavy Industrial/Manufacturing (HI)	
331140018	Business Park (BP)		Business Park/Light Industrial (BP)	
Sources: City of Menifee. 2021. <i>General Plan Land Use Map</i> . Retrieved at: https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---December-2021 (accessed February 2022). and City of Menifee. 2022. <i>Zoning Map</i> . Retrieved at: https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--February-2022 (accessed February 2022).				

2.5 Surrounding Land Uses

Existing land uses north of the Project site include vacant undeveloped land, non-conforming single-family residences with associated out structures, and commercial establishments include, but not limited to, North County Sand & Gravel, and Summit Equipment Rentals. Ethanac Road is located approximately 325 feet north of the Project site (eastern half). East of the Project site is Dawson Road and beyond the road is vacant undeveloped land and a single-family residence with associated out structures. South of the Project site, a Riverside County Flood Control channel and a SCE easement separate the Project site from McLaughlin Road. Lastly, west of the Project site is Trumble Road and vacant undeveloped land beyond the roadway in the City of Perris. Trumble Road is the jurisdictional boundary between the City of Menifee and the City of Perris. See **Table 2-5: Surrounding Land Uses** for surrounding land uses as well as existing land use designations and zoning classifications.

Table 2-5: Surrounding Land Uses

Location	Existing Land Use	General Plan Land Use Designation	Zoning Classification
North	Vacant undeveloped land Non-conforming Single-family residential	Menifee North Specific Plan (SP) Heavy Industrial (HI) Business Park (BP)	Menifee North SP Heavy Industrial/Manufacturing (HI) Business Park/Light Industrial (BP)
East	Vacant undeveloped land Non-conforming Single-	Menifee North Specific Plan (SP) Business Park (BP)	Menifee North SP Business Park/Light Industrial (BP)
South	Flood control channel Utility corridor	Menifee North Specific Plan (SP) Business Park (BP) Public Utility Corridor (PUC)	Menifee North SP Business Park/Light Industrial (BP) Public Utility Corridor (PUC)
West	City of Perris Vacant undeveloped land	City of Perris Commercial Community (CC)	City of Perris Commercial Community (CC)

Sources: City of Menifee. 2021. *General Plan Land Use Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map--December-2021> (accessed February 2022).
 And City of Menifee. 2022. *Zoning Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--February-2022> (accessed February 2022); City of Perris. ND. *Zoning Map*. <https://www.cityofperris.org/Home/ShowDocument?id=1717> (accessed March 2021);
 City of Perris. ND. *CommunityView Digital Map Central*. <http://maps.digitalmapcentral.com/production/vccommunityview/cities/perris/index.aspx> (accessed March 2021).

2.6 Proposed Project

The Project applicant proposes the development of approximately 1,640,130 square feet of e-commerce/fulfillment warehouse space (including mezzanine and office space) within two buildings on approximately 72 net acres. The Project would include the construction of two concrete tilt-up buildings, identified as Building 1 and Building 2. Building 1 is evaluated as a high-cube fulfillment center and Building 2 as a general warehouse. As part of the Project analysis, the following two scenarios were considered:

Evaluated Project Scenarios

This EIR analyzes two project development scenarios, as further described below. These scenarios both include the development of the Project as described above (square footage, lot coverage, etc.); however, for air quality, greenhouse gas, noise, and traffic purposes, two scenarios were analyzed to provide a full analysis of potential impacts with respect to possible end-user tenants for the Project. All other environmental impact areas would remain unaffected by the implementation of either Scenario 1 or Scenario 2, except for air quality, greenhouse gas emissions, noise, and transportation.

Evaluated Project Scenario 1

The Scenario 1 is based on trip rates presented in the Menifee Commerce Center Project Traffic Impact Analysis (TIA) prepared by Albert A. Webb Associates. Under Scenario 1, Building 1 is evaluated as high-cube fulfillment center warehouse space and Building 2 is evaluated as general warehousing space. Under Scenario 1, the Project would be expected to generate a total of approximately 8,749 vehicular trips per day, which includes 470 truck trips per day.

Evaluated Project Scenario 2

The Scenario 2 is based on supplemental trip generation data provided by Albert A. Webb Associates and evaluates Building 1 as high-cube transload and short-term storage warehouse space and Building 2 as

general warehousing space. Under Scenario 2, the Project would be expected to generate a total of approximately 2,429 vehicular trips per day, which includes 509 trucktrips per day.

Building 1

Building 1 would total approximately 1,254,160 square feet (SF) of warehouse, inclusive of 144,220 SF of mezzanine, and 14,500 SF of office space. Building 1 height would be 49' feet high and would include 679 automobile parking spaces and 369 trucktrailer parking spaces.

Building 2

Building 2 would total approximately 385,970 SF of warehouse, inclusive of 10,000 SF of office space. Building 2 height would be 49' feet high and would include 232 automobile parking spaces and 154 truck trailer parking spaces (see **Figure 2-8: Conceptual Site Plan**, **Figure 2-9a: Conceptual Elevations – Building 1**, and **Figure 2-9b: Conceptual Elevations – Building 2**). The Project site is traversed by Sherman Road, with Buildings 1 located east of Sherman Road and Building 2 located west of Sherman Road.

The lead agency is responsible for selecting a range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. Below is a description of the three alternatives considered:

Alternative 1: *No Project Alternative*

This alternative assumes none of the proposed warehouse buildings or off-site infrastructure would be constructed and the Project site would continue to function in its existing condition.

Alternative 2: *Reduced Building Intensity Alternative*

This alternative assumes a general 15% reduction in overall square feet of buildings.

Alternative 3: *Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative*

This alternative assumes that Building 2 would not be constructed. In its place, an auto/truck/trailer parking lot would be constructed in place of Building 2. Building 1 would continue to be constructed in its original location, including the same office and mezzanine space, but with approximately 4,900 additional SF of warehouse space.

Landscaping

Irrigated landscaped areas for the Project site would be comprised of 382,380 SF of on-site landscaping and 70,853 SF of off-site landscaping (excluding sidewalks), for a total of approximately 453,233 SF of landscaping. Landscaping would be comprised of drought-tolerant shrubs and ground cover and evergreen and deciduous trees. 981 trees are proposed to be planted. Ten percent (98 trees) would be required to be specimen size trees (36-inch box size or larger). The Project would include 196 specimen size trees, exceeding the 10 percent requirement. The storm water treatment basin would be planted

with grasses and shrubs tolerant of seasonal water inundation. Refer to **Figure 2-10: Conceptual Landscape Plan**.

Project Circulation and Parking

Regional Project access would be from I-215 via the potential truck route, Ethanac Road.³ Local access would be provided via Trumble Road, McLaughlin Road, Sherman Road, and Dawson Road. Project site ingress and egress for Building 1 would be via two driveways on Sherman Road and two driveways on Dawson Road. Access to Building 2 would be via two driveways on Trumble Road and two driveways on Sherman Road. Project site access points are detailed below.

All Project driveways would be unsignalized.

- Building 1
 - Sherman Road north – 40 feet wide; auto and truck access.
 - Sherman Road south – 40 feet wide; auto and truck access.
 - Dawson Road north – 40 feet wide; auto and truck access.
 - Dawson Road south – 40 feet wide; auto and truck access.
- Building 2
 - Trumble Road north – 40 feet wide; auto and truck access.
 - Trumble Road south – 26 feet wide; auto access only
 - Sherman Road north – 40 feet wide; auto and truck access.
 - Sherman Road south – 26 feet wide; auto access only.

Project Phasing and Construction

The Project is anticipated to be developed in one phase. Construction is anticipated to occur over a duration of approximately 22 months, beginning early 2023.

Off-Site Improvements

For off-site roadway improvements, see **Table 4.13-7: Mitigation Measures (Recommended Improvements) of Section 4.13: Transportation**.

The following off-site storm drain improvements are proposed as part of the Project:

- **Line A-21 (Trumble Road):** Line A-21 would capture the runoff from the tributary area east of Trumble Road, west of Sherman Road, and between Ethanac Road and Romoland Line-A. Line A-21 would be an 8'Wx3'H reinforced concrete box (RCB) upstream and convey a 100-year flowrate of roughly 88 cubic feet/second (cfs); Line A-21 will be a 9'Wx4'H RCB downstream and

³ City of Menifee. 2013. Menifee General Plan Exhibit C-7: Potential Truck Routes.
https://www.cityofmenifee.us/DocumentCenter/View/1024/C-7-Truck_Routes_HD0913?bidId= (accessed March 2021).

convey a 100-year flowrate of roughly 145 cfs. The storm drain will need an excessive cross-section due to limited slope capacity from cover since the pipe is running parallel to contour.

- **Line A-1 (Sherman Road):** Line A-1 would capture the runoff from the tributary area east of Sherman Road, west of Dawson Road, and between Ethanac Road and Romoland Line-A. Line A-1 would be a 7'Wx3'H RCB upstream and convey a 100-year flowrate of roughly 90 cfs; Line A-1 will be a 9'Wx4.5'H RCB downstream and convey a 100-year flowrate of roughly 216 cfs. The storm drain will need an excessive cross-section due to limited slope capacity from cover since the pipe is running parallel to contour.
- **Line A-1a (Dawson Road):** Line A-1a would capture the runoff from the drainage channel in the northeast corner of Building-1 that conveys flow runoff from the east of Antelope Road. Line A-1a would be a 4.5'Wx3'H RCB and convey a 100-year flowrate of roughly 48 cfs. The storm drain will need an excessive cross-section due to limited slope capacity from cover since the pipe is running parallel to contour.

2.7 Project Objectives

The following objectives have been established for the Project by the City and Project applicant:

1. Develop an industrial project that conforms to the City's General Plan and the Menifee North Specific Plan.
2. Provide a new development that will generate a positive fiscal balance for the City moving forward.
3. Design and build a Class-A institutional quality industrial project that will attract high end tenants and increase the City's tax base.
4. Generate employment opportunities within the City while improving the local balance of housing to job ratio.
5. Facilitate the movement of goods and services for the benefit of local and regional economic growth.
6. Develop a warehouse project adjacent to transportation corridors, truck routes, local amenities, and the nearby Interstate 215 Freeway for employee convenience and efficiencies of transporting goods.
7. Develop a warehouse project which efficiently uses the property, while conforming with all City regulatory policies.
8. Improve public safety and traffic flow in North Menifee with roadway and infrastructure improvements of Trumble Road, Sherman Road, Dawson Road, McLaughlin Road, and Ethanac Road.
9. Provide enhanced landscaping along City designated corridors with the construction of wide streets and landscaping setbacks.

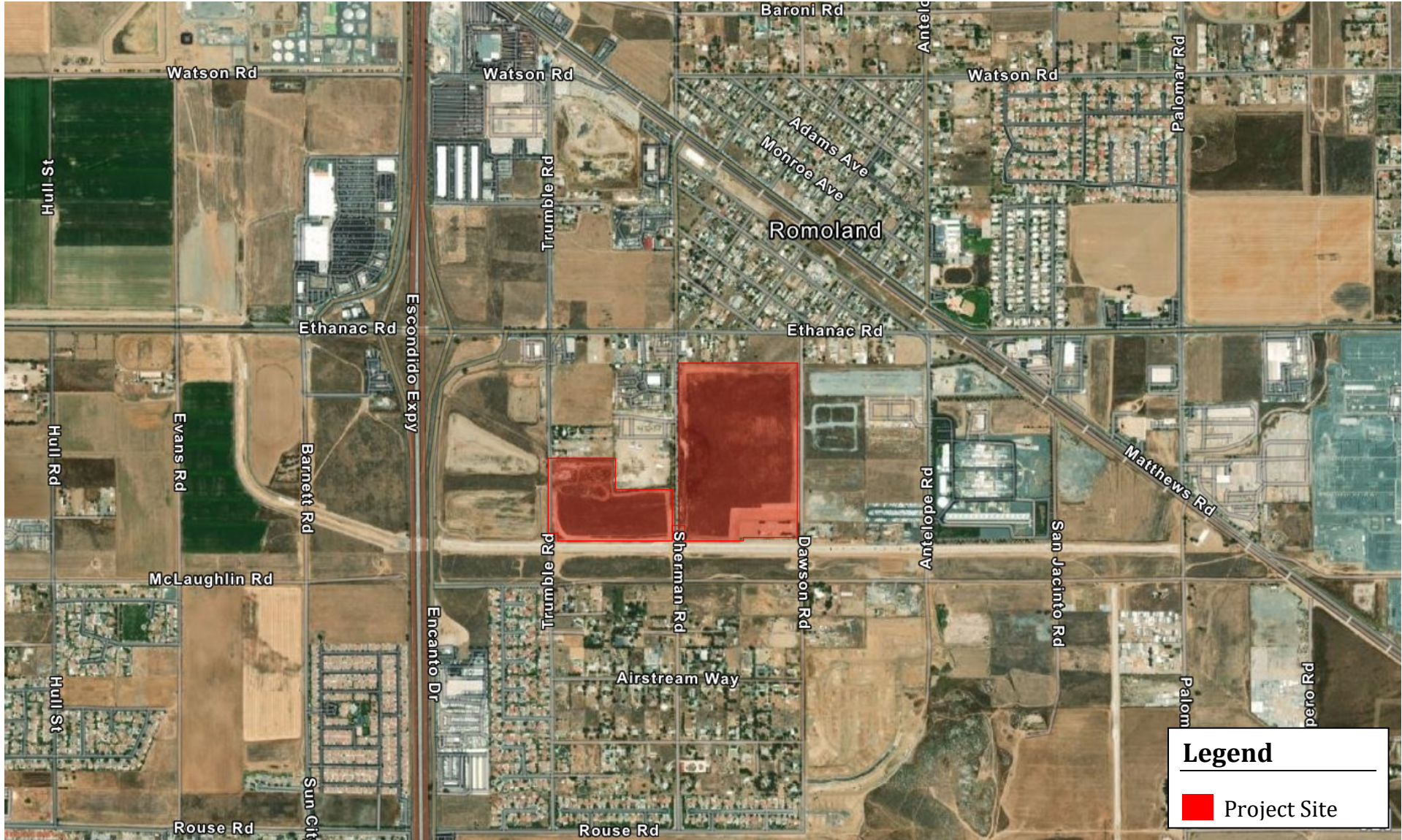
10. Provide the backbone infrastructure for future growth and prosperity of the surrounding benefit area that will serve the immediate and long term needs of the community.

2.8 Discretionary Actions and Approvals

The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the Project. It is expected that the City, at a minimum, would consider the data and analyses contained in this EIR when making their permit determinations. Prior to development of the Project, discretionary permits and approvals must be obtained from local, state and federal agencies, as listed below.

- **General Plan Amendment No. PLN21-0100** proposes to change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).
- **Specific Plan Amendment No. 2019-006** proposes to modify the boundary of the Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-035 within Planning Area 2 (“Industrial”).
- **Change of Zone No. PLN21-0101** proposes to change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 (“Industrial”).
- **Tentative Parcel Map No. 38156 (PLN21-0205)** proposes to combine (APNs 331-140-010-1, 331-140-018-9, 331-140-021-1, and 331-140-025-5) into one (1) parcel for a total of 56 gross acres and a proposal to combine (APNs 331-110-035-1, 331-110-027-4, and 331-110-041-6) into one (1) parcel for a total of 21.79 gross acres. Site drainage within the complete Project site generally flows to the west. A flood control channel runs along the southern boundary of the site.
- **Plot Plan No. 2019-005** proposes to construct two concrete tilt-up buildings. Building 1 would total 1,254,160 square feet and include 1,095,440 sq. ft. of warehouse, 144,220 sq. ft. of mezzanine and 14,500 sq. ft. of office. Building 2 would total 385,970 sq. ft. and include 375,970 sq. ft. of warehouse space and 5,000 sq. ft. of office space. A total combined 894 standards size spaces (9’x18’), 17 ADA spaces (9’x18’), for a total of 911 vehicle parking spaces. Additionally, 523 trailer stalls (10’x55’) would also be provided.

Other permits required for the Project may include, but are not limited to, the following: issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking area lighting; demolition permits; building permits; grading permits; tenant improvement permits; and permits for new utility connections.



Source: ESRI ArcGIS Pro

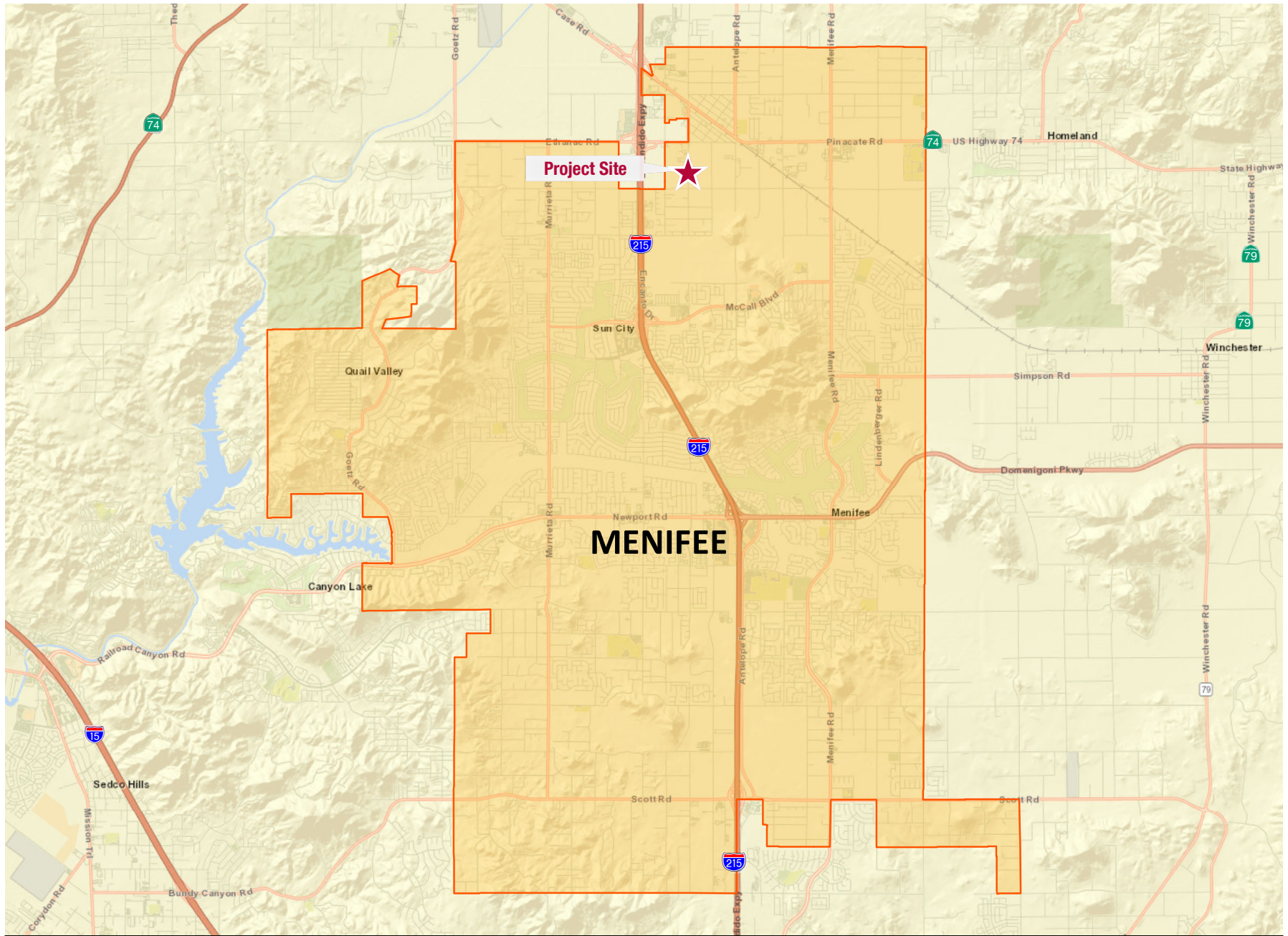
Figure 2-1: Local Vicinity Map
 City of Menfee
 Menfee Commerce Center



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Source: ESRI ArcGIS Pro

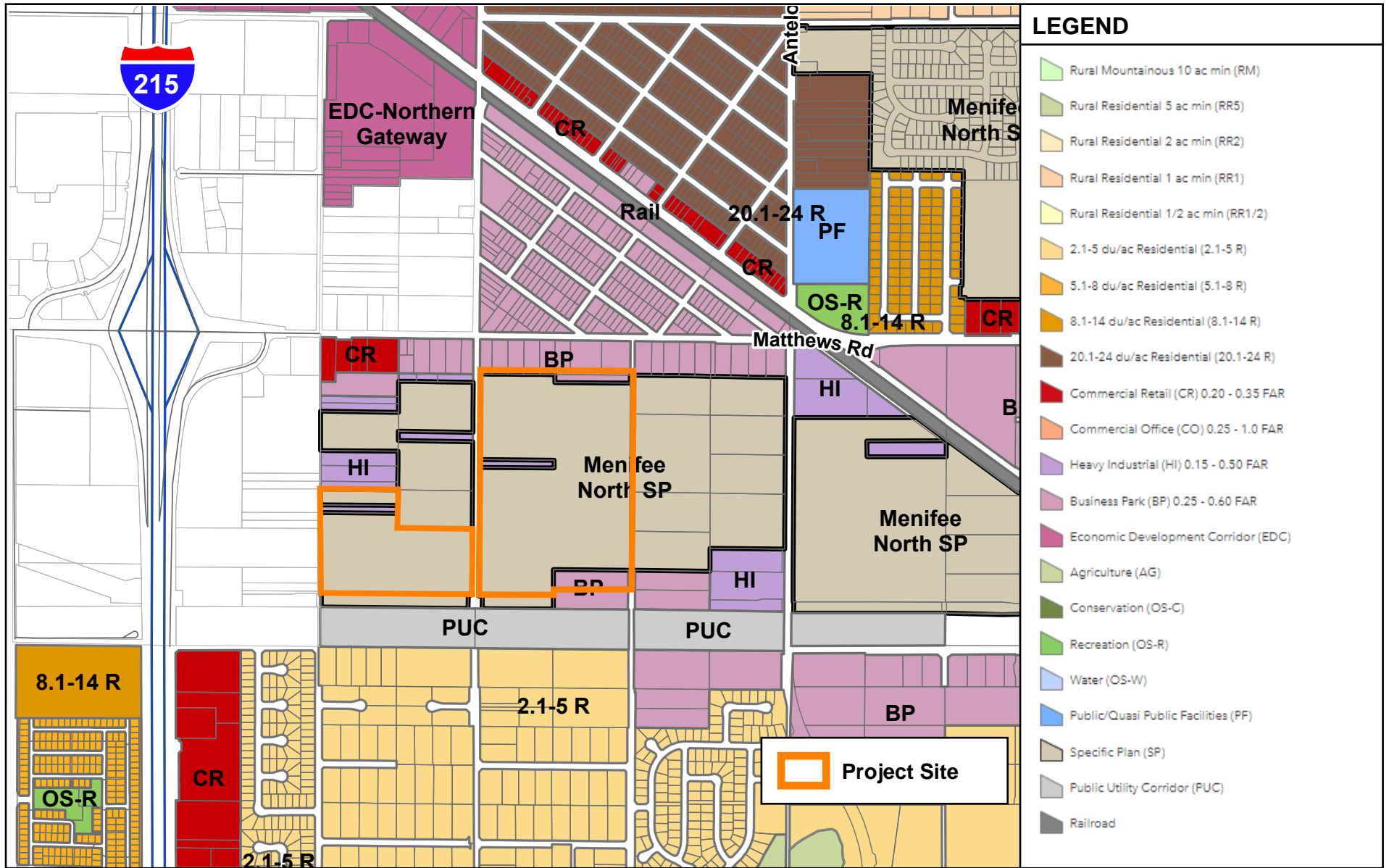
Figure 2-2: Regional Vicinity Map
 City of Menifee
 Menifee Commerce Center



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Source: City of Menifee General Plan Land Use (2021); ArcGIS

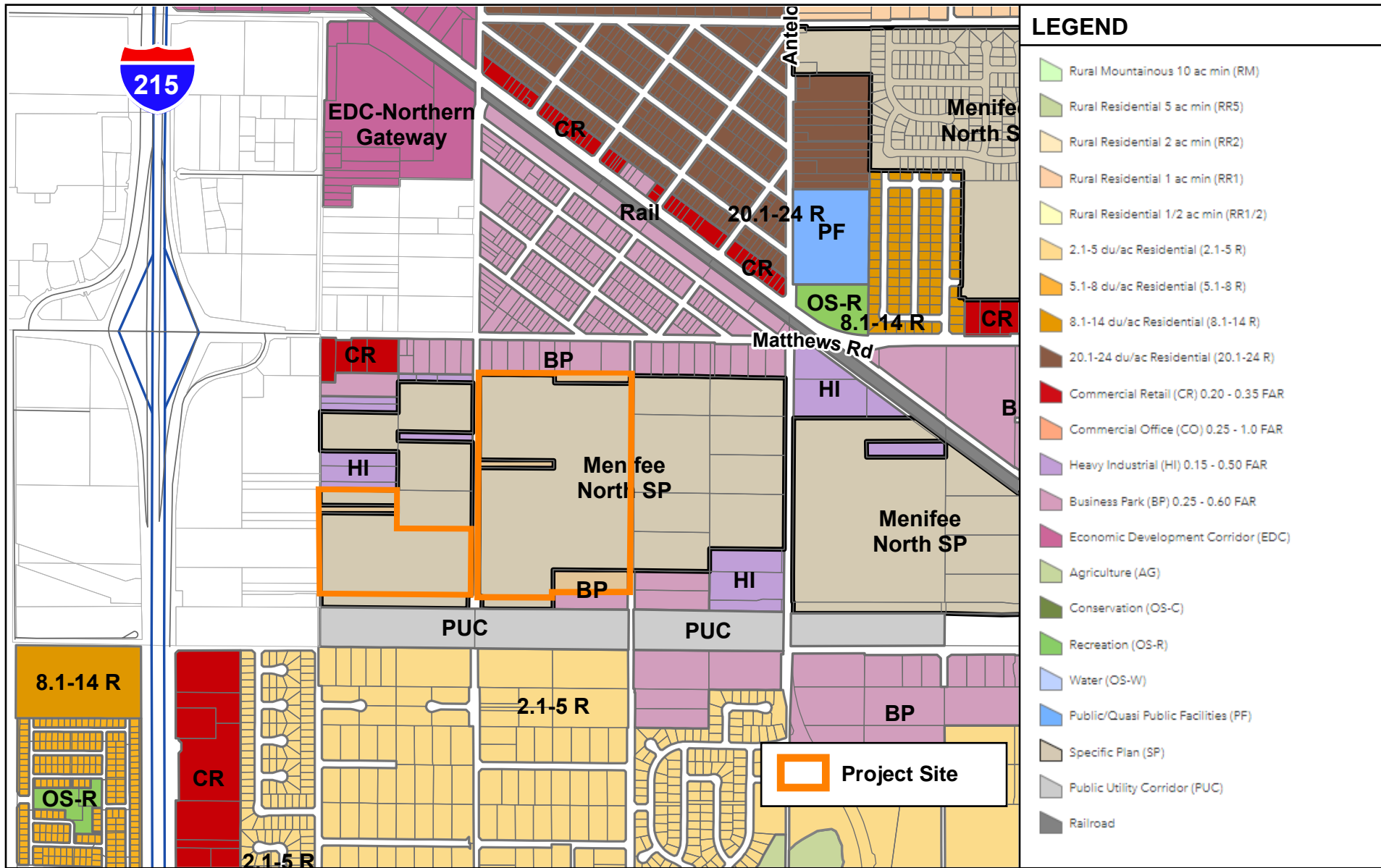
Figure 2-3: Existing General Plan Land Use Designations
 City of Menifee
 Menifee Commerce Center



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Source: City of Menifee General Plan Land Use (2021); ArcGIS

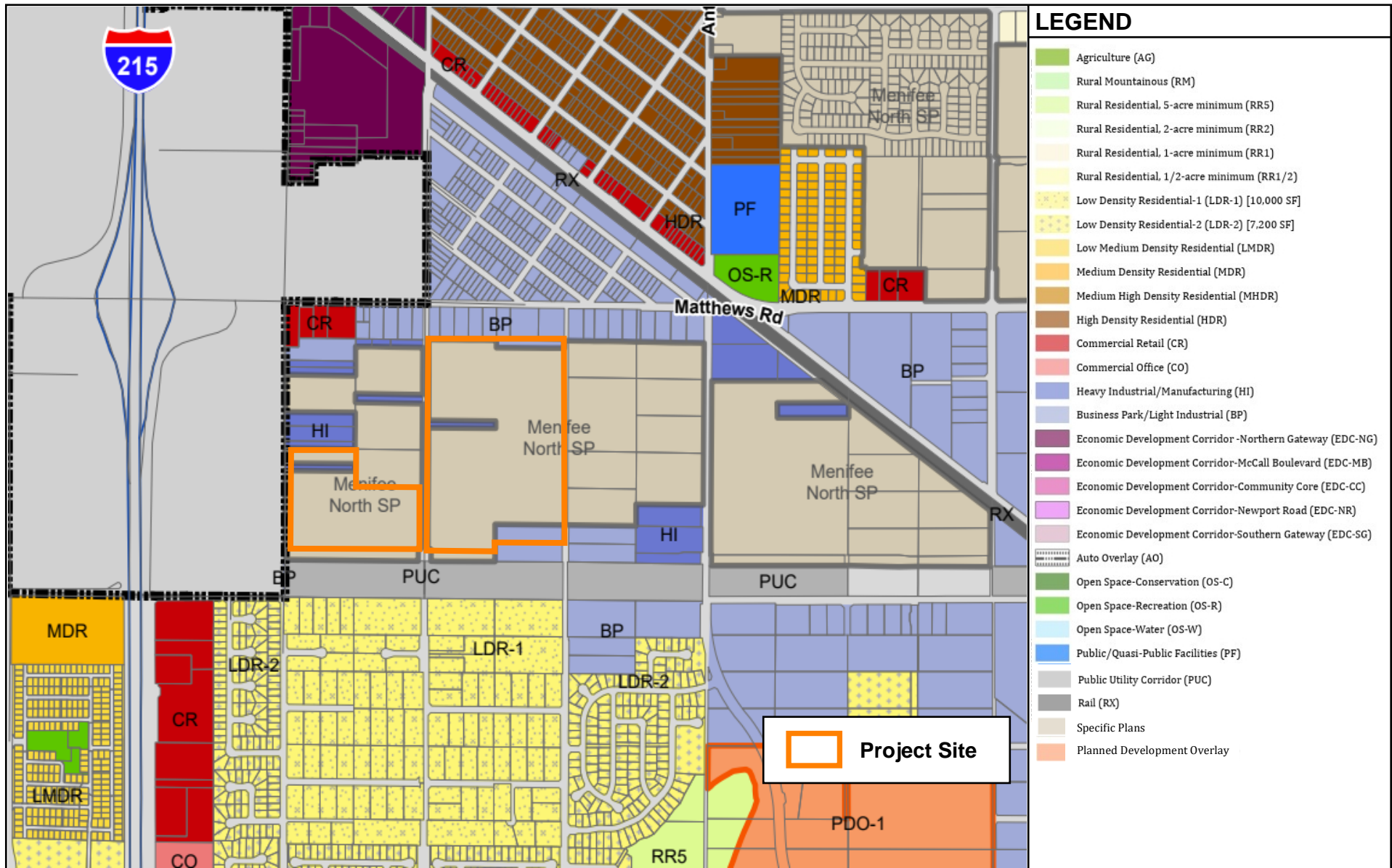
Figure 2-4: Proposed General Plan Land Use Designations
 City of Menifee
 Menifee Commerce Center



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Source: City of Menfee (2022) Zoning Districts; ArcGIS

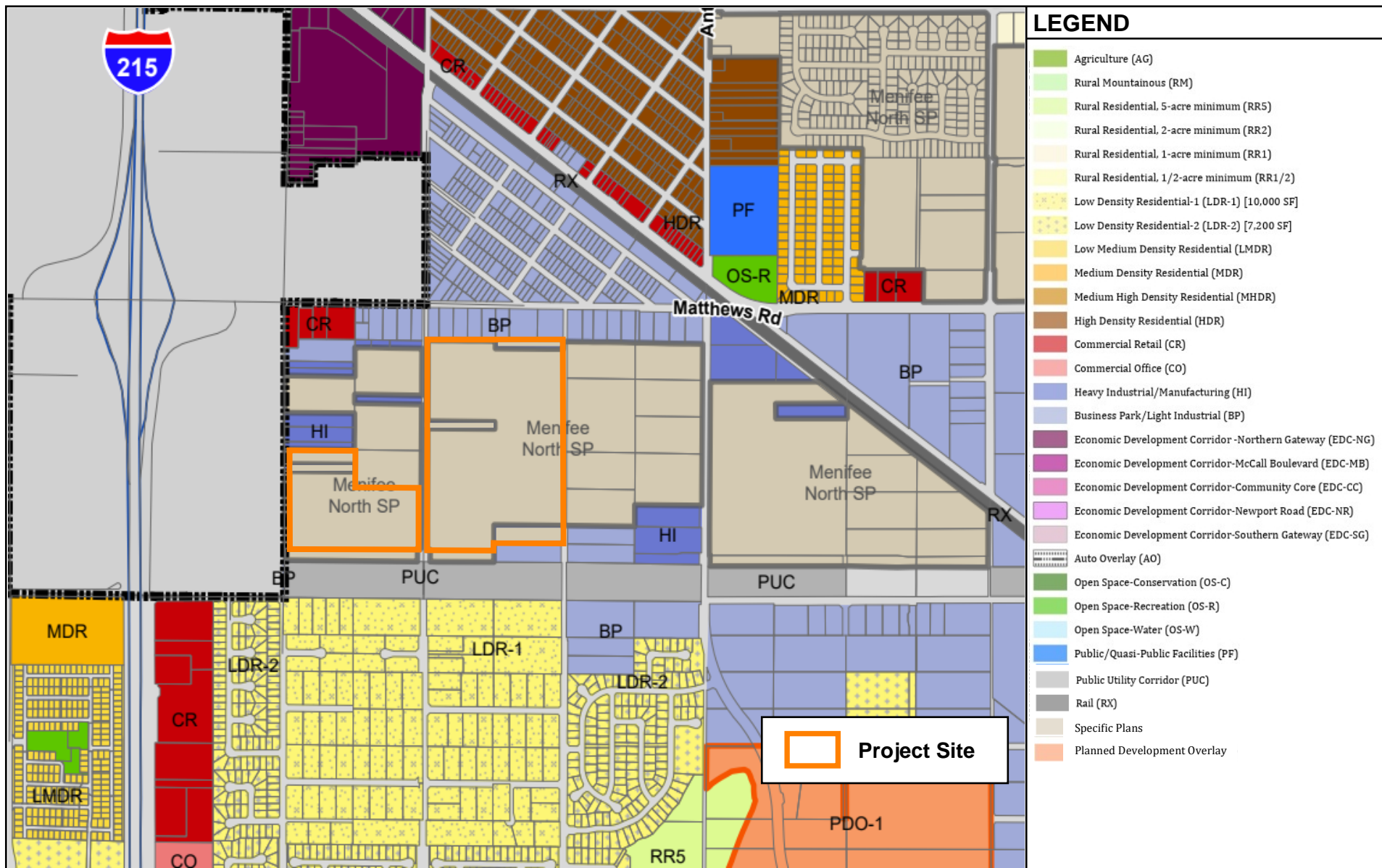
Figure 2.5: Existing Zoning Classifications
 City of Menfee
 Menfee Commerce Center



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Source: City of Menfee (2022) Zoning Districts; ArcGIS

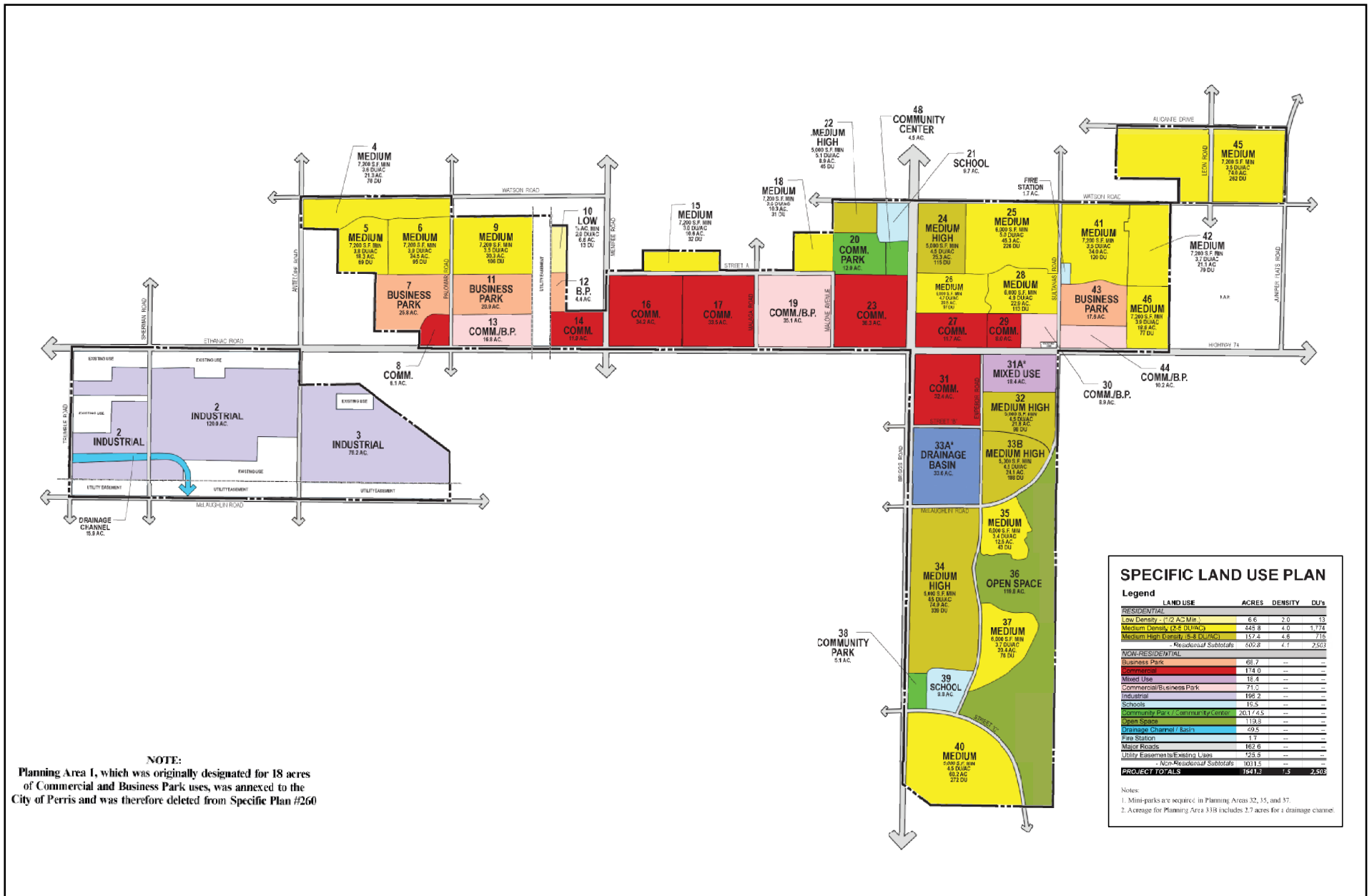
Figure 2.6: Proposed Zoning Classifications
 City of Menfee
 Menfee Commerce Center



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Source: City of Menifee, 2007

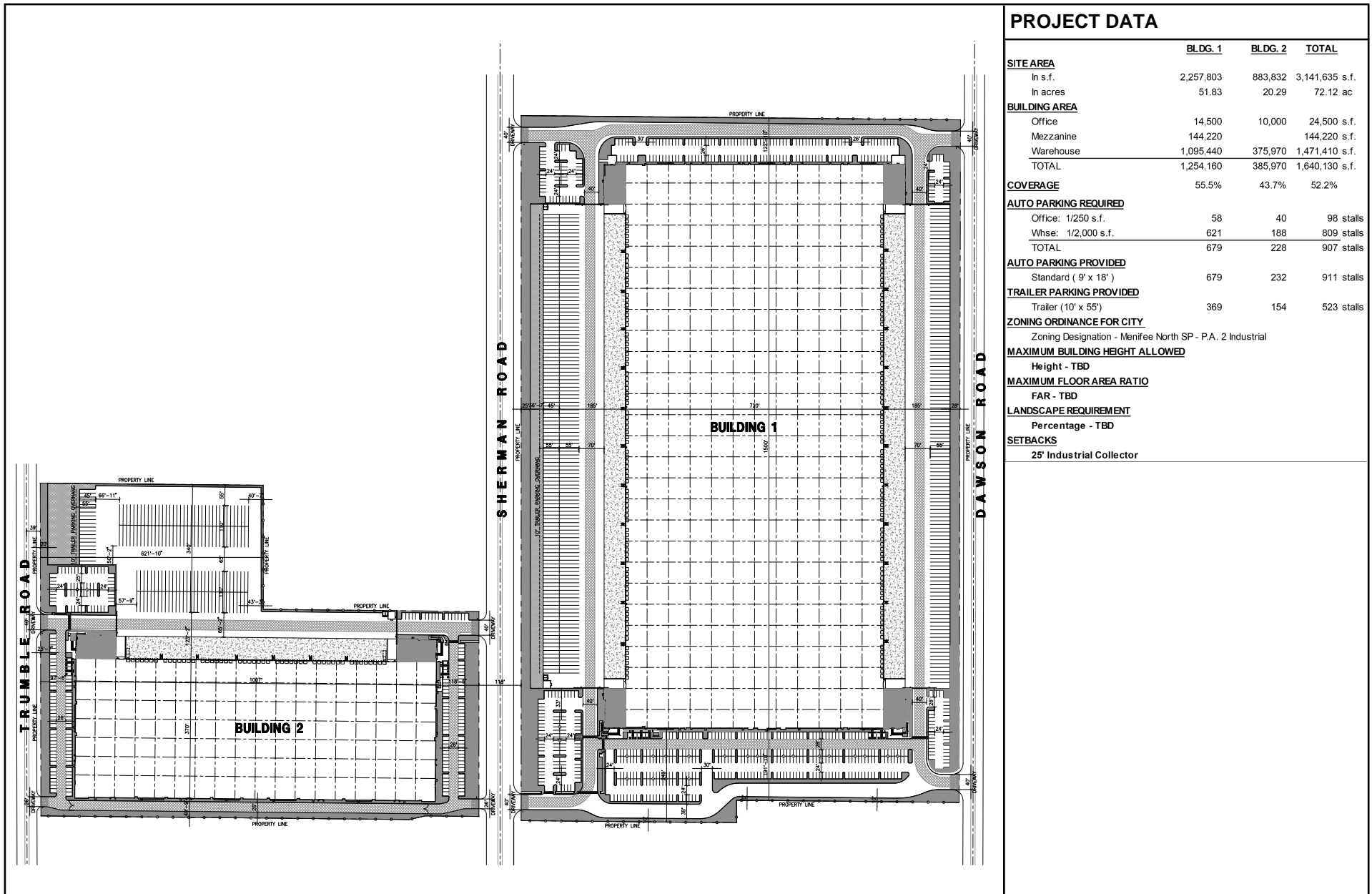
Figure 2-7: Menifee North Specific Plan
 City of Menifee
 Menifee Commerce Center



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PROJECT DATA

	BLDG. 1	BLDG. 2	TOTAL
SITE AREA			
In s.f.	2,257,803	883,832	3,141,635 s.f.
In acres	51.83	20.29	72.12 ac
BUILDING AREA			
Office	14,500	10,000	24,500 s.f.
Mezzanine	144,220		144,220 s.f.
Warehouse	1,095,440	375,970	1,471,410 s.f.
TOTAL	1,254,160	385,970	1,640,130 s.f.
COVERAGE			
	55.5%	43.7%	52.2%
AUTO PARKING REQUIRED			
Office: 1/250 s.f.	58	40	98 stalls
Whse: 1/2,000 s.f.	621	188	809 stalls
TOTAL	679	228	907 stalls
AUTO PARKING PROVIDED			
Standard (9' x 18')	679	232	911 stalls
TRAILER PARKING PROVIDED			
Trailer (10' x 55')	369	154	523 stalls
ZONING ORDINANCE FOR CITY			
Zoning Designation - Menfee North SP - P.A. 2 Industrial			
MAXIMUM BUILDING HEIGHT ALLOWED			
Height - TBD			
MAXIMUM FLOOR AREA RATIO			
FAR - TBD			
LANDSCAPE REQUIREMENT			
Percentage - TBD			
SETBACKS			
25' Industrial Collector			

Source: HPA Architecture, Inc (2022) Master Site Plan

Figure 2-8: Conceptual Site Plan
 City of Menfee
 Menfee Commerce Center



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Source: HPA Architecture, Inc (2022) Conceptual Elevations Building 1

Figure 2-9a: Conceptual Elevations - Building 1
City of Menifee
Menifee Commerce Center



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NORTH ELEVATION



SHERMAN ROAD ELEVATION - EAST ELEVATION



SOUTH ELEVATION



TRUMBLE ROAD ELEVATION - WEST ELEVATION

Source: HPA Architecture, Inc (2022) Conceptual Elevations Building 2

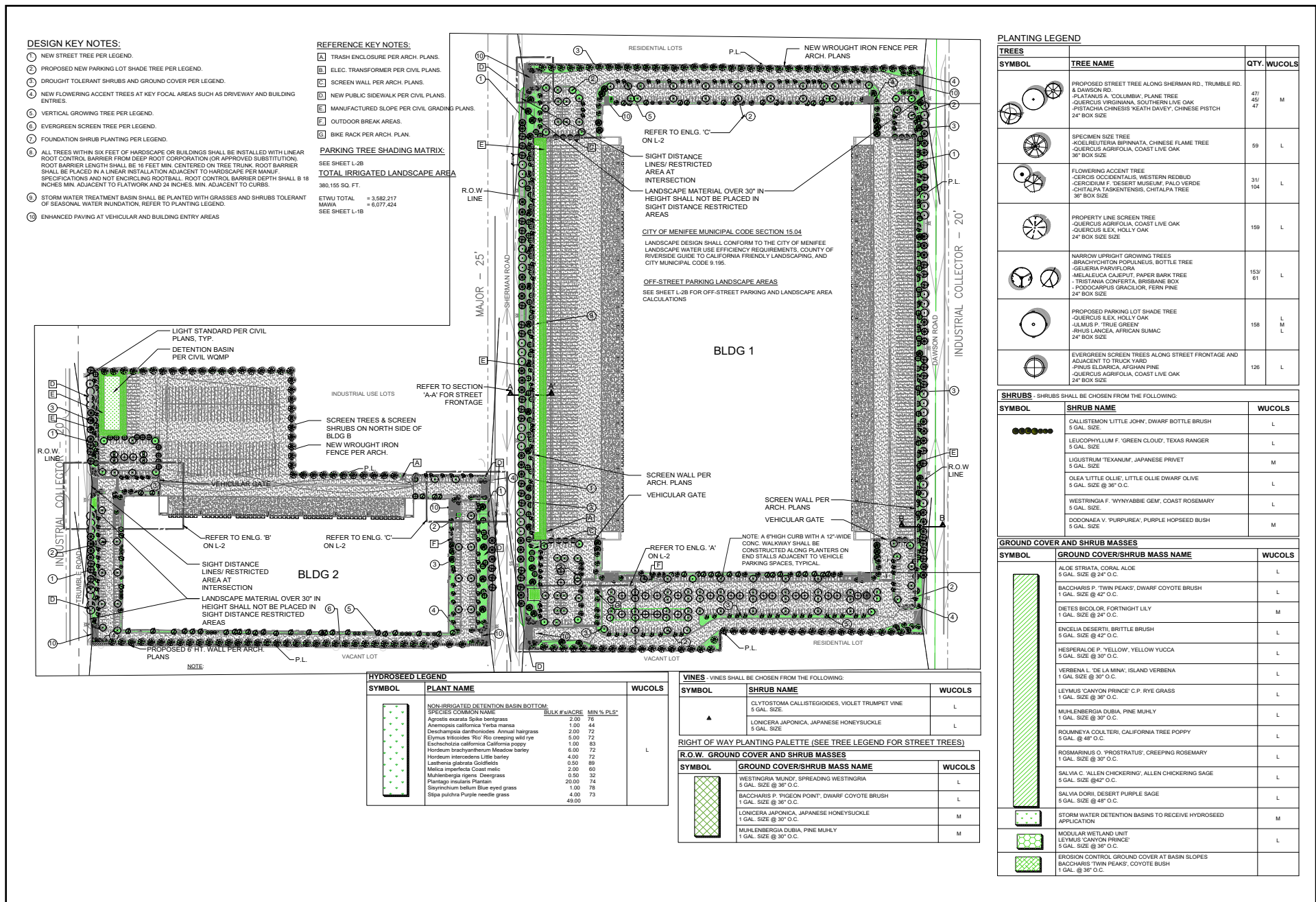
Figure 2-9b: Conceptual Elevations - Building 2
City of Menifee
Menifee Commerce Center



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Source: HPA Architecture, Inc (2022) Conceptual Landscape Plan

Figure 2-10: Conceptual Landscape Plan
 City of Menifee
 Menifee Commerce Center



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3.0 BASIS OF CUMULATIVE ANALYSIS

3.1 Introduction

A project's cumulative impact is "an impact to which that project contributes and to which other projects contribute as well. The project must make some contribution to the impact; otherwise, it cannot be characterized as a cumulative impact of that project."¹ Under the California Environmental Quality Act's (CEQA) cumulative impact analysis requirements, the pertinent question is not whether there is a significant cumulative impact but whether the effects of an individual project are cumulatively considerable. Thus, the analysis must assess whether the additional amount of impact resulting from the Menifee Commerce Center (Project) should be considered significant in the context of the existing cumulative effect. Importantly, this does not mean that any contribution to a cumulative impact should be considered cumulatively considerable.

State CEQA Guidelines § 15355 provides the following definition of cumulative impacts:

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- a) The individual effects may be changes resulting from a single project or a number of separate projects.
- b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

State CEQA Guidelines § 15130(a) further addresses the discussion of cumulative impacts, as follows:

- 1) As defined in § 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.
- 2) When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant.
- 3) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share

¹ *Sierra Club v. West Side Irrigation Dist.* (2005) [128 Cal.App.4th 690](#), 700.

of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

Pursuant to State CEQA Guidelines § 15130(b), the discussion of cumulative impacts shall be guided by the standards of practicality and reasonableness, and should include the following elements:

- 1) Either:
 - A. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the Agency, or
 - B. A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projects may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.
- 2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.
- 3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.
- 4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- 5) A reasonable analysis of the cumulative impacts of the relevant projects, including examination of reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects."

3.2 Cumulative Projects List

The cumulative study area varies from one environmental topic to another depending upon the nature of impacts related to the topic. For example, cumulative aesthetic considerations encompass only the surrounding areas with direct views of the Project site, while air quality is a regional issue that is analyzed on a broader scale, and greenhouse gas emissions are analyzed on an even broader scale. To determine the Project's potential cumulative impacts, this EIR includes the use of a list of past, present, and future projects obtained from the cities of Menifee and Perris and Riverside County prior to the issuance of the

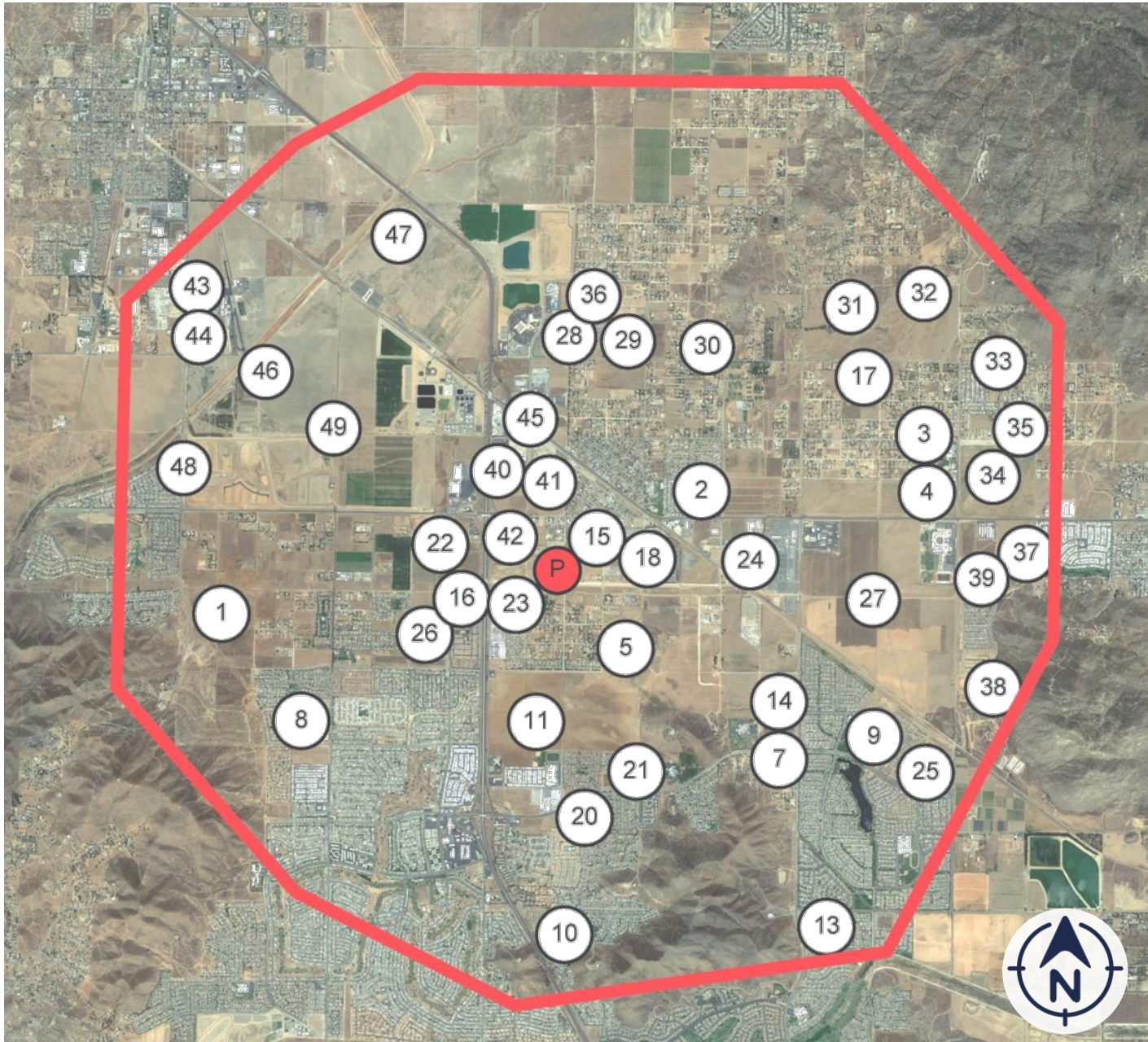
EIR’s Notice of Preparation; **Table 3-1: List of Cumulative Projects** and **Figure 3-1: Location of Cumulative Projects**.

The cumulative impacts analyses are provided in **Sections 4.1** through **4.15**. These analyses describe the potential environmental changes to the existing physical conditions that may occur as a result of the Project together with the cumulative projects listed in the table. Not all related projects would contribute to significant cumulative impacts for each topical area. For example, not all related projects would have visual impacts. The cumulative impact analyses in each topical area provides an evaluation of the cumulative projects and how these would contribute to cumulative impacts. Some of the impacts are very site-specific and would not compound the impacts associated with the Project. In other cases, short-term impacts would not contribute to cumulative impacts because the construction of the cumulative project and the development of the Project would not occur in the same time period or be near to each other.

Table 3-1: List of Cumulative Projects

Project		Land Use	Size	
City of Menifee				
1	TTM 31856	Single Family Residential	79	DU
2	TTM 34118	Single Family Residential	85	DU
3	TTM 33738	Single Family Residential	52	DU
4	TTM 34600	Multi Family Residential	153	DU
5	TTM 29777	Single Family Residential	173	DU
6	TTM 29835	Single Family Residential	264	DU
7	CUP 3549 / 2017-089	Supermarket	43.8	TSF
		Retail	47	TSF
		Fast Food w. Drive-Thru	3.8	TSF
		Gas Station w. Convenience Store	6	VFP
		Automated Car Wash	1	CWT
8	TTM 31456	Single Family Residential	177	DU
9	TTM 34406	Single Family Residential	817	DU
10	PP 19469	Single Family Residential	221	DU
11	SP 2009-025	Single Family Residential	1,080	DU
		Shopping Center	225	TSF
12	2012-120	Shopping Center	208	TSF
13	TM 31582	Single Family Residential	40	DU
14	PP 2014-189	Single Family Residential	240	DU
15	PP 2011-093	Light Industrial	97.5	TSF
16	TR 2015-250	Single Family Residential	126	DU
17	TR 31536	Single Family Residential	44	DU
18	2011-003	Light Industrial	21.7	TSF
19	2016-110 CUP	Fast Food w. Drive-Thru	2.4	TSF
20	PP 2016-124	Shopping Center	18.2	TSF
21	2016-183 CUP	Assisted Living	45.2	TSF

Project		Land Use	Size	
22	CUP 2017-060	Gas Station w. Convenience Store	16	VFP
		Car Wash	2	CWT
		Fast Food w. Drive-Thru	4.3	TSF
23	2016-233 CUP	Automobile Sales	17.6	TSF
24	CUP 2016-263	Light Industrial	12.3	TSF
25	2016-139 TR (Heritage Lake SP)	Single Family Residential	40	DU
26	TR 37400/2018-065	Single Family Residential	174	DU
27	Menifee Valley SP	n/a		
County of Riverside				
28	TR25901	Single Family Residential	152	DU
29	TTM 37358	Single Family Residential	154	DU
30	TR31687	Single Family Residential	65	DU
31	TR35045	Single Family Residential	712	DU
32	SP00344	Single Family Residential	796	DU
33	TR24936	Single Family Residential	41	DU
34	TR29322	Single Family Residential	202	DU
35	TTM37533	Single Family Residential	363	DU
36	TR37728	Single Family Residential	234	DU
37	TR30972	Single Family Residential	91	DU
38	TR36430	Single Family Residential	340	DU
39	SP360A3	Residential	n/a	
City of Perris				
40	Classic Pacific (PUD)	Industrial Park	388	TSF
41	Quick Quick Carwash	Car Wash	4	TSF
42	Motte Town Center	Retail	484	TSF
43	IDI Site 1	Warehouse	784	TSF
44	IDI Site 2	Warehouse	3,449	TSF
45	Marijuana Manufacturing	Manufacturing	12	TSF
46	Tract 32666 WSI Mojave Inc	Single Family Residential	665	DU
47	Tract 33973 County Lands PIP IV	Single Family Residential	384	DU
48	Green Valley SP Tract 37223	Single Family Residential	258	DU
49	Green Valley SP Tract 37262	Single Family Residential	212	DU
TSF =Thousand Square Feet; VFP = Vehicle Fueling Positions; DU = Dwelling Unit Source: Albert A. Webb Associates. 2021. <i>Menifee Commerce Center Project Traffic Impact Analysis. Table 16.</i>				



Source: Albert A. Webb Associates. (2021) Traffic Impact Analysis

Figure 3-1: Location of Cumulative Projects
 City of Menifee
 Menifee Commerce Center

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4.0 ENVIRONMENTAL ANALYSIS

4.0.1 Approach to Environmental Analysis

Organized by environmental resource category, **Section 4.0: Environmental Analysis**, provides an integrated discussion of the affected environment including regulatory and environmental settings and environmental impacts and mitigation measures to reduce or avoid potentially significant impacts associated with implementation of the Menifee Commerce Center (Project). **Section 5.0: Additional CEQA Considerations**, discusses mandatory findings of significance and other required California Environmental Quality Act (CEQA) topics.

4.0.2 Section Content and Definition of Terms

The environmental setting, impacts, and mitigation measures related to each environmental impact area are described in **Sections 4.1 through 4.15**. **Section 4.0** is organized into the following environmental topic areas:

- Section 4.1: Aesthetics
- Section 4.2: Air Quality
- Section 4.3: Biological Resources
- Section 4.4: Cultural Resources
- Section 4.5: Energy
- Section 4.6: Geology and Soils
- Section 4.7: Greenhouse Gas Emissions
- Section 4.8: Hazards and Hazardous Materials
- Section 4.9: Hydrology and Water Quality
- Section 4.10: Land Use and Planning
- Section 4.11: Noise
- Section 4.12: Public Services
- Section 4.13: Transportation
- Section 4.14: Tribal Cultural Resources
- Section 4.15: Utilities and Service System

The environmental issues related to agriculture and forestry resources, mineral resources, population and housing, recreation, and wildfire were found to result in no impacts or less than significant impacts; see **Section 7.0: Effects Found Not to be Significant**.

Each potentially significant environmental issue area is addressed in a separate environmental impact report (EIR) section (**4.1 through 4.15**) and is organized into the following subsections:

- **“Introduction”** briefly introduces the section’s purpose, environmental issues that would be addressed, and key source documentation used to prepare the analysis.
- **“Environmental Setting”** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the Project.
- **“Regulatory Setting”** identifies the plans, policies, laws, and regulations that are relevant to each resource area and describes permits and other approvals necessary to implement the Project. As noted above, the EIR needs to address possible conflicts between the Project and the requirements of federal, State, regional, or local agencies, including consistency with adopted

land use plans, policies, or other regulations for the area. Therefore, this subsection summarizes or lists the potentially relevant policies and objectives, such as from the applicable City of Menifee General Plan and Municipal Code.

- **“Impact Thresholds and Significance Criteria”** provides the criteria used in this document to define the level at which an impact would be considered significant in accordance with CEQA. Significance criteria used in this EIR are based on the checklist presented in Appendix G of the State CEQA Guidelines, factual or scientific information and data, and regulatory standards of federal, state, regional, and local agencies.
- **“Impacts and Mitigation Measures”** are listed numerically and sequentially throughout each section. A bold font impact statement precedes the discussion of each impact and provides a summary of each impact and its level of significance. The discussion that follows the impact statement includes the analysis on which a conclusion is based regarding the level of impact.
- **“Cumulative Impacts”** identifies potential environmental impacts of past, present and reasonably foreseeable future projects, in combination with the Project.
- **“Significant Unavoidable Impacts”** describes impacts that would be significant and cannot be feasibly mitigated to less than significant, and thus would be unavoidable. To approve a project with unavoidable significant impacts, the lead agency must adopt a Statement of Overriding Considerations. In adopting such a statement, the lead agency is required to balance the benefits of a project against its unavoidable environmental impacts in determining whether to approve the project. If a project’s benefits are found to outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable” (State CEQA Guidelines § 15093(a)).
- **“References”** identifies the sources used in and throughout the subsection.

The level of impact of the Project is determined by comparing estimated effects with baseline conditions, in light of the thresholds of significance identified in the EIR. Under CEQA, the existing environmental setting normally represents baseline conditions against which impacts are compared to determine significance. The environmental baseline is typically set as the date of Notice of Preparation distribution, unless more recent data is determined appropriate for utilization in the EIR. Project component-specific analyses are conducted to evaluate each potential impact on the existing environment. This assessment also specifies why impacts are found to be significant, potentially significant, or less than significant, or why there is no environmental impact.

“Mitigation Measures” are recommended where feasible to avoid, minimize, offset, or otherwise compensate for significant and potentially significant impacts of the Project, in accordance with the State CEQA Guidelines (§ 15126.4). Each mitigation measure is identified by resource area, numerically, and sequentially. For example, mitigation measures in **Section 4.3: Biological Resources**, are numbered BIO-1, BIO-2, and so on. Pursuant to CEQA, the EIR provides a brief discussion of potential significant impacts of a given mitigation measure, if applicable.

A significant effect on the environment is defined for CEQA purposes as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project. A

potentially significant impact is one that, if it were to occur, would be considered a significant impact; however, the occurrence of the impact is uncertain. A “potentially significant” impact and “significant” impact are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation. A “less than significant” impact is one that would not result in a substantial adverse change in the physical environment (applicable significance thresholds would not be exceeded in consideration of Project design features and existing laws, ordinances, standards, or regulations).

Both direct and indirect effects of the Project are evaluated for each environmental resource area. Direct effects are those that are caused by the action and occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time or at a distance that is removed from the Project area, such as growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment.

Cumulative impacts are discussed throughout **Section 4.0** at the end of each individual resource section.

As authorized under CEQA, there are no mitigation measures proposed when there is no impact or the impact is determined to be “less than significant” prior to mitigation. Where sufficient feasible mitigation is not available to reduce impacts to a less than significant level, the impacts are identified as remaining “significant and unavoidable.”

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4.1 AESTHETICS

4.1.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to aesthetics and other visual resources in the vicinity of the Menifee Commerce Center (Project). This section identifies potential impacts that could result from the Project including construction and operation of the warehouses, including office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements. This section discusses the visual changes that would occur upon implementation of the Project, and as necessary, recommends mitigation measures to avoid and/or reduce the significance of impacts. Aesthetic and other visual resources include both natural and built environments. Impacts are discussed in terms of the changes that would result from Project implementation and includes analysis of adverse effects on a scenic vista(s), changes to scenic resources (e.g., trees, rock outcroppings, or historic buildings) within a state scenic highway, and/or degradation of the sites or the surrounding visual character. Impacts could also result from the creation of a new source of substantial light or glare.

This section and environmental discussion use information from the following City of Menifee (City) documents:

- City of Menifee General Plan (GP)
- City of Menifee GP Final Environmental Impact Report (EIR)
- Menifee North Specific Plan (SP)

Visual Resource Terminology and Concepts

When viewing a landscape, people can have different responses to that landscape based on what is seen, their expectations of views, and because of proposed or current changes to the visual landscape. Viewer responses will vary based upon the viewer's values, familiarity, concern, or expectations of that landscape as well as the scenic quality. Because each person's attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. Nonetheless, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreational users (e.g., hikers, equestrians, tourists, and people driving for pleasure) generally have high concern for scenery and landscape character. People commuting daily through the same landscape generally have a moderate concern for scenery, while people working at an industrial site would generally have a lower concern for scenic quality or changes to existing landscape character. Regarding travelers navigating through a landscape, the visual sensitivity of these types of viewers is affected by the travel speed at which they are moving, the landscape they are viewing, and area in which they are traveling, for example, an interstate or scenic highway. Other considerations may include changes as seen by viewers from hiking trails or stationary viewers from a residence.

The visual sensitivity of a viewer also is affected by variables such as the viewing distances to the landscape. For example, a project feature or natural environment can be perceived differently by people depending on the distance the observer is from the viewed object. At closer ranges greater detail of an

object or landscape is visible. In these instances, changes to viewed object have a greater potential to influence the visual quality of the object because changes to form or scale (the object's relative size in relation to the viewer) are more noticeable. When the same object is viewed at background distances, details may be imperceptible while changes to the overall forms of terrain and vegetation maybe be evident. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetative patterns (e.g., the background). Nonetheless, changes in views from all distances can result in negative consideration from viewers.

Specific terms and concepts are used to assess the visual elements, aesthetic setting, and potential for a project to have effects on visual resources. These terms are included in the discussions throughout this section and are listed below.

Scenic Vista. An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, state, or local agency.

Scenic Highway. Any stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency.

Sensitive Receptors. Viewer responses to visual settings are inferred from a variety of factors, including distance and viewing angle, types of viewers, number of viewers, duration of view, and viewer activities. The viewer type and associated viewer sensitivity are distinguished among project viewers in recreational, residential, commercial, military, and industrial areas. Viewer activities can range from a circumstance that encourages a viewer to observe the surroundings more closely (such as recreational activities) to one that discourages close observation (such as commuting in heavy traffic). Viewers in recreational areas are considered to have high sensitivity to visual resources. Residential viewers generally have moderate sensitivity but extended viewing periods. Viewers in commercial, military, and industrial areas are generally considered to have low sensitivity.

Viewshed. A project's viewshed is defined as the surrounding geographic area from which the project is likely to be seen, based on topography, atmospheric conditions, land use patterns, and roadway orientations. "Project viewshed" is used to describe the area surrounding a project site where a person standing on the ground or driving a vehicle can view the project site.

Visual character typically consists of landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.

4.1.2 Environmental Setting

Visual Setting

The Project site is approximately 72 acres and is comprised of seven parcels. The Project site is largely vacant with the exception of two parcels which contain single-family residential structures and associated

out buildings. The Project site is largely undeveloped and appears to have had agricultural usage from 1938 to the early 80's. The surrounding area has continued to grow with residential and commercial properties and the typical infrastructure improvement of roads and utilities.¹

According to the contour lines on the U.S. Geological Survey (USGS) Romoland, California Quadrangle 7.5-minute series topographic map, the Project site is located at approximately 1,431 feet above mean sea level (MSL) with a gentle topographic gradient to the southeast.² A copy of the topographic map is available in Appendix D of the Phase I Environmental Site Assessment (**Appendix 9.8.1**).

Views of the Project site are primarily available to travelers on Trumble Road, Sherman Road, Dawson Road, McLaughlin Road, and Ethanac Road. Sherman Road traverses the Project site separating Building 1 from Building 2 and provides a connection between Ethanac Road and McLaughlin Road. Trumble Road and Dawson Road also provide a connection between Ethanac Road and McLaughlin Road. The Project site is also visible from Interstate 215 (I-215). In the middle of the eastern property (encompassing proposed Building 1) of the Project site, there is a small stand of eucalyptus trees (*Eucalyptus ssp.*) along Sherman Road. A row of eucalyptus trees, although primarily located outside of the Project boundaries in the public right of way, extends along Sherman Road on the western boundary of the eastern property (encompassing Building 1) and the eastern boundary of the western property (encompassing Building 2).³

Immediate views from the Project site to the north include commercial, industrial, and single-family residential development; to the east is vacant undeveloped land and single-family residences; to the south is a Riverside County Flood channel, overhead utility right-of-way, and single-family residences; and to the west is vacant undeveloped land and I-215.

Scenic Vistas

Topography and a lack of dense vegetation or urban development offer scenic views throughout the City, including to and from hillside areas. Scenic features include gently sloping alluvial fans, rugged mountains and steep slopes, mountain peaks and ridges, rounded hills with boulder outcrops, farmland, and open space. Scenic vistas provide views of these features from public spaces. Scenic views from the City and Project site include the San Jacinto Mountains to the northeast and east; the San Bernardino Mountains to the north; the San Gabriel Mountains to the northwest; and the Santa Ana Mountains to the west and southwest.⁴

The Menifee GP does not officially designate any scenic vistas near the Project site. According to the Open Space and Conservation Element of the GP "the steepest slopes and largest cluster of hillsides can be found north of Menifee Lakes, traveling northward across McCall Boulevard. Quail Valley also has a number of steep hillsides that influence development patterns in the area. Menifee's two tallest peaks- Quail Hill at 2,250 feet and Bell Mountain at 1,850 feet-are important landmarks in the City.

¹ Earth Strata Geotechnical Services, Inc. 2020. *Phase I Environmental Site Assessment*.

² Ibid.

³ ELMT Consulting, Inc. 2018. *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis*.

⁴ City of Menifee. 2013. *Menifee General Plan Draft Environmental Impact Report, Section 5.1: Aesthetics*. <https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-AE?bidId=> (accessed March 2021).

Menifee's prominent natural hillsides are one of the city's most identifiable features.”⁵ Exhibit OSC-2 of the City's GP illustrates the City's significant slopes (https://www.cityofmenifee.us/DocumentCenter/View/1083/ExhibitOSC-2_SignificantSlopes_HD0913?bidId=). The closest prominent peaks to the Project site are to the southeast, south of McCall Boulevard between I-215 and Menifee Road, known as Menifee Mountain.

Scenic Highways

The City's GP identifies enhanced landscape corridors and scenic corridors in the City (https://www.cityofmenifee.us/DocumentCenter/View/1061/Exhibit_CD-2_Corridors_HD0913?bidId=) and scenic highways (https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8_Scenic_Highways_HD0913?bidId=). The Project site is not located directly adjacent to any of these resources.

There are no scenic highways officially designated by California Department of Transportation (Caltrans) in or near the City.⁶ State Highway (SH) 74, located approximately 1,500 feet north of the Project, is currently eligible for scenic highway designation by Caltrans. The eligible segment of SH 74 extends from I-5 (San Juan Capistrano) to SH 111 in Palm Desert.⁷ Due to the distance between the Project and SH 74, the Project would not obstruct view from this highway.

Light and Glare

Light and glare sources around the Project site are typical to those found in semi-urban environments. Due to the undeveloped nature of the Project site and surrounding area, sources of light and glare are minimal. Sources of light and glare include adjacent residential and commercial development, and roadways from vehicle headlights. There are no streetlights present along roadways adjacent the Project site (Trumble Road, Sherman Road, and Dawson Road).

4.1.3 Regulatory Setting

State

California Department of Transportation

The California Scenic Highway Program (CSHP) was created in 1963 to preserve and protect highway corridors in areas of outstanding natural beauty from changes that would diminish the aesthetic value of the adjacent lands. Caltrans designates highways based on how much of the landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which views are compromised by development.

⁵ City of Menifee. 2013. *Open Space and Conservation Element OSC-3: Natural Landforms*. <https://www.cityofmenifee.us/253/OSC-3-Natural-Landforms> (accessed March 2021).

⁶ City of Menifee. 2013. *Menifee General Plan Draft Environmental Impact Report, Section 5.1: Aesthetics*. <https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-AE?bidId=> (accessed March 2021).

⁷ Caltrans. 2018. California State Scenic Highway System Map. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983> (accessed March 2021).

Caltrans manages the CSHP, which is intended to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. State laws governing State Scenic Highways are found in Streets and Highways Code §§ 260 to 263. A highway may be designated as scenic based on certain criteria, including how much of the natural landscape can be seen by travelers, the landscape's scenic quality and the extent to which development intrudes on the traveler's enjoyment of the view. The CSHP's Scenic Highway System List identifies scenic highways that are either eligible for designation or have already been designated as such.

Section 261 requires local government agencies to take the following actions to protect the scenic appearance of a scenic corridor:

- Regulate land use and density of development
- Provide detailed land and site planning
- Prohibit off-site outdoor advertising and control on-site outdoor advertising
- Pay careful attention to and control of earthmoving and landscaping
- Scrutinize the design and appearance of structures and equipment

Official designation requires a local jurisdiction to enact a scenic corridor protection program that protects and enhances scenic resources.

Local

City of Menifee General Plan

Community Design Element

The City of Menifee's Community Design Element is intended to enhance the current community identity through the identification of design techniques, guidelines, and features that will enhance the visual character of the City and its neighborhoods. It serves as a practical guide to City leaders, developers, business owners, and residents as they provide direction to implement new projects in Menifee and is intended to stimulate design creativity in the City.⁸

Goals and policies from the Community Design Element applicable to the Project include:

Goal CD-3 **Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.**

Policy CD-3.3 Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes, but is not limited to: appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).

⁸ City of Menifee. 2013. *Menifee General Plan Community Design Element*. <https://www.cityofmenifee.us/240/Community-Design-Element> (accessed March 2021).

- Policy CD-3.5** Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.
- Policy CD-3.8** Design retention/detention basins to be visually attractive and well integrated with any associated project and with adjacent land uses.
- Policy CD-3.9** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
- Policy CD-3.10** Employ design strategies and building materials that evoke a sense of quality and permanence.
- Policy CD-3.14** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.
- Policy CD-3.15** Require property owners to maintain structures and landscaping to high standards of design, health, and safety.
- Policy CD-3.16** Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.
- Policy CD-3.17** Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
- Policy CD-3.19** Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.
- Policy CD-3.20** Avoid the blocking of public views by solid walls.
- Goal CD-6** **Attractive landscaping, lighting, and signage that conveys a positive image of the community.**
- Policy CD-6.3** Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.
- Policy CD-6.4** Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.
- Policy CD-6.5** Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.

Menifee North Specific Plan 260

The Project site is located with Planning Area (PA) 2: Industrial Park of the Menifee North SP. The first planning objective of the SP is to provide a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of the community and region. The Project would be implemented in compliance with the design guidelines and development plans and standards outlined in the Menifee North SP. Section III.A. provides development plans and standards that apply site-wide. These standards pertain to such areas as circulation, drainage, grading, and landscaping.

Some general standards that apply site-wide include:

- Standards relating to signage, landscaping, parking and other related design elements will conform to the County of Riverside Zoning Ordinance No. 348 at the time the City incorporated in 2008. When appropriate and necessary to meet the goals of this Specific Plan, the standards contained within this document will exceed the zoning code requirements.
- All project lighting shall be in accordance with applicable Riverside County standards, including Ordinance No. 655 regarding Mt. Palomar Observatory standards.

Planning standards specific to PA 2 include, but are not limited to:

- Primary access into Planning Area 2 shall be provided from Sherman Road, Antelope Road and McLaughlin Road.
- Project entry/intersection statements, as shown on Figure IV-3 of the SP, shall be developed at the intersection of Highway 74 and Sherman Road, and at the intersection of Highway 74 and Antelope Road.
- Minor intersection monumentation treatments shall be established at corners of Sherman Road and Antelope Road at designated entrances to Planning Area 2. These treatments are illustrated on Figure IV-4 of the SP.
- Roadway landscape treatments shall be incorporated along Highway 74, Sherman Road, Antelope Road, Trumble Road and McLaughlin Road, as depicted on Figures IV-15, 17 and 18 of the SP, respectively.
- A special landscape treatment, as shown on Figure IV-10 of the SP, shall be developed between the Industrial uses in Planning Area 2 and the adjacent Drainage Channel easement.

Lighting standards are as follows:

- It is recommended that all primary streets be adequately illuminated to provide for the safety and comfort of vehicular and pedestrian movement. Appropriate lighting will encourage nighttime use of community facilities.
- Landscape lighting may be used for accentuating the following conditions: shrub masses, focal elements, and trees (up-lights) if properly camouflaged from view and placed at ground level without attaching to plant materials.
- All lighting shall be designed and located in a manner which is compatible with scenic values and other public interests throughout the community.
- General lighting shall not cast any glare onto adjacent lots and streets in such a manner as to decrease the ambiance of adjacent areas or the safety of pedestrian and vehicular movement.
- Indirect wall lighting and "wall washing" overhead downlighted or interior illumination which spills outside is encouraged.
- Pedestrian lighting shall provide area illumination for entryways, courtyards and other such areas.
- Lighting fixtures shall be complementary to the architectural concepts.

4.1.4 Impact Thresholds and Significance Criteria

State California Environmental Quality Act (CEQA) Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Except as provided in Public Resources Code Section 21099, would the project:
 - Have a substantial adverse effect on a scenic vista?
 - Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
 - In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
 - Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Methodology and Assumptions

The Project site is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning aesthetics. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the Project site.

Approach to Analysis

This analysis of impacts on aesthetic resources examines the temporary (i.e., construction) and permanent (i.e., operational) effects based on significance criteria/threshold's application outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts and (2) permanent impacts. Each criterion is discussed in the context of Project site and the surrounding characteristics and geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are from: field observations conducted by Kimley-Horn personnel October 2021 and February 2022; review of Project site plan, maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on scenic resources or visual character considers the site's aesthetic resource value and the severity of the Project component's visual impact (e.g., the nature and duration of the impact). For example, a Project component resulting in a severe impact on a site with a low aesthetic resource value would result in a less than significant impact concerning scenic or visual character. In other

words, new conspicuous structures or visual changes in areas with a low aesthetic resource value may not necessarily result in substantial adverse effects on visual resources.

4.1.5 Impacts and Mitigation Measures

Impact 4.1-1 *Would the project have a substantial adverse effect on a scenic vista?*

Level of Significance: Less than Significant Impact

Construction and Operations

Construction activities would result in temporary changes to the visual characteristics of the site as viewed from the surrounding uses from temporary grading, equipment staging, and associated building activities. Construction activities would be visible to residents and passerby's along Trumble Road, Sherman Road, Ethanac Road, McLaughlin Road, and Dawson Road. The Project is anticipated to be constructed in one phase and construction activities are anticipated to last approximately 12 months, during which a certain level of aesthetic changes would occur on the site. Refer to **Figure 4.1-1: Building 1 Existing and Proposed Visual Rendering**, and **Figure 4.1-2: Building 2 Existing and Proposed Visual Rendering**.

Following a General Plan Amendment (GPA), Zone Change, and Specific Plan Amendment, the Project site would be fully designated/classified as Menifee North SP, Planning Area 2, "Industrial"; refer to **Figure 2-7: Menifee North Specific Plan**. Per the Menifee North SP (which refers the reader to Riverside County Ordinance No. 348 for development standards), the allowed building height under the Industrial designation is 40' feet high at the yard setback line. Any portion of a structure that exceeds 35 feet in height shall be set back from each yard setback line not less than two feet for each one foot in height that is in excess of 35 feet. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet for buildings, or 105 feet for other structures is specifically permitted under the provisions of Section 18.34. of the ordinance.⁹ Building 1 and Building 2 would be approximately 49 feet in height, consistent with the allowed building height. Although the Project would be taller than the surrounding structures, the building heights would not exceed the maximum 50 feet height and Building 1 and 2 would be setback in accordance with the design standards of the Menifee North SP.

A minimum 25 foot setback shall be required on any street. Along Trumble Road, Building 2 would be set back approximately 98 feet from the western property line. Along Sherman Road, Building 2 would be setback 119 feet from the eastern property line and Building 1 would be set back 292 feet from the western property line. Lastly, along Dawson Road, Building 1 would be set back approximately 213 feet from the eastern property line. These setbacks would exceed the required setbacks for the Project. Refer to **Figure 2-7: Conceptual Site Plan** for more information.

As previously discussed, scenic views from the City and Project site include the San Jacinto Mountains to the northeast and east; the San Bernardino Mountains to the north; the San Gabriel Mountains to the northwest; and the Santa Ana Mountains to the west and southwest. The closest prominent peaks to the Project site are to the southeast, south of McCall Boulevard between I-215 and Menifee Road, known as

⁹ Riverside County. Amended 2020. Ordinance No. 348. https://planning.rctlma.org/Portals/14/Ord_348_clean_version.pdf?ver=2020-03-02-112443-760 (accessed March 2021).

Menifee Mountain. Buildout of the Project site has the potential to obstruct views of the San Jacinto Mountains to the northeast-east along Trumble Road and Sherman Road, and the Menifee Mountains to the south-southeast. However, as illustrated in **Figure 4.1-1: Building 1 Existing and Proposed Visual Rendering**, and **Figure 4.1-2: Building 2 Existing and Proposed Visual Rendering**, the Project would not significantly obscure views of these relatively close scenic vistas to nearby residents or motorists traversing along Tremble Road, Sherman Road and Ethanac Road.

Also note that the Menifee GP Draft EIR found that upon implementation of GP policies and adherence to the City's Municipal Code, implementation of the GP, which includes buildout of the Menifee North SP would not substantially degrade scenic vistas in Menifee, and that scenic vista and community character impacts would be less than significant.¹⁰ Therefore, the Project would cause a less than significant impact to scenic vistas.

Mitigation Measures

No mitigation is necessary.

Impact 4.1-2 *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Level of Significance: No Impact

Construction and Operations

There are no officially designated state scenic highways within the City.¹¹ The nearest officially designated state scenic highway is approximately 18 miles east of the Project site (SH 74 from the west boundary of the San Bernardino National Forest to SH 111 in Palm Desert). As previously mentioned, SH 74, located approximately 1,500 feet north of the Project site, is eligible but not officially designated as a state scenic highway. Therefore, construction and operation of the Project site would not damage or obstruct a scenic resource (i.e., trees, rock outcroppings, or historic buildings) within a state scenic highway. No impact would occur.

Mitigation Measures

No mitigation is necessary.

¹⁰ City of Menifee. 2013. *Menifee General Plan Draft Environmental Impact Report, Section 5.1: Aesthetics*. <https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-AE?bidId=> (accessed March 2021).

¹¹ Caltrans. 2018. California State Scenic Highway System Map. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983> (accessed March 2021).



Source: ArcGIS Pro

Figure 4.1-1: Building 1 Existing and Proposed Visual Rendering
City of Menifee
Menifee Commerce Center

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Source: ArcGIS Pro

Figure 4.1-2: Building 2 Existing and Proposed Visual Rendering
City of Menifee
Menifee Commerce Center

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Impact 4.1-3 *Would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Level of Significance: No Impact

Public Resources Code § 21071 defines an urbanized area as:

- a) An incorporated city that meets either of the following criteria:
 - 1) Has a population of at least 100,000 persons.
 - 2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.

According to the U.S. Census Bureau¹², the 2020 population of Menifee was 102,527 and therefore meets criterion a-1. This discussion will analyze whether or not the Project would conflict with applicable zoning and other regulations governing scenic quality.

Construction and Operations

As previously discussed, the Project would require a GPA, Zone Change, and Specific Plan Amendment. Following approval of these actions, the Project site would be fully zoned as Menifee North SP. Project construction and operation would comply with the development standards and design standards and guidelines laid out in the Menifee North SP. Standards and guidelines specific to scenic quality include the general standards, PA 2 planning standards, and lighting standards discussed above in **Section 4.1.3**. The Project would also comply with the Menifee GP goals and policies listed in **Section 4.1.3** as they pertain to aesthetics and scenic quality. For a consistency analysis with these goals and policies, see **Table 4.10-4** in **Section 4.10: Land Use and Planning**. Furthermore, for land use and development standards, the Menifee North SP refers the reader to Riverside County Ordinance No. 348 located at City Hall, located at 29844 Haun Road, Menifee, CA 92586. Section 17.28 of Article XVIIa SP Zone states “Uses shall conform to the development standards, conditions and any special restrictions contained in the adopted specific plan and any amendments thereto; provided, however, that if the specific plan lacks one or more standards, the applicable standards from the zoning classification which most closely fits the land use assigned to the site shall be utilized.”

In this case, the Project site’s existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI) and an existing zoning of Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). As shown in **Figure 2-7: Menifee North Specific Plan**, the proposed Project would be located within Planning Area (PA) 2 which is an area designated *Industrial* under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations.

¹² U.S. Census Bureau. *Quickfacts*. <https://www.census.gov/quickfacts/fact/table/menifeecitycalifornia/POP010220#POP010220> (accessed March 2021).

The majority of the site designated as Industrial under the Menifee North SP is made up of three parcels and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP), (see Table 2-2). As shown in **Table 2-3**, all three designations (Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project *is* consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP (Industrial) designation (see Table 2-4), the amendments noted in Section 2.8, Discretionary Actions and Approvals would be required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The necessary amendments are summarized below:

- Change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).
- Change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 ("Industrial").

The General Plan land use and zoning classification amendments would allow for the boundary modification of Specific Plan No. 260 (Menifee North Specific Plan Amendment) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-035 within Planning Area (PA) 2 ("Industrial"). As previously noted, regardless of the General Plan land use and zoning classification amendments and Specific Plan amendment, the Project would still be permitted under the existing designations. The amendments will simply allow for the site to have the same development standards, but the Project is permitted under the three existing General Plan land use and zoning designations. Additionally, the Project will be subject to the Menifee North Specific Plan Development Standards for PA 2.

- Minor intersection monumentation treatments shall be established at corners of Sherman Road and Antelope Road at designated entrances to Planning Area 2. These treatments are illustrated on Figure IV-4, of the Specific Plan.
- Project entry/intersection statements, as shown on Figure IV-3 of the Specific Plan, shall be developed at the intersection of Highway 74 and Sherman Road.
- Roadway landscape treatments shall be incorporated along Highway 74, Sherman Road, Antelope Road, Trumble Road and McLaughlin Road, as depicted on Figures IV-15, 17 and 18, respectively, of the Specific Plan.
- A special landscape treatment, as shown on Figure IV-10, shall be developed between the Industrial uses in PA 2 and the adjacent Drainage Channel easement.

Through compliance with the Menifee North SP development standards and design standards and guidelines, GP goals and policies, and Ordinance No. 348, the Project would not conflict with applicable zoning and other regulations governing scenic quality. Therefore, no impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.1-4 *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Level of Significance: Less than Significant Impact

Construction

As previously discussed, the Project site is largely undeveloped. Immediately north of the Project site is existing commercial and single-family residential development, while areas to the immediate east, south, and west are mostly undeveloped vacant land. Sources of light and glare exist minimally in the Project's immediate vicinity. Existing lighting sources include outdoor lighting and lighting emitted from the indoors from adjacent developments including the residential and commercial developments to the north, and vehicle headlights from adjacent and surrounding roadways. Construction of the warehouse buildings would be limited to the daytime hours of construction permitted in the Menifee Municipal Code (MC). Menifee MC § 8.01.010 Hours of Construction states "Any construction within the city located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday, except nationally recognized holidays, 6:30 a.m. to 7:00 p.m. There shall be no construction permitted on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer."¹³ Nighttime lighting would not be required until the site is operational. Therefore, no short-term construction impacts associated with light and glare would occur and the impact would be less than significant.

Operations

Once operational, the building would use interior lighting and exterior security and parking lot lighting. Consistent with Section 10.4. Development Standards for Article XII M-H Zone of Ordinance No. 348, all lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. Thus, consistent with Section 10.4, as well as Article XVIII General Provisions of Ordinance No. 348, all lighting shall be indirect, hooded, and positioned so as not to reflect onto adjoining property or public streets

The Project would also be consistent with the Menifee North SP lighting standards outlined above in **Section 4.1.3**. More precisely, general lighting shall not cast any glare onto adjacent lots and streets in such a manner as to decrease the ambiance of adjacent areas or the safety of pedestrian and vehicular movement. Per Section E, Architectural Guidelines of the Menifee North SP, reflective glass skins on non-residential buildings should not be used where it will adversely impact the adjacent buildings, especially if the adjacent buildings are residential. In general, large amounts of reflective glass are not in keeping with the overall tone the community is attempting to maintain. Because of the semi-rural nature of the Project, shiny or flashing materials may be inappropriate. Hot, vibrant colors with large amounts of

¹³ City of Menifee. 2020. Menifee Municipal Code. https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1773 (accessed March 2021).

chroma should be avoided, especially when considering large surfaces. The main body of the building should be colored soft enough to appear cool, but not dark and dreary or muddy.¹⁴ Additionally, the warehouse windows proposed for the Project would be constructed from a variety of non-reflective building materials, including tempered vision glass and tempered spandrel glass.

Overall, long-term impacts associated with light and glare would be less than significant.

Mitigation Measures

No mitigation is necessary.

4.1.6 Cumulative Impacts

For purposes of aesthetic resource impact analysis, cumulative impacts are considered for cumulative development according to the related projects; see **Table 3-1: List of Cumulative Projects**.

When evaluating cumulative aesthetic impacts, several factors must be considered. The context in which the Project is being viewed would also influence the potential significance of a cumulative aesthetic impact. Although the Project would result in a change in visual contrast with the surrounding uses, the Project would be consistent with the proposed land use designation and zoning classification of the site upon approval of the proposed entitlements.

As noted in Section 2.0, Project Description, the majority of the Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances associated with agricultural activities. These disturbances have eliminated the natural plant communities that once occurred on the Project site which has resulted in a majority of the Project site being dominated by non-native vegetation and heavily compacted soils. Ground surface cover throughout the site consists of dense native grass and weeds. The Project site includes two existing non-conforming single-family residences.

The Project site would be located in the Menifee North SP. This is an area being generally built-up with similar industrial uses. The Project propose approximately 1,640,130 square feet of e-commerce/fulfillment warehouse space (including mezzanine and office space) within the two proposed on-site buildings. The Project includes irrigated landscaped areas comprised of 382,380 SF of on-site landscaping and 70,853 SF of off-site landscaping (excluding sidewalks), for a total of approximately 453,233 SF of landscaping. Additionally, the Project includes a list of roadway improvements that would range from roadway widenings to the installation of new traffic signals (refer to Table 4.13-7 for a full list of recommended roadway improvements. The Project would also construct curb and gutter on the Project's perimeter.

The Project, in conjunction with other past, present, and reasonably foreseeable projects would not substantially affect the already diminished and limited views of the San Gabriel Mountains or views of Menifee Mountain. The City is becoming more urbanized and the contrast of the potential development, in comparison to the surrounding natural environment would be minimal.

¹⁴ Riverside County. 2001. *Menifee North Specific Plan 260, Amendment No. 1*.

In order for a cumulative aesthetic impact to occur, the cumulative nature of the Project site taken with other projects', as seen together or in proximity to each other must be cumulatively considerable. In the case of the Project, the potential aesthetic impacts related to views, aesthetics, and light and glare are less than significant. Mitigation measures beyond the required conformance to applicable policies and guidance in the Menifee North SP and Menifee GP, are not required. As discussed above, Project-related impacts would be less than significant or result in no impact.

4.1.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.1.8 References

Earth Strata Geotechnical Services, Inc. 2021. *Phase I Environmental Site Assessment*.

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4.2 AIR QUALITY

4.2.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses potential air quality impacts associated with development and implementation of the Menifee Commerce Center (Project). The current conditions were observed as the baseline for the analysis and were compared to the potential effects anticipated for the Project. The ambient air quality of the local and regional area is described, along with relevant federal, state, and local air pollutant regulations. The setting, context, and impact analysis in this section is based on the air quality and health risk assessment studies prepared by Urban Crossroads listed below and located in **Appendix 9.2 Air Quality and Health Risk Assessments**:

- Urban Crossroads (2022), *Menifee Commerce Center Air Quality Impact Analysis*. (**Appendix 9.2.1**)
- Urban Crossroads (2022), *Menifee Commerce Center Mobile Source Health Risk Assessment*. (**Appendix 9.2.2**)

This Draft EIR analyzes two project development scenarios. For a description of each evaluated scenario, see **Section 2.0, Project Description**.

4.2.2 Environmental Setting

South Coast Air Basin (SCAB)

The Project Site is located in the SCAB within the jurisdiction of South Coast Air Quality Management District (SCAQMD). The SCAB, a 6,745-square mile subregion of the SCAQMD, includes portions of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County. The SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Los Angeles County portion of the Mojave Desert Air Basin is bounded by the San Gabriel Mountains to the south and west, the Los Angeles/Kern County border to the north, and the Los Angeles/San Bernardino County border to the east. The Riverside County portion of the Salton Sea Air Basin is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley.

Regional Climate

The regional climate has a substantial influence on air quality in the SCAB. In addition, the temperature, wind, humidity, precipitation, and amount of sunshine influence the air quality. The annual average temperatures throughout the SCAB vary from the low to middle 60s degrees Fahrenheit (°F). Due to a decreased marine influence, the eastern portion of the SCAB shows greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the SCAB, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernardino. All portions of the SCAB have recorded maximum temperatures above 100°F.

Although the climate of the SCAB can be characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of SCAB climate. Humidity restricts visibility in the SCAB, and the conversion of sulfur dioxide

(SO₂) to sulfates (SO₄) is heightened in air with high relative humidity. The marine layer provides an environment for that conversion process, especially during the spring and summer months. The annual average relative humidity within the SCAB is 71 percent along the coast and 59 percent inland. Since the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. These effects decrease with distance from the coast.

Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains.

Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB. The remaining one-quarter is absorbed by clouds. The ultraviolet portion of this abundant radiation is a key factor in photochemical reactions. On the shortest day of the year there are approximately 10 hours of possible sunshine, and on the longest day of the year there are approximately 14½ hours of possible sunshine.

Although the SCAB has a semiarid climate, the air closer to the Earth's surface is typically moist because of the presence of a shallow marine layer. Except for occasional periods when dry, continental air is brought into the SCAB by offshore winds, the "ocean effect" is dominant. Periods of heavy fog are frequent and low clouds known as high fog are characteristic climatic features, especially along the coast. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SCAB.

Wind patterns across the SCAB are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the "mixing height." The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

Local Air Quality

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas [SRA]) throughout the district in order to provide southern California residents information about the air quality conditions. The Project site is located within the Perris Valley area (SRA 24). The Perris Valley monitoring station is located approximately 4.2 miles northwest of the Project site and reports air quality statistics for O₃ and PM₁₀. The Lake Elsinore monitoring station which is located 9.4 miles southwest of the Project site in SRA 25, records air quality data for CO and NO₂. The Metropolitan Riverside County monitoring station which is located 22.3 miles northwest of the Project site in SRA 23, records air quality data for PM_{2.5}.¹ It should be noted that data from the Lake Elsinore and Metropolitan Riverside County monitoring stations was utilized in lieu of the Perris Valley monitoring station only in instances where data was not available.

The most recent three years of data available is shown on **Table 4.2-1: Project Area Air Quality Monitoring Summary 2018-2020** that identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Project site. Data for O₃, CO, NO₂, PM₁₀, and PM_{2.5} for 2018 through 2020 was obtained from the SCAQMD Air Quality Data Tables. Additionally, data for SO₂ has been omitted as attainment is regularly met in the SCAB and few monitoring stations measure SO₂ concentrations.

Table 4.2-1: Project Area Air Quality Monitoring Summary 2018-2020

Pollutant	Standard	Year		
		2018	2019	2020
O₃				
Maximum Federal 1-Hour Concentration (ppm)		0.117	0.118	0.125
Maximum Federal 8-Hour Concentration (ppm)		0.103	0.095	0.106
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	31	26	34
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	67	64	74
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.1	1.6	0.9
Maximum Federal 8-Hour Concentration	> 20 ppm	0.8	0.7	0.7
NO₂				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.041	0.038	0.044
Annual Federal Standard Design Value		0.009	0.007	0.007
PM₁₀				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 150 µg/m ³	64	97	77
Annual Federal Arithmetic Mean (µg/m ³)		29.7	25.3	35.9
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m ³	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m ³	3	4	6

¹ CARB. 2022. *Air Monitoring Site – Interactive Map*. <https://ww2.arb.ca.gov/applications/air-monitoring-sites-interactive-map> (accessed May 2022).

Pollutant	Standard	Year		
		2018	2019	2020
PM_{2.5}				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 35 µg/m ³	50.70	46.70	41.00
Annual Federal Arithmetic Mean (µg/m ³)	> 12 µg/m ³	12.41	11.13	12.63
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m ³	2	4	4
ppm = Parts Per Million; µg/m ³ = Microgram per Cubic Meter Source: Urban Crossroads. 2022. <i>Menifee Commerce Center Air Quality Impact Analysis</i> . Table 2-4. Data accessed from SCAQMD in January 2022.				

Sensitive Receptors

Some people are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. These groups of people include children (ages 0 to 12), the elderly (65 years or more), and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places where they gather are defined as “sensitive receptors.” Sensitive land uses surrounding the Project consist mostly of residential uses. The nearest sensitive receptor is an existing residence at 26026 Sherman Road, approximately 26 feet north of the Project site.

4.2.3 Regulatory Setting

Federal

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the U.S. Environmental Protection Agency (U.S. EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including O₃, NO₂, CO, SO₂, PM₁₀, PM_{2.5}, and lead. Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The FCAA requires each state to prepare a State Implementation Plan to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations (CFR) Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in **Figure 4.2-1: State and Federal Ambient Air Quality Standards**.

State

California Air Resources Board

CARB administers the air quality policy in California. The California Ambient Air Quality Standards (CAAQS) were established in 1969 pursuant to the Mulford-Carrell Act. These standards, included with the NAAQS

in **Figure 4.2-1**, are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the U.S. EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment. The applicable State standards are summarized in **Figure 4.2-1: State and Federal Ambient Air Quality Standards**.

Title 24 Energy Efficiency Standards and California Green Building Standards

The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. California Code of Regulations (CCR), Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction waste and demolition ordinances and defers to them as the ruling guidance provided they establish a minimum 65 percent diversion requirement.

Because the Project would be constructed after January 1, 2019, the 2019 CALGreen standards are applicable to the Project and require, among other items:

Nonresidential Mandatory Measures

- **Short-term bicycle parking.** If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- **Long-term bicycle parking.** For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).

- **Designated parking for clean air vehicles.** In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- **EV charging stations.** New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106.5.3.3 (5.106.5.3).
- **Outdoor light pollution reduction.** Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8)
- **Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- **Excavated soil and land clearing debris.** 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- **Recycling by Occupants.** Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- **Water conserving plumbing fixtures and fittings.** Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
 - *Water Closets.* The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
 - *Urinals.* The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
 - *Showerheads.* Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
 - *Faucets and fountains.* Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle

(5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).

- **Outdoor portable water use in landscaped areas.** Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient (MWELO), whichever is more stringent (5.304.1).
- **Water meters.** Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (5.303.1.1 and 5.303.1.2).
- **Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 sf.** Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- **Commissioning.** For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

Figure 4.2-1: State and Federal Ambient Air Quality Standards

Ambient Air Quality Standards							
Pollutant	Averaging Time	California Standards ¹		National Standards ²			
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷	
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry	
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)			
Respirable Particulate Matter (PM ₁₀) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m ³		—			
Fine Particulate Matter (PM _{2.5}) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³			15 µg/m ³
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)	
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)			
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—			
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence	
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)			Same as Primary Standard
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Parosaniiline Method)	
	3 Hour	—		—			0.5 ppm (1300 µg/m ³)
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹			—
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹			—
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption	
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²			Same as Primary Standard
	Rolling 3-Month Average	—		0.15 µg/m ³			
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards			
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography				
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence				
Vinyl Chloride ¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography				

See footnotes on next page ...

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1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above $150 \mu\text{g}/\text{m}^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from $15 \mu\text{g}/\text{m}^3$ to $12.0 \mu\text{g}/\text{m}^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at $35 \mu\text{g}/\text{m}^3$, as was the annual secondary standard of $15 \mu\text{g}/\text{m}^3$. The existing 24-hour PM10 standards (primary and secondary) of $150 \mu\text{g}/\text{m}^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ($1.5 \mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (5/4/16)

Local

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the AQMP, with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance with the federal 24-hour PM_{2.5} air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O₃ standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* and updated emission inventory methodologies for various source categories.

The 2022 AQMP is currently being developed by SCAQMD to address the U.S. EPA's strengthened ozone standard. Development of the 2022 AQMP is in its early stages and no formal timeline for completion and adoption is currently known.

The SCAQMD has published the CEQA Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by California Environmental Quality Act (CEQA) and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation. With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

The SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial counties and serves as a forum for regional issues relating to transportation, the economy,

community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAB is currently designated as a nonattainment area with respect to the State O₃, PM₁₀, and PM_{2.5} standards, as well as the national 8-hour O₃ and PM_{2.5} standards. The SCAB is designated as attainment or unclassified for the remaining state and federal standards.

The following is a list of SCAQMD rules that are required of construction and operational activities associated with the Project:

- **SCAQMD Rule 402:** A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Odor Emissions. All uses shall be operated in a manner such that no offensive odor is perceptible at or beyond the property line of that use.

- **SCAQMD Rule 403:** This rule is intended to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (human-made) fugitive dust sources by requiring actions to prevent and reduce fugitive dust emissions. Rule 403 applies to any activity or human-made condition capable of generating fugitive dust and requires best available control measures to be applied to earth moving and grading activities.

Dust Control, Operations. Any operation or activity that might cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, or other forms of air pollution, which can cause damage to human health, vegetation, or other forms of property, or can cause excessive soiling on any other parcel, shall conform to the requirements of the South Coast Air Quality Management District.

- **SCAQMD Rule 1113:** This rule serves to limit the Volatile Organic Compound (VOC) content of architectural coatings used on projects in the SCAQMD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects.
- **SCAQMD Rule 1301:** This rule is intended to provide that pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS, while future economic growth within the SCAQMD is not unnecessarily restricted. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 also limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).
- **SCAQMD Rule 401:** A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines.

- **SCAQMD Rule 2305:** On May 8, 2021, SCAQMD adopted Warehouse Indirect Source Rule 2305, which includes the Warehouse Actions and Investments to Reduce Emissions Program (WAIRE), and Rule 316. Rule 2305 establishes for the first time a regulatory program designed to reduce air pollution (and indirect greenhouse gas [GHG] emissions) caused by warehouse-related activities and is focused on emissions from vehicles that service large warehouses. Rule 316 establishes a fee system to support the Rule 2305 program on an ongoing basis. Rules 2305 and 316 apply to operators and owners of existing and new warehouses with floor space greater than or equal to 100,000 square feet within a single building (i.e., large warehouses). Rules 2305 and 316 require such operators and owners to annually take actions with respect to their warehouses that either reduce emissions regionally and locally or facilitate emission reductions. Specifically, owners and operators must “earn” a specific number of WAIRE Points. However, warehouse owners are only required to earn WAIRE Points if they are also a warehouse operator. If a warehouse owner is not an operator, they are not required to earn WAIRE Points even if the operator in their warehouse does not earn the required number of WAIRE Points. Warehouse owners are only required to submit a Warehouse Operations Notification to the SCAQMD.

The number of WAIRE Points required for a specific operator is based on the intensity of operations (i.e., number of truck trips and type of trucks) at each of their warehouses every year. The required points are known as the WAIRE Points Compliance Obligation (WPCO). The WPCO is calculated based on a 12-month survey of truck trips entering or exiting the site, the truck data is weighted based on the types of trucks, and activity is projected for the next year. Thus, the WAIRE Points pay for the prior year’s emissions based on points earned in subsequent years.

WAIRE Points are earned by implementing a menu of items including purchasing/renting/leasing near-zero (NZE) and zero emission (ZE) yard equipment, installing on-site ZE fueling stations, and proving on-site solar photovoltaic (PV) systems that are intended to offset or reduce warehouse emissions. Owners and operators may also implement custom WAIRE plans for individual facilities, subject to SCAQMD approval; or pay mitigation fees to have the SCAQMD implement measures within the SCAB. Owners and operators that over-comply may transfer excess WAIRE Points earned in one year to a subsequent year or may transfer WAIRE points to another site within their control. WAIRE Points cannot be transferred to other operators and expire after three years. Rule 2305 also requires reporting information about facility operations and recordkeeping. Rule 316 is the companion rule to Rule 2305 and establishes the administrative fees that Rule 2305 warehouse owners and operators must pay to support SCAQMD compliance activities.

While the Project proponent may be defined as a warehouse owner and would submit a Warehouse Operation Notice(s), as required, the Project proponent does not intend to be the warehouse operator and has no knowledge of the future operations. Thus, the specific information required by Rule 2305 for calculating the WPCO is unavailable, and the necessary number of points is unknown. Finally, The WAIRE points expire after three years and are based on actions of future operators and are thus temporary and cannot be relied upon for CEQA purposes. Therefore, even though the WAIRE program will reduce emissions warehouse activities in the region, no emission reductions from the WAIRE Program are accounted for in this analysis.

Although the Project would comply with the above regulatory requirements, it should be noted that emission reductions associated with Rules 402, 1301, 1401, and 2305 cannot be quantified in the California Emissions Estimator Model (CalEEMod) and are therefore not reflected in the emissions presented herein. Conversely, Rule 403 (Fugitive Dust) and Rule 1113 (Architectural Coatings) can be modeled in CalEEMod. As such, credit for Rule 403 and Rule 1113 have been taken in the analysis.

City of Menifee General Plan

Open Space & Conservation Element

The City of Menifee's Open Space & Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the City's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.²

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

- | | |
|-----------------------|---|
| Goal OSC-9 | Reduced impacts to air quality at the local level by minimizing pollution and particulate matter. |
| Policy OCS-9.1 | Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities. |
| Policy OCS-9.2 | Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses. |
| Policy OCS-9.3 | Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source. |
| Policy OCS-9.5 | Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards. |

City of Menifee Design Guidelines – Appendix A: Industrial Good Neighbor Policies³

According to the City's Design Guidelines, the purpose of the Good Neighbor Policies (Policies) is to provide local government and developers with ways to address environmental and neighborhood compatibility issues associated with permitting warehouse, logistics and distribution facilities. The Policies were designed to promote economic vitality and sustainability of businesses, while still protecting the general health, safety, and welfare of the public and sensitive receptors within the City of Menifee.

² City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

³ City of Menifee. Amended 2022. *Design Guidelines*. <https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines-Amended-March-2-2022?bidId=> (accessed May 2022).

Sensitive receptors include residential neighborhoods, schools, public parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

The intent of the City of Menifee’s Good Neighbor Policies, in siting new warehouse, logistics and distribution uses, include:

1. Minimize impacts to sensitive uses
2. Protect public health, safety, and welfare by regulating the design, location and operation of facilities
3. Protect neighborhood character of adjacent communities

The Policies apply to all new warehouse, logistics and distribution facilities (“industrial uses”), excluding pending applications that have been deemed complete as the effective day of this policy, that include any building larger than 100,000 square feet in size or any sized building with more than 10 loading bays (dock-high). There are general performance standards, as well as site design, access and layout standards, signage and information standards, and environmental considerations, including air quality and noise and traffic.

4.2.4 Impact Thresholds and Significance Criteria

The following significance criteria for air quality were derived from the Environmental Checklist Form in State CEQA Guidelines Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:
 - Conflict with or obstruct implementation of the applicable air quality plan?
 - Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable state or federal ambient air quality standard?
 - Expose sensitive receptors to substantial pollutant concentrations?
 - Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

SCAQMD Thresholds

The SCAQMD has also developed regional significance thresholds for other regulated pollutants, as summarized at **Table 4.2-2. The SCAQMD’s CEQA Air Quality Significance Thresholds** indicate that any projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 4.2-2: Maximum Daily Regional Emissions Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
Nitrogen Oxides (NO _x)	100 lbs/day	55 lbs/day
Volatile Organic Compounds (VOC)	75 lbs/day	55 lbs/day
Coarse Particulates (PM ₁₀)	150 lbs/day	150 lbs/day
Fine Particulates (PM _{2.5})	55 lbs/day	55 lbs/day
Sulfur Oxides (SO _x)	150 lbs/day	150 lbs/day
Carbon Monoxide (CO)	550 lbs/day	550 lbs/day
Lead (Pb)	3 lbs/day	3 lbs/day
Source: South Coast Air Quality Management District, <i>South Coast AQMD Air Quality Significance Thresholds</i> , April 2019 lbs/day = Pounds Per Day		

4.2.5 Impacts and Mitigation Measures

Impact 4.2-1 *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Level of Significance: Significant and Unavoidable Impact

Construction and Operations

As part of its enforcement responsibilities, the U.S. EPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the CCAA requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the state and federal ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's growth projections and RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are discussed below:

Consistency Criterion No. 1

The proposed Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded.

Construction Impacts – Consistency Criterion 1

Consistency Criterion No. 1 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized significance thresholds or regional significance thresholds were exceeded. As evaluated, the Project's regional and localized construction-source emissions would not exceed the applicable thresholds. As such, emissions generated during Project construction would not result in a significant impact.

Operational Impacts – Consistency Criterion 1

The Project would not exceed the applicable localized significance thresholds for operational activity. The regional operational-source emissions are anticipated to exceed the regional thresholds of significance for VOC and NO_x under Scenario 1 and NO_x under Scenario 2 and emissions would not be reduced to less than significant with imposition of mitigation measures. As such, the Project would result in a significant impact with respect to this criterion and the Project would conflict with the AQMP according to this criterion.

On the basis of the preceding discussion, the Project is determined to be inconsistent with the first criterion.

Consistency Criterion No. 2

The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.

The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City of Menifee General Plan and is considered to be consistent with the AQMP.

Construction Impacts – Consistency Criterion 2

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the Project site's land use designation, development of the Project site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities. As such, when considering that no emissions thresholds will be exceeded, a less than significant impact would result.

Operational Impacts – Consistency Criterion 2

The Project would consist of 1,640,130 sf of warehouse uses. The Project site is currently part of the Menifee North Specific Plan, Planning Area 2 and is designated as Industrial. Allowable uses within the Industrial land use designation (Manufacturing-Heavy) include warehousing and distribution, dozens of manufacturing uses, and other general light and heavy industrial. Other uses also permitted include but are not limited to manufacturing, distribution warehouses, e-commerce fulfillment, research services and laboratories, repair services, and various indoor recreational uses. As such, the proposed Project is consistent with the existing land use designations for the Project site.

Accordingly, the 2016 AQMP reflects the proposed land use designation for the Project site. Consequently, the development of the Project site as proposed by the Project is assumed to generate operational-source emissions reflected within the current 2016 AQMP regional emissions inventory for the SCAB.

On the basis of the preceding discussion, the Project is determined to be consistent with the second criterion.

Conclusion

The Project would be inconsistent with AQMP Criterion No. 1, resulting in a determination that impacts in this regard would be considered significant. The Project would implement development-specific air quality mitigation measures identified in this analysis (**MM AQ-2** through **MM AQ-12**), acting to generally reduce the Project's operational-source air pollutant emissions. Additionally, incorporation of contemporary energy-efficient technologies and operational programs, and compliance with SCAQMD emissions reductions and control requirements act to reduce Project air pollutant emissions generally.

In combination, the Project air quality mitigation measures; and Project emissions-reducing design features, and operational programs are consistent with and support overarching AQMP air pollution reduction strategies. Project support of these strategies would globally promote timely attainment of AQMP air quality standards and would bring the Project into conformance with the AQMP to the extent feasible. Notwithstanding, based on the analysis presented here, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria, resulting in a significant and unavoidable impact. Note that the City's General Plan EIR had a similar level of significance.

Mitigation Measures

Refer to MMs AQ-2 through AQ-12.

Impact 4.2-2

Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Level of Significance: Significant and Unavoidable Impact

Construction Emissions

Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD’s thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water. Construction is anticipated to begin in early 2023 and would last through late 2024.

CalEEMod calculates maximum daily emissions for summer and winter periods. The estimated maximum daily construction emissions are summarized in **Table 4.2-3: Overall Construction Emissions Summary - Without Mitigation**. Under the assumed scenarios, emissions resulting from Project construction would exceed criteria pollutant thresholds established by the SCAQMD for VOC emissions during construction activity.

Table 4.2-3: Overall Construction Emissions Summary - Without Mitigation

Year	Emissions (lbs/day) ¹					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2023	7.84	87.79	117.21	0.38	30.44	12.08
2024	124.43	66.64	113.52	0.31	22.95	7.80
Winter						
2023	7.49	90.07	108.22	0.38	30.44	12.09
2024	124.37	67.76	105.16	0.30	22.95	7.80
Maximum Daily Emissions	124.43	90.07	117.21	0.38	30.44	12.09
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	YES	NO	NO	NO	NO	NO
Source: CalEEMod construction-source (unmitigated) emissions are presented in Appendix 9.2.1 .						

The Project construction-source emissions have the potential to exceed SCAQMD regional thresholds for VOC emissions prior to mitigation. Therefore, **MMAQ-4** is included to reduce Project construction-source VOC. As shown in **Table 4.2-4: Overall Construction Emissions Summary – With Mitigation**, after implementation of **MM AQ-4**, Project construction-source emissions would not exceed SCAQMD regional thresholds for VOC emissions. Thus, with incorporation of **MM AQ-4**, the Project would result in a less than significant impact associated with construction activities.

Table 4.2-4: Overall Construction Emissions Summary – With Mitigation

Year	Emissions (lbs/day) ¹					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2023	7.84	87.79	117.21	0.38	30.44	12.08
2024	30.87	66.64	113.52	0.31	22.95	7.80
Winter						
2023	7.49	90.07	108.22	0.38	30.44	12.09
2024	30.81	67.76	105.16	0.30	22.95	7.80
Maximum Daily Emissions	30.87	90.07	117.21	0.38	30.44	12.09
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod construction-source (unmitigated) emissions are presented in **Appendix 9.2.1**.

Operational Emissions

The Project’s operational emissions would be associated with area sources (e.g., landscape maintenance equipment, architectural coatings, off-road equipment, etc.), energy sources, mobile sources (i.e., motor vehicle use), and off-road equipment as described below.

- Area Source Emissions.** Area source emissions would be generated due to architectural coatings, consumer products (e.g., cleaning compounds, lawn and garden products) and landscaping maintenance equipment that were previously not present on the site. Regarding landscaping equipment, it should be noted that as October 9, 2021, Governor Gavin Newsom signed Assembly Bill 1346 which aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by 2024. For purposes of this analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.
- Energy Source Emissions.** Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the SCAB, criteria pollutant emissions from off-site generation of electricity are generally excluded from the evaluation of significance and only natural gas use is considered.
- Mobile Source Emissions.** The Project related operational air quality emissions derive primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. Trip characteristics available from the *Menifee Commerce Center Project Traffic Impact Analysis* were utilized in this analysis for Scenario 1. Scenario 2 utilizes supplemental trip generation data provided by Albert A. Webb Associates that assumes Building 1 will be utilized as a high-cube transload and short-term storage warehouse rather than a high-cube fulfillment center warehouse.

CalEEMod utilizes summer and winter EMFAC2017 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. As such, operational activities for summer and winter for Scenarios 1 and 2 are presented in **Table 4.2-5: Summary of Peak Operational**

Emissions. Under Scenario 1, the Project would exceed the numerical thresholds of significance established by SCAQMD for emissions of VOC and NO_x. Under Scenario 2, the Project would exceed the threshold of significance for NO_x.

Table 4.2-5: Summary of Peak Operational Emissions

Scenario	Source	Emissions (lbs/day)					
		VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer							
1	Area Source	37.32	3.07E-03	0.34	3.00E-05	1.20E-03	1.20E-03
	Energy Source	0.10	0.89	0.74	5.31E-03	0.07	0.07
	Mobile Source	30.79	87.04	335.62	1.07	92.05	25.45
Total Maximum Daily Emissions-Scenario 1		68.20	87.93	336.70	1.08	92.12	25.52
SCAQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		YES	YES	NO	NO	NO	NO
2	Area Source	37.32	3.07E-03	0.34	3.00E-05	1.20E-03	1.20E-03
	Energy Source	0.10	0.89	0.74	5.31E-03	0.07	0.07
	Mobile Source	8.32	78.06	91.69	0.61	36.24	10.57
Total Maximum Daily Emissions-Scenario 2		45.73	78.95	92.77	0.61	36.31	10.64
SCAQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		NO	YES	NO	NO	NO	NO
Winter							
1	Area Source	37.32	3.07E-03	0.34	3.00E-05	1.20E-03	1.20E-03
	Energy Source	0.10	0.89	0.74	5.31E-03	0.07	0.07
	Mobile Source	26.75	92.07	294.21	1.02	92.05	25.45
Total Maximum Daily Emissions-Scenario 1		64.16	92.96	295.29	1.02	92.12	25.52
SCAQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		YES	YES	NO	NO	NO	NO
2	Area Source	37.32	3.07E-03	0.34	3.00E-05	1.20E-03	1.20E-03
	Energy Source	0.10	0.89	0.74	5.31E-03	36.24	0.07
	Mobile Source	7.34	82.41	82.20	0.60	36.24	10.57
Total Maximum Daily Emissions-Scenario 2		44.75	83.30	83.29	0.60	72.48	10.64
SCAQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		NO	YES	NO	NO	NO	NO

Source: CalEEMod operational-source emissions are presented in **Appendix 9.2.1**.

Even with the Project’s compliance with applicable rules, and the imposition of all feasible mitigation measures identified above (see **MM AQ-2** through **MM AQ-8**), the Project’s operational VOC and NO_x emissions under Scenario 1 and NO_x emissions under Scenario 2 would exceed the applicable regional thresholds of significance. As such, Project operational-source VOC and NO_x emissions (Scenario 1) or NO_x emissions (Scenario 2) are considered significant and unavoidable. It should be noted that, approximately 99 percent of the Project’s NO_x emissions are derived from vehicle usage which cannot be directly regulated by the City. The City cannot substantively or materially affect reductions in project-related vehicular source emissions beyond regulatory requirements, and mitigation measures identified herein. While there are no feasible mitigation measures that would reduce vehicular emissions, the Project would install electric vehicle supply equipment in accordance with the California Building Code which would

allow charging stations to be supplied based on demand. Charging stations could lead to less use of gasoline-burning automobiles and thus, less air pollutant emissions. Hence, overall, there are no feasible mitigations that would reduce ozone precursor emissions consistent with the *2016 Air Quality Attainment Plan*, and this impact is considered significant and unavoidable. Thus, VOC and NO_x emissions under Scenario 1 and NO_x emissions under Scenario 2 are considered significant and unavoidable.

It is important to note that the majority of on-site operational VOC emissions are derived from consumer products. For analytical purposes, consumer products include cleaning supplies, aerosols, and other consumer products. As such, the Project cannot meaningfully control the use of consumer products by future building users via mitigation. On this basis, it is concluded that Project operational-source VOC emissions under Scenario 1 cannot be definitively reduced below applicable SCAQMD thresholds. VOC emissions under Scenario 2 do not exceed the applicable SCAQMD thresholds.

In response to the increase in warehouse development in California, the State of California Department of Justice issued a Memorandum in March 2021, entitled *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Memorandum). The Memorandum encourages warehouse projects to implement certain best practices regarding air quality impacts. In response to the Memorandum, the City and the Project Applicant have voluntarily incorporated numerous best practices recommended in the Memorandum. These best practices are enforceable by the City and must be implemented by the Project Applicant. Adherence to the below standard conditions and requirements, and mitigation measures, represents the Project Applicant's willingness to go above and beyond to address the Department of Justice's concerns regarding air quality impacts.

However, despite adherence to standard conditions and requirements, the design features and mitigation measures provided by the Project Applicant, and the anticipated regulations implemented by the U.S. EPA and CARB to improve truck efficiency, the Project would represent a substantial increase in emissions compared to existing conditions. The estimated long-term emissions generated under full buildout of the Project would exceed SCAQMD's regional operational thresholds and would cumulatively contribute to the nonattainment designations in the SCAB. Therefore, the Project would result in a significant impact in this regard. Note that the City's General Plan EIR had a similar level of significance

Standard Conditions and Requirements:

Standard Conditions are existing requirements and conditions of approval that are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. Typical standard conditions and requirements include compliance with the provisions of the Building Code, SCAQMD Rules, etc. The City may impose additional conditions during the approval process, as appropriate. Because Standard Conditions are neither Project specific nor a result of development of the Project, they are not considered to be either PDFs or Mitigation Measures.

- SC-1** Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize

construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

SC-2 Pursuant to SCAQMD Rule 1113, the Project Applicant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.

SC-3 Require diesel powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.

SC-4 All construction equipment shall be maintained in good operating condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City of Menifee verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Truck traffic shall be generally routed to impact the least number of sensitive receptors (e.g., access locations, use of traffic control features, signage).
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation.
- Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the City of Menifee determines that 2010 model year or newer diesel trucks cannot be obtained, or if the cost of using these 2010 or newer trucks is

economically infeasible, the Project shall use trucks that meet EPA 2007 model year NO_x and PM emissions requirements.

- During Project construction, all internal combustion engines/construction equipment operating on the Project site shall meet EPA-certified Tier 4 Final emissions standards according to the following:
 - All off-road diesel-powered construction equipment shall meet the most readily available technology (CARB Tier 3, Tier 4 Interim, or Tier 4 Final emission standard) or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engines as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be made available if requested at the time of mobilization of each applicable unit of equipment. This equipment shall be used when commercial models that meet the construction needs of the proposed project are commercially available from local suppliers/vendors. The determination of commercial availability of such equipment shall be made by the City of Menifee, based on applicant-provided evidence from expert sources, such as construction contractors in the region.
- In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-5 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Landscape Water Use Efficiency requirements (Chapter 15.04 of the City's Municipal Code).

SC-6 Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready," with all necessary conduit and related appurtenances installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-7 The Project shall be required to incorporate light colored roofing materials with a solar reflective index ("SRI") of not less than 78 on the office area of the building. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-8 The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. The Title 24 Energy Efficiency

Standards (Section 110.10) require buildings to be designed to have 15 percent of the roof area “solar ready” that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

SC-9 The Project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR, Part 11). The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. These requirements include, but are not limited to:

- Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
- Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 (nonresidential) of the California Green Building Standards Code Part 11.
- Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
- Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance Section 5.106.5.2 (nonresidential), Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.

SC-10 Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years. Trees shall be planted that are capable of meeting this requirement.

SC-11 Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after three minutes of continuous idling operation. Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
- Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.
- Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
- The Operator shall designate an officer to monitor trucks on-site for compliance.
- In the event of a conflict between this condition and the MMRP, this condition shall take priority.

- SC-12** All forklifts shall be electric or use low-carbon or zero-carbon fuels. In the event of a conflict between this condition and the MMRP, this condition shall take priority.
- SC-13** To the extent feasible, the project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head toward designated truck routes. In the event of a conflict between this condition and the MMRP, this condition shall take priority.
- SC-14** Prior to issuance of Certificate of Occupancy, signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.
- SC-15** All signage installed as part of the Project shall be legible, durable, and weather-proof.
- SC-16** To ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25% larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25% excess demand capacity.
- SC-17** Prior to issuance of Certificate of Occupancy, the facility's operator shall be required to provide the City with a copy of the Project's recycling program.
- SC-18** A Property Maintenance Program shall be submitted for review and approval by the Planning Director or his/her designee prior to the issuance of building permits. The program shall provide for the regular maintenance of building structures, landscaping, and paved surfaces in good physical condition, and appearance. The methods and maximum intervals for maintenance of each component shall be specified in the program.
- SC-19** The Project does not include cold storage.
- SC-20** The Project has been designed such that the check-in points for trucks comply with the City's good neighbor policies for on-site truck queuing. Further, the applicant shall provide signage stating that queuing and/or parking in the public right-of-way is prohibited. Signage shall also be placed at the entrance of the site for the community in case of complaints and shall include the phone number of the building manager or designee. The building manager or designee shall be responsible for ensuring compliance with this measure tenant and third-party truck owners.

Mitigation Measures

- MM AQ-1** Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Menifee denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project.
- MM AQ-2** The Project's contractors shall prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day. The Project's general

contractor shall designate an officer to monitor the construction equipment operators on-site for compliance.

MM AQ-3 The Project Applicant shall be required to provide information on transit and ridesharing programs to construction employees, which shall be made available in the construction trailer at all times.

MM AQ-4 The Project shall be required to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. All specifications, plans, and or details necessary to verify compliance shall be included in the Project's applicable construction drawings. Prior to issuance of a building permit, the City of Menifee Building and Safety Department shall confirm that plans include the following specifications:

- To reduce VOC emissions associated with architectural coating, the Project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications shall be reviewed by the City of Menifee's Building and Safety Department for compliance with this mitigation measure prior to issuance of the Project's building permit.
- Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
- Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
- For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org).
- Use compliant low-VOC cleaning solvents to clean paint application equipment.
- Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
- Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

MM AQ-5: Prior to issuance of tenant occupancy permits, Project operator's with more than 100 employees shall prepare a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by

employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate employers, employees, and visitors of surrounding transportation options.
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site.
- Provide on-site car share information for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day.
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service.
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
- Post both bus and MetroLink schedules in conspicuous areas.
- Configure their operating schedules around the MetroLink schedule to the extent reasonably feasible.

MM AQ-6: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage.

MM AQ-7: The facility operator shall provide tenants with an information packet that:

- Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.
- Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall use carriers that are SmartWay carriers.
- Recommends the use of electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters.
- Recommends the use of water-based or low VOC cleaning products.

MM AQ-8: Prior to issuance of Certificate of Occupancy, the Project shall be required to install air filtration in the unconditioned warehouse facility, with a minimum of 1 air change per hour, in order to promote worker well-being.

MM AQ-9: All on-site outdoor cargo-handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be electric or non-

diesel fueled. All on-site indoor forklifts shall be powered by electricity or other non-diesel fuel.

MM AQ-10: Conduits for the installation of electrical hookups to allow future electric vehicle (EV) trucks and trucks with auxiliary power units (APU) shall be installed at a ratio of one charging station for every 50 dock high doors.

MM AQ-11: Parking areas shall be designed to accommodate EV charging stations for passenger cars consistent with CalGreen Chapter 5 requirements.

MM AQ-12: All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Menifee Planning Department to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric powered.

Impact 4.2-3 *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Level of Significance: Less than Significant Impact

Construction

The nearest sensitive receptor is the existing residential use located approximately 26 feet north of the Project site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions. For this Project, the appropriate SRA for the LST analysis is the SCAQMD Perris Valley (SRA 24). LSTs apply to CO, NO₂, PM₁₀, and PM_{2.5}.

Based on SCAQMD's LST Methodology, emissions of concern during construction activities are on-site NO_x, CO, PM_{2.5}, and PM₁₀. The LST Methodology clearly states that "off-site mobile emissions from the project should not be included in the emissions compared to LSTs." As such, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered.

Maximum Daily Disturbed-Acreage

As a conservative measure, it is assumed that a maximum of five acres per day can be actively disturbed during construction of the site. In CalEEMod, the Total Acres Graded (TAG) field represents the cumulative distance traversed on the property by the grading equipment. In order to properly grade a piece of land, multiple passes with grading equipment may be required. So even though the lot size is a fixed number of acres, the TAG could be an order of magnitude higher than the footprint of the lot. TAG is a function of the maximum acreage disturbed per day times the number of days of the subphase of construction. As

such, in order to provide a more conservative analysis, the TAG field in CalEEMod has been revised to the following for construction phases that include site preparation or grading⁴:

- Clear Site: 35 acres (5 acres per day x 7 days)
- Recompact and Import: 360 acres (5 acres per day x 72 days)
- Fine Grade: 75 acres (5 acres per day x 15 days)
- 2nd Move In: 100 acres (5 acres per day x 20 days)
- 3rd Move In: 200 acres (5 acres per day x 40 days)
- Off-site Site Preparation: 150 acres (5 acres per day x 30 days)

Table 4.2-6: Localized Construction-Source Emissions shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Significant impacts would not occur concerning LSTs during construction. Therefore, a less than significant impact would occur.

Table 4.2-6: Localized Construction-Source Emissions

Construction Phase	Year	Emissions (lbs/day)			
		NO _x	CO	PM ₁₀	PM _{2.5}
Demolition	2023	18.31	24.67	1.01	0.89
Clear Site	2023	4.04	4.53	0.15	0.15
Recompact	2023	19.90	39.08	4.64	1.74
Recompact and Import	2023	49.59	91.76	7.57	3.48
Fine Grading	2023	23.21	40.36	4.79	1.89
Building Construction and Offsite Site Prep	2023	49.50	61.23	11.98	6.97
Building Construction	2023	30.44	38.27	1.92	1.92
Building Construction and 2nd Move In	2023	43.56	56.57	4.36	2.52
Building Construction	2024	30.44	38.27	1.92	1.92
Building Construction and 3rd Move In	2024	47.14	60.91	4.55	2.70
Paving and Offsite Paving	2024	33.89	51.89	1.83	1.83
Paving	2024	22.59	34.59	1.22	1.22
Architectural Coating	2024	3.62	4.89	0.25	0.25
Maximum Daily Emissions		49.59	91.76	11.98	6.97
SCAQMD Localized Threshold		270	1,577	13	8
Threshold Exceeded?		NO	NO	NO	NO
Source: Refer to Appendix 9.2.1 for model outputs.					

⁴ CalEEMod does not provide a "Total Acres Graded" field for Demolition, Building Construction, Paving, or Architectural Coating activities.

Operations

Localized Operational-Source Emissions LST Analysis

The SCAQMD LST methodology provides look-up tables for sites with an area with daily disturbance of five acres or less. For projects that exceed five acres, the five-acre LST look-up tables can be used as a screening tool to determine whether pollutants require additional detailed analysis. This approach is conservative as it assumes that all on-site emissions associated with the Project would occur within a concentrated five-acre area. This screening method would therefore over-predict potential localized impacts, because by assuming that on-site operational activities are occurring over a smaller area, the resulting concentrations of air pollutants are more highly concentrated once they reach the smaller site boundary than they would be for activities if they were spread out over a larger surface area. On a larger site, the same amount of air pollutants generated would disperse over a larger surface area and would result in a lower concentration once emissions reach the project-site boundary. As such, LSTs for a five-acre site during operations are used as a screening tool to determine if further detailed analysis is required.

The LST analysis generally includes on-site sources (area, energy, and mobile). However, it should be noted that the CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. As such, in an effort to establish a maximum potential impact scenario for analytic purposes, the emissions shown on **Table 4.2-7: Localized Significance Summary of Operations** represent all on-site Project-related stationary (area) sources and on-site vehicle travel. In order to account for on-site travel only, an on-site travel distance of 0.5 mile (2,640 feet) was selected for passenger cars and trucks. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs.

As shown on **Table 4.2-7: Localized Significance Summary of Operations** operational emissions would not exceed the LST thresholds and is therefore considered to have a less than significant localized impact during operational activity.

Table 4.2-7: Localized Significance Summary of Operations

Scenario	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Scenario 1				
Summer	12.08	56.40	3.28	0.96
Winter	12.83	60.36	3.28	0.96
Maximum Daily Emissions	12.83	60.36	3.28	0.96
SCAQMD Localized Threshold	270	1,577	4	2
Threshold Exceeded?	NO	NO	NO	NO
Scenario 2				
Summer	9.43	18.91	1.00	0.34
Winter	10.08	20.01	1.00	0.34
Maximum Daily Emissions	10.08	20.01	1.00	0.34
SCAQMD Localized Threshold	270	1,577	4	2
Threshold Exceeded?	NO	NO	NO	NO
Source: CalEEMod localized operational-source emissions are presented in Appendix 9.2.1 .				

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno [Friant Ranch, L.P.] [2018] Cal. 5th, Case No. S219783*). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program⁵ was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The FAAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. The SCAQMD's regional significance thresholds for development projects are based on the above described standards for stationary sources to achieve attainment. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO_x and ROG are precursor emissions that form ozone in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. Breathing ground-level ozone can result health effects that include reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily ozone concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that ozone can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According the SCAQMD's 2016 AQMP, ozone, NO_x, and ROG have been decreasing in the SCAB since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the SCAB continue to increase, NO_x and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_x emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NO_x emission reductions to attain the 1-hour ozone standard by 2022. In addition, since NO_x emissions also lead to the formation of PM_{2.5}, the NO_x reductions needed to meet the ozone standards will likewise lead to improvement of PM_{2.5} levels and attainment of PM_{2.5} standards.

The 2016 AQMP also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NO_x emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO_x from stationary

⁵ Code of Federal Regulation (CFR) [i.e., PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)]

sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NO_x reductions from stationary sources achieved in the decades prior to 2008.

As previously discussed, localized effects of on-site Project emissions on nearby receptors were found to be less than significant (refer to **Table 4.2-6** and **Table 4.2-7**). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. However, as discussed above, neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. Information on health impacts related to exposure to ozone and particulate matter emissions can be found here: <http://www.capcoa.org/health-effects/>. Health studies are used by the U.S. EPA and CARB to set the NAAQS and CAAQS. Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the NAAQS and CAAQS, none of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in cause asthma), the City has determined that existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. Thus, this analysis is reasonable and intended to foster informed decision-making.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SCAB is now designated as attainment.

The SCAB was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard/Veteran Avenue intersection, one of the most congested intersections in southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration

high of 4.6 ppm, which is well below the 35-ppm Federal standard. Based on the SCAQMD's 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan), peak carbon monoxide concentrations in the SCAB were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. As evidence of this, for example, 8.4 ppm 8-hr CO concentration measured at the Long Beach Boulevard and Imperial Highway intersection (highest CO generating intersection within the "hot spot" analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 7.7 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared. In contrast, an adverse CO concentration, known as a "hot spot," would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur.

The ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 0.9 ppm and 0.7 ppm, respectively. Therefore, even if the traffic volumes for the Project were double or even triple of the traffic volumes generated at the Long Beach Boulevard and Imperial Highway intersection, coupled with the ongoing improvements in ambient air quality, the Project would not be capable of resulting in a CO "hot spot" at any study area intersections. Impacts would be less than significant.

Construction-Related Diesel Particulate Matter

A Health Risk Assessment (HRA) was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from the California Office of Environmental Health Hazard Assessment (OEHHA).

Construction for the Project would begin in January 2023 and end in December 2024. The modeling assumed approximately 506 total working days for construction activity. Construction-related activities would result in Project-generated emissions of diesel particulate matter (DPM) from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activity, DPM is the primary toxic air contaminant of concern.

The sensitive receptor with the greatest potential exposure to Project construction DPM source emissions is a residential use which is located approximately 26 feet north of the Project site. As shown in **Table 4.2-8: Construction Risk Assessment Results**, at the Maximum Exposed Sensitive Receptor (MEIR), the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at 5.87 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. Therefore, construction risk levels would be less than SCAQMD thresholds and impacts would be less than significant.

Table 4.2-8: Construction Risk Assessment Results

Scenario	Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
1, 2	2 Year Exposure	Maximum Exposed Sensitive Receptor	5.87	10	NO
Scenario	Time Period	Location	Maximum Hazard Index	Significance Threshold	Exceeds Significance Threshold
1, 2	Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO

Refer to **Appendix 9.2.2** for model data.

Operational Impacts

An operational phase HRA was also conducted for this Project. An analysis of potential impacts to residential, workers and school aged children is discussed below.

Residential Exposure Scenario:

As mentioned above, the closest residential land use with the greatest potential exposure to Project DPM source emissions is located approximately 26 feet north of the Project Site. As shown in **Table 4.2-9: Operational Risk Assessment Results**, at the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 3.15 in one million under Scenario 1, and 3.60 in one million under Scenario 2, which is less than the SCAQMD’s significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01 for both scenarios, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance from the Project site and primary truck route than the MEIR analyzed herein, and Toxic Air Contaminant (TAC) generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project Site would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project would not cause a significant human health or cancer risk to nearby residences. Impacts would be less than significant.

Worker Exposure Scenario:

The worker receptor land use with the greatest potential exposure to Project is located approximately 200 feet west of Building 1. As shown in **Table 4.2-9: Operational Risk Assessment Results**, at the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.28 in one million for Scenario 1 and 0.30 for Scenario 2, which is less than the SCAQMD’s threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent workers. Impacts would be less than significant.

School Child Exposure Scenario:

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on California Air Resources Board (CARB) and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center. The 1,000-foot evaluation distance is supported by research-based findings concerning Toxic Air Contaminant (TAC) emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources.

A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust, and therefore provides a more health-protective scenario for evaluation than the 1,000-foot impact radius identified above.

There are no schools located within a 0.25 mile (1,320 feet) of the Project site. The nearest school is Romoland Elementary School, which is located approximately 1,885 feet northeast of the Project site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than 0.25 mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the Project. Impacts would be less than significant.

Table 4.2-9: Operational Risk Assessment Results

Scenario	Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
1	30 Year Exposure	Maximum Exposed Sensitive Receptor	3.15	10	NO
	25 Year Exposure	Maximum Exposed Worker Receptor	0.28	10	NO
2	30 Year Exposure	Maximum Exposed Sensitive Receptor	3.60	10	NO
	25 Year Exposure	Maximum Exposed Worker Receptor	0.30	10	NO
Scenario	Time Period	Location	Maximum Hazard Index	Significance Threshold	Exceeds Significance Threshold
1	Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO
	Annual Average	Maximum Exposed Worker Receptor	≤0.01	1.0	NO
2	Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO
	Annual Average	Maximum Exposed Worker Receptor	≤0.01	1.0	NO

Source: Appendix 9.2.2

Mitigation Measures

No mitigation is necessary.

Impact 4.2-4 *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Level of Significance: No Impact

The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources.

Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, the Project would not create objectionable odors, and no impact would occur.

Mitigation Measures

No mitigation is necessary.

4.2.6 Cumulative Impacts

Construction Impacts

The SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The mass-based regional significance thresholds published by the SCAQMD are designed to ensure compliance with both NAAQS and CAAQS and are based on an inventory of projected emissions in the SCAB. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. The Project construction-source emissions have the potential to exceed SCAQMD regional thresholds for VOC emissions prior to mitigation. **MM AQ-4** is designed to reduce Project construction-source VOC. Specifically, to reduce VOC emissions associated with architectural coating, **MM AQ-4** would require pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to

be utilized. The construction contractor shall be required to utilize “Super-Compliant” VOC paints, which are defined in SCAQMD’s Rule 1113. With implementation of **MM AQ-4**, Project construction-source emissions would not exceed SCAQMD regional thresholds for VOC emissions. Thus, with mitigation, the Project would result in a less than significant impact associated with construction activities.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCAA mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related projects. Compliance with SCAQMD rules and regulations would further reduce the Project construction-related impacts. Therefore, Project-related construction emissions, combined with those from other projects in the area, would not substantially deteriorate local air quality. Construction emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Operational Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SCAB’s existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

The proposed Project has the potential to result in cumulative impacts associated with ongoing operations for emissions of VOC and NO_x under Scenario 1 and emissions of NO_x under Scenario 2. As a result, operational emissions associated with the Project would result in a cumulatively considerable contribution to significant cumulative regional air quality impacts.

MM AQ-2 through **AQ-12** have been identified to reduce VOC and NO_x emissions. **MM AQ-2** prohibits off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day. **MM AQ-3** requires the Project Applicant to provide information on transit and ridesharing programs to construction employees. **MM AQ-4** requires the use of paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. **MM AQ-5** requires the preparation of a TDM program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. **MM AQ-6** requires the City of Menifee Building and Safety Division to confirm that the Project does not include cold storage, prior to the issuance of tenant occupancy permits. **MM AQ-7** requires the facility operator to provide tenants an information packet that provides information on incentive programs; the U.S. EPA SmartWay program; recommends the use of electric or alternatively fueled sweepers with HEPA filters; recommends the use of water-based or low VOC cleaning; and for occupants with more than 250 employees, information related to SCAQMD Rule 2202, which requires the establishment of a

transportation demand management program to reduce employee commute vehicle emissions. **MM AQ-8** requires the installation of air filtration in the unconditioned warehouse facility, with a minimum of 1 air change per hour, in order to promote worker well-being. **MM AQ-9** requires on-site outdoor cargo-handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be electric or non-diesel fueled. All on-site indoor forklifts shall be powered by electricity or other non-diesel fuel. **MM AQ-10** requires conduits for the installation of electrical hookups to allow future EV trucks and trucks with APU shall be installed at a ratio of one charging station for every 50 dock high doors. **MM AQ-11** requires that parking areas shall be designed to accommodate EV charging stations for passenger cars consistent with CalGreen requirements. Additionally, **MM AQ-12** requires that all landscaping equipment (e.g., leaf blower) used for property management shall be electric powered only.

Even with the Project's compliance with applicable rules and standard conditions, and the imposition of all feasible mitigation measures identified above, the Project's operational VOC and NO_x emissions under Scenario 1 and NO_x emissions under Scenario 2 would exceed the applicable regional thresholds of significance. As such, Project operational-source VOC and NO_x emissions (Scenario 1) or NO_x emissions (Scenario 2) are considered significant and unavoidable.

Therefore, the proposed Project would have the potential to result in a cumulatively considerable significant impact with respect to operational activity.

4.2.7 Significant Unavoidable Impacts

Impacts 4.2-1 and 4.2-2 contain potentially significant and unavoidable impacts. Specifically, significant unavoidable impacts would occur in the following areas despite the implementation of the Mitigation Program:

- The Project would conflict with or obstruct implementation of the applicable air quality plan (Impact 4.2-1).
- The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (Impact 4.2-2).
- The Project would result in significant cumulative air quality impacts.

4.2.8 References

Menifee Commerce Center, *Air Quality Impact Analysis City of Menifee*, Urban Crossroads, January 19, 2022.

Menifee Commerce Center, *Mobile Source Health Risk Assessment, City of Menifee*, Urban Crossroads, January 19, 2022.

4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

This section describes effects on biological resources that may result from implementation of the Menifee Commerce Center (Project). The following discussion addresses existing environmental conditions in the affected areas, identifies and analyzes environmental impacts of the Project, and recommends measures to reduce or avoid significant impacts anticipated from implementation of the Project. This includes construction and operations of the warehouse buildings. In addition, existing laws and regulations relevant to biological resources are described. In some cases, compliance with these existing laws and regulations will serve to reduce or avoid certain impacts that might otherwise occur with the implementation of the Project.

The setting, context, and impact analysis in this section are based primarily on biological resource studies conducted by ELMT Consulting and Searl Biological Services that are contained in **Appendix 9.3: Biological Resources Reports**:

- Searl Biological Services. September 2018. *Motte Rancon Distribution Center Western Riverside County MSHCP Burrowing Owl Assessment*;
- ELMT Consulting, Inc. October 2018. *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis*;
- ELMT Consulting, Inc. December 2020 and June 2021. *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Update for the Motte-Rancon Distribution Center Project (now referred to as the Menifee Commerce Center) Located in the City of Menifee, Riverside County, California* memoranda (**Appendix 9.3.1**); and
- ELMT Consulting, Inc. November 2021. *Fairy Shrimp Habitat Suitability Assessment for the Menifee Commerce Center Project Located in the City of Menifee, Riverside County, California* (**Appendix 9.3.2**).

4.3.2 Environmental Setting

Project Site Conditions

The majority of the Project site consists of vacant undeveloped land. There are also two existing non-conforming single-family residences and associated out structures located on APNs 331110027 and 331140018. The Project site has been subject to a variety of anthropogenic disturbances associated with agricultural activities. These disturbances have eliminated the natural plant communities that may have once occurred on the Project site, which has resulted in a majority of the Project site being dominated by non-native vegetation and heavily compacted soils.

Surrounding Land Uses

The Project site is located in an area that has undergone a transformation from agricultural land uses to residential and commercial developments. The eastern property is bordered by residential developments

and vacant/undeveloped parcels on its northern boundary, vacant/undeveloped parcels on its eastern boundary, a residential development and flood control channel on its southern boundary, and commercial and vacant parcels on its western boundary. The western property is bordered by commercial and residential developments on its northern boundary, vacant/undeveloped parcels on its western and eastern boundaries, and a flood control channel on its southern boundary. As part of the Project, off-site improvement would occur. Off-site improvements include the following; also refer to **Table 4.13-7**, of the **Section 4.13: Transportation**:

- Construct curb, sidewalk, bike lane, and driveway improvements on Trumble Road, Sherman Road, and Dawson Road adjacent to Project site.
- Provide roadway pavement on unpaved roadway sections adjacent to Project site.
- Provide roadway pavement on Sherman Road south of Project frontage to McLaughlin Road and on McLaughlin Road between Trumble Road and Sherman Road to provide a two-lane roadway.
- Signing/stripping to be implemented along with detailed construction plans for the Project site.
- Sight distance at the Project driveways would be reviewed with respect to City of Menifee standards at the time of preparation of final grading, landscape, site development, and street improvement plans.

As much of the Project site, the off-site areas that are to be improved have been previously disturbed as most of these are utilized for traffic movement around the Project site. The improvements would occur in areas currently in use. No undisturbed areas occur off-site and no impacts to biological resources occur from the implementation of off-site improvements.

Topography and Soils

The Project site is relatively flat with no areas of significant topographic relief at an elevation of approximately 1,435 feet above mean sea level. According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Resource Report, the Project site is underlain by the following soil units: Exeter sandy loam (2 to 8 percent slopes, eroded), Greenfield sandy loam (2 to 8 percent slopes, eroded), Monserate sandy loam (0 to 5 percent slopes), and Monserate sandy loam, shallow (5 to 15 percent slopes, eroded). Soils on-site have been mechanically disturbed and heavily compacted from historic land uses (i.e., agricultural activities).

Vegetation

Due to existing land uses (i.e., agricultural activities, disking, and weed abatement activities), no native plant communities or natural communities of special concern were observed on or adjacent to the Project site. Two plant communities were observed within the boundaries of the Project site during the habitat assessment: fallow agricultural land and eucalyptus stand (**Figure 4.3-1: Vegetation**). In addition, the Project site contains land cover types that would be classified as disturbed and developed. These communities are described in further detail below.

Fallow Agricultural Land

The majority of the Project site supports vacant/undeveloped land that has historically been used for agricultural purposes as observed by the presence of oats (*Avena ssp.*). Common plant species observed throughout this plant community included stinknet (*Oncosiphon piluliferum*), pigweed (*Chenopodium album*), London rocket (*Sisymbrium irio*), short-podded mustard (*Hirschfeldia incana*), mouse barley (*Hordeum murinum*), cheeseweed (*Malva parviflora*), ripgut (*Bromus diandrus*), Russian thistle (*Salsola tragus*), Shepard's purse (*Capsella bursa-pastoris*), and Chinese parsley (*Heliotropium curassavicum*).

Eucalyptus Stand

In the middle of the eastern property of the Project site, a small stand of eucalyptus trees (*Euclayptus ssp.*) were observed along Sherman Road. A row of eucalyptus trees, although primarily located outside of the Project boundaries, extends along Sherman Road on the western boundary of the eastern property and the eastern boundary of the western property.

Disturbed

Disturbed areas on the Project site are areas that consist of highly compacted/disturbed soils that no longer support a native plant community and are primarily composed of ruderal/non-native weedy plant species. Plant species observed within the disturbed land cover type were similar to the plant species observed within the fallow agriculture land, but the disturbed areas are located in areas not recently used for agriculture land uses on the perimeter of the Project site. The northern strip on the western property was an area not routinely maintained for weed abatement, the central polygon on the northwestern portion of the western property is used as a bicycle track, and the southern strip on the southern boundary of the western property was sparsely vegetated due to vehicular traffic.

Developed

Developed areas generally encompass all building/structures, parks, and paved, impervious surfaces. Residential development is located in the northwestern portion of the western property and southeastern portion of the eastern property within the Project footprint.

Wildlife

Plant communities provide foraging habitat, nesting and denning sites, and shelter from adverse weather or predation. The following subsections provide a discussion of those wildlife species that were observed during the field survey or that are expected to occur within the Project site. The discussion is to be used as a general reference and is limited by the season, time of day, and weather condition in which the field survey was conducted. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation.

Fish

The Multiple Species Habitat Conservation Plan (MSHCP) does not identify any covered or special-status fish species as potentially occurring on the Project site. Further, no fish or hydrogeomorphic features

(e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site.

Amphibians

The MSHCP does not identify any covered or special-status amphibian species as potentially occurring on the Project site. Further, no amphibians or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for amphibian species were observed on or within the vicinity of the Project site. Therefore, no amphibians are expected to occur on the Project site and are presumed absent.

Reptiles

The MSHCP does not identify any covered or special-status reptilian species as potentially occurring on the Project site. The Project site provides a limited amount of habitat for a few reptile species adapted to a high degree of human disturbance associated with the on-site agricultural activities and surrounding development. No reptiles were observed on-site. Common reptilian species that may occur on-site include Great Basin fence lizard (*Sceloporus occidentalis longipes*) common side-blotched lizard (*Uta stansburiana elegans*), gopher snake (*Pituophis catenifer*), and southern alligator lizard (*Elgaria multicarinata*). Due to the high level of anthropogenic disturbances on-site, and surrounding development, no special-status reptilian species are expected to occur on-site.

Birds

The Project site provides suitable foraging and cover habitat for a variety of resident and migrant bird species. A total of 15 bird species were detected during the field survey and included European starling (*Sturnus vulgaris*), ash-throated flycatcher (*Myiarchus cinerascens*), killdeer (*Charadrius vociferus*), northern rough-winged swallow (*Stelgidopteryx serripennis*), Anna's hummingbird (*Calypte anna*), rock pigeon (*Columba livia*), American crow (*Corvus brachyrhynchos*) American kestrel (*Falco sparverius*), house finch (*Haemorrhous mexicanus*), northern mockingbird (*Mimus polyglottos*), lesser goldfinch (*Spinus psaltria*), mourning dove (*Zenaida macroura*), red-tailed hawk (*Buteo jamaicensis*), Cassin's kingbird (*Tyrannus vociferans*), and Say's phoebe (*Sayornis saya*).

Nesting Birds

No active nests or birds displaying nesting behavior were observed during the updated field survey conducted on November 10, 2020 and then again in May 21, 2021. The Project site and surrounding area provides foraging and nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that are adapted to urban environments. The Project site has the potential to support birds that nest on open ground and shrubs, such as killdeer. Additional nesting habitat is present in the middle of the Project site within the eucalyptus stand that have the potential to provide suitable nesting opportunities for a variety of raptors.

Mammals

The MSHCP does not identify any covered or special-status mammalian species as potentially occurring on the Project site. The Project site and surrounding areas have the potential to support mammalian species adapted to human presence and disturbance. Mammalian species detected during the field survey included Botta's pocket gopher (*Thomomys bottae*), Audubon's cottontail (*Sylvilagus audubonii*) and California ground squirrel (*Spermophilus beecheyi*). Other common mammalian species that may occur include coyote (*Canis latrans*), opossum (*Didelphis virginiana*), and raccoon (*Procyon lotor*). No bat species are expected to occur due to a lack of suitable roosting habitat (i.e., trees, crevices, abandoned structures) within and surrounding the Project site.

Invertebrates

A fairy shrimp habitat suitability assessment for the Project was conducted, as demonstrated in a memorandum dated November 3, 2021, found in **Appendix 9.3.2**. The assessment was conducted to determine the ability of the Project site to provide suitable habitat for Riverside fairy shrimp (*Streptocephalus woottoni*), Santa Rosa Plateau fairy shrimp (*Linderiella santarosae*), and vernal pool fairy shrimp (*Branchinecta lynchi*), and determine the need to conduct focused surveys for fairy shrimp. One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. A review of recent and historic aerial photographs (1966-2018) of the Project site, and field surveys did not provide visual evidence of an astatic or vernal pool conditions within the Project site.

Below is a review of the three listed fairy shrimp species known to occur in western Riverside County:

Riverside fairy shrimp (Streptocephalus woottoni)

Riverside fairy shrimp are restricted to deep seasonal vernal pools, vernal pool like ephemeral ponds, and stock ponds and other human modified depressions. They prefer warm-water pools that have low to moderate dissolved solids, are less predictable, and remained filled for extended periods of time. In Riverside County, Riverside fairy shrimp have been found in pools formed over the following soils: Murrieta stony clay loams, Las Posas series, Wyman clay loam, and Willows soils. The soils that Riverside fairy shrimp are typically associated within Riverside County do not occur on-site. Further, soils on-site have been mechanically disturbed and heavily compacted from historic land uses. Due to the lack of soils associated with Riverside fairy shrimp, routine on-site anthropogenic disturbances, and lack of astatic water conditions, the site was determined not to provide suitable habitat for Riverside fairy shrimp.

Santa Rosa Plateau fairy shrimp (Linderiella santarosae)

Santa Rosa Plateau fairy shrimp are restricted to seasonal southern basalt flow vernal pools with cool clear to milky waters that are moderately predictable and remain filled for extended periods of time and are known only from vernal pool on the Santa Rosa Plateau. The Project site is not located within the known area where Santa Rosa Plateau fairy shrimp have been documented and no vernal pools were observed on-site; therefore, the site was determined not to provide suitable habitat for Santa Rosa Plateau fairy shrimp.

Vernal pool fairy shrimp (Branchinecta lynchi)

Vernal pool fairy shrimp are restricted to seasonal vernal pools (vernal pools and alkali vernal pools) and prefer cool-water pools that have low to moderate dissolved solids, are unpredictable, and often short lived. The vernal pool fairy shrimp is known from four locations in Western Riverside County MSHCP Plan Area: Skunk Hollow, the Santa Rosa Plateau, Salt Creek, and the vicinity of the Pechanga Indian Reservation. Since the Project site is not located within or adjacent to the four known populations, has been heavily disturbed by existing agricultural activities, does not support saline-alkali soils, and no astatic water conditions were observed on-site, the site was determined not to provide suitable habitat for vernal pool fairy shrimp.

4.3.3 Regulatory Setting

Federal

Endangered Species Act of 1973

Federally listed threatened and endangered species and their habitats are protected under provisions of the Federal Endangered Species Act (ESA). Section 9 of the Federal ESA prohibits “take” of threatened or endangered species. “Take” under the ESA is defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct.” The presence of any federally threatened or endangered species that are in a project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under the regulations of the Federal ESA, the U.S. Fish and Wildlife Service (USFWS) may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

Critical Habitat is designated for the survival and recovery of species listed as threatened or endangered under the Federal ESA. Critical Habitat includes those areas occupied by the species, in which are found physical and biological features that are essential to the conservation of a Federal ESA listed species and which may require special management considerations or protection. Critical Habitat may also include unoccupied habitat if it is determined that the unoccupied habitat is essential for the conservation of the species.

Whenever federal agencies authorize, fund, or carry out actions that may adversely modify or destroy Critical Habitat, they must consult with USFWS under Section 7 of the Federal ESA. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highway Administration or a permit from the USACE).

If the USFWS determines that Critical Habitat will be adversely modified or destroyed from a proposed action, the USFWS will develop reasonable and prudent alternatives in cooperation with the federal institution to ensure the purpose of the proposed action can be achieved without loss of Critical Habitat. If the action is not likely to adversely modify or destroy Critical Habitat, the USFWS will include a statement in its biological opinion concerning any incidental take that may be authorized and specify terms and conditions to ensure the agency is in compliance with the opinion.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 U.S. Government Code [USC] 703) makes it unlawful to pursue, capture, kill, possess, or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in wildlife protection treaties between the United States, Great Britain, Mexico, Japan, and the countries of the former Soviet Union, and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 Code of Federal Regulations [CFR] 10, 21).

The MBTA covers the taking of any nests or eggs of migratory birds, except as allowed by permit pursuant to 50 CFR, Part 21. Disturbances causing nest abandonment and/or loss of reproductive effort (i.e., killing or abandonment of eggs or young) may also be considered “take.” This regulation seeks to protect migratory birds and active nests.

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: Accipitridae (kites, hawks, and eagles); Cathartidae (New World vultures); Falconidae (falcons and caracaras); Pandionidae (ospreys); Strigidae (typical owls); and Tytonidae (barn owls). The provisions of the 1972 amendment to the MBTA protects all species and subspecies of the families listed above. The MBTA protects over 800 species including geese, ducks, shorebirds, raptors, songbirds, and many relatively common species.

State

California Environmental Quality Act

The California Environmental Quality Act (CEQA) provides for the protection of the environment within the State of California by establishing State policy to prevent significant, avoidable damage to the environment through the use of alternatives or mitigation measures for projects. It applies to actions directly undertaken, financed, or permitted by State lead agencies. Section 15380 of the CEQA Guidelines independently defines “endangered” and “rare” species separately from the definitions of the California ESA. Under CEQA, “endangered” species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while “rare” species are defined as those who are in such low numbers that they could become endangered if their environment worsens.

California Endangered Species Act

In addition to federal laws, the state of California implements the California ESA which is enforced by the CDFW. The California ESA program maintains a separate listing of species beyond the Federal ESA, although the provisions of each act are similar.

State-listed threatened and endangered species are protected under provisions of the California ESA. Activities that may result in “take” of individuals (defined in California ESA as; “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) are regulated by CDFW. Habitat

degradation or modification is not included in the definition of “take” under California ESA. Nonetheless, CDFW has interpreted “take” to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take, as defined above.

The CDFW has also produced a species of special concern list to serve as a species watch list. Species on this list are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of special concern may receive special attention during environmental review, but they do not have formal statutory protection. At the federal level, the USFWS also uses the label species of concern, as an informal term that refers to species which might be in need of concentrated conservation actions. As the Species of Concern designated by USFWS do not receive formal legal protection, the use of the term does not necessarily ensure that the species will be proposed for listing as a threatened or endangered species.

Fish and Game Code

Fish and Game Code (FGC) §§ 3503, 3503.5, 3511, and 3513 are applicable to natural resource management. For example, § 3503 of the FGC makes it unlawful to destroy any birds’ nest or any birds’ eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks, eagles, and owls) are protected under § 3503.5 of the FGC which makes it unlawful to take, possess, or destroy their nest or eggs. A consultation with CDFW may be required prior to the removal of any bird of prey nest that may occur on a project site. Section 3511 of the FGC lists fully protected bird species, where the CDFW is unable to authorize the issuance of permits or licenses to take these species. Pertinent species that are fully protected by the State include golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*). Section 3513 of the FGC makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Native Plant Protection Act

Sections 1900–1913 of the Fish and Game Code were developed to preserve, protect, and enhance Rare and Endangered plants in the State of California. The act requires all state agencies to use their authority to carry out programs to conserve endangered and rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use which would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

California Native Plant Society Rare and Endangered Plant Species

Vascular plants listed as rare or endangered by the California Native Plant Society (CNPS), but which have no designated status under Federal ESA or California ESA are defined as follows:

California Rare Plant Rank

- 1A - Plants Presumed Extirpated in California and either Rare or Extinct Elsewhere
- 1B - Plants Rare, Threatened, or Endangered in California and Elsewhere
- 2A - Plants Presumed Extirpated in California, But More Common Elsewhere
- 2B - Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
- 3 - Plants about Which More Information is Needed - A Review List
- 4 - Plants of Limited Distribution - A Watch List

Threat Ranks

- .1 - Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- .2 - Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
- .3 - Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

Regional

Western Riverside County Multiple Species Habitat Conservation Plan

The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on conservation of species and their associated habitats in western Riverside County. The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region.

The approval of the MSHCP and execution of the Implementing Agreement (IA) by the wildlife agencies allows signatories of the IA to issue “take” authorizations for all species covered by the MSHCP, including state- and federal-listed species as well as other identified sensitive species and/or their habitats. Each city or local jurisdiction will impose a Development Mitigation Fee for projects within their jurisdiction. With payment of the mitigation fee to the County and compliance with the survey requirements of the MSHCP where required, full mitigation in compliance with the CEQA, National Environmental Policy Act (NEPA), California ESA, and Federal ESA will be granted. The Development Mitigation Fee varies according to project size and project description. The fee for industrial development is \$5,620 per acre (County Ordinance 810.2)¹. Payment of the mitigation fee and compliance with the requirements of Section 6.0 of the MSHCP are intended to provide full mitigation under CEQA, NEPA, California ESA, and Federal ESA for impacts to the species and habitats covered by the MSHCP pursuant to agreements with the USFWS, the

¹ Riverside County. Amended 2003. *Ordinance No. 810.2*. <https://www.rivcocob.org/ords/800/810.htm> (accessed March 2021).

CDFW, and/or any other appropriate participating regulatory agencies and as set forth in the IA for the MSHCP.

Local

City of Menifee General Plan

Open Space and Conservation Element

The City of Menifee's Open Space and Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the City's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.²

Goals and policies from the Open Space and Conservation Element applicable to the Project include:

Goal OSC-8 **Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.**

Policy OCS-8.4 Identify and inventory existing natural resources in the City of Menifee.

Policy OCS-8.5 Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.

4.3.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project would have a significant environmental impact if one or more of the following occurs:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- 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;

² City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Methodology and Assumptions

The Project site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to biological resources. This analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Feasible mitigation measures are recommended, when warranted, to avoid or lessen the Project's significant adverse impacts.

Approach to Analysis

This analysis of impacts on biological resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site, and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on the aforementioned biological resources studies; review of maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a project would or would not result in "substantial" adverse effects on biological resources considers how the potential for development and operation of the site would affect the resources.

4.3.5 Impacts and Mitigation Measures

Impact 4.3-1 *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Special Status Plants

According to the California Natural Diversity Database (CNDDDB) and CNPS, 24 special-status plant species have been recorded in the Romoland and Perris quadrangles. The Project site primarily consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances from agricultural activities. These disturbances have resulted in a majority of the Project site being dominated by non-native vegetation and heavily compacted soils which has reduced, if not eliminated, the ability of the Project site to provide suitable habitat for special-status plant species.

No special-status plant species were observed on-site during the field survey. On-site disturbances have reduced, if not eliminated, the ability of the Project site to provide suitable habitat for special-status plant

species. Based on habitat requirements for specific special-status plant species and the availability and quality of habitat needed by each species, it was determined that the Project site does not provide suitable habitat for any of the special-status plant species that were determined to have the potential to occur in the vicinity of the Project site.

Special Status Plant Communities

The CNDDDB lists two special-status plant communities as being identified within the Romoland and Perris USGS 7.5-minute quadrangles: Southern Coast Live Oak Riparian Forest, and Southern Cottonwood Willow Riparian Forest. None of these special-status plant communities occur within the boundaries of the Project site.

Special Status Wildlife

According to the CNDDDB, 69 special-status wildlife species have been reported in the Romoland and Perris quadrangles. No special-status wildlife species were observed on-site during the habitat assessment. In addition, no fairy shrimp nor suitable habitat for the shrimp was identified during the fairy shrimp habitat suitability assessment. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a low potential to provide suitable habitat for Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), great egret (*Ardea alba*), great blue heron (*Ardea herodias*), northern harrier (*Circus cyaneus*), snowy egret (*Egretta thula*), white-tailed kite, long-billed curlew (*Numenius americanus*), black-crowned night heron (*Nycticorax nycticorax*), and white-faced ibis (*Plegadis chihi*); and a moderate potential to provide suitable habitat for burrowing owl (*Athene cunicularia*), California horned lark (*Eremophila alpestris actia*), and San Diego black-tailed jackrabbit (*Lepus californicus bennettii*). Further it was determined that the Project site does not provide suitable habitat for any of the other special-status wildlife species known to occur in the area since the Project site has been heavily disturbed from on-site disturbances and existing development.

No special-status wildlife species were observed during the field investigation. Based on the field investigation, it was determined that the Project site has a low potential to provide habitat for tricolored blackbird (*Agelaius tricolor*). All remaining special-status wildlife species are presumed to be absent from the Project site based on habitat requirements, availability and quality of habitat needed by each species, and known distributions.

In order to ensure impacts to the aforementioned species do not occur from site development, a pre-construction nesting bird clearance survey would be conducted within three days prior to ground disturbance in accordance with **Mitigation Measure (MM) BIO-1**. With implementation of **MM BIO-1**, impacts to the aforementioned species would be less than significant.

Fairy Shrimp

Based on an assessment of species composition, hydrology, soils analysis, and individual characteristics for each of the listed fairy shrimp known in western Riverside County, it was determined that the Project site does not support riparian/riverine habitat or vernal pools, and, therefore, does not provide suitable

habitat for federally/State and/or MSHCP listed fairy shrimp. Due to the lack of riparian/riverine habitat and vernal pools, the Project site was determined not provide suitable habitat for federally/State and/or MSHCP listed fairy shrimp, and focused surveys for fairy shrimp are not required per the MSHCP. No impact would occur to fairy shrimp.

Burrowing Owl

Burrowing owl is currently designated as a California Species of Special Concern. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drainpipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

A focused burrowing owl survey was conducted during the 2018 breeding season. The focused surveys were conducted on April 24, May 18 and 30, and June 10, 2018. No burrowing owls or sign (pellets, feathers, castings, or white wash) were observed on the Project site during the focused surveys. Out of an abundance of caution, and to ensure burrowing owl remain absent from the Project site, a pre-construction burrowing owl clearance survey would be conducted 30 days prior to any ground disturbing activities in accordance with the **MM BIO-2** and the 2006 Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area.

Overall, based on the Project footprint, and with the implementation of **MM BIO-1** and **MM BIO-2**, none of the special-status species known to occur in the general vicinity of the Project site will be directly or indirectly impacted from implementation of the Project. A less than significant impact would occur with mitigation incorporated.

Mitigation Measures

MM BIO-1 If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) will be determined by the wildlife biologist, and will depend on the level of noise and/or surrounding disturbances, line of sight between the nest and the construction activity, ambient noise, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of

construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

MM BIO-2 The Project Developer shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey would be submitted to the City prior to obtaining a grading permit. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If burrowing owl are detected during the pre-construction survey, the Project applicant and a qualified consulting biologist would be required to prepare and submit for approval to the City a burrowing owl mitigation program in accordance with MSHCP protocol.

Impact 4.3-2 *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Level of Significance: No Impact

Review of the USFWS's National Wetland Inventory mapper did not identify any riparian habitat on the Project site.³ In October of 2005 a concrete pad was installed immediately east of the northeast corner of the eastern property. Due to the installation of the concrete pad, storm water from the adjacent residential/commercial developments northeast of the Project site was conveyed along the northern boundary of the concrete pad (east of the Project site) and outlets onto the northeast corner of the Project site. The storm flows onto the Project site are not expected to flow during most storm events. There are no existing blue line streams traversing the Project site, and water flows from the off-site feature do not leave the Project site. Based on the information above, the on-site feature dissipates/infiltrates on-site and does not present a surface hydrologic connection to any downstream waters. No jurisdictional drainage features, riparian/riverine areas, wetlands, or vernal pools were observed within the Project site during the field survey. Therefore, regulatory approvals from the USACE, RWQCB, or CDFW, or a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis under the MSHCP would not be required and no impact would occur.

Mitigation Measures

No mitigation is necessary.

³ USFWS. 2021. *National Wetlands Inventory Wetlands Mapper*. <https://www.fws.gov/wetlands/data/mapper.html> (accessed June 2021).

Impact 4.3-3 *Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Level of Significance: No Impact

Review of the USFWS's National Wetland Inventory mapper did not identify any wetlands on the Project site.⁴ See Impact 4.3-2 above. The Project would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, no impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.3-4 *Would the project 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?*

Level of Significance: Less than Significant Impact

The Project site has not been identified as a wildlife corridor or linkage. The proposed development would be confined to existing areas that have been heavily disturbed and surrounded by development. The Project site is isolated from regional wildlife corridors and linkages, and there are no riparian corridors, creeks, or useful patches of stepping-stone habitat (natural areas) within or connecting the Project site to distant wildlife corridors. As such, development of the Project site is not expected to impact wildlife movement opportunities or prevent distant wildlife corridors from continuing to function as a wildlife corridor. Therefore, impacts to wildlife corridors or linkages are not expected to occur and impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.3-5 *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Level of Significance: Less than Significant Impact

The Project would be constructed in compliance with the requirements of the Menifee General Plan (GP) and the Menifee Municipal Code (MC). The Menifee GP provides goals and policies for the conservation of biological resources. Goal OSC-8 protects biological resources and Policy OCS-8-5 calls for the recognition of the impacts new development will have on the city's natural resources and to identify ways to reduce these impacts.

The purpose of Chapter 9.200: Tree Preservation of the Comprehensive Development Code is to “protect trees, considered to be a valuable community resource, from indiscriminate cutting or removal, to ensure

⁴ Ibid.

and enhance public health, safety and welfare through proper care, maintenance and preservation of trees. Such landscaping, irrigation systems and tree preservation represent a substantial investment in and potential benefit to the community. Heritage trees such as those with certain characteristics (age, size, species, location, historical influence, aesthetic quality or ecological value) are subject to special attention and preservation efforts.”

The majority of the Project site supports vacant/undeveloped land that has historically been used for agricultural purposes. However, in the middle of the eastern property of the Project site a small stand of eucalyptus trees was observed along Sherman Road. A row of eucalyptus trees, although primarily located outside of the project boundaries, extends along Sherman Road on the western boundary of the eastern property and the eastern boundary of the western property. Eucalyptus trees are a non-native species and this stand of trees would be considered nuisance trees as defined in § 9.200.030(A) of the Comprehensive Development Code.

Upon Project completion, tree maintenance would be conducted in accordance with § 9.200.060 of the Comprehensive Development Code, as follows:

- A. **Industry standard maintenance.** All trees on public and private property, within all zoning districts, shall be maintained in accordance with industry standards and in accordance with the International Society of Arboriculture or ANSI A 300 tree care standards.
- B. **Free of damage.** Builders shall be required to prune, treat and maintain existing trees and plant new ones in such a fashion that when the trees come under the purview of the City, an association, or a private property owner, the trees will be free of damage, pests, diseases and dead branches. The trees shall be in good biological and aesthetic condition upon acceptance.
- C. **Trees overhanging a street.** Pruning of branches is required so that branches shall not significantly obstruct a streetlight or the view of a street intersection. There shall be a clear space of 14.5 feet above the surface of the street and 8 feet above the sidewalk. The owner shall remove all dead, diseased or dangerous trees or portions of trees with broken or decayed limbs which may pose a threat to public safety.

Through adherence to the Comprehensive Development Code and the above guidelines, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.3-6 ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

The Project site is located in the City of Menifee within the Harvest Valley/Winchester Area Plan of the MSHCP. The City is a permittee under the MSHCP and, while the Project is not specifically identified as a

Covered Activity under Section 7.1 of the MSHCP, public and private development that is outside of Criteria Areas and Public/Quasi-Public (P/QP) Lands is permitted under the MSHCP, subject to consistency with MSHCP policies that apply to areas outside of Criteria Areas. As such, to achieve coverage, the Project must be consistent with the following policies of the MSHCP:

- The policies for the protection of species associated with riparian/riverine areas and vernal pools as set forth in Section 6.1.2 of the MSHCP;
- The policies for the protection of narrow endemic plant species as set forth in Section 6.1.3 of the MSHCP;
- Vegetation mapping requirements as set forth in Section 6.3.1 of the MSHCP;
- The requirements for conducting additional surveys as set forth in Section 6.3.2 of the MSHCP; and
- Fuels management guidelines as set forth in Section 6.4 of the MSHCP.

The Project site was reviewed to determine consistency with the MSHCP.

Riparian/Riverine Areas and Vernal Pools

The MSHCP requires that an assessment be completed if impacts to riparian/riverine areas and vernal pools would occur as a result of implementation of the proposed project. According to the MSHCP, the documentation for the assessment shall include mapping and a description of the functions and values of the mapped areas with respect to the species listed in Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*.

Aerial photography was reviewed prior to conducting the field investigation. The aerials were used to locate and inspect potential natural drainage features, ponded areas, or water bodies that may be considered riparian/riverine habitat and/or fall under the jurisdiction of the USACE, RWQCB, or CDFW. In general, surface drainage features indicated as blue-line streams on U.S. Geological Survey (USGS) maps that are observed or expected to exhibit evidence of flow are considered potential riparian/riverine habitat and are also subject to State and federal regulatory authorities.

No jurisdictional drainage features, riparian/riverine areas, or vernal pools were observed within the Project site during the field survey. Therefore, a DBESP analysis under the MSHCP would not be required. Also, see Impact 4.3-2.

Narrow Endemic Plant Species

Section 6.1.3 of the MSHCP, *Protection of Narrow Endemic Plant Species*, states that the MSHCP database does not provide sufficient detail to determine the extent of the presence/distribution of Narrow Endemic Plant Species within the MSHCP Plan Area. Additional surveys may be needed to gather information to determine the presence/absence of these species to ensure that appropriate conservation of these species occurs. Based on the Western Riverside County Regional Conservation Authority (RCA) MSHCP Information Map query and review of the MSHCP, it was determined that the Project site is not located within the designated survey area for Narrow Endemic Plant Species as depicted in Figure 6-1 within

Section 6.3.2 of the MSHCP. Additionally, based on the results of the field investigation, it was determined that the Project site does not provide suitable habitat for any of the Narrow Endemic Plant Species.

Additional Survey Needs and Procedures

Section 6.3.2 of the MSHCP, *Additional Survey Needs and Procedures*, states that additional surveys may be needed for certain species in order to achieve coverage for these species. Based on the RCA MSHCP Information Map query and review of the MSHCP, it was determined that the Project site is located within the designated survey area for burrowing owl as depicted in Figure 6-4 within Section 6.3.2 of the MSHCP.

A focused burrowing owl survey was conducted during the 2018 breeding season. The focused surveys were conducted on April 24, May 18 and 30, and June 10, 2018, and no burrowing owls or sign were observed. These 2018 conditions were reconfirmed in November 10, 2020 and then again on May 21, 2021. Out of an abundance of caution, and to ensure burrowing owl remain absent from the Project site, a pre-construction burrowing owl clearance survey would be conducted pursuant to **MM BIO-2**.

Vegetation within and surrounding the Project site has the potential to provide refuge cover from predators, perching sites and favorable conditions for avian nesting that could be impacted by construction activities associated with the Project. Nesting birds are protected pursuant to the MBTA and California Fish and Game Code (§§ 3503, 3503.5, 3511, and 3513 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs). In order to protect migratory bird species, a nesting bird clearance survey would be conducted pursuant to **MM BIO-1**.

Fuels Management

Section 6.4 of the MSHCP, *Fuels Management*, focuses on hazard reduction for humans and their property. It requires fuels management practices to be compatible with public safety as well as the conservation of biological resources. A project must comply with MSHCP fuels management requirements in order to be in compliance.

Urban/Wildlands Interface Guidelines

Section 6.1.4 of the MSHCP, *Guidelines Pertaining to Urban/Wildlands Interface*, is intended to address indirect effects associated with development in proximity to MSHCP Conservation Areas. The Urban/Wildlife Interface Guidelines are intended to ensure that indirect project-related impacts to the MSHCP Conservation Area, including drainage, toxics, lighting, noise, invasive plant species, barriers, and grading/land development, are avoided or minimized. The Project site is not located within or adjacent to any conservation areas, any Criteria Cells, conservation areas, cores, or linkages identified within the MSHCP. Therefore, the Urban/Wildlands Interface Guidelines do not apply to this Project.

Stephens' Kangaroo Rat Habitat Conservation Plan

Separate from the consistency review addressing the policies of the MSHCP, Riverside County established a boundary in 1996 for protecting the Stephens' kangaroo rat (*Dipodomys stephensi*), a federally endangered and state threatened species. The Stephens' kangaroo rat is protected under the Stephens'

Kangaroo Rat Habitat Conservation Plan (County Ordinance No. 663.10; SKR HCP). As described in the MSHCP Implementation Agreement, a § 10(a) Permit, and California Fish and Game Code § 2081 Management Authorization were issued to the Riverside County Habitat Conservation Agency (RCHCA) for the Long-Term SKR HCP and was approved by the USFWS and CDFW in August 1990. Relevant terms of the SKR HCP have been incorporated into the MSHCP and its Implementation Agreement. The SKR HCP will continue to be implemented as a separate HCP; however, to provide the greatest conservation for the largest number of Covered Species, the Core Reserves established by the SKR HCP are managed as part of the MSHCP Conservation Area consistent with the SKR HCP. Actions shall not be taken as part of the implementation of the SKR HCP that will significantly affect other Covered Species. Take of Stephens' kangaroo rat outside of the boundaries but within the MSHCP area is authorized under the MSHCP and the associated permits. The Project site is located within the Mitigation Fee Area of the SKR HCP. Therefore, the Project applicant would be required to pay the SKR HCP Mitigation Fee prior to development of the Project site.

With completion of recommendations provided above and payment of the MSHCP Local Development Mitigation and SKR HCP Mitigation fees, development of the Project site is fully consistent with the MSHCP.

Mitigation Measures

MMs BIO-1 and BIO-2.

4.3.6 Cumulative Impacts

For purposes of biological resources, cumulative impacts are considered for projects located within the City of Menifee; see **Table 3-1: List of Cumulative Projects**. As discussed above, all Project potential impacts to biological resources would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards, including the MSHCP, and implementation of EIR mitigation measures. Cumulative projects would require implementation of the same measures as the Project, such as the MBTA and BUOW pre-construction surveys. There were no special-status plant or animal species observed on the Project site and the presence of such species on the Project is unlikely. However, implementation of mitigation would avoid potential impacts to burrowing owls and nesting bird species that have even a low potential to occur on the Project site. In addition, the Project would not impact jurisdictional waters of the U.S. or State, including wetlands.

As discussed above, Project-level impacts to biological resources would be less than significant. Standard regulatory requirements and procedures are required of other present and reasonably foreseeable future projects. As a result, the Project taken in sum with past, present, and reasonably foreseeable projects would not result in cumulatively considerable impacts on biological resources.

4.3.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.3.8 References

City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*.

<https://www.cityofmenifee.us/250/Open-Space-Conservation-Element>.

ELMT Consulting, Inc. 2018. *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis*.

ELMT Consulting Inc. 2020 and 2021. *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Update for the Motte-Rancon Distribution Center Project (now referred to as the Menifee Commerce Center) Located in the City of Menifee, Riverside County, California memoranda*.

ELMT Consulting, Inc. 2021. *Fairy Shrimp Habitat Suitability Assessment for the Menifee Commerce Center Project Located in the City of Menifee, Riverside County, California*.

Riverside County. Amended 2003. *Ordinance No. 810.2*. <https://www.rivcocob.org/ords/800/810.htm>.

Searl Biological Services. 2018. *Motte Rancon Distribution Center Western Riverside County MSHCP Burrowing Owl Assessment*.

USFWS. 2021. *National Wetlands Inventory Wetlands Mapper*.

<https://www.fws.gov/wetlands/data/mapper.html>.



Source: ELMT Consulting (2021) Habitat Assessment and Western Riverside MSHCP Conservation Plan

Figure 4.3-1: Vegetation
 City of Menfee
 Menfee Commerce Center



Not to Scale

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4.4 CULTURAL RESOURCES

4.4.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to cultural resources, identify potential impacts that could result from Menifee Commerce Center (Project) implementation, and as necessary, recommend mitigation to avoid or reduce the significance of impacts.

Information in this section is based primarily on the following source, found in **Appendix 9.4 Cultural Resources Report**:

- Jean A. Keller, Ph.D. 2021. *A Phase I Cultural Resource Assessment (CRA) of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements (Appendix 9.4.1)*.

Additional resource information was obtained from available public resources, including among others, the City of Menifee General Plan (GP).

Cultural Resources Terminology and Concepts

Key terms and concepts used in this section to describe and assess the potential cultural resource impacts are defined below:

Archeological Site. A site is defined by the National Register of Historic Places (NRHP) as the place or places where the remnants of a past culture survive in a physical context that allows for the interpretation of these remains. Archeological remains usually take the form of artifacts (e.g., fragments of tools, vestiges of utilitarian or non-utilitarian objects), features (e.g., remnants of walls, cooking hearths, or midden deposits), and ecological evidence (e.g., pollen remaining from plants that were in the area when the activities occurred). Prehistoric archaeological sites generally represent the material remains of Native American groups and their activities dating to the period before European contact. In some cases, prehistoric sites may contain evidence of trade contact with Europeans. Ethnohistoric archaeological sites are defined as Native American settlements occupied after the arrival of European settlers in California. Historic archaeological sites reflect the activities of non-native populations during the Historic period.

Artifact. An object that has been made, modified, or used by a human being.

Cultural Resource. A cultural resource is a location of human activity, occupation, or use identifiable through field inventory, historical documentation, or oral evidence. Cultural resources include archaeological resources and built environment resources (sometimes known as historic architectural resources), and may include sites, structures, buildings, objects, artifacts, works of art, architecture, and natural features that were important in past human events. They may consist of physical remains or areas where significant human events occurred, even though evidence of the events no longer remains. Cultural resources also include places that are of traditional, cultural, or religious importance to social or cultural groups.

Cultural Resources Study Area (or study area). All areas of potential permanent and temporary impacts for a reasonable worst-case development within a project site and off-site impact areas.

Ecofact. An object found at an archaeological site that has an archaeological significance but has not been technologically altered, such as seeds, pollens, or shells.

Ethnographic. Relating to the study of human cultures. “Ethnographic resources” represent the heritage resource of an ethnic or cultural group, such as Native Americans or African, European, Latino, or Asian immigrants. They include traditional resource-collecting areas, ceremonial sites, value-imbued landscape features, cemeteries, shrines, or ethnic neighborhoods.

Historic Period. The period that begins with the arrival of the first non-native population and thus varies by area.

Historical Resource. This term is used for the purposes of California Environmental Quality Act (CEQA) and is defined in the State CEQA Guidelines (14 California Code of Regulations [CCR] § 15064.5) as: (1) a resource listed in, or determined to be eligible for listing in the California Register of Historical Resources (CRHR); (2) a resource included in a local register of historical resources, as defined in Public Resources Code (PRC) § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Historical resources may also include tribal cultural resources including sites, features, places, cultural landscapes, sacred places, objects, and/or archeological resources with value to a California Native American Tribe per PRC § 21074.

Isolate. An isolated artifact or small group of artifacts that appear to reflect a single event, loci, or activity. Isolates typically lack identifiable context and thus have little interpretative or research value. Isolates are not considered to be significant under CEQA and do not require avoidance mitigation (PRC § 21083.2 and State CEQA Guidelines § 15064.5). All isolates located during the field effort, however, are recorded and the data are transmitted to the appropriate California Historical Resources Information System (CHRIS) Information Center.

Lithic. Of or pertaining to stone. Specifically, in archaeology, lithic artifacts are chipped or flaked stone tools, and the stone debris resulting from their manufacture.

Native American Sacred Site. An area that has been, or continues to be, of religious significance to Native American peoples, such as an area where religious ceremonies are practiced or an area that is central to their origins as a people.

Prehistoric Period. The era prior to 1772. The later part of the prehistoric period (post-1542) is also referring to as the protohistoric period in some areas, which marks a transitional period during which native populations began to be influenced by European presence resulting in gradual changes to their lifeways.

Stratigraphy. The natural and cultural layers of soil that make up an archaeological deposit, and the order in which they were deposited relative to other layers.

Tribal Cultural Resource. This term refers to a site, feature, place, cultural landscape, sacred place, object, or archaeological resource with cultural value to a California Native American tribe that is listed or eligible for listing in national, California, or local registers. A lead agency also has the discretion to determine that a resource is a tribal cultural resource if the determination is supported by substantial evidence. Tribal cultural resources are addressed in **Section 4.14, Tribal Cultural Resources**.

Unique Archeological Resource. This term is used for the purposes of CEQA and is defined in PRC § 21083.2(g) as an archaeological artifact, object, or site, about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it either contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information; has a special and particular quality such as being the oldest of its type or the best available examples of its type; or, is directly associated with a scientifically recognized important prehistoric or historic event or person.

4.4.2 Environmental Setting

The Project site is located in the City of Menifee (City), western Riverside County (County). It is situated in the Perris Valley, within a topographically diverse region that is defined by the Lakeview Mountains to the northeast, Bell Mountain to the southeast, Sedco Hills to the southwest, and Lake Mathews to the northwest. Based on information provided by the County, elevations are essentially 1,434 feet above mean sea level (AMSL) across the Project site. The Project is situated in the Perris Peneplain, a portion of the Northern Peninsular Range Province of Southern California. The Perris Peneplain is a broad valley bounded on three sides by mountain ranges: the San Jacinto Mountains on the east, the San Bernardino Mountains on the north, and the Santa Ana Mountains on the southwest. The northwestern extent of the Perris Peneplain is the Santa Ana River. The Peneplain is a large depositional basin composed primarily of materials eroded from the granitic bedrock surfaces of the Southern California Batholith. The geological composition of the Project site is representative of the region as a whole, with alluvial fans and terraces formed by local granitic bedrock decomposition. Bedrock outcrops suitable for use in food processing, rock art, or shelter by indigenous peoples of the region are not present within the boundaries of the Project site. Loose lithic material is very sparse, and none observed would have been suitable for tool production by Native Americans who occupied this area.¹

See **Section 4.14: Tribal Cultural Resources** for the Ethnographic Setting.

Prehistory

On the basis of currently available archaeological research, occupation of southern California by human populations is believed to have begun at least 10,000 years ago. Theories proposing much earlier occupation, specifically during the Pleistocene Age, exist but at this time archaeological evidence has not

¹ Jean A. Keller, Ph.D. 2021. *A Phase I Cultural Resource Assessment of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements*.

been fully substantiating. Therefore, only human occupation within the past 10,000 years will be addressed.

A time frame of occupation may be determined on the basis of characteristic cultural resources. These comprise what are known as cultural traditions or complexes. It is through the presence or absence of time-sensitive artifacts at a particular site that the apparent time of occupation may be suggested.

In general, the earliest established cultural tradition in southern California is accepted to be the San Dieguito Tradition, first described by Malcolm Rogers in the 1920's. The San Dieguito people were nomadic large-game hunters whose tool assemblage included large domed scrapers, leaf-shaped knives and projectile points, stemmed projectile points, chipped stone crescentics, and hammerstones. The San Dieguito Tradition was further divided into three phases: San Dieguito I is found only in the desert regions, while San Dieguito II and III occur on both sides of the Peninsular Ranges. Rogers felt that these phases formed a sequence in which increasing specialization and refinement of tool types were the key elements. Although absolute dates for the various phase changes have not been hypothesized or fully substantiated by a stratigraphic sequence, the San Dieguito Tradition as a whole is believed to have existed from approximately 7000 to 10,000 years ago (8000 to 5000 Before the Common Era [BCE]).

Throughout southwestern California, the La Jolla Complex followed the San Dieguito Tradition. The La Jolla Complex, as first described by Rogers (1939, 1945), then redefined by Harding (1951), is recognized primarily by the presence of millingstone assemblages within shell middens. Characteristic cultural resources of the La Jolla Complex include basined millingstones, unshaped manos, flaked stone tools, shell middens, and a few Pinto-like projectile points. Flexed inhumations under stone cairns, with heads pointing north, are also present.

The La Jolla Complex existed from 5500 to 1000 BCE. Although there are several hypotheses to account for the origins of this complex, it would appear that it was a cultural adaptation to climatic warming after c. 6000 BCE. This warming may have stimulated movements to the coast of desert peoples who then shared their millingstone technology with the older coastal groups. The La Jolla economy and tool assemblage seems to indicate such an infusion of coastal and desert traits instead of a total cultural displacement.

The Pauma Tradition, as first identified by D.L. True in 1958, may be an inland variant of the La Jolla Complex, exhibiting a shift to a hunting and gathering economy, rather than one based on shellfish gathering. Implications of this shift are an increase in number and variety of stone tools and a decrease in the amount of shell. At this time, it is not known whether the Pauma Complex represents the seasonal occupation of inland sites by La Jolla groups or whether it represents a shift from a coastal to a non-coastal cultural adaptation by the same people.

The late period is represented by the San Luis Rey Complex, first identified by Meighan (1954) and later redefined by True et al (1974). Meighan divided this complex into two periods: San Luis Rey I (1400-1750 CE) and the San Luis Rey II (1750-1850 CE). The San Luis Rey I type component includes cremations, bedrock mortars, millingstones, small triangular projectile points with concave bases, bone

awls, stone pendants, *Olivella* shell beads, and quartz crystals. The San Luis Rey II assemblage is the same as San Luis Rey I, but with the addition of pottery vessels, cremation urns, tubular pipes, stone knives, steatite arrow straighteners, red and black pictographs, and such non-aboriginal items as metal knives and glass beads. Inferred San Luis Rey subsistence activities include hunting and gathering with an emphasis on acorn harvesting.²

History

Four principal periods of historical occupation existed in southern California: the Protohistoric Period (1540-1768 CE), the Spanish Mission Period (1769-1830 CE), the Mexican Ranch Period (1830-1860 CE), and the American Developmental Period (1860 CE-present). For discussion of the first three periods see the CRA in **Appendix 9.4.1**. The American Developmental Period is discussed below.

In the final period of historical occupation, the American Developmental Period (1860 CE - present), the first major changes in the study area took place as a result of land issues addressed in the previous decade. Following completion of the General Land Office surveys, large tracts of federal land became available for sale and for preemption purposes, particularly after Congress passed the Homestead Act of 1862. California was eventually granted 500,000 acres of land by the federal government for distribution, as well as two sections of land in each township for school purposes. Much of this land was located in the southern portion of the state. Under the Homestead Act of 1862, 160-acre homesteads were available to citizens of the United States (or those who had filed an intention to become one) who were either the head-of-household or a single person over the age of 21 (including women). Once the homestead claim was filed the applicant had six months to move onto the land and was required to maintain residency for five years as well as to build a dwelling and raise crops. Upon completion of these requirements the homesteader had to publish intent to close on the property in order to allow others to dispute the claim. If no one did so the homesteader was issued a patent to the property, thus conveying ownership. Individuals were attracted to the federal lands by their low prices and as a result, the population began to increase in regions where the lands available for homestead were located. It was at this time that the region of Southern California which became Riverside County saw an influx of settlers as well as those seeking other opportunities, including gold mining. As Anglo-Americans came to this region in increasing numbers, the continued existence of Native Americans in the area was threatened as what little remained of their traditional lands after being stolen by the Spanish Missions and Mexican Ranchos, were taken from them.

On March 17, 1882, the California Southern Railroad commenced service, extending from National City near the Mexican border in San Diego County, northerly to Temecula and Murrieta, across the Perris Valley, down the Box Springs Grade, and on to the City of San Bernardino. Under the supervision of chief engineer Frederick Thomas Perris, the railway had been completed through the Perris Valley early in 1882 and settlers rushed to the region to homestead and buy railroad land. The original rail station in this area was the town of Pinacate, located approximately two miles south of the present City of Perris. Unfortunately, from the time the first train came through Temecula on its way to from National City to San Bernardino, the California Southern Railroad had been plagued by flooding and washouts in Temecula

² Ibid.

Canyon. Railway service was disrupted for months at a time and a fortune was spent on rebuilding the washed-out tracks. Finally, in 1891 the Santa Fe Railroad constructed a new line from Los Angeles to San Diego down the coast and when later that year the California Southern Railway's route through Temecula Canyon once again washed out, that portion of the line was discontinued.

Despite the presence of the California Southern Railroad in the region, it was a different railway line that was constructed near the northern boundary of what is now the Project site. The California Central Railway, with headquarters in San Bernardino, was incorporated on April 23, 1887, and operated rail lines from May 20, 1887, to November 7, 1889. On June 30, 1888, it began operations as a subsidiary of the Atchison, Topeka, and Santa Fe Railway. At its peak, the California Central Railway operated 250 miles of rail line with 14 steam locomotives, 14 passenger cars and 83 freight cars. On December 31, 1888, the railway was valued at \$12,914,000.00. California Central Railway was consolidated with the California Southern Railroad and the Redondo Beach Railway into the Southern California Railway Company on November 7, 1889.

Although the railway's main lines were from San Bernardino to Los Angeles, Oceanside to Los Angeles, and Highgrove to Orange, it also ran a 19-mile line in Riverside County between Perris and San Jacinto, and it is this line that ran a short distance to the north of the Project site's northern boundary. The San Jacinto Railway had incorporated on March 7, 1887, in Riverside County, but had never actually started work on any rail lines. California Central Railway purchased the San Jacinto Railway, obtained the needed right-of-way land, then started the rail work in 1887. This branch of rail line ran from Perris to San Jacinto and started operation on May 20, 1888, with the first train arriving at Winchester.

Around the time that the California Southern Railroad commenced service, Mr. L. Menifee Wilson, a 20-year-old from Kentucky, moved to the area and located what appears to have been the first gold quartz mine in southern California. The mine was located approximately eight miles south of Perris and was named the Menifee Quartz Lode. Hundreds of gold mining claims were subsequently filed in the region around Menifee's mine and this area became known as Menifee and the Menifee Valley. Gold quartz discoveries in the Winchester, Perris, Murrieta, and Wildomar areas further fueled the belief that the entire region was one of unsurpassed mineral wealth; the Romoland gold mine was located approximately one mile to the south of the Project site. Wilson was one of the major proponents of this belief and in addition to his original mine, claimed several others in the general area.

From the time of L. Menifee Wilson's first gold discovery in the early 1880's, gold production through hard rock mining in western Riverside County increased considerably, reaching its peak in 1895. At that time the value of gold produced was reported in the Mining and Scientific Press (Vol. 85) as being \$285,106. Although the gold value was still relatively high in 1896 (\$262,800), from that point on production decreased substantially every year until in 1917 and the value of gold was reported as being zero.

Based on numerous reports found in local newspapers such as the Winchester Record, Perris New Era, and Riverside's Press and Horticulturist, the gold boom in western Riverside County was rather short-lived, occurring primarily between late 1893 and mid-1895. During this period, there were almost daily articles enthusiastically touting the number of new mining claims being recorded, yields from the various

operations, and the resultant population boom as news of the region's mineral wealth spread. Several of the new mining claims were in the same region where the Project site is located. By early 1896, the mining related articles were less frequent and often lamented the closing of mines, which was generally due to the lack of water necessary for processing gold-bearing ore. By this time, a far greater emphasis began to be placed on the agricultural potential of the area. Replacing daily reports on gold yields from the mines were crop yields and bushel reports from the growing number of farms in western Riverside County. Although settlers continued to move into this region and a number of small towns developed, the migration was less dynamic than it had been during the early years of the gold rush and the region retained a fairly rural flavor until the last decades of the 20th century.

Among the settlers who came to western Riverside County in the late 19th century to pursue agricultural endeavors was Ethan Allen Chase. Mr. Chase originally hailed from Maine, but moved to New York and with his brothers, established the large and lucrative Chase Brothers Nursery Company. In the winter of 1891, Chase came to California. After traveling throughout southern California, he arrived in Riverside and immediately recognized the opportunities offered by the soil and climate. Chase invested in property and established the Chase Nursery Company, which initially focused on 1,200 acres of land purchased south of Corona, 700 acres of which were planted in oranges and lemons. This property became known as the Chase Plantation. Seeking to expand his holdings, Chase came to the Perris Valley in 1898 with his sons - Martin, Frank, and Harry - and purchased 1,200 acres of land with an eye toward establishing a dairy colony called Ethanac. According to Chase's sons, the name Ethanac came from combining their father's first name with the initials of his middle and last names. Chase sunk numerous wells, built an electric station capable of pumping enough water for his needs, graded the land so that it was totally level, and planted almost the entire acreage in alfalfa. Largely as a result of Chase's efforts, Ethanac became a prosperous town, with the right-of-way for the Southern California Railway along its northern boundary and its own Ethanac rail station complete with agent and operators. Ethanac Siding was located less than one-half mile north of the Project. The Ethanac Post Office was established on June 25, 1900. Shortly thereafter, the Temescal Water Company bought out the interests of Ethan Allen Chase and sons with payment in part being in the form of stock in the company. From 1901 through 1920, the Temescal Water Company diverted water from Ethanac to Corona, ceasing only when the water level in Ethanac's wells dropped so low that the salinity of the water became unacceptable. Without water, the town of Ethanac eventually died. This is particularly interesting because in 1924, after the town of Ethanac died due to their actions, the Temescal Water Company set aside a portion of the land they had purchased from Chase and developed the +640-acre Trumble Farms subdivision, consisting of 128 lots, each approximately five acres in size. The Project site includes several lots from the former Trumble Farms. No information has been found alluding to the source of the development's name. Archival records list no one in the area with that surname between 1890 and 1930, so perhaps Trumble was affiliated with the Temescal Water Company.

In February of 1925, the Pacific Mutual Life Insurance Company developed a community named "Romola Farms," which was comprised of small ranches four to five acres in size that were offered for the cultivation of fig trees. The community proved to be so popular that a large number of similar tracts were created by different developers. The first of these subsequent tracts, "Romola Farms No. 2," was platted in June of 1925 for the Los Angeles Missionary and Church Extension Society of Methodist Episcopal

Church; several others (Romola Farms Nos. 3, 4, etc.) followed the same year. Due to the popularity of the Romola Farms concept, a proposal was put forth to change the name of the Ethanac Post Office, located across the road from the original Romola Farms, to Romola. Unfortunately, the Post Office Department decided that this name was far too similar to the Ramona Post Office in San Diego County and would thus create confusion, so they denied the application. An application to change the name to Romoland Post Office was accepted, and on August 16, 1926, it became the official designation. The origin of the name “Romola” has never been revealed.³

Project Cultural Resources Inventory

A literature review and records search were requested from the Eastern Information Center (EIC), University of California, Riverside, on May 24, 2018. This inventory request included the Project area and a one-mile radius around the Project area, collectively termed the Project study area. The objective of the records search was to identify prehistoric or historical cultural resources that have been previously recorded within the study area during prior cultural resource investigations.

As part of the cultural resources inventory, historical maps and aerial images were also examined to characterize the developmental history of the Project area and surrounding area. The Native American Heritage Commission (NAHC) was also contacted to request a review of the Sacred Lands File (SLF) to identify any known Native American cultural resources that may be present in the Project area. A summary of the results of the record search and background research are provided below.

Records Search Results and Additional Sources

Prior to commencement of the Phase I Cultural Resources Assessment field survey, a request for a records search was submitted on May 24, 2018, to EIC. The results of the records search, received on May 29, 2018, included a review of all site maps, site records, survey reports, and mitigation reports relevant to the study area. The following documents were also reviewed: the National Register of Historic Places (NRHP), the California Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility, and the California OHP Historic Property Directory. On May 25, 2018, a request for a SLF search was submitted to the NAHC, with results received on May 30, 2018. Project scoping letters were sent to 17 tribal representatives listed as being interested in project development within the City on May 31, 2018. Assembly Bill 52 were sent to tribal representatives on January 17, 2019 and Senate Bill 18 letters were sent on January 28, 2019.

Results of the records search conducted by EIC on May 29, 2018 indicated that the Project site had been wholly or partially included in four previous cultural resources studies (two additional studies were incorrectly mapped and did not actually include any of the Project property). No archaeological sites of prehistoric (i.e., Native American) or historical origin had been recorded within the property boundaries during field surveys conducted in association with these studies. The Project site is located in a well-studied area with 39 cultural resources studies having been conducted within a one-mile radius. During the course of field surveys for these studies, 26 cultural resources properties have been recorded.

³ Ibid.

Of these sites, only three, which are all historical-period residences, are within one-quarter mile of the Project. Fifteen cultural resources properties are located within a 0.25 – 0.50-mile radius of the Project site, eight of which are segments of historical roads or in one case, a railroad track. The remaining seven recorded sites are an interesting mix of prehistoric and historical cultural resources, with four sites representing the prehistoric period, two sites representing the historical period, and one site representing a mix of both. Six cultural resources properties have been recorded within a 0.5 – 0.75-mile radius of the Project. Of these, two sites represent only the prehistoric period of occupation, while the remaining four are a mix of both prehistoric and historical cultural resources. Two of the latter sites are large and have substantial surface and subsurface cultural deposits representing both periods of occupation, while the other two have only very limited resources.

A search of the SLF was completed on May 30, 2018, by the NAHC for the Project site and based on the provided USGS quadrangle information, the search had negative results. At the time of the cultural investigation, responses to the 17 project scoping letters sent to tribal representatives on May 31, 2018, have been received from the Cahuilla Band of Indians, Pechanga Cultural Resources (Temecula Band of Luiseño Mission Indians), Morongo Band of Mission Indians Tribal Historic Preservation Office, and the Rincon Band of Luiseño Indians Cultural Resource Department. Copies of all tribal responses are included in the appendix of the CRA located in **Appendix 9.4.1**. The AB 52 and SB 18 consultation letters can be found in **Appendix 9.4.1** and are discussed further in **Section 4.14: Tribal Cultural Resources**.

Field Investigation and Results

The original comprehensive pedestrian field surveys of the Project site were conducted on June 19, 23, and 24, 2018. The surveys were accomplished by first dividing the Project site into three sections of approximately 25 acres each: the land west of Sherman Road, the northern half of the property east of Sherman Road, and the southern half of the property east of Sherman Road. Each parcel was surveyed, beginning at its northeastern corner, in parallel transects at 15-meter intervals. Each parcel survey proceeded in a generally east-west, west-east direction following the existing land contours. The land immediately surrounding the single-family residence and garage was not surveyed, but this was not considered to have had a negative impact on the survey results considering that the entire area has been cleared, developed, and the majority was covered by parked vehicles. Special attention was given to the percolation tests, the area in which the 1953 USGS Romoland topographic map showed a structure, and the areas in which the eucalyptus trees had been planted. All of what was then the Project site was accessible for survey with the exception of land covered by large piles of dirt comprising the “jumps” and those areas in which abundant refuse has been dumped on and around Sherman Road. Ground surface visibility was virtually 100 percent due to recent disking.

The Phase I Cultural Resources Assessment was amended to include a comprehensive pedestrian field survey of the subject property and all potential off-site improvements areas for the purpose of locating, documenting, and evaluating all existing cultural resources within its boundaries. Off-site improvements include the following; also refer to Table 4.13-7, of the Section 4.13, Transportation:

- Construct curb, sidewalk, bike lane, and driveway improvements on Trumble Road, Sherman Road, and Dawson Road adjacent to Project site.

- Provide roadway pavement on unpaved roadway sections adjacent to Project site.
- Provide roadway pavement on Sherman Road south of Project frontage to McLaughlin Road and on McLaughlin Road between Trumble Road and Sherman Road to provide a two-lane roadway.
- Signing/stripping to be implemented along with detailed construction plans for the Project site.
- Sight distance at the Project driveways would be reviewed with respect to City of Menifee standards at the time of preparation of final grading, landscape, site development, and street improvement plans.

The pedestrian surveys were conducted on May 28 and June 4, 2021. Land added to the Project site since the 2018 study included a 2.39-acre parcel of land at the southeastern corner of the original property boundaries and a 0.98-acre parcel located north of what had been the northeastern property boundaries. The 0.98-acre parcel was surveyed in parallel transects at 15-meter intervals, beginning at the northeastern corner and continuing in an east-west, west-east direction following existing land contours. Due to recent vegetation clearance, ground surface visibility averaged approximately 75 percent. Surveying the 2.39-acre parcel using standard parallel transects was somewhat problematic because the entire parcel has been fully developed as a horse ranch and residence. The western one-third of the parcel, used as an arena, was surveyed in parallel transects at 15-meter intervals, beginning at the northeastern corner, and continuing in an east-west, west-east direction. Ground surface visibility was 100 percent. Most of the eastern two-thirds of the parcel is covered by various structures, equipment, material storage – and of course, horses – that are associated with the existing residence and horse ranch. Consequently, it was not possible to survey this area in parallel transects at regular intervals and ground surface visibility was substantially limited. Instead, all open areas were surveyed as comprehensively as possible, and the time was spent interviewing the Chamberlains, who have lived on the property since 1997, to learn whether they had observed evidence of cultural resources.

4.4.3 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) was passed in 1966 and is codified in Title 16, Section 470 et seq. of the U.S. Code (USC). The goal of the Act is to ensure federal agencies act as responsible stewards of our nation's resources when their actions affect historic properties. Among the regulations of the NHPA, Section 106 requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Properties (ACHP) a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by ACHP. See Title 36 Code of Federal Regulations (CFR) Part 800, "Protection of Historic Properties."

Section 106 applies when two thresholds are met: 1) there is a federal or federally licensed action, including grants, licenses and permits, and 2) that action has the potential to affect properties listed in or eligible for listing in the NRHP. Section 106 requires each federal agency to identify and assess the effects of its actions on historic resources. The responsible federal agency must consult with appropriate state and local officials, Indian Tribes, applicants for federal assistance and members of the public, and consider

their views and concerns about historic preservation issues when making final project decisions. The agency should also plan to involve the public and identify any other potential consulting parties. If the agency determines that it has no undertaking or that its undertaking is a type of activity that has no potential to affect historic properties, the agency has no further Section 106 obligations.

Pursuant to Section 106, impacts to a cultural site or artifact must be declared “significant,” “potentially significant” or “not significant.” Under NHPA regulations, impacts to “significant” archeological sites must be mitigated for, while “not significant” archeological remains need not. A “potentially significant” determination is utilized when there is not enough information to make a conclusive ruling. NHPA mitigation would not be necessary for archeological sites avoided during development.

National Register of Historic Places

Developed in 1981 pursuant to Title 36 CFR Section 60, the NRHP provides an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment. It should be noted that the listing of a private property on the NRHP does not prohibit any actions which may otherwise be taken by the property owner with respect to the property. The listing of sites in California to the NRHP is initiated through an application submitted to the State OHP. Applications deemed suitable for potential consideration are handled by the State Historic Preservation Officer (SHPO). All NRHP listings for sites in California are also automatically added to the CRHR by the State of California. The listing of a site on the NRHP does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA (and NEPA [National Environmental Protection Act]) review to be satisfied prior to the approval of any discretionary action occurring that might adversely affect the resource.

National Historic Landmarks Program

The National Historic Landmarks (NHL) Program, developed in 1982 and as authorized by the Historic Site Act, identifies and designates NHLs to “encourage the long-range preservation of nationally-significant properties that illustrate or commemorate the history and prehistory of the U.S.” The program is administered by the Department of the Interior pursuant to 36 CFR Section 65.5. Unlike any of the other state or federal registries, sites listed on the NHL are explicitly preserved and protected from harm under federal law.

Antiquities Act of 1906

The only federal law protecting fossil resources on public lands is the Antiquities Act of 1906 (16 USC 431 433). Enacted when Theodore Roosevelt was president, the Antiquities Act was designed to protect nonrenewable fossil and cultural resources from indiscriminate collecting. NEPA (42 USC 4321) directs Federal agencies to use all practicable means to “...preserve important historic, cultural, and natural aspects of our national heritage...”.

Actions by the U.S. Army Corps of Engineers

Appendix C of Title 33 CFR Section 325 establishes procedures to be followed by the U.S. Army Corps of Engineers (USACE) to fulfill the requirements of the NHPA, as well as other applicable historic preservation laws and Presidential directives related to historic resources potentially affected by USACE actions (including issuance of permits pursuant to the federal Clean Water Act [CWA]). It specifies that when a project's authorization requires a federal action (for example, issuance of permit pursuant to Section 404 of the CWA), the project must comply with the requirements of Section 106 of the NHPA.

State

AB 52 and SB 18 are addressed in **Section 4.14: Tribal Cultural Resources**.

California Register of Historical Resources

The State's OHP manages and oversees the CRHR, which is intended to serve as "an authoritative guide to the state's significant historical and archeological resources." As outlined in PRC § 5020 et seq., resources listed must meet one of four "significance criteria" related to events, people, construction/artistic value, or information. Sites must also retain sufficient integrity to convey their significance. The CRHR includes a number of type resources, including: all properties listed in or determined formally eligible for listing in the NRHP; all California Historical Landmarks from #770 onward; specific California Historical Landmarks issued prior to #770 and certain California Points of Historical Interest, as deemed appropriate for listing by the California Historic Resources Commission; and any properties nominated per OHP regulations. California Historical Landmarks are intended to recognize resources of statewide significance. Points of Historical Interest recognize resources of local or countywide significance. Lastly, as mentioned above, all NRHP listings within California are automatically added to the CRHR. The listing of a site on a California State register does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA review to be satisfied prior to any discretionary action occurring that might adversely affect the resource.

California Code of Regulations

CCR Title 14 § 1427 recognizes that "California's archaeological resources are endangered by urban development and population growth and by natural forces." Accordingly, the State Legislature finds that "these resources need to be preserved in order to illuminate and increase public knowledge concerning the historic and prehistoric past of California." Lastly, it states that any person "not the owner thereof, who willfully injures, disfigures, defaces or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor." The code also specifies that it is a misdemeanor to "alter any archaeological evidence found in any cave or to remove any materials from a cave."

California Health and Safety Code (Sections 7050.5, 7051, and 7054)

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code (HSC) collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the PRC), as well as the disposition of Native American burials in archaeological sites and protects such

remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

California Environmental Quality Act

The Project is subject to compliance with CEQA, as amended. Compliance with CEQA statutes and guidelines requires both public and private projects with financing or approval from a public agency to assess the project's impact on cultural resources (PRC §§ 21082, 21083.2 and 21084 and CCR § 10564.5). The first step in the process is to identify cultural resources that may be impacted by the project and then determine whether the resources are "historically significant" resources.

CEQA defines historically significant resources as "resources listed or eligible for listing in the California Register of Historical Resources" (PRC § 5024.1). A cultural resource may be considered historically significant if the resource is 45 years old or older, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and meets any of the following criteria for listing on the CRHR:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history (PRC § 5024.1).

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance. CEQA states that if a project will have a significant impact on important cultural resources, deemed "historically significant," then project alternatives and mitigation measures must be considered.

Local

City of Menifee General Plan

Open Space & Conservation Element

The City of Menifee's Open Space & Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the city's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.⁴

⁴ City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

Goal OSC-5 **Archaeological, historical, and cultural resources are protected and integrated into the city's-built environment**

Policy OCS-5.1 Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.

Policy OCS-5.4 Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.

4.4.4 **Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G has been used as significance criteria in this section. Accordingly, the Project may have a significant environmental impact if one or more of the following occurs:

- Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on cultural resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on site conditions at the time of field reconnaissance conducted by Jean A. Keller, Ph.D.; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local

planning documents. The determination that any components of the Project may result in “substantial” adverse effects on historical and archaeological resources and human remains considers the existing site’s historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.4.5 Impacts and Mitigation Measures

Impact 4.4-1 *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

Level of Significance: Less than Significant Impact

Construction and Operations

During the original 2018 field survey of the Project, a previously unrecorded historical site was observed and recorded within the roadway, shoulders, and rights-of way of Sherman Road. This site, assigned Primary Number P-33-028203 by the EIC, is comprised exclusively of two linear alignments of eucalyptus trees on either side of Sherman Road, south of Ethanac Road and north of McLaughlin Road. Photographic evidence indicates that these trees existed at least as early as 1938, although it is probable that they were planted in conjunction with the Trumble Farms subdivision developed by the Temescal Water Company in 1924. Several sections of the original tree line have been removed in conjunction with land development north and south of the Project site. Development of Sherman Road as a Collector Road would necessitate that the remaining trees be removed, particularly those that encroach in the roadway and shoulders of the road.

Despite comprehensive research of available sources, no information regarding these tree alignments could be located. Sherman Road marked the center of the Trumble Farms subdivision and was the entry point from Romoland to the development, so it is probable that the company planted the trees as a beautification and enticement element, an entry statement to the project. However, no information could be found supporting this inferred context.

According to the *Regulations for California Register of Historical Resources* formally adopted by the State Historical Resources Commission on January 1, 1998, an historical resource must be significant at the local, state, or national level under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
2. It is associated with the lives of persons important to local, California, or national history; or
3. It embodies the distinctive characteristics of type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
4. It has yielded, or has the potential to yield, information important to the prehistory of the local area, California, or the nation.

Based on the eligibility criteria, there is no known connection to an event or person important to state or local history, the trees do not represent unique or artistic endeavors, and as far as can be ascertained, no further information regarding their origin and existence is available. In consideration of these points, it was determined that the tree alignments of historical site P-33-028203 do not represent a significant cultural resource according to CEQA criteria. As such, CEQA does not require further consideration of the resource and mitigation for removal of the trees is not legally mandated.

According to the cultural resources investigation, four sites of historical origin have previously been recorded on roads that potentially would be subject to improvement. Three houses, P-33-015382, P-33-015383, and P-33-015389, constructed in 1934, 1918, and 1960, respectively, are located on Ethanac Road. Due to additions and modernization of these residences, they were determined to possess a low degree of historical integrity at the time of recordation, and as such, were not considered significant according to CEQA criteria. The fourth historical-era site (P-33-020502/CA-RIV-10403), recorded in 2011, is comprised of two segments of Sherman Road. This site designation would typically apply to the entirety of the road, but the survey and recordation only covered 15 meters of roadway. Since the portion of Sherman Road recorded as a site was already an improved road, no further research or mitigation was recommended. As a result of the cultural resource records search and intensive pedestrian survey, each of the four previously recorded historical-era sites were field checked, but nothing further was done since they had already been recorded as not being significant per CEQA criteria.

No other historic-age resources were observed within the Project boundaries or within any of the potential road improvement areas. Several sites of historical origin had previously been recorded on or nearby the site however, at the time of the most recent cultural investigation, they were determined to possess a low degree of historical integrity and as such, are not considered significant according to CEQA criteria. Overall, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. A less than significant impact would occur.

Mitigation Measures

No mitigation is required.

Impact 4.4-2 ***Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Cultural Resources Assessment did not encounter any prehistoric or archaeological resources within the Project site. Outside the Project site, 12 prehistoric archaeological sites have been recorded within a 1.0-mile radius. All 12 sites are located between 0.25 and 1.00 miles of the Project site. P-33-011465, P-33-011466, P-33-011467, P-33-024206, and P-33-028165 are the closest of the 12 sites to the Project site. Each of these sites lies approximately 0.25– 0.50 mile from the Project site. There are no locations of archaeological interest recorded within a 0.25-miles of the Project site. Each of the locations is listed and briefly characterized in **Table 4.4-1: Archaeological Site Located Within the Study Area Search Radius.**

Table 4.4-1: Archaeological Site Located Within the Study Area Search Radius

Primary (Trinomial)	Description	Distance from Property (in miles)
33-011465 (CA-RIV-6843)	2 bedrock milling features with 2 slicks on each; no subsurface deposit	0.25 – 0.50
33-011466 (CA-RIV-6844H)	2 bedrock milling features with 43 surfaces (1 mortar, 2 basins, 43 slicks), 1 mano; no subsurface deposit	0.25 – 0.50
33-011467 (CA-RIV-6845)	5 bedrock milling features with a total of 7 slicks, sparse lithic scatter (one debitage, 4 flakes); 7 manos, 1 metate fragment, 2 debitage, 3 flakes, & 1 scraper from test unit	0.25 – 0.50
33-011468 (CA-RIV-6846H)	7 bedrock milling features with 10 slicks, no artifacts	0.75 – 1.00
33-11469 (CA-RIV-6847)	2 bedrock milling features with 2 slicks each	0.50 – 0.75
33-011470 (CA-RIV-6848H)	7 bedrock milling features with 12 slicks & 1 basin; Testing revealed 1,251 artifacts (2 manos, 227 debitage, 1,011 flakes, 1 hammerstone, 4 bifaces, 5 scrapers, 1 multi-use hammerstone/core, 15.0 grams fire-affected rock, 181.3 grams animal bone).	0.50 – 0.75
33-011471 (CA-RIV-6849H)	53 bedrock milling features with 125 surfaces (87 slicks, 27 rubs, 6 basins, 2 ovals, 2 mortars, 1 collar). Testing revealed 1,469 artifacts (5 manos, 1 metate, 1 core, 303 debitage, 1,129 flakes, 1 core, 4 hammerstones, 3 bifaces, 1 perforator, 1 projectile point, 7 scrapers, 12 utilized or retouched specimens, 1 multi-use core/hammerstone, 0.1- gram charcoal, 157.2 grams of animal bone).	0.50 – 0.75
33-011472 (CA-RIV-6850)	1 bedrock milling feature with 3 slicks	0.50 – 0.75
33-018085 (CA-RIV-9288)	1 slick	0.50 – 0.75
33-018086 (CA-RIV-9289)	1 slick	0.50 – 0.75
33-024206	1 core	0.25 – 0.50
33-028165	Polished bowl-shaped carvings on a boulder, similar to bedrock mortars, but mostly on vertical surface of boulder	0.25 – 0.50
Source: Jean A. Keller, Ph.D. August 2021. <i>A Phase I Cultural Resource Assessment (CRA) of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements.</i>		

Given the negative results of the assessment, no additional work in conjunction with cultural resources is recommended for the Project. The cultural report did not warrant or recommend further monitoring as the chance of encountering buried archaeological deposits is considered very low. However, to avoid any inadvertent discovery of archaeological resources, monitoring of future earth-disturbing activities will be conducted according to COA-CUL-1 through COA-CUL-8. Additionally, a record search of the NAHC SLF was completed for the area of potential effect “the Project site” and the search returned negative results. Therefore, the Project’s potential impacts concerning the significance of an archaeological resource would be less than significant. Adherence to Standards Conditions of Approval COA-CUL-3 through COA-CUL-7 would further minimize impacts.

Mitigation Measures

No mitigation is required.

Impact 4.4-3 *Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

Level of Significance: Less than Significant Impact

Construction and Operations

No formal cemeteries are on or near the Project site. Most Native American human remains are found in association with prehistoric archaeological sites. Given the very low potential for the Project's ground-disturbing activities to encounter archaeological remains, human remains to be potentially encountered are considered low. Notwithstanding, if previously unknown human remains are discovered during the Project's ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur.

COA-CUL-1 and COA-CUL-2 are required to reduce potentially significant impacts to previously unknown human remains that may be unexpectedly discovered during project implementation to a less than significant level. COA-CUL-1 requires that in the unlikely event that human remains are uncovered the contractor is required to halt work in the immediate area of the find and to notify the County Coroner, in accordance with HSC § 7050.5, who must then determine whether the remains are of forensic interest. If the Coroner, with the aid of a supervising archaeologist, determines that the remains are or appear to be of a Native American, he/she must contact the NAHC for further investigations and proper recovery of such remains, if necessary. Impacts would be less than significant with implementation of the aforementioned Standard Conditions.

Further, pursuant to PRC § 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the NAHC shall be contacted within the period specified by law (24 hours). Subsequently, the NAHC shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in PRC § 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the Project area shall also be subject to consultation between appropriate representatives from that group and the Community Development Director. Thus, compliance with the above-referenced state laws would reduce impacts to less than significant levels.

Mitigation Measures

No mitigation is required.

Standard Conditions of Approval

COA-CUL-1 **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

COA-CUL-2

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

COA-CUL-3

Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- a. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- c. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- d. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they

are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.

- e. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”

COA-CUL-4

Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
 - ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
 - iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have

been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

COA-CUL-5

Archeologist Retained. Prior to issuance of a grading permit the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.

The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.

In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take

the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis;

- c. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

COA-CUL-6 **Native American Monitoring (Soboba and Morongo Band of Mission Indians).** Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseno Indians and Morongo Band of Mission Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

COA-CUL-7 **Native American Monitoring (Pechanga).** Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

COA-CUL-8 **Archeology Report - Phase III and IV.** Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and

one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

4.4.6 Cumulative Impacts

As concluded above, with the implementation of **COA-CUL 1-8**, the Project would not cause an adverse change in the significance of a historical resource pursuant to State CEQA Guidelines § 15064.5. Therefore, no cumulative impact concerning historical resources would occur.

As discussed above, the potential, although very low, exists for undiscovered archaeological resources to be adversely impacted during Project construction. Cumulative projects could involve actions that damage known or as-yet undiscovered archaeological cultural resources specific to those development sites. However, as with the Project, all cumulative development would undergo environmental and design review on a project-by-project basis pursuant to CEQA to evaluate potential impacts to cultural resources. This would include studies of historical and archaeological cultural resources that are present or could be present within a development site. Additionally, cumulative development would be subject to compliance with the established federal, state, and local regulatory framework concerning the protection of cultural resources on a project-by-project basis. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. The Project's cumulative impacts to archaeological cultural resources would be less than significant given compliance with the established regulatory framework and standard conditions of approval.

As concluded above, previously undiscovered human remains could be encountered during Project construction activities; however, a less than significant impact would occur in this regard following compliance with the established state regulatory framework and conditions of approval. Cumulative development could impact previously undiscovered human remains during construction. However, all cumulative development would undergo environmental review on a project-by-project basis to evaluate the site-specific archaeological sensitivity. Additionally, cumulative development would be subject to compliance with the established state regulatory framework concerning the discovery of human remains on a project-by-project basis. The Project's cumulative impacts concerning the potential to disturb human remains would be less than significant given compliance with the established regulatory framework would be required.

4.4.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.4.8 References

City of Menifee. City of Menifee General Plan, (2013). *Open Space and Conservation Element*. Retrieved from: <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element>.

Jean A. Keller, Ph.D. 2021. *A Phase I Cultural Resources Assessment of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements*.

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4.5 ENERGY

4.5.1 Introduction

According to California Environmental Quality Act (CEQA) Guidelines § 15126.2(b), § 15126.4 (a)(1)(C), and Appendix F, the goal of conserving energy implies the wise and efficient use of energy including decreasing reliance on natural gas and oil and increasing reliance on renewable energy sources (renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat). The Menifee Commerce Center (Project) would be constructed to Title 24 standards, which are designed to reduce energy demand in all new construction.

This section describes the existing setting of the Project as it relates to energy conservation, identifies associated regulatory conditions and requirements, presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project, and identifies mitigation measures to reduce or avoid potential significant impacts. The significance of each impact is included at the end of this section. This analysis is based primarily on the following energy report located **Appendix 9.5: Energy Report:**

- Urban Crossroads. 2022. *Menifee Commerce Center Energy Analysis* (see **Appendix 9.5.1**).

4.5.2 Environmental Setting

Existing Electricity and Natural Gas Supplies

Electricity

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Electricity is currently provided to the Project area by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE's 2019 Power Content Label Mix, SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators,

nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

As indicated in **Table 4.5-1: SCE 2019 Power Content Mix**, the 2019 SCE Power Mix has renewable energy at 35.1% of the overall energy resources. Geothermal resources are at 5.9%, wind power is at 11.5%, large hydroelectric sources are at 7.9%, solar energy is at 16.0%, and coal is at 0%.

Table 4.5-1: SCE 2019 Power Content Mix

Energy Resources	2019 SCE Power Mix
Eligible Renewable	35.1%
Biomass & Waste	0.6%
Geothermal	5.9%
Eligible Hydroelectric	1.0%
Solar	16.0%
Wind	11.5%
Coal	0.0%
Large Hydroelectric	7.9%
Natural Gas	16.1%
Nuclear	8.2%
Other	0.1%
Unspecified Sources of power*	32.6%
Total	100%
*Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources	

Natural Gas

The Southern California Gas Company (SoCalGas), the service provider for Project area, services approximately 21.8 million people in a 20,000-square mile service territory.¹ SoCalGas has four storage fields: Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of approximately 134 billion cubic feet. According to the California Energy Commission (CEC), natural gas demand in the SoCalGas service area was 437 million therms in 2020.²

Transportation Energy Resources

The Project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. The Department of Motor Vehicles (DMV) identified 36.2 million registered vehicles in California between January 1 and December 31, 2021 and those vehicles consume an estimated 17.5 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

¹ Southern California Gas Company (SoCalGas). (2021). Retrieved from: <https://www.socalgas.com/>. Accessed October 18, 2021.

² California Energy Commission (CEC). (2021). *Gas Consumption by Southern California Gas*. Retrieved from CEC Website: <http://ecdms.energy.ca.gov/gasbycounty.aspx>. Accessed October 18, 2021.

California’s on-road transportation system includes 394,383 land miles, more than 25.5 million passenger vehicles and light trucks, and almost 8.7 million medium- and heavy-duty vehicles. While gasoline consumption has been declining since 2008 it is still by far the dominant fuel. Petroleum comprises about 88% of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. In 2020, about 123.49 billion gallons (or about 2.94 billion barrels) of finished motor gasoline were consumed in the U.S., an average of about 337 million gallons per day (or about 8.03 million barrels per day). This was the lowest level of annual consumption since 1997 and about 16% less than the record level of consumption of nearly 392 million gallons per day in 2018. In 2020, Californians also used 2,154,030 million cubic feet of natural gas as a transportation fuel.

4.5.3 Regulatory Setting

Federal

Intermodal Surface Transportation Efficiency Act Of 1991 (ISTEA)

The ISTEA promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

The Transportation Equity Act for the 21st Century (TEA-21)

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

State

Assembly Bill 32 and Senate Bill 32

California’s major initiative for reducing greenhouse gas (GHG) emissions is outlined in Assembly Bill (AB) 32, the “California Global Warming Solutions Act of 2006.” AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See **Section 4.7: Greenhouse Gas Emissions** for a further discussion of AB 32.

In September 2016, the Governor signed into legislation Senate Bill (SB) 32, which builds on AB 32 and requires the state to cut GHG emissions to 40% below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40% below 1990 levels by 2030 (see **Section 4.7: Greenhouse Gas Emissions**, for a discussion of AB 32 and SB 32). Part of the effort in meeting California's long-term reduction goals include reducing petroleum use in cars and trucks by 50%, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.

Integrated Energy Policy Report (IEPR)

Senate Bill (SB) 1389 (Bowen, Chapter 568, Statutes of 2002) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code [PRC] § 25301[a]). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2020 IEPR was adopted March 23, 2020, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2020 IEPR identifies actions the state and others can take to ensure a clean, affordable, and reliable energy system. California's innovative energy policies strengthen energy resiliency, reduce GHG emissions that cause climate change, improve air quality, and contribute to a more equitable future.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

California Code Title 24, Part 6, Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce

California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The 2019 Title are applicable to building permit applications submitted on or after January 1, 2020. The 2019 Title 24 standards require solar Photo Voltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting standards for nonresidential buildings. The CEC anticipates that nonresidential buildings would use approximately 30% less energy due to lighting upgrades compared to the prior code.

Because the Project would be constructed after January 1, 2020, the 2019 CALGreen standards are applicable to the Project and require, among other items.

- Electric vehicle (EV) charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106.5.3.3 (5.106.5.3).
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, upright and glare ratings per Table 5.106.8 (5.106.8).
- AB 1493 Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required California Air Resources Board (CARB) to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions, specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

California's Renewable Portfolio Standard (RPS)

First established in 2002 under SB 1078, California's RPS requires retail sellers of electric services to increase procurement from eligible renewable resources to 33% of total retail sales by 2020.

Clean Energy and Pollution Reduction Act of 2015 (SB 350)

In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.

- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western U.S. (California Leginfo 2015).

CEQA Guidelines

Pursuant to Appendix F of the State *CEQA Guidelines*, EIRs are required to determine if a project would result in environmental impacts due to wasteful, inefficient, and unnecessary use of energy during construction or operation or if a project would conflict or obstruct state or local plans for renewable energy or energy efficiency. In 1975, largely in response to the oil crisis of the 1970s, the California State Legislature adopted AB 1575, which created the CEC. The CEC’s statutory mission is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code § 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, *CEQA Guidelines* § 15126.4 was adopted in 1998 which requires that an EIR describe feasible mitigation measures which would minimize the inefficient and unnecessary use of energy. Thereafter, the State Resources Agency created *CEQA Guidelines*, Appendix F.

Pursuant to Appendix F, an EIR must include a “discussion of the potential energy impacts of proposed projects... .” However, because lead agencies have not consistently included such analysis in their EIRs, California’s Natural Resources Agency amended Appendix F to the *CEQA Guidelines* in 2009 “to ensure that lead agencies comply with the substantive directive in § 21100(b)(3).” *CEQA Guidelines*, Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a “discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” Potential impacts that may be discussed include:

- The Project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the Project on local and regional energy supplies and on requirements for additional capacity.
- The effects of the Project on peak and base period demands for electricity and other forms of energy.
- The degree to which the Project complies with existing energy standards.
- The effects of the Project on energy resources.
- The Project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

State CEQA Guidelines, Appendix F assists EIR preparers in determining whether a Project will result in the inefficient, wasteful, and unnecessary use of energy. The discussion below analyzes the Project’s effect on energy resources.

Local

City of Menifee General Plan

Open Space & Conservation Element

The City of Menifee's Open Space & Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the city's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.³

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

Goal OSC-4 **Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.**

Policy OCS-4.1 Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.

Policy OCS-4.2 Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.

4.5.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project would create a significant environmental impact if it causes one or more of the following to occur:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.
- Conflict with or obstructs a state or local plan for renewable energy or energy efficiency.

Methodology and Assumptions

Information from the Menifee Commerce Center Energy Analysis⁴ was utilized in this analysis, detailing Project related construction equipment, transportation energy demands, and facility energy demands.

4.5.5 Impacts and Mitigation Measures

Impact 4.5-1 *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Level of Significance: Less than Significant Impact

³ City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

⁴ Urban Crossroads. 2022. *Menifee Commerce Center Energy Analysis*

Construction

The energy associated with Project construction includes electricity use associated with water utilized for dust control, diesel fuel from on-road hauling trips, vendor trips, and off-road construction diesel equipment, as well as gasoline fuel from on-road worker commute trips. Because construction activities typically do not require natural gas, it is not included in the following discussion.

Project Construction Electricity Usage

The SCE’s general service rate schedule was used to determine the Project’s electrical usage. As of May 1, 2021, SCE’s general service rate is \$0.13 per kilowatt hours (kWh) of electricity for industrial services. As shown on **Table 4.5-2: Construction Electricity Usage**, the total electricity usage from on-site Project construction related activities is estimated to be approximately 1,369,251 kWh.

Table 4.5-2: Construction Electricity Usage

Land Use	Cost per kWh	Total Project Construction Electricity Usage (kWh)*
Unrefrigerated Warehouse-No Rail	\$0.13	715,228
Other Asphalt Surfaces	\$0.13	654,023
Total Project Construction Electricity Usage (kWh)		1,369,251
Source: Appendix 9.5.1		
*Construction electricity usage is calculated by calculating the total construction power cost (per 1,000 SF of building per month of construction) and multiplying by the number of months of Project construction to obtain the total construction power cost. In order to estimate total construction power usage, the total construction power cost is divided by the average cost per kWh.		

Construction Equipment Fuel Estimates

Fuel consumed by construction equipment would be the primary energy resource expended over the course of Project construction.

Project Construction Equipment Fuel Consumption

Project construction activity timeline estimates, construction equipment schedules, equipment power ratings, load factors, and associated fuel consumption estimates are presented in **Table 4.5-3: Construction Equipment Fuel Consumption Estimates**. The aggregate fuel consumption rate for all equipment is estimated at 49.5 horsepower hour per gallon (hp-hr-gal.), obtained from CARB 2018 Emissions Factors Tables and cited fuel consumption rate factors presented in Table D-24 of the Moyer guidelines. For the purposes of this analysis, the calculations are based on all construction equipment being diesel-powered which is consistent with industry standards. Diesel fuel would be supplied by existing commercial fuel providers serving the Project area and region.⁵ As presented in **Table 4.5-3: Construction Equipment Fuel Consumption Estimates**, Project construction activities would consume an estimated 70,402 gallons of diesel fuel.

Project construction would represent a “single-event” diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

⁵ Based on Appendix A of the CalEEMod User’s Guide, Construction consists of several types of off-road equipment. Since the majority of the off-road construction equipment used for construction projects are diesel fueled, CalEEMod assumes all of the equipment operates on diesel fuel.

Table 4.5-3: Construction Equipment Fuel Consumption Estimates

Activity/Duration	Duration (Days)	Equipment	HP Rating	Quantity	Usage Hours	Load Factor	HP-hrs/day	Total Fuel Consumption (gal. diesel fuel)
Demolition	22	Concrete/Industrial Saws	81	1	8	0.73	473	210
		Excavators	158	3	8	0.38	1,441	640
		Rubber Tired Dozers	247	2	8	0.40	1,581	703
Clear Site	7	Rubber Tired Loaders	247	1	8	0.40	790	112
Recompact	15	Rubber Tired Dozers	158	1	8	0.38	480	146
		Scrapers	187	10	8	0.41	6,134	1,859
Recompact and Import	57	Rubber Tired Dozers	247	2	8	0.40	1,581	1,820
		Scrapers	367	10	8	0.48	14,093	16,228
		Sweepers/Scrubbers	64	1	8	0.46	236	271
Fine Grading	57	Graders	187	1	8	0.41	613	706
		Rubber Tired Dozers	247	1	8	0.40	790	910
		Scrapers	367	4	8	0.48	5,637	6,491
Offsite Site Preparation	15	Crawler Tractors	97	4	8	0.37	1,148	348
		Rubber Tired Dozers	247	3	8	0.40	2,371	719
Building Construction	260	Cranes	231	2	8	0.29	1,072	5,630
		Forklifts	89	6	8	0.20	854	4,488
		Generator Sets	84	2	8	0.74	995	5,224
		Tractors/Loaders/Backhoes	97	6	8	0.37	1,723	9,049
		Welders	46	2	8	0.45	331	1,740
2nd Move In	20	Graders	187	1	8	0.41	613	248
		Rubber Tired Loaders	203	2	8	0.36	1,169	472
		Scrapers	367	1	8	0.48	1,409	569

Activity/Duration	Duration (Days)	Equipment	HP Rating	Quantity	Usage Hours	Load Factor	HP-hrs/day	Total Fuel Consumption (gal. diesel fuel)
3rd Move In	40	Graders	187	1	8	0.41	613	496
		Rollers	80	1	8	0.38	243	197
		Rubber Tired Loaders	247	2	8	0.40	1,581	1,277
		Scrapers	367	1	8	0.48	1,409	1,139
Offsite Paving	55	Pavers	130	2	8	0.42	874	971
		Paving Equipment	132	2	8	0.36	760	845
		Rollers	80	2	8	0.38	486	540
Paving	65	Pavers	130	4	8	0.42	1,747	2,294
		Paving Equipment	132	4	8	0.36	1,521	1,997
		Rollers	80	4	8	0.38	973	1,277
Architectural Coating	65	Air Compressors	78	2	8	0.48	599	787
Construction Fuel Demand (Gallons Diesel Fuel)								70,402
Source: Appendix 9.5.1								

Construction Worker Fuel Estimates

With respect to estimated VMT for the Project, the construction worker trips would generate an estimated 5,371,865 VMT during the 23 months of construction. Based on CalEEMod methodology, it is assumed that 50% of all worker trips are from light-duty-auto vehicles (LDA), 25% are from light-duty-trucks (LDT1⁶), and 25% are from light-duty-trucks (LDT2⁷). Data regarding Project related construction worker trips were based on CalEEMod defaults.

Table 4.5-4: Construction Worker Fuel Consumption Estimates – Light-Duty-Auto Vehicles (LDA), provides an estimated annual fuel consumption resulting from LDAs related to the Project construction worker trips. Based on **Table 4.5-4**, it is estimated that 112,661 gallons of fuel would be consumed related to construction worker trips during full construction of the Project.

Table 4.5-4: Construction Worker Fuel Consumption Estimates – Light-Duty-Auto Vehicles (LDA)

Construction Activity	Duration (Days)	Worker LDA Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Demolition	22	11	14.7	3,557	33.79	105
Clear Site	7	3	14.7	309	33.79	9
Recompact	15	20	14.7	4,410	33.79	131
Recompact and Import	57	24	14.7	20,110	33.79	595
Fine Grading	15	11	14.7	2,426	33.79	72
Offsite Site Preparation	30	8	14.7	3,528	33.79	104
Building Construction	260	937	14.7	3,581,214	33.79	105,997
2nd Move In	20	10	14.7	2,940	33.79	87
3rd Move In	40	22	14.7	12,936	33.79	383
Offsite Paving	55	188	14.7	151,998	33.79	4,499
Paving	65	13	14.7	12,422	33.79	368
Architectural Coating	65	11	14.7	10,511	33.79	311
Total Construction Worker (LDA) Fuel Consumption						112,661

Table 4.5-5: Construction Worker Fuel Consumption Estimates – Light-Duty-Trucks (LDT1), provides an estimated annual fuel consumption resulting from LDT1s related to the Project construction worker trips. Based on **Table 4.5-5**, it is estimated that 13,726 gallons of fuel would be consumed related to construction worker trips during full construction of the Project.

⁶ Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

⁷ Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.

Table 4.5-5: Construction Worker Fuel Consumption Estimates – Light-Duty-Trucks (LDT1)

Construction Activity	Duration (Days)	Worker LDT1 Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Demolition	22	2	14.7	1,294	28.38	46
Clear Site	7	1	14.7	103	28.38	4
Recompact	15	2	14.7	441	28.38	16
Recompact and Import	57	3	14.7	2,514	28.38	89
Fine Grading	15	2	14.7	441	28.38	16
Offsite Site Preparation	30	1	14.7	441	28.38	16
Building Construction	260	95	14.7	363,090	28.38	12,793
2nd Move In	20	1	14.7	294	28.38	10
3rd Move In	40	3	14.7	1,764	28.38	62
Offsite Paving	55	19	14.7	15,362	28.38	541
Paving	65	2	14.7	1,911	28.38	67
Architectural Coating	65	2	14.7	1,911	28.38	67
Total Construction Worker (LDT1) Fuel Consumption						13,726

Table 4.5-6: Construction Worker Fuel Consumption Estimates – Light-Duty-Trucks (LDT2), provides an estimated annual fuel consumption resulting from LDT2s related to the Project construction worker trips. Based on **Table 4.5-6**, it is estimated that 43,520 gallons of fuel would be consumed related to construction worker trips during full construction of the Project.

Table 4.5-6: Construction Worker Fuel Consumption Estimates – Light-Duty-Trucks (LDT2)

Construction Activity	Duration (Days)	Worker LDT2 Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Demolition	22	4	14.7	1,294	27.02	48
Clear Site	7	1	14.7	103	27.02	4
Recompact	15	7	14.7	1,544	27.02	57
Recompact and Import	57	8	14.7	6,703	27.02	248
Fine Grading	15	4	14.7	882	27.02	33
Offsite Site Preparation	30	3	14.7	1,323	27.02	49
Building Construction	260	289	14.7	1,104,558	27.02	40,878
2nd Move In	20	3	14.7	882	27.02	33
3rd Move In	40	7	14.7	4,116	27.02	152
Offsite Paving	55	58	14.7	46,893	27.02	1,735
Paving	65	4	14.7	3,822	27.02	141
Architectural Coating	65	4	14.7	3,822	27.02	141
Total Construction Worker (LDT2) Fuel Consumption						43,520

It should be noted that construction worker trips would represent a “single-event” gasoline fuel demand and would not require on-going or permanent commitment of fuel resources for this purpose.

Construction Vendor Fuel Estimates

With respect to estimated VMT, the construction vendor trips (vehicles that deliver materials to the site during construction) would generate an estimated 979,368 VMT along area roadways for the Project over the duration of construction activity. It is assumed that 50% of all vendor trips are from medium-heavy duty trucks (MHDT) and 50% are from heavy-heavy duty trucks (HHDT). Based on **Table 4.5-7: Construction Vendor Fuel Consumption Estimates – Medium-Heavy Duty Trucks (MHDT)**, it is estimated that 40,339 gallons of fuel would be consumed related to construction vendor trips (MHDTs) during full construction of the Project.

Table 4.5-7: Construction Vendor Fuel Consumption Estimates – Medium-Heavy Duty Trucks (MHDT)

Construction Activity	Duration (Days)	Vendor Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Building Construction	260	229	7.3	434,642	10.77	40,339
Total Construction Vendor (MHDT) Fuel Consumption						40,339

Table 4.5-8: Construction Vendor Fuel Consumption Estimates – Heavy-Heavy Duty Trucks (HHDT), the estimated fuel economy of HHDTs accessing the Project site. Based on **Table 4.5-8**, fuel consumption from construction vendor trips (HHDTs) would total approximately 73,258 gallons.

Table 4.5-8: Construction Vendor Fuel Consumption Estimates – Heavy-Heavy Duty Trucks (HHDT)

Construction Activity	Duration (Days)	Vendor Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Building Construction	260	287	7.3	544,726	7.44	73,258
Total Construction Vendor (HHDT) Fuel Consumption						73,258

Table 4.5-9: Construction Hauling Fuel Consumption Estimates, Heavy-Heavy Duty Trucks (HHDT), shows the estimated fuel economy of HHDTs accessing the Project site. Based on **Table 4.5-9**, fuel consumption from construction hauling trips (HHDTs) would total approximately 58,685 gallons.

Table 4.5-9: Construction Hauling Fuel Consumption Estimates – Heavy-Heavy Duty Trucks (HHDT)

Construction Activity	Duration (Days)	Hauling Trips / Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Demolition	22	2	20	880	7.44	118
Recompact and Import	57	382	20	435,480	7.44	58,566
Total Construction Hauling (HHDT) Fuel Consumption						58,685

It should be noted that Project construction vendor trips would represent a “single-event” diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

Construction Energy Use Analysis

The estimated total electricity usage during construction, after full Project build-out, is calculated to be approximately 1,369,251 kWh. Construction equipment used by the Project would result in single event consumption of approximately 70,402 gallons of diesel fuel.

Construction worker trips for full construction of the Project would result in the estimated fuel consumption of 169,906 gallons of fuel. Additionally, fuel consumption from construction vendor trips (MHDTs and HHDTs) would total approximately 172,282 gallons. Diesel fuel would be supplied by City and regional commercial vendors. Indirectly, construction energy efficiencies and energy conservation would be achieved using bulk purchases, transport and use of construction materials.

Starting in 2014, CARB adopted the nation's first regulation aimed at cleaning up off-road construction equipment such as bulldozers, graders, and backhoes. These requirements ensure fleets gradually turnover the oldest and dirtiest equipment to newer, cleaner models and prevent fleets from adding older, dirtier equipment. As such, the equipment used for Project construction would conform to CARB regulations and California emissions standards. It should also be noted that there are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures (BACM). For example, California Code of Regulations (CCR) Title 13, Motor Vehicles, § 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to three minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

In general, the construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. By reducing raw material usage, energy reductions would be realized as a result of fewer materials and products needing to be manufactured and transported to the Project site. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

As stated above, there are no unusual characteristics that necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel use associated with the Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Therefore, potential impacts are considered less than significant.

Operations

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by passenger car and truck vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Energy Demands

Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies of vehicles accessing the Project site. The VMT per vehicle class can be determined by the vehicle fleet mix and the total VMT. As summarized on **Table 4.5-10: Total Project-Generated Traffic Annual Fuel Consumption (Scenario 1)**, and **Table 4.5-11: Total Project-Generated Traffic Annual Fuel Consumption (Scenario 2)**, the Project would result in 42,422,406 annual VMT and an estimated annual fuel consumption of 1,995,597 gallons of fuel in Scenario 1 and 15,626,976 annual VMT and 1,130,005 gallons of fuel in Scenario 2.

Table 4.5-10: Total Project-Generated Traffic Annual Fuel Consumption (Scenario 1)

Vehicle Type	Annual Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Annual Fuel Consumption (gallons)
LDA	20,540,418	33.8	607,705
LDT1	2,147,245	28.4	75,607
LDT2	6,614,011	27	244,963
MDV	5,285,717	21.5	245,847
LHD1	1,164,037	14.6	79,729
LHD2	0	15.3	0
MHD	1,429,261	10.8	132,339
HHD	4,331,987	7.4	585,404
OBUS	0	6.7	0
UBUS	0	6.2	0
MCY	909,729	37.9	24,003
SBUS	0	8.1	0
MH	0	6.2	0
Total (All Vehicles)	42,422,406	NA	1,995,597

Table 4.5-11: Total Project-Generated Traffic Annual Fuel Consumption (Scenario 2)

Vehicle Type	Annual Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Annual Fuel Consumption (gallons)
LDA	4,758,869	33.8	140,795
LDT1	497,481	28.4	17,517
LDT2	1,532,355	27	56,754
MDV	1,224,612	21.5	56,959
LHD1	1,236,239	14.6	84,674
LHD2	0	15.3	0
MHD	1,541,663	10.8	142,747
HHD	4,624,989	7.4	624,998
OBUS	0	6.7	0
UBUS	0	6.2	0
MCY	210,769	37.9	5,561
SBUS	0	8.1	0
MH	0	6.2	0
Total (All Vehicles)	15,626,976	NA	1,130,005

Facility Energy Demands

CALGreen Standards

Project building operations activities would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied to the Project by SCE. Annual natural gas and electricity demands of the Project are summarized in **Tables 4.5-12: Project**

Annual Operational Energy Demand Summary and 4.5-13: Project Annual Operational Energy Demand Summary.

Table 4.5-12: Project Annual Operational Energy Demand Summary

Natural Gas Demand	kBTU/year
Unrefrigerated Warehouse-No Rail	3,296,660
Total Project Natural Gas Demand	3,296,660
kBTU – kilo-British Thermal Units	

Table 4.5-13: Project Annual Operational Energy Demand Summary

Electricity Demand	kWh/year
Unrefrigerated Warehouse-No Rail	3,805,106
Total Project Electricity Demand	3,805,106
kWh – Kilo Watt Hours	

Operational Energy Use Analysis

Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes (e.g., Title 24, California Green Building Standards Code).

Transportation Energy Demands

Annual vehicular trips and related VMT generated by the operation of the Project would result in an estimated annual fuel consumption of 1,995,597 gallons of fuel in Scenario 1 and 1,130,005 gallons of fuel in Scenario 2. Fuel would be provided by current and future commercial vendors. Under subsequent future conditions, average fuel economies of vehicles accessing the Project Site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation, and in response to fuel economy and emissions standards imposed on newer vehicles entering the circulation system. As noted in Appendix 9.5, fuel economy improvements would be realized through California Assembly Bill 1493, particularly as older vehicles are replaced with newer ones that benefit from the more stringent standards imposed by the regulation. These improvements in fuel efficiency and emissions are built into CARB’s EMFAC 2017 model.

Enhanced fuel economies from federal and state regulatory actions and the related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) will likely decrease future gasoline fuel demands. Located near regional and local roadways, the Project’s location would also decrease distances for truck delivery trips and reduce vehicle fuel demands. The Project applicant will construct sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption.

Trip generation and VMT generated by the Project are consistent with other industrial uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Ed., 2017); and CalEEMod.

As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Therefore, potential impacts are considered less than significant.

Facility Energy Demands

Project facility operational energy demands are estimated at: 3,296,660 kBTU/year of natural gas; and 3,805,106 kWh/year of electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied by SCE. The Project applicant proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project applicant does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration.

Lastly, the Project would comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. Therefore, potential impacts are considered less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.5-2 ***Would the project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?***

Level of Significance: Less than Significant Impact

The Project's consistency with the applicable state and local plans is discussed below.

Consistency with the Intermodal Surface Transportation Efficiency Act Of 1991 (ISTEA): Transportation and access to the Project site is provided by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA as there are no planned intermodal facilities on or through the Project site.

Consistency with TEA-21: The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The Project's location facilitates access, acts to reduce VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

Consistency with IEPR: Electricity would be provided to the Project by SCE. SCE's Clean Power and Electrification Pathway (CPEP) white paper builds on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2020 IEPR.

Additionally, the Project would comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2020 IEPR.

Consistency with the State of California Energy Plan: The Project Site is located along major transportation corridors with proximate access to the Interstate 215 freeway system. The location of the Project Site facilitates access and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

Consistency with the California Code Title 24, Part 6, Energy Efficiency Standards: The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. It should be noted that the analysis herein assumes compliance with the 2019 Title 24 Standards. It should be noted that the CEC anticipates that nonresidential buildings would use approximately 30% less energy compared to the prior code. As such, the CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard.

Consistency with AB 1493: AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493.

Consistency with RPS: California's RPS is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS.

Consistency with SB 350: The Project would use energy from SCE, which have committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption.

As shown above, the Project would not conflict with any of state or local plans. As such, a less than significant impact is expected.

Mitigation Measures

No mitigation is necessary.

4.5.6 Cumulative Impacts

Construction and operations associated with implementation of the Project would result in the use of energy, but not in a wasteful manner. The Project would not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California. Additionally, the

Project would be subject to compliance with all federal, State, and local requirements for energy efficiency.

The Project and new development projects located within the cumulative study area would also be required to comply with all the same applicable federal, State, and local measures aimed at reducing fossil fuel consumption and the conservation of energy. The anticipated Project impacts, in conjunction with cumulative development in the vicinity, would increase urbanization and result in increased energy use. Potential land use impacts are site-specific and require evaluation on a case-by-case basis. As noted above, the Project would not result in significant impacts to State or local plans for renewable energy or energy efficiency. Therefore, the Project and identified cumulative projects are not anticipated to result in a significant cumulative impact. Therefore, potential impacts are considered less than significant.

4.5.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.5.8 References

Air and Waste Management Association. 1992. *Air Pollution Engineering Manual*. New York: Van Nostrand Reinhold.

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Urban Crossroads. 2022. *Menifee Commerce Center Energy Analysis*.

SCE. 2021. *By the Numbers: Who We Serve*. Retrieved from SEC Website: <https://www.sce.com/about-us/who-we-are>.

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<https://www.eia.gov/state/?sid=CA>

4.6 GEOLOGY AND SOILS

4.6.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to the geologic, soil, and seismic characteristics within the Menifee Commerce Center (Project) site. This section identifies potential impacts that could result from implementation of the Project, and as necessary, recommends mitigation measures to reduce potentially significant impacts. The issues addressed in this section are risks associated with faults, strong seismic ground shaking, seismic-related ground failure such as liquefaction, landslides, substantial erosion or the loss of topsoil, and unstable geological units and/or soils.

The environmental setting discussion is based largely on review of aerial photographs and maps of the Project site and its surroundings. Other information in this section, such as regulatory framework, is derived from the various planning documents including the City of Menifee General Plan (GP), Federal Occupational Safety and Health Administration (OSHA) Regulations, Seismic Hazards Mapping Act (SHMA) of 1990, the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), the California Geological Survey, and pertinent State of California building codes.

The analysis in this section is based, in part, upon the following source found in **Appendix 9.6, Geology and Soils Reports**:

- Southern California Geotechnical (SCG), December 2020. *Geotechnical Investigation Two Proposed Commercial/Industrial Buildings (Appendix 9.6.1)*.
- BCR Consulting, Inc. January 2022. Paleontological Overview for Plot Plan No. 2019-005, Menifee, Riverside County, California (**Appendix 9.6.2**).

4.6.2 Environmental Setting

Project Site

Site Surface Conditions

The Project is generally bounded by a Riverside County Flood Control channel, McLaughlin Road, and a Southern California Edison (SCE) easement to the south, commercial uses, non-conforming residential, vacant land and Ethanac Road beyond to the north, Dawson Road to the east, and Trumble Road to the west.

The Project site would be transected by Sherman Road, which trends in a north to south direction. Most of the site is vacant and undeveloped. Ground surface cover throughout the site consists of dense native grass and weed growth. The southeast and southwest regions of the site include ranch-style residential lots, each with one-story single-family residences and detached garages and sheds. The existing structures are of wood-frame and stucco construction, supported on conventional shallow foundations with concrete slab-on-grade floors. Ground surface cover surrounding the residences consists of exposed soil with limited areas of concrete pavements and some medium to large size trees around the perimeters of

the properties. As previously noted, Sherman Road, currently unpaved, transects the subject site in a north-south direction. The road possesses some scattered debris and trash in addition to several large trees. Several soil berms are located at the northwest corner of the Project site, near Trumble Road.

Detailed topographic information was not available at the time of investigation. Based on elevations obtained from Google Earth, and visual observations made at the time of the subsurface investigation, the overall site topography slopes downward to the west at a gradient of $\frac{1}{2}\pm$ percent. There is approximately nine feet of elevation differential across the overall site.

Geologic Setting

According to the City's General Plan, the City lies in the northern part of the Peninsular Ranges Geomorphic Province, which is characterized by northwest-trending mountains and valleys extending from the Los Angeles Basin on the north southeast into Baja California. The province is bounded by the San Andreas fault zone on the east and extends offshore to the west. The northern, onshore part of the province is divided into three major fault-bounded blocks that are, from west to east, the Santa Ana Mountains block, the Perris block, and the San Jacinto Mountains block. The Perris block, where Menifee is located, is bounded by the Elsinore fault zone on the southwest and the San Jacinto fault zone on the northeast. In spite of being surrounded by active fault systems and growing mountain ranges, the Perris block is an area of lower relief that has remained relatively stable and undeformed for thousands of years.

Movements along the San Andreas, San Jacinto, and Elsinore faults have elevated the San Jacinto and Santa Ana Mountains blocks and down-dropped the Perris block. In response, the uplifted mountains and hills are rapidly eroding (in geologic time), shedding sand, silt, and gravel and forming fans that are filling the valleys. The alluvial fans of the City area have a range of ages coincident with the rise of the nearby mountains (early Pleistocene to Holocene, approximately 1 million years to less than 11,000 years old). Deposition is still ongoing, with the youngest sediments filling the active drainage channels and floodplains. At depth, this sequence of alluvial sediments is underlain by crystalline rock similar to that exposed in the surrounding hills and mountains.

The City encompasses numerous brush-covered hills and low mountains surrounded by a series of interconnected, broad, nearly flat-bottomed valleys. The steepest slope and largest cluster of hillsides can be found north of Menifee Lakes, traveling northward across McCall Boulevard. Quail Valley also has a significant number of steep hillsides that influence development patterns in the area. Elevations in the City range from about 1,400 feet above mean sea level (amsl) for the valley floor to approximately 2,600 feet amsl for the local hills; Bell Mountain is 1,850 amsl. The City includes parts of three valleys: the Perris Valley in the north end of the City, the Menifee Valley in the central part of the City, and the Paloma Valley in the southeast area.

Geotechnical Conditions

A geotechnical study was performed by SCG in order to gather information about the properties of the soil and rock makeup of the Project site. The subsurface exploration conducted for this Project consisted of 19 borings advanced to depths of 10 to 25 feet below the existing site grades. The approximate

locations of the borings are indicated on the Boring Location Plans, included as Plate 2A and Plate 2B in Appendix A of the Geotechnical Investigation (see **Appendix 9.6.1** of this EIR). The Boring Logs, which illustrate the conditions encountered at the boring locations, as well as the results of some of the laboratory testing, are included in Appendix B of the **Appendix 9.6.1**. Site reconnaissance, subsurface exploration, field testing, and engineering analysis were also conducted to determine the infiltration rates of the on-site soils. These studies provided information regarding baseline geologic conditions of the Project site.

Near Surface Soils

The near-surface soils at this site generally consist of a surficial layer of artificial fill soils, extending to a depth of three feet, and some zones of low to moderate strength young alluvial soils. These materials are underlain by moderate to high-strength older alluvium. Some of these soils exhibit a medium expansion potential.

The near-surface soils, in their present condition, are not considered suitable to support the foundations and floor slabs of the new structures. Therefore, remedial grading would be necessary within the proposed building areas to remove and replace the upper portion of the existing soils as compacted structural fill.

The recommended remedial grading would remove the artificial fill soils and the low-strength near-surface native alluvium, and replace these materials as compacted structural fill. The native soils that would remain in place below the recommended depth of over excavation possess generally favorable consolidation and collapse characteristics and would not be subject to significant load increases from the foundations of the new structures. Provided that the recommended remedial grading is completed, the post-construction static settlements of the proposed structures are expected to be within tolerable limits.

Artificial Fill

Artificial fill soils encountered within the Project site at the ground surface, extended to a depth of three feet below the existing site grades at Boring No. B-4. The artificial fill soils consist of very dense fine sandy silts. The fill soils generally possess a disturbed appearance, resulting in their classification as artificial fill.

Younger Alluvium

Younger native alluvial soils were encountered at the ground surface at Boring Nos. B-7, B-11, B-17, and B-18, extending to depths of two to three feet below the existing site grades. The younger alluvium generally consists of medium dense to very dense silty fine to medium sands and very stiff sandy clays.

Older Alluvium

Older alluvial soils were encountered beneath the artificial fill soils at Boring No. B-4, beneath the younger alluvium at Boring Nos. B-7, B-11, B-17, and B-18, and at the ground surface at all of the remaining boring locations, extending to the maximum depth explored of 25 feet below existing site grades. The older alluvial soils generally consist of dense to very dense silty sands, clayey sands, sandy silts, and well graded sands with varying silt and clay content, and very stiff to hard sandy clays, silty clays, and clayey silts.

Groundwater

Groundwater was not encountered at any of the boring locations. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 25 feet below existing site grades, at the time of the subsurface investigation.

Recent water level data was obtained from the California Department of Water Resources Water Data Library. The nearest monitoring well on record is located 4,290 feet northwest of the site. Water level readings within this monitoring well indicate a groundwater level of 62 feet below the ground surface in March 2020.¹

Faulting and Seismicity

The Project site is located in an area which is subject to strong ground motions due to earthquakes. Numerous faults capable of producing significant ground motions are located near the Project site. Due to economic considerations, it is not generally considered reasonable to design a structure that is not susceptible to earthquake damage. Therefore, significant damage to structures may be unavoidable during large earthquakes.

Fault Zones

Research of available maps indicates that the Project site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, SCG did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered to be low.

Geologic Hazards

Liquefaction and Related Ground Failure

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface. Liquefaction potential is greater in saturated, loose, poorly graded fine. Non-sensitive clayey (cohesive) soils which possess a plasticity index of at least 18 are generally not considered to be susceptible to liquefaction, nor are those soils which are above the historic static groundwater table.

Research conducted by SCG on the Riverside County GIS website indicates that the Project site is located within a zone of low liquefaction susceptibility. In addition, the soil conditions encountered at the boring locations are not considered to be conducive to liquefaction. These conditions consist of dense, well-graded, granular soils and very stiff to hard cohesive soils extending to depths of 25 feet.

¹ Geotechnical Investigation, Southern California Geotechnical. (2020). Section 4.2, page, 7.

Furthermore, the static groundwater table does not exist within 50 feet of the ground surface. Based on these considerations, liquefaction is not considered to be a design concern for this Project.

Expansive Soils

Laboratory testing performed on representative samples of the near surface soils indicates that these materials possess low to medium expansion potentials. Based on the presence of expansive soils, care should be given to proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent optimum moisture content during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care must be taken to maintaining moisture content of these soils at two to four percent above the optimum moisture content. This would require the contractor to frequently moisture condition these soils throughout the grading process unless grading occurs during a period of relatively wet weather.

Soluble Sulfates

Soluble sulfates are naturally present in soils, and if the concentration is high enough, can result in degradation of concrete which comes into contact with these soils. The results of the soluble sulfate testing indicate that the selected samples of the on-site soils contain concentrations of soluble sulfates that correspond to Class S0 with respect to the American Concrete Institute (ACI) Publication 318-14 Building Code Requirements for Structural Concrete and Commentary, Section 4.3. Therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes. It is, however, recommended that additional soluble sulfate testing be conducted at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area.

Corrosive Soils

The results of laboratory testing indicate that representative samples of the on-site soils possess saturated resistivity values of 1,720 and 1,880 ohm-cm, and pH values of 7.1 and 7.5. These test results have been evaluated in accordance with guidelines published by the Ductile Iron Pipe Research Association (DIPRA). The DIPRA guidelines consist of a point system by which characteristics of the soils are used to quantify the corrosivity characteristics of the site. Sulfides, and redox potential are factors that are also used in the evaluation procedure. SCG has evaluated the corrosivity characteristics of the on-site soils using resistivity, pH, and moisture content. Based on these factors, and utilizing the DIPRA procedure, the on-site soils are considered to be highly corrosive to ductile iron pipe. Based on these test results, and since SCG does not practice in the area of corrosion engineering, it is recommended to contact a corrosion engineer to provide a more thorough evaluation.

Shrinkage/Subsidence

Removal and recompacting of the near-surface artificial fill and younger alluvial soils, generally located within the upper three feet, is estimated to result in an average shrinkage of five to 10 percent. Removal and recompacting of the underlying older alluvium is estimated to result in an average shrinkage of zero to five percent. It should be noted that the potential shrinkage estimate is based on dry density testing

performed on small-diameter samples taken at the boring locations. If a more accurate and precise shrinkage estimate is desired, SCG can perform a shrinkage study involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples.

Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.10 feet.

These estimates are based on previous experience and the subsurface conditions encountered at the boring locations. The actual amount of subsidence is expected to be variable and would be dependent on the type of machinery used, repetitions of use, and dynamic effects, all of which are difficult to assess precisely.

Paleontological Resources

According to the Phase I Cultural Resource Assessment, the Project area is in a well-studied area with 39 cultural resources studies having been conducted within a one-mile radius. All of the potential road improvement areas, including all off-site road improvements, are within this radius. During the course of field surveys for these studies, 26 cultural resources properties have been recorded, including the four sites that are located on roads potentially associated with the Project. Of these sites, three historical-period residences are within one-quarter mile of PP 2019-005. Fifteen cultural resource properties are located within a 0.25 – 0.50-mile radius of the Project property, eight of which are segments of historical roads or in one case, a railroad track. The remaining seven recorded sites are an interesting mix of prehistoric and historical cultural resources, with four sites representing the prehistoric period, two sites representing the historical period, and one site representing a mix of both. Six cultural resource properties have been recorded within a 0.5 – 0.75-mile radius of the proposed Project. Of these, two sites represent only the prehistoric period of occupation, while the remaining four are a mix of both prehistoric and historical cultural resources. Two of the latter sites are large and have substantial surface and subsurface cultural deposits representing both periods of occupation, while the other two have only very limited resources. One site comprised of a limited prehistoric component and an extensive historical component is located 0.75 – 1.00 from the MR-DC property.

Furthermore, a Paleontological Overview was prepared for the Project. According to the Paleontological Overview, the geologic units underlying the Project area are mapped entirely as alluvial fan deposits dating to the late to middle Pleistocene. Pleistocene alluvial units are considered to be of high paleontological sensitivity, and while the Western Science Center does not have localities within the Project area, BCR does have numerous localities in similarly mapped units throughout the region. Riverside County Pleistocene sediments are well documented to contain abundant fossil material including those associated with mastodon (*Mammuthus pacificus*), mammoth (*Mammuthus columbi*), ancient horse (*Equus sp.*), camel (*Camelops hesternus*), sabertooth cat (*Smilodon fatalis*) and many more.

Any fossil specimens recovered from the Project would be scientifically significant. Excavation activity associated with the development of the Project area would impact the paleontologically sensitive Pleistocene units, and it is the recommendation of the Western Science Center that a paleontological

resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils from the Project area.

Paleontological Records Results

According to the Phase I Cultural Resources Assessment, no cultural resources of either prehistoric or historical origin were observed within the Project boundaries during either the 2018 or 2021 field surveys. With the exception of the area in which the single-family residences are located, the entire acreage had been disked shortly before the 2018 field survey and as a result, ground surface visibility was close to 100%. Recent vegetation clearance prior to the 2021 field survey resulted in excellent surface visibility of the Project site. No bedrock exists on the property and scattered loose lithic material is sparse, probably the result of continuing agricultural endeavors over at least the past 70 years. Observation of several percolation tests on the property showed no discernible subsurface stratigraphy and no evidence of a cultural deposit was present. Despite intensive scrutiny of the area in which a structure was located in 1953, no evidence of its existence was observed.

4.6.3 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act was enacted in 1997 to “reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards and reduction program.” To accomplish this, the act established the National Earthquake Hazard Reduction Program (NEHRP), which refined the description of agency responsibilities, program goals, and objectives. NEHRP’s mission includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improvement of building codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improvement of mitigation capacity; and accelerated application of research results. NEHRP designates the Federal Emergency Management Agency as the lead agency of the program and assigns it several planning, coordinating, and reporting responsibilities. Programs under NEHRP help inform and guide planning and building code requirements such as emergency evacuation responsibilities and seismic code standards.

State

Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Earthquake Fault Zoning Act was signed into state law in 1972, and amended, with its primary purpose being to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. This act (or state law) was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. The act requires the State Geologist to delineate regulatory zones known as “earthquake fault zones” along faults that are “sufficiently active” and “well defined” and to issue and distribute appropriate maps to all affected cities,

counties, and state agencies for their use in planning and controlling new or renewed construction. Pursuant to this act and as stipulated in § 3603(a) of the California Code of Regulations (CCR), structures for human occupancy are not permitted to be placed across the trace of an active fault. The act also prohibits structures for human occupancy within 50 feet of the trace of an active fault, unless proven by an appropriate geotechnical investigation and report that the development site is not underlain by active branches of the active fault, as stipulated in § 3603(a) of the CCR. Furthermore, the act requires that cities and counties withhold development permits for sites within an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting, as stipulated in § 3603(d) of the CCR.

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was adopted by the state in 1990 for the purpose of protecting the public from the effects of non-surface fault rupture earthquake hazards, including strong ground shaking, liquefaction, seismically induced landslides, or other ground failure caused by earthquakes. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The California Geological Survey prepares and provides local governments with seismic hazard zones maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures.

California Building Code

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC) within 180 days of its publication. The publication date of the CBC is established by the California Building Standards Commission, and the code is under Title 24, Part 2, of the CCR. The CBC provides minimum standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground shaking with a specified probability at a site. The 2019 CBC took effect on January 1, 2020. Requirements for geotechnical investigations are included in CBC Appendix J, Grading, § J104; additional requirements for subdivisions requiring tentative and final maps and for other specified types of structures are in California Health and Safety Code (HSC) § 17953 to § 17955 and in CBC § 1802. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness. CBC § J105 sets forth requirements for inspection and observation during and after grading.

Storm Water Pollution Prevention Plans

Pursuant to the Clean Water Act (CWA), in 2012, the State Water Resources Control Board (SWRCB) issued a statewide general National Pollutant Discharge Elimination System (NPDES) Permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of stormwater from construction sites with a disturbed area of one or more

acres are required to either obtain individual NPDES permits for stormwater discharges or be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list best management practices (BMPs) implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the state’s 303(d) list of impaired waters.

California Public Resources Code

The State of California Public Resources Code (PRC), Chapter 1.7, § 5097.5 and § 30244, includes additional state level requirements for the assessment and management of paleontological resources. These statutes require reasonable mitigation of adverse impacts to paleontological resources resulting from development on state lands, define the removal of paleontological “sites” or “features” from state lands as a misdemeanor, and prohibit the removal of any paleontological “site” or “feature” from state land without permission of the jurisdictional agency. These protections apply only to State of California land.

Local

City of Menifee General Plan

Safety Element

According to the City’s Safety Element, it provides a strategy for city staff, residents, developers, and business owners to effectively address natural and man-made hazards in Menifee, including seismic and geological issues; flood hazards; fire hazards; hazardous materials; wind hazards; and disaster preparedness, response, and recovery.²

Goals and policies from the Safety Element applicable to the Project include:

- | | |
|---------------------|--|
| Goals-1 | A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards. |
| Policy S-1.1 | Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the city. |
| Goals-2 | A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal. |

² City of Menifee. 2013. *Menifee General Plan Safety Element*. <https://cityofmenifee.us/222/Safety-Element> (accessed March 2021).

- Policy S-2.1** Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.
- Policy S-2.2** Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.
- Policy S-2.3:** Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.

4.6.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the Project site would have a significant environmental impact if one or more of the following occurs:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - Strong seismic ground shaking?
 - Seismic-related ground failure, including liquefaction?
 - Landslides?
- Result in substantial soil erosion or loss of topsoil?
- 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?
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning geology and soils. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on geology and soils examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of available documentation related to geologic conditions, review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on geology and soils considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.6.5 Impacts and Mitigation Measures

Impact 4.6-1 *Would the project directly or indirectly cause 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.*

Level of Significance: Less than Significant Impact

Construction and Operations

According to the geotechnical investigation prepared for this Project, the Project site is not within an Alquist-Priolo fault zone and there was no evidence of faulting identified during the investigation of the Project site. The nearest faults to the Project site are located within Sun City and Quail Valley.³ These two mapped faults within the City do not affect sediments of about 15,000 years or younger ages and thus are not considered active faults.⁴ The Project site's distance from the nearest fault line is approximately 2.4 miles to the southwest within Sun City. This distance would minimize risks attributed to ground rupture and gapping. Therefore, the impacts associated with the rupture of a known fault would be less than significant and no mitigation would be required.

Mitigation Measures

No mitigation is necessary.

³ City of Menifee, Exhibit S-1, Fault Map. (2012). Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1028/S-1_FaultMap_HD0913?bidId=

⁴ City of Menifee General Plan Draft EIR. (2013). Section 5.6, Geology and Soils, page 5.6-25. Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/1106/Ch-05-06-GEO?bidId=#:~:text=ElSinore%20Fault%20Zone.&text=The%20section%20closest%20to%20Menifee,to%20the%20northwest%20of%20Menifee>.

Impact 4.6-2 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

ii) Strong seismic ground shaking?

Level of Significance: Less Than Significant Impact

Construction and Operations

Surface Fault Rupture

See Impact 4.6-1, above. The Project site is not within an Alquist-Priolo Earthquake Fault Zone and there are no Alquist-Priolo fault zones within the Project area. Furthermore, there was no evidence of faulting identified during the geotechnical investigation of the Project site per SCG. The Project site is not subject to surface rupture of a known active fault, therefore the possibility of significant fault rupture on the Project site is considered to be low. Impacts would be less than significant.

Ground Shaking

Southern California is considered a seismically active region and regional vicinity of the areas being evaluated contains a number of known earthquake faults. As part of the geotechnical report, 2019 CBC Seismic Design Parameters were generated for future structural improvements within the Project area. Structures for human occupancy must be designed to meet or exceed 2019 CBC standards for earthquake resistance. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground motion with a specified probability at the site. Therefore, future development of habitable structures within the Project site would be conducted in accordance with the 2019 CBC Seismic Design Parameters generated as part of the geotechnical report, which would reduce impacts from seismic ground shaking to a less than significant level.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-3 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

iii) Seismic-related ground failure, including liquefaction?

Level of Significance: Less than Significant Impact

Construction and Operations

Liquefaction

See Impact 4.6-2 above. Liquefaction occurs when saturated fine-grained sands or silts lose their strengths during an earthquake and behave as a liquid. Three main factors contribute to susceptibility to liquefaction: 1) shallow groundwater; 2) low density non-cohesive (granular) soil; and 3) strong ground shaking. According to the geotechnical report, the Project site is located within a zone of low liquefaction susceptibility. In addition, the soil conditions encountered at the boring locations are not considered to be conducive to liquefaction. These conditions consist of dense, well-graded, granular soils and very stiff

to hard cohesive soils extending to depths of 25 feet. In addition, the static groundwater table does not exist within 50 feet of the ground surface. Based on these considerations, liquefaction is not considered to be a design concern for this Project. Therefore, Project development would not subject people or structures to liquefaction hazards, and impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-4 ***Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

iv) Landslides?

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site has a gentle slope of less than one percent running generally downward to the west of the Project site. No extreme elevation differences exist in or around the Project site that would potentially lead to landslide effects. According to the City's Liquefaction and Landslides map⁵ the Project site and the immediate area are not within a zone of generalized landslide susceptibility. The Project area is also outside of the hazard zone for rockfall/debris-flow. The relatively flat topography of the Project site along with its location outside of identified landslide susceptibility and rockfall/debris-flow hazard areas would lead to a less than significant impact from occurring.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-5 ***Would the project result in substantial soil erosion or the loss of topsoil?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site was found to contain artificial fills at depths of up to three feet below the ground level and younger native alluvial soils at least two to three feet below the existing site grades, and older alluvium soils at least 25 feet below the existing ground level. The artificial fill soils were observed at multiple boring and trench locations. The artificial fill soils that were encountered were found to possess various levels of strength and density under testing. However, some of the artificial fill materials were found to be prone to hydro-collapse once exposed to water. It was then concluded that the artificial fill materials would not be suitable to support the proposed structures. The native alluvial soils were also found to possess varied strength and density levels. Remedial grading has been recommended to replace the near-surface native alluvial soils with compacted structural fill soils. The native soils that would be left

⁵ City of Menifee, Exhibit S-3, Liquefaction and Landslides Map. (2012). Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3_LiquefactionandLandslides_HD0913?bidId=

in place after the remedial grading would not be subject to significantly increased stress levels from the foundations of the proposed structures.

The construction of the Project would involve excavation activities that would affect surface and near-surface soils. Over excavation of the Project would be implemented to remove any artificial fill soils, which extend from approximately 0.5 to three feet below the existing grade. In addition to the excavation and removal of the fill material, the development of the Project would require grading preparation, excavation, trenching and paving activities that could result in soil erosion if exposed to periods of high wind or storm-related events. Dust control measures such as watering would be utilized to control the potential for erosion to occur. Construction contractors would also be required to implement a dust control plan in compliance with South Coast Air Quality Management District Rule 403 to reduce wind erosion (further information about dust control can be found in **Section 4.2: Air Quality** of this EIR).

Construction activities such as excavation and grading would be minimal given that the Project site is relatively flat. No major grading or excavation would be needed to substantially alter the slope of the site, create, or remove steep slopes, create retaining walls, or make other landform modifications. Nevertheless, grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. During construction, the Project site would be required to comply with erosion and siltation control measures. This would include measures such as sand-bagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commences, and construction begins the erosion measures would be removed or relocated as necessary. Additionally, the construction on the Project site would be required to comply with the NPDES; refer to **Section 4.9: Hydrology and Water Quality** for discussion of the anticipated NPDES permitting process. Construction impacts on the Project site would be minimized through compliance with the Construction General Permit (CGP). The NPDES permit requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs. The BMPs would be required to meet or exceed measures required by the CGP to control potential construction-related pollutants and would comply with the Menifee Municipal Code (MMC) Title 8, Chapter 8.26 – Grading Regulations.⁶ Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. All required permits and the erosion control plan would be verified by the City prior to initiation of any construction and prior to the issuance of any grading permit. Conformance to these requirements and verification by the City as part of the development approval process would ensure that potential impacts from construction of the warehouses are less than significant.

Per SCG recommendations, excavation, filling, and subgrade preparation would be performed in a manner and sequence that would provide drainage at all times and proper control of erosion to reduce impacts of substantial erosion. Operation of the Project would not involve procedures which would result in substantial soil erosion. Following construction of the Project, the Project site would be covered with hardscape which would not contribute to erosion, and it would contain some landscaping, but these areas would include ground covers to reduce erosion or and loss of on-site soils post-construction. This would

⁶ City of Menifee, Menifee Municipal Code (MMC) Title 8, Chapter 8.26 – Grading Regulations. (2019). Retrieved from: [https://cityofmenifee.us/DocumentCenter/View/8423/Menifee-Grading-Ordinance-Draft?bidId=.](https://cityofmenifee.us/DocumentCenter/View/8423/Menifee-Grading-Ordinance-Draft?bidId=)

ensure that operation of the Project site would not result in the loss of topsoil or sedimentation into local drainage facilities and water bodies; refer to **Section 4.9: Hydrology and Water Quality**. In addition, a network of storm drains and gutters would be installed and maintained as necessary throughout the developed site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-6 ***Would the project 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?***

Level of Significance: Less than Significant Impact

Construction and Operations

As discussed under Impact 4.6-3, above, liquefaction and landslides not considered to be a design concern for the Project, and potential for lateral spreading would be low.

The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings and trenches conducted for the geotechnical report, groundwater was not encountered. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 25 feet below existing site grades. Recent water level data was obtained from the California Department of Water Resources Water Data Library website, (<http://wdl.water.ca.gov/>) indicates that the highest groundwater level is approximately 62 feet below ground surface in the vicinity of the Project site. Therefore, based on anticipated groundwater depths, it is not expected that groundwater would affect excavations for the foundations and utilities. However, minor subsidence is expected to occur in the soils below the zone of soil removal, due to settlement and machinery working. The subsidence is estimated to be 0.10 feet.

The geotechnical report provides recommendations to support the proposed structures and offset impacts from subsidence of 0.10 feet such as scarification and air drying of over-excavated materials to obtain a stable subgrade. The City adopts the CBC by reference and compliance with the recommendations of the geotechnical report, impacts from potential subsidence of 0.10 feet would be reduced to a less than significant level.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-7 *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

Expansive soils are soils that expand and contract depending on their moisture level. This change can occur seasonally as water levels and precipitation changes throughout the year. These soils normally occur within the first five feet below the surface. Expansive soils can lead to structural damage as their compositions and volume changes dramatically. The near-surface soils encountered during the geotechnical investigation consisted of silty sands and well-graded sands considered to have a low to medium expansive potential. Based on the presence of expansive soils at this site, SCG recommends that care should be given to proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent above the Modified Proctor optimum during site grading. All imported fill soils should have low expansive characteristics. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care must be taken to maintain moisture content of these soils at two to four percent above the Modified Proctor optimum. Due to the existing expansive soils potential, Mitigation Measure (MM) GEO-1 would be implemented. **MM GEO-2** requires additional soluble sulfate testing. Therefore, with compliance with **MMs GEO-1** and **GEO-2**, a less than significant impact would occur.

This would require the contractor to frequently moisture condition these soils throughout the grading process unless grading occurs during a period of relatively wet weather.

Mitigation Measures

MM GEO-1 To reduce damage from expansive soils, the contractor shall frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather. Based on the presence of expansive soils, there shall be proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent optimum moisture content during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, all necessary steps shall be taken to maintain moisture content of these soils at two to four percent above the optimum moisture content.

MM GEO-2 Additional soluble sulfate testing shall be conducted by a qualified geologist prior to issuance of a building permit to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations above 0.10% are present, specialized concrete mix designs shall be required. A qualified geologist will determine the specialized concrete mix, if needed, upon results of lab testing of soluble sulfate soils.

Impact 4.6-8 *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?*

Level of Significance: Less than Significant Impact

Construction and Operations

No septic tanks or other alternative wastewater disposal systems are proposed. The Project proposes a sewer infrastructure plan that includes a network of new public sewer mains that would connect to the existing Eastern Municipal Water District sewer system surrounding the Project boundaries. Water and wastewater systems and their development are further discussed in **Section 4.15: Utilities and Service Systems** of this EIR. A less than significant impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-9 *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

As stated previously, no cultural resources of either prehistoric or historical origin were observed within the Project boundaries. Cultural resource properties of prehistoric origin are predominantly bedrock milling features and none exist without the presence of such features. The majority are located 0.5 – 1.0 mile from the Project site and have no associated surface or subsurface artifacts. No exposed bedrock exists within the Project boundaries. Testing on the Project site revealed no discernible subsurface stratigraphy and no evidence of a cultural deposit. However, according to the Paleontological Overview of the Project site, the geologic units underlying the Project area are mapped entirely as alluvial fan deposits dating to the late to middle Pleistocene, which is considered to be of high paleontological sensitivity. Based on these results, the **MM GEO-3** will be implemented. With implementation of **MM GEO-3**, impacts would be reduced to less than significant.

Mitigation Measures

MM GEO-3 Prior to issuance of grading permits, the applicant will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be documented in the PRIMP. The PRIMP would be submitted to the City prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:

1. Description of the project site and proposed grading operations
2. Description of the level of monitoring required for earth-moving activities

3. Identification and qualifications of the paleontological monitor to be employed during earth moving
4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens
5. Direction for fossil discoveries to be reported to the developer and the City
6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays
7. Sampling methods for sediments that are likely to contain small fossil remains, if any.
8. Procedures and protocol for collecting and processing of samples and specimens, as necessary
9. Fossil identification and curation procedures
10. Identification of the repository to receive fossil material
11. All pertinent maps and exhibits
12. Procedures for reporting of findings
13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation.

4.6.6 Cumulative Impacts

Southern California is a seismically active region with a range of geologic and soil conditions. These conditions can vary widely within a limited geographical area due to factors, including differences in landforms and proximity to fault zones, among others. Therefore, while geotechnical impacts may be associated with the cumulative development, by the very nature of the impacts (i.e., landslides and expansive and compressible soils), impacts are typically site-specific and there is little, if any, cumulative relationship between the development of Project and development within a larger cumulative area, such as citywide development.

Impacts associated with seismic events and hazards would be considered significant if the effects of an earthquake on a property could not be mitigated by an engineered solution. The significance criteria do not require elimination of the potential for structural damage from seismic hazards. Instead, the criteria require an evaluation of whether the seismic conditions on a site can be overcome through engineering design solutions that would reduce to less than significant the substantial risk of exposing people or structures to loss, injury, or death. As stated throughout this section, the Project's compliance with **MMs GEO-1** through **GEO-3**, applicable state and local design standards and regulations would ensure that impacts related to geology and soils are reduced to less than significant levels. None of the Project characteristics would affect or influence the geotechnical hazards for off-site development and any cumulative development would be required to comply with the same applicable state and local design

standards, regulations, goals, and policies. For these reasons, no significant cumulative geotechnical impacts would occur for the Project.

4.6.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.6.8 References

City of Menifee, Exhibit S-1, Fault Map. (2012).

[https://www.cityofmenifee.us/DocumentCenter/View/1028/S-1_FaultMap_HD0913?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1028/S-1_FaultMap_HD0913?bidId=)

City of Menifee, Exhibit S-3, Liquefaction and Landslides Map. (2012).

[https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3_LiquefactionandLandslides_HD0913?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3_LiquefactionandLandslides_HD0913?bidId=)

City of Menifee. 2013. Menifee General Plan Safety Element. <https://cityofmenifee.us/222/Safety-Element> (accessed March 2021).

City of Menifee General Plan Draft EIR. (2013). Section 5.6, Geology and Soils, page 5.6-25.

[https://cityofmenifee.us/DocumentCenter/View/1106/Ch-05-06-GEO?bidId=#:~:text=Elsinore%20Fault%20Zone.&text=The%20section%20closest%20to%20Menifee,to%20the%20northwest%20of%20Menifee.](https://cityofmenifee.us/DocumentCenter/View/1106/Ch-05-06-GEO?bidId=#:~:text=Elsinore%20Fault%20Zone.&text=The%20section%20closest%20to%20Menifee,to%20the%20northwest%20of%20Menifee)

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4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses potential greenhouse gas (GHG) impacts associated with development and implementation of the Menifee Commerce Center (Project). A quantified estimate of GHG emissions that would result from the Project, and an analysis of the significance of the impact of these GHGs were analyzed. In the case where impacts were found to be potentially significant, mitigation will be proposed to reduce their significance. The current conditions were observed as the baseline for the analysis along with relevant federal, state, and local air pollutant regulations.

This analysis is based primarily on the following technical report located in **Appendix 9.7: Greenhouse Gas Emissions Report**.

- Menifee Commerce Center Greenhouse Gas Analysis (Urban Crossroads 2022) (**Appendix 9.7.1**).

4.7.2 Environmental Setting

The Project is located south of Ethanac Road between Trumble Road and Dawson Road in the City of Menifee. The Project Site is generally located east of Interstate (I-) 215 with the nearest residential uses located north and south of the Project site. The Project includes the development of two non-refrigerated warehouse buildings on approximately 72 acres. Building 1, located between Dawson Road and Sherman Road, would contain a total of 1,254,160 square feet. Building 2, located between Sherman Road and Trumble Road, would contain a total of 385,970 square feet. The Project is anticipated to be developed within a single phase with an Opening Year of 2024.

Greenhouse Gas

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration.

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change. The potential health effects related directly to the emissions of CO₂, CH₄, and N₂O as they relate to development projects such as the Project are still being debated in the scientific community. Their cumulative effects to Global Climate Change (GC) have the potential to cause adverse effects to human health. Increases in Earth's ambient temperatures would result in more intense heat waves, causing more heat-related deaths. Scientists also purport those higher ambient temperatures would increase disease survival rates and result in more widespread disease. Climate change would likely cause shifts in weather patterns, potentially resulting in devastating droughts and food shortages in some areas. Many gases demonstrate these properties and as discussed in **Table 4.7-1: GHG and Health Effects**.

Table 4.7-1: GHGs and Health Effects

GHGs	Description	Sources	Health Effects
Water	<p>Water is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change.</p> <p>As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to ‘hold’ more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a “positive feedback loop.” The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the earth’s surface and heat it up) (13).</p>	<p>The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.</p>	<p>There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.</p>

GHGs	Description	Sources	Health Effects
CO ₂	<p>CO₂ is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO₂ concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO₂ in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources (14).</p>	<p>CO₂ is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. CO₂ is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks (15).</p>	<p>Outdoor levels of CO₂ are not high enough to result in negative health effects.</p> <p>According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of CO₂ can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of CO₂ in the earth's atmosphere are estimated to be approximately 370 ppm, the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15 minute period (16).</p>
CH ₄	<p>CH₄ is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO₂ and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs.</p>	<p>CH₄ has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH₄. Other anthropogenic sources include fossil-fuel combustion and biomass burning (17).</p>	<p>CH₄ is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH₄ can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.</p>

GHGs	Description	Sources	Health Effects
N ₂ O	N ₂ O, also known as laughing gas, is a colorless GHG. Concentrations of N ₂ O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb).	N ₂ O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N ₂ O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction (18).	N ₂ O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in CH ₄ or ethane (C ₂ H ₆) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs would remain in the atmosphere for over 100 years (19).	In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

GHGs	Description	Sources	Health Effects
HFCs	HFCs are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HCF-134a emissions are increasing due to its use as a refrigerant.	HFCs are manmade for applications such as automobile air conditioners and refrigerants.	No health effects are known to result from exposure to HFCs.
PFCs	PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF ₄) and hexafluoroethane (C ₂ F ₆). The EPA estimates that concentrations of CF ₄ in the atmosphere are over 70 parts per trillion (ppt).	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.	No health effects are known to result from exposure to PFCs.
SF ₆	SF ₆ is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900) (20). The EPA indicates that concentrations in the 1990s were about 4 ppt.	SF ₆ is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.
Nitrogen Trifluoride (NF ₃)	NF ₃ is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF ₃ has a 100-year GWP of 17,200 (21).	NF ₃ is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers.	Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis (22).

4.7.3 Regulatory Setting

Federal

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

GHG Endangerment

In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the U.S. Supreme Court (Supreme Court) found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Clean Air Act (CAA). The Supreme Court held that the U.S. Environmental Protection Agency (EPA) Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the U.S. EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the section “Clean Vehicles” below. After a lengthy legal challenge, the Supreme Court declined to review an Appeals Court ruling that upheld the U.S. EPA Administrator’s findings.

Clean Vehicles

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light duty trucks. The law has become more stringent over time. On May 19, 2009, President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the U.S. On April 1, 2010, the U.S. EPA and the Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the U.S.

The first phase of the national program applies to passenger cars, light-duty trucks, and medium-duty (MD) passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO₂ per mile, equivalent to 35.5 miles per gallon (mpg) if the automobile industry were to meet this CO₂ level solely through fuel economy improvements. Together, these standards would cut CO₂ emissions by an estimated 960 million metric

tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). The U.S. EPA and the NHTSA issued final rules on a second-phase joint rulemaking establishing national standards for light-duty vehicles for model years 2017 through 2025 in August 2012. The new standards for model years 2017 through 2025 apply to passenger cars, light-duty trucks, and MD passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO₂ in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.

The U.S. EPA and the U.S. Department of Transportation issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks (HDT) and buses on September 15, 2011, effective November 14, 2011. For combination tractors, the agencies are proposing engine and vehicle standards that begin in the 2014 model year and achieve up to a 20% reduction in CO₂ emissions and fuel consumption by the 2018 model year. For HDT and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10% reduction for gasoline vehicles and a 15% reduction for diesel vehicles by the 2018 model year (12 and 17% respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10% reduction in fuel consumption and CO₂ emissions from the 2014 to 2018 model years.

On April 2, 2018, the U.S. EPA signed the Mid-term Evaluation Final Determination, which declared that the MY 2022–2025 GHG standards are not appropriate and should be revised. This Final Determination serves to initiate a notice to further consider appropriate standards for MY 2022–2025 light-duty vehicles. On August 2, 2018, the NHTSA in conjunction with the U.S. EPA, released a notice of proposed rulemaking, the *Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks* (SAFE Vehicles Rule). The SAFE Vehicles Rule was proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe CO₂ standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. As of March 31, 2020, the NHTSA and U.S. EPA finalized the SAFE Vehicle Rule which increased stringency of CAFE and CO₂ emissions standards by 1.5% each year through model year 2026.

Mandatory Reporting of GHGs

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the U.S. EPA issued the Final Mandatory Reporting of GHGs Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the U.S. and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons per year (MT/yr) or more of GHG emissions are required to submit annual reports to the U.S. EPA.

New Source Review

The U.S. EPA issued a final rule on May 13, 2010, that establishes thresholds for GHGs that define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit

programs are required for new and existing industrial facilities. This final rule “tailors” the requirements of these CAA permitting programs to limit which facilities would be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the Federal Code of Regulations, the EPA states:

“This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the CAA, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to GHG sources, starting with the largest GHG emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for GHG emissions until at least April 30, 2016.”

The U.S. EPA estimates that facilities responsible for nearly 70% of the national GHG emissions from stationary sources would be subject to permitting requirements under this rule. This includes the nation’s largest GHG emitters—power plants, refineries, and cement production facilities.

Standards of Performance for GHG Emissions for New Stationary Sources: Electric Utility Generating Units

As required by a settlement agreement, the U.S. EPA proposed new performance standards for emissions of CO₂ for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts (MW) would be required to meet an output-based standard of 1,000 pounds (lbs) of CO₂ per MW-hour (MWh), based on the performance of widely used natural gas combined cycle technology. It should be noted that on February 9, 2016, the Supreme Court issued a stay of this regulation pending litigation. Additionally, the current U.S. EPA Administrator has also signed a measure to repeal the Clean Power Plan, including the CO₂ standards. The Clean Power Plan was officially repealed on June 19, 2019, when the U.S. EPA issued the final Affordable Clean Energy rule (ACE). Under ACE, new state emission guidelines were established that provided existing coal-fired electric utility generating units with achievable standards.

Cap-and-Trade

Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. Successful examples in the U.S. include the Acid Rain Program and the N₂O Budget Trading Program and Clean Air Interstate Rule in the northeast. There is no federal GHG cap-and-trade program currently; however, some states have joined to create initiatives to provide a mechanism for cap-and-trade.

The Regional GHG Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps

CO₂ emissions from power plants, auctions CO₂ emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008 and in 2020 has retained all participating states.

The Western Climate Initiative (WCI) partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15% below 2005 levels by 2020. The partners were originally California, British Columbia, Manitoba, Ontario, and Quebec. However, Manitoba and Ontario are not currently participating. California linked with Quebec's cap-and-trade system January 1, 2014, and joint offset auctions took place in 2015. While the WCI has yet to publish whether it has successfully reached the 2020 emissions goal initiative set in 2007, SB 32 requires that California, a major partner in the WCI, adopt the goal of reducing statewide GHG emissions to 40% below the 1990 level by 2030.

SmartWay Program

The SmartWay Program is a public-private initiative between the U.S. EPA, large and small trucking companies, rail carriers, logistics companies, commercial manufacturers, retailers, and other federal and state agencies. Its purpose is to improve fuel efficiency and the environmental performance (reduction of both GHG emissions and air pollution) of the goods movement supply chains. SmartWay is comprised of four components:

1. SmartWay Transport Partnership: A partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption, and improve performance annually.
2. SmartWay Technology Program: A testing, verification, and designation program to help freight companies identify equipment, technologies, and strategies that save fuel and lower emissions.
3. SmartWay Vehicles: A program that ranks light-duty cars and small trucks and identifies superior environmental performers with the SmartWay logo.
4. SmartWay International Interests: Guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay.

SmartWay effectively refers to requirements geared towards reducing fuel consumption. Most large trucking fleets driving newer vehicles are compliant with SmartWay design requirements. Moreover, over time, all HDTs would have to comply with the California Air Resource Board (CARB) GHG Regulation that is designed with the SmartWay Program in mind, to reduce GHG emissions by making them more fuel-efficient. For instance, in 2015, 53 foot or longer dry vans or refrigerated trailers equipped with a combination of SmartWay-verified low-rolling resistance tires and SmartWay-verified aerodynamic devices would obtain a total of 10% or more fuel savings over traditional trailers.

Executive Order 13990

On January 20, 2021, Federal agencies were directed to immediately review, and take action to address, Federal regulations promulgated and other actions taken during the last four years that conflict with national objectives to improve public health and the environment; ensure access to clean air and water; limit exposure to dangerous chemicals and pesticides; hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; reduce GHG emissions;

bolster resilience to the impacts of climate change; restore and expand our national treasures and monuments; and prioritize both environmental justice and employment.

State

Legislative Actions to Reduce GHGs

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark Assembly Bill (AB) 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32

The California State Legislature enacted AB 32, which required that GHGs emitted in California be reduced to 1990 levels by the year 2020 (this goal has been met¹). GHGs as defined under AB 32 include CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆. Since AB 32 was enacted, a seventh chemical, NF₃, has also been added to the list of GHGs. CARB is the state agency charged with monitoring and regulating sources of GHGs. Pursuant to AB 32, CARB adopted regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 states the following:

“Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.”

Senate Bill 375

On September 30, 2008, Senate Bill (SB) 375 was signed by Governor Schwarzenegger. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40% of the total GHG emissions in California. SB 375 states, “Without improved land use and transportation policy, California would not be able to achieve the goals of AB 32.” SB 375 does the following: it (1) requires metropolitan planning organizations (MPOs) to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

SB 375 requires MPOs to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions. Although SB 375

¹ Based upon the 2019 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2017 GHG emissions period, California emitted an average 424.1 MMTCO₂e. This is less than the 2020 emissions target of 431 MMTCO₂e.

does not prevent CARB from adopting additional regulations, such actions are not anticipated in the foreseeable future.

Concerning CEQA, SB 375, as codified in PRC § 21159.28, states that CEQA findings for certain projects are not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, if the project:

1. Is in an area with an approved SCS or an alternative planning strategy that CARB accepts as achieving the GHG emission reduction targets.
2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies).
3. Incorporates the Mitigation Measures required by an applicable prior environmental document.

Assembly Bill 1493 - Pavley Fuel Efficiency Standards

Enacted on July 22, 2002, California AB 1493, also known as the Pavley Fuel Efficiency Standards, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The U.S. EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011.

The standards phase in during the 2009 through 2016 MY. Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant.

The second phase of the implementation for the Pavley Bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for MY 2017 through 2025. The regulation would reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules would clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles (EV) and hydrogen fuel cell cars. The package would also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

Clean Energy and Pollution Reduction Act of 2015 (SB 350)

In October 2015, the legislature approved, and Governor Jerry Brown signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewable portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for EV charging

stations. Provisions for a 50% reduction in the use of petroleum statewide were removed from the Bill because of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the California Public Utilities Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western United States.

Senate Bill 32

On September 8, 2016, Governor Brown signed SB 32 and its companion bill, AB 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80% below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the Governor, but also the Legislature.

CARB Scoping Plan Update

In November 2017, CARB released the *Final 2017 Scoping Plan Update (2017 Scoping Plan)*, which identifies the State's post-2020 reduction strategy. The *2017 Scoping Plan* reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the low-carbon fuel standard (LCFS), and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce CH₄ emissions from agricultural and other wastes.

The *2017 Scoping Plan* establishes a new emissions limit of 260 MMTCO₂e for the year 2030, which corresponds to a 40% decrease in 1990 levels by 2030.

California's climate strategy would require contributions from all sectors of the economy, including the land base, and would include enhanced focus on zero and near-zero emission (ZE/NZE) vehicle technologies; continued investment in renewables, including solar roofs, wind, and other distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (CH₄, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conservation of agricultural and other lands. Requirements for direct GHG reductions at refineries would further support air quality co-benefits in neighborhoods, including in disadvantaged communities historically located adjacent to these large stationary sources, as well as efforts with California's local air pollution control and air quality management districts (air districts) to

tighten emission limits on a broad spectrum of industrial sources. Major elements of the *2017 Scoping Plan* framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing zero-emission vehicles (ZEV) buses and trucks.
- LCFS, with an increased stringency (18% by 2030).
- Implementing SB 350, which expands the RPS to 50% RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing CH₄ and HCF emissions by 40% and anthropogenic black carbon emissions by 50% by year 2030.
- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20% reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Note, however, that the *2017 Scoping Plan* acknowledges that:

"[a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA."

In addition to the statewide strategies listed above, the *2017 Scoping Plan* also identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended actions, CARB recommends that local governments achieve a community-wide goal to achieve emissions of no more than six metric tons of CO₂e (MTCO₂e) or less per capita by 2030 and two MTCO₂e or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidence-based bright-line numeric thresholds—consistent with the *2017 Scoping Plan* and the State's long-term GHG goals—and projects with emissions over that amount may be required to incorporate on-site design features and MMs that avoid or minimize project emissions to the degree feasible; or a performance-based metric using a CAP or other plan to reduce GHG emissions is appropriate.

According to research conducted by the Lawrence Berkeley National Laboratory (LBNL) and supported by CARB, California, under its existing and proposed GHG reduction policies, could achieve the 2030 goals under SB 32. The research utilized a new, validated model known as the California LBNL GHG Analysis of Policies Spreadsheet (CALGAPS), which simulates GHG and criteria pollutant emissions in California from

2010 to 2050 in accordance to existing and future GHG-reducing policies. The CALGAPS model showed that by 2030, emissions could range from 211 to 428 MTCO₂e per year (MTCO₂e/yr), indicating that “even if all modeled policies are not implemented, reductions could be sufficient to reduce emissions 40% below the 1990 level [of SB 32].” CALGAPS analyzed emissions through 2050 even though it did not generally account for policies that might be put in place after 2030. Although the research indicated that the emissions would not meet the State’s 80% reduction goal by 2050, various combinations of policies could allow California’s cumulative emissions to remain very low through 2050.

Cap-and-Trade Program

The *2017 Scoping Plan* identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program would help put California on the path to meet its goal of achieving a 40% reduction in GHG emissions from 1990 levels by 2030. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap would be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from regulated entities by more than 16% between 2013 and 2020, and by an additional 40% by 2030. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and would decline over time, achieving GHG emission reductions throughout the program’s duration.

Covered entities that emit more than 25,000 MTCO₂e/yr must comply with the Cap-and-Trade Program. Triggering of the 25,000 MTCO₂e/yr “inclusion threshold” is measured against a subset of emissions reported and verified under the California Regulation for the Mandatory Reporting of GHG Emissions (Mandatory Reporting Rule or “MRR”).

Under the Cap-and-Trade Program, CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities are allocated free allowances in whole or part (if eligible), and may buy allowances at auction, purchase allowances from others, or purchase offset credits. Each covered entity with a compliance obligation is required to surrender “compliance instruments” for each MTCO₂e of GHG they emit. There also are requirements to surrender compliance instruments covering 30% of the prior year’s compliance obligation by November of each year.

The Cap-and-Trade Program covers approximately 80% of California’s GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects’ electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program’s first compliance period. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs through the use of Executive Orders. Although not regulatory, they set the tone for the state and guide the actions of state agencies.

Executive Order S-3-05

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following reduction targets for GHG emissions:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80% below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that would stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07 (LCFS)

Governor Schwarzenegger signed Executive Order S-01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020. CARB adopted the LCFS on April 23, 2009.

The LCFS was challenged in the U.S. District Court in Fresno in 2011. The court's ruling issued on December 29, 2011, included a preliminary injunction against CARB's implementation of the rule. The Ninth Circuit Court of Appeals stayed the injunction on April 23, 2012, pending final ruling on appeal, allowing CARB to continue to implement and enforce the regulation. The Ninth Circuit Court's decision, filed September 18, 2013, vacated the preliminary injunction. In essence, the court held that LCFS adopted by CARB were not in conflict with federal law. On August 8, 2013, the Fifth District Court of Appeal (California) ruled CARB failed to comply with CEQA and the Administrative Procedure Act (APA) when adopting regulations for LCFS. In a partially published opinion, the Court of Appeal reversed the trial court's judgment and directed issuance of a writ of mandate setting aside Resolution 09-31 and two executive orders of CARB approving LCFS regulations promulgated to reduce GHG emissions. However, the court tailored its remedy to protect the public interest by allowing the LCFS regulations to remain operative while CARB complies with the procedural requirements it failed to satisfy.

To address the Court ruling, CARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon intensity fuels, offer additional flexibility to regulated parties, update critical technical information, simplify, and streamline program operations, and enhance enforcement. On November 16, 2015, the Office of Administrative Law (OAL) approved the Final Rulemaking Package. The new LCFS regulation became effective on January 1, 2016.

In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

Executive Order S-13-08

Executive Order S-13-08 states that “climate change in California during the next century is expected to shift precipitation patterns, accelerate sea-level rise and increase temperatures, thereby posing a serious threat to California’s economy, to the health and welfare of its population and to its natural resources.” Pursuant to the requirements in the Order, the *2009 California Climate Adaptation Strategy (CNRA 2009)* was adopted, which is the “...first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States.” Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order B-30-15

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. The Governor’s executive order aligned California’s GHG reduction targets with those of leading international governments ahead of the U.N. Climate Change Conference in Paris late 2015. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40% below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80% below 1990 levels by 2050 and directs CARB to update the *2017 Scoping Plan* to express the 2030 target in terms of MMTCO₂e. The Order also requires the state’s climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this Order is not legally enforceable as to local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

Executive Order B-55-18 and SB 100

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the existing RPS, 25% of retail sales of electricity are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California’s RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural

Resources Agency (CNRA), California EPA (CalEPA), the California Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 CCR Sections 1601 et seq. – Appliance Efficiency Regulations

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment.

Title 24 CCR Part 6 – California Energy Code

The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods.

Title 24 CCR Part 11 – California Green Building Standards Code

The California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission (CBSC).

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction waste and demolition ordinances and defers to them as the ruling guidance provided they establish a minimum 65% diversion requirement.

The code also provides exemptions for areas not served by construction waste and demolition recycling infrastructure. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official.

Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020.

The 2019 Title 24 standards would result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. For example, the 2019 Title 24 standards would require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting requirements for nonresidential buildings.

The CEC anticipates that single-family homes built with the 2019 standards would use approximately 7% less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar photovoltaic systems, homes built under the 2019 standards would use about 53% less energy than homes built under the 2016 standards. Nonresidential buildings (such as the Project) would use approximately 30% less energy due to lighting upgrade requirements.

Because the Project would be constructed after January 1, 2020, the 2019 CALGreen standards are applicable to the Project and require, among other items.

Nonresidential Mandatory Measures

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- Electric vehicle (EV) charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106.5.3.3 (5.106.5.3).
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Sections 5.408.1.1, 5.408.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
 - Water Closets. The effective flush volume of all water closets shall not exceed
 - 1.28 gallons per flush (5.303.3.1)
 - Urinals. The effective flush volume of wall-mounted urinals shall not exceed
 - 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
 - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
 - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

CARB Refrigerant Management Program

CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in §§ 95380 to 95398 of Title 17, CCR. The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

Tractor-Trailer GHG Regulation

The tractors and trailers subject to this regulation must either use U.S. EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the HD tractors that pull them on California highways. These owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors MY 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

Phase 1 and 2 Heavy-Duty Vehicle GHG Standards

In September 2011, CARB has adopted a regulation for GHG emissions from HDTs and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the U.S. EPA rule for new trucks and engines nationally. Existing HD vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy-Duty Tractor-Trailer GHG Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation. The U.S. EPA rule has compliance requirements for new compression and spark ignition engines, as well as trucks from Class 2b through Class 8. Compliance requirements began with MY 2014 with stringency levels increasing through MY 2018. The rule organizes truck compliance into three groupings, which include a) HD pickups and vans; b) vocational vehicles; and c) combination tractors. The U.S. EPA rule does not regulate trailers.

CARB staff has worked jointly with the U.S. EPA and the NHTSA on the next phase of federal GHG emission standards for medium-duty trucks (MDT) and HDT vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later MY HDT vehicles, including trailers. The U.S. EPA and NHTSA have proposed to roll back GHG and fuel economy standards for cars and light-duty trucks, which suggests a similar rollback of Phase 2 standards for MDT and HDT vehicles may be pursued.

SB 97 and the CEQA Guidelines Update

Passed in August 2007, SB 97 added § 21083.05 to the PRC. The code states “(a) On or before July 1, 2009, the Office of Planning and Research (OPR) shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the OPR pursuant to subdivision (a).”

In 2012, PRC § 21083.05 was amended to state:

“The Office of Planning and Research and the Natural Resources Agency shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption, to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.”

On December 28, 2018, the Natural Resources Agency announced the OAL approved the amendments to the *CEQA Guidelines* for implementing CEQA. The CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing *CEQA Guidelines* to reference climate change.

Section 15064.4 was added the *CEQA Guidelines* and states that in determining the significance of a project’s GHG emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project’s emissions to the effects of climate change. A project’s incremental contribution may be cumulatively considerable even if it appears relatively insignificant compared to statewide, national, or global emissions. The agency’s analysis should consider a timeframe that is appropriate for the project. The agency’s analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes. Additionally, a lead agency may use a model or methodology to estimate GHG emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project’s incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

SCAQMD

SCAQMD is the agency responsible for air quality planning and regulation in the SCAB. The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency

helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which could be applied by lead agencies. The working group has not provided additional guidance since release of the interim guidance in 2008. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project’s construction emissions are averaged over 30 years and are added to the project’s operational emissions. If a project’s emissions are below one of the following screening thresholds, then the project is less than significant:
 - Residential and commercial land use: 3,000 MTCO₂e/yr
 - Industrial land use: 10,000 MTCO₂e/yr
 - Based on land use type: residential: 3,500 MTCO₂e/yr; commercial: 1,400 MTCO₂e/yr; or mixed use: 3,000 MTCO₂e/yr
- Tier 4 has the following options:
 - Option 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined.
 - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
 - Option 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO₂e per SP per year for projects and 6.6 MTCO₂e per SP per year for plans.
 - Option 3, 2035 target: 3.0 MTCO₂e per SP per year for projects and 4.1 MTCO₂e per SP per year for plans.
- Tier 5 involves mitigation offsets to achieve target significance threshold.

The SCAQMD’s interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order’s objective would contribute to worldwide efforts to cap CO₂ concentrations at 450 ppm, thus stabilizing global climate.

SCAQMD is the agency responsible for air quality planning and regulation in the SCAB. The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

SCAQMD Rule 2305

On May 8, 2021, SCAQMD adopted Warehouse Indirect Source Rule 2305, which includes the Warehouse Actions and Investments to Reduce Emissions Program (WAIRE) and Rule 316. Rule 2305 establishes for the first time a regulatory program designed to reduce air pollution (and indirect GHG emissions) caused by warehouse-related activities and is focused on emissions from vehicles that service large warehouses. Rule 316 establishes a fee system to support the Rule 2305 program on an ongoing basis. Rules 2305 and 316 apply to operators and owners of existing and new warehouses with floor space greater than or equal to 100,000 square feet within a single building (i.e., large warehouses). Rules 2305 and 316 require such operators and owners to annually take actions with respect to their warehouses that either reduce emissions regionally and locally or facilitate emission reductions. Specifically, owners and operators must “earn” a specific number of WAIRE Points. However, warehouse owners are only required to earn WAIRE Points if they are also a warehouse operator. If a warehouse owner is not an operator, they are not required to earn WAIRE Points even if the operator in their warehouse does not earn the required number of WAIRE Points. Warehouse owners are only required to submit a Warehouse Operations Notification to the SCAQMD.

The number of WAIRE Points required for a specific operator is based on the intensity of operations (i.e., number of truck trips and type of trucks) at each of their warehouses every year. The required points are known as the WAIRE Points Compliance Obligation (WPCO). The WPCO is calculated based on a 12-month survey of truck trips entering or exiting the site, the truck data is weighted based on the types of trucks, and activity is projected for the next year. Thus, the WAIRE Points pay for the prior year’s emissions based on points earned in subsequent years.

WAIRE Points are earned by implementing a menu of items including purchasing/renting/leasing near-zero (NZE) and zero emission (ZE) yard equipment, installing on-site ZE fueling stations, and proving on-site solar PV systems that are intended to offset or reduce warehouse emissions. Owners and operators may also implement custom WAIRE plans for individual facilities, subject to SCAQMD approval; or pay mitigation fees to have the SCAQMD implement measures within the SCAB. Owners and operators that over-comply may transfer excess WAIRE Points earned in one year to a subsequent year or may transfer WAIRE points to another site within their control. WAIRE Points cannot be transferred to other operators and expire after three years. Rule 2305 also requires reporting information about facility operations and recordkeeping. Rule 316 is the companion rule to Rule 2305 and establishes the administrative fees that Rule 2305 warehouse owners and operators must pay to support SCAQMD compliance activities.

While the Project proponent may be defined as a warehouse owner and would submit a Warehouse Operation Notice(s), as required, the Project proponent does not intend to be the warehouse operator and has no knowledge of the future operations. Thus, the specific information required by Rule 2305 for calculating the WPCO is unavailable, and the necessary number of points is unknown. Finally, The WAIRE points expire after three years and are based on actions of future operators and are thus temporary and cannot be relied upon for CEQA purposes. Therefore, even though the WAIRE program would reduce emissions warehouse activities in the region, no emission reductions from the WAIRE Program are accounted for in the following analysis.

Local

City of Menifee General Plan

Circulation Element

The Circulation Element provides overall guidance for the city's responsibility to satisfy the local and subregional circulation needs of our residents, visitors, and businesses while maintaining the city's quality of life. In addition, it coordinates the circulation system with future land use patterns and levels of buildout and addresses access and connectivity among the various neighborhoods and economic development districts.²

Goals and policies from the Circulation Element applicable to the Project include:

- Goal C-1** **A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.**
- Policy C-1.5** Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.
- Goal C-2** **A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.**
- Policy C-2.2** Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel, and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.
- Policy C-2.3** Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- Policy C-2.4** Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.

² City of Menifee. 2013. *Menifee General Plan Circulation Element*. <https://www.cityofmenifee.us/211/Circulation-Element> (accessed March 2021).

City of Menifee Design Guidelines – Appendix A: Industrial Good Neighbor Policies³

According to the City’s Design Guidelines, the purpose of the Good Neighbor Policies (Policies) is to provide local government and developers with ways to address environmental and neighborhood compatibility issues associated with permitting warehouse, logistics and distribution facilities. The Policies were designed to promote economic vitality and sustainability of businesses, while still protecting the general health, safety, and welfare of the public and sensitive receptors within the City of Menifee. Sensitive receptors include residential neighborhoods, schools, public parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

The intent of the City of Menifee’s Good Neighbor Policies, in siting new warehouse, logistics and distribution uses, include:

1. Minimize impacts to sensitive uses
2. Protect public health, safety, and welfare by regulating the design, location and operation of facilities
3. Protect neighborhood character of adjacent communities

The Policies apply to all new warehouse, logistics and distribution facilities (“industrial uses”), excluding pending applications that have been deemed complete as the effective day of this policy, that include any building larger than 100,000 square feet in size or any sized building with more than 10 loading bays (dock-high). There are general performance standards, as well as site design, access and layout standards, signage and information standards, and environmental considerations, including air quality and noise and traffic.

4.7.4 Impact Thresholds and Significance Criteria

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project’s GHG emissions will have a “significant” impact on the environment. The guidelines direct that agencies are to use “careful judgment” and “make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate” the project’s GHG emissions.

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally would have a significant effect on the environment if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

³ City of Menifee. Amended 2022. *Design Guidelines*. <https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines-Amended-March-2-2022?bidId=> (accessed May 2022).

South Coast Air Quality Management District Thresholds

The SCAQMD formed a GHG CEQA Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, the Project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. The SCAQMD has adopted a threshold of 10,000 metric tons of CO₂e (MTCO₂e) per year for industrial projects and a 3,000 MTCO₂e threshold was proposed for non-industrial projects but has not been adopted. During Working Group Meeting #7⁴ it was explained that the 10,000 MTCO₂e threshold was derived using a 90 percent capture rate of a large sampling of industrial facilities. During Meeting #8,⁵ the Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.). The Working Group indicated that the 10,000 MTCO₂e per year threshold applies to both emissions from construction and operational phases plus indirect emissions (electricity, water use, etc.). The SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Although the screening threshold for industrial projects is 10,000 MTCO₂e per year, the City of Menifee utilizes 3,000 MTCO₂e per year as the GHG threshold for warehouse projects. Therefore, the City has determined that the SCAQMD's draft threshold of 3,000 MTCO₂e/yr is more conservative and appropriate for industrial and warehouse land use development projects.

Methodology

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2020.4.0 (CalEEMod). For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. The Project's operations-related GHG emissions would be generated by vehicular traffic, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste.

⁴ Meeting 7: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-7/ghg-meeting-7-minutes.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-7/ghg-meeting-7-minutes.pdf?sfvrsn=2)

⁵ Meeting 8: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-8/ghg-meeting-8-minutes.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-8/ghg-meeting-8-minutes.pdf?sfvrsn=2)

4.7.5 Impacts and Mitigation Measures

Impact 4.7-1 *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Level of Significance: Significant and Unavoidable Impact

Construction Emissions

Construction is anticipated to begin in early 2023 and would last through late 2024. For construction emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. Once construction is complete, the generation of these GHG emissions would cease. The amortized construction emissions are presented in **Table 4.7-2, Amortized Annual Construction Emissions**.

Table 4.7-2: Amortized Annual Construction Emissions

Year	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
2023	3,027.43	0.33	0.21	3,096.82
2024	1,779.42	0.18	0.09	1,810.93
Total GHG Emissions	4,806.86	0.51	0.30	4,907.74
Amortized Construction Emissions	160.23	0.02	0.01	163.59
Source Appendix 9.7.1				

Operations

Operational activities associated with the Project would result in emissions of CO₂, CH₄, and N₂O from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste

The analysis evaluates two project scenarios. Scenario 1 is based on trip rates presented in the Menifee Commerce Center Project Traffic Impact Analysis (TIA) prepared by Albert A. Webb Associates. Under Scenario 1, Building 1 is evaluated as high-cube fulfillment center warehouse space and Building 2 is evaluated as general warehousing space. Scenario 2 is based on supplemental trip generation data provided by Albert A. Webb Associates and evaluates Building 1 as high-cube transload and short-term storage warehouse space and Building 2 as general warehousing space.

Under Scenario 1, the Project would be expected to generate a total of approximately 8,749 vehicular trips per day, which includes 470 truck trips per day. Under Scenario 2, the Project would be expected to generate a total of approximately 2,429 vehicular trips per day, which includes 509 truck trips per day.

As shown in **Table 2.7-3, Project Scenario 1 and 2 GHG Emissions**, construction and operation of the Project would generate a total of 20,078.73 MTCO₂e/yr under Scenario 1 and a total of 12,722.54 MTCO₂e/yr under Scenario 2.

To further reduce emissions, **Mitigation Measures (MM) AQ-2 through AQ-12 in Section 4.2, Air Quality** and **MMs GHG-1 through GHG-5** have been applied. Even with the Project’s compliance with applicable rules, adherence to standard conditions and requirements, and the imposition of all feasible mitigation measures identified above, the Project’s operational GHG would exceed the applicable regional thresholds of significance under both Scenarios 1 and 2. As such, Project operational-source GHG emissions are considered significant and unavoidable. It should be noted that, approximately 90 percent of the Project’s GHG emissions under Scenario 1 and 85 percent of the Project’s GHG emissions under Scenario 2 are derived from vehicle usage which cannot be directly regulated by the City. Neither the Project applicant nor the City can substantively or materially affect reductions in project-related vehicular source emissions beyond regulatory requirements, and mitigation measures identified herein.

While there are no feasible mitigation measures that would reduce vehicular emissions, the City’s Industrial Good Neighbor Policies⁶ requires Projects with 50 or more dock doors to identify the location of future electric truck charging stations (1 charging station for every 50 dock doors) and install conduit to those stations. The Project would include electric vehicle supply equipment in accordance with the California Building Code which would allow future charging stations to be supplied based on demand. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions under both scenarios are considered significant and unavoidable. Note that the City’s General Plan EIR had a similar level of significance

Table 4.7-3: Project Scenario 1 and 2 GHG Emissions

Scenario	Emission Source	Emissions (MT/yr)			
		CO ₂	CH ₄	N ₂ O	Total CO ₂ e
1	Annual construction-related emissions amortized over 30 years	160.23	0.02	0.01	163.59
	Area Source	0.08	2.10E-04	0.00	0.09
	Energy Source	944.58	0.07	0.01	949.59
	Mobile Source	17,708.77	0.63	1.40	18,142.38
	Waste	312.96	18.50	0.00	775.33
	Water Usage	35.87	0.37	8.96E-03	47.75
	Total CO₂e (All Sources)	20,078.73			
	<i>Threshold</i>	3,000			
	Exceeds Threshold?	Yes			

⁶ City of Menifee, *Design Guidelines Appendix A: Industrial Good Neighbor Policies*, March 2022, https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines_Amen ded-March-2-2022?bidl=

Scenario	Emission Source	Emissions (MT/yr)			
		CO ₂	CH ₄	N ₂ O	Total CO ₂ e
2	Annual construction-related emissions amortized over 30 years	160.23	0.02	0.01	163.59
	Area Source	0.08	2.10E-04	0.00	0.09
	Energy Source	944.58	0.07	0.01	949.59
	Mobile Source	10,411.71	0.22	1.24	10,786.20
	Waste	312.96	18.50	0.00	775.33
	Water Usage	35.87	0.37	8.96E-03	47.75
	Total CO₂e (All Sources)	12,722.54			
	<i>Threshold</i>	3,000			
	Exceeds Threshold?	Yes			
Source: Appendix 9.7.1					

In response to the increase in warehouse development in California, the State of California Department of Justice issued a Memorandum in March 2021, entitled *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Memorandum). The Memorandum encourages warehouse projects to implement certain best practices regarding GHG emissions impacts. In response to the Memorandum, the City and the Project Applicant have voluntarily incorporated numerous best practices recommended in the Memorandum. These best practices are enforceable by the City and must be implemented by the Project Applicant. Adherence to the below standard conditions and requirements, and mitigation measures, represents the Project Applicant’s willingness to go above and beyond to address the Department of Justice’s concerns regarding GHG emissions impacts.

Standard Conditions and Requirements:

Standard Conditions are existing requirements and conditions of approval that are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. Typical standard conditions and requirements include compliance with the provisions of the Building Code, SCAQMD Rules, etc. The City may impose additional conditions during the approval process, as appropriate. Because Standard Conditions are neither Project specific nor a result of development of the Project, they are not considered to be either PDFs or Mitigation Measures.

SC-1 Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District’s (SCAQMD’s) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.

- All material transported off site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

SC-2 Pursuant to SCAQMD Rule 1113, the Project Applicant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.

SC-3 Require diesel powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.

SC-4 All construction equipment shall be maintained in good operating condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City of Menifee verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Truck traffic shall be generally routed to impact the least number of sensitive receptors (e.g., access locations, use of traffic control features, signage).
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation.
- Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the City of Menifee determines that 2010 model year or newer diesel trucks cannot be obtained, or if the cost of using these 2010 or newer trucks is economically infeasible, the Project shall use trucks that meet EPA 2007 model year NO_x and PM emissions requirements.

- During Project construction, all internal combustion engines/construction equipment operating on the Project site shall meet EPA-certified Tier 4 Final emissions standards according to the following:
 - All off-road diesel-powered construction equipment shall meet the most readily available technology (CARB Tier 3, Tier 4 Interim, or Tier 4 Final emission standard) or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engines as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be made available if requested at the time of mobilization of each applicable unit of equipment. This equipment shall be used when commercial models that meet the construction needs of the proposed project are commercially available from local suppliers/vendors. The determination of commercial availability of such equipment shall be made by the City of Menifee, based on applicant-provided evidence from expert sources, such as construction contractors in the region.
- In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-5 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Landscape Water Use Efficiency requirements (Chapter 15.04 of the City's Municipal Code).

SC-6 Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready," with all necessary conduit and related appurtenances installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-7 The Project shall be required to incorporate light colored roofing materials with a solar reflective index ("SRI") of not less than 78 on the office area of the building. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-8 The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved

energy efficiency technologies and methods. The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. The Title 24 Energy Efficiency Standards (Section 110.10) require buildings to be designed to have 15 percent of the roof area “solar ready” that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

SC-9 The Project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR, Part 11). The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. These requirements include, but are not limited to:

- Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
- Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 (nonresidential) of the California Green Building Standards Code Part 11.
- Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
- Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance Section 5.106.5.2 (nonresidential), Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.

SC-10 Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years. Trees shall be planted that are capable of meeting this requirement.

SC-11 Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after three minutes of continuous idling operation . Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
- Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.

- Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
- The Operator shall designate an officer to monitor trucks on-site for compliance.
- In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-12 All forklifts shall be electric or use low-carbon or zero-carbon fuels. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-13 To the extent feasible, the project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head toward designated truck routes. In the event of a conflict between this condition and the MMRP, this condition shall take priority.

SC-14 Prior to issuance of Certificate of Occupancy, signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.

SC-15 All signage installed as part of the Project shall be legible, durable, and weather-proof.

SC-16 To ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25% larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25% excess demand capacity.

SC-17 Prior to issuance of Certificate of Occupancy, the facility's operator shall be required to provide the City with a copy of the Project's recycling program.

SC-18 A Property Maintenance Program shall be submitted for review and approval by the Planning Director or his/her designee prior to the issuance of building permits. The program shall provide for the regular maintenance of building structures, landscaping, and paved surfaces in good physical condition, and appearance. The methods and maximum intervals for maintenance of each component shall be specified in the program.

SC-19 The Project does not include cold storage.

SC-20 The Project has been designed such that the check-in points for trucks comply with the City's good neighbor policies for on-site truck queuing. Further, the applicant shall provide signage stating that queuing and/or parking in the public right-of-way is prohibited. Signage shall also be placed at the entrance of the site for the community in case of complaints and shall include the phone number of the building manager or designee. The building manager or designee shall be responsible for ensuring compliance with this measure tenant and third-party truck owners.

Mitigation Measures

MMs AQ-2 through AQ-12 in **Section 4.2, Air Quality** would be applied.

MM GHG-1 Prior to issuance of tenant occupancy permits, the Project owner or operator shall be required to install a total 314kwdc solar photovoltaic (PV) system on Building 1 (226kwdc) and Building 2 (88kwdc) or offset an equivalent amount of energy demand with renewable energy through either the purchase of renewable energy or implementation of alternative renewable measures that would offset an equivalent amount of energy demand subject to approval by the Community Development Director or his/her designee. To allow future operators to earn WAIRE Program points pursuant to SCAQMD's Rule 2305, the exact timing of the PV system installation may be modified at the discretion of the Community Development Director or his/her designee. The PV requirement is subject to the utility provider agreeing to serve and facilitate the use of PV as well as final approval from the Airport Land Use Commission (if required).

MM GHG-2 Prior to the issuance of a building permit for tenant improvements, the Project Applicant or successor in interest shall provide documentation to the City of Menifee demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) Certified equivalent standards. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-3 The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City of Menifee standards for Recyclable Collection and Loading Areas within the screened truck court area subject to approval by the Community Development Director or his/her designee. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-4 Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that the property's landscape maintenance contract includes contractual language that all landscaping maintenance equipment used onsite shall be 100 percent electrically powered. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-5 Prior to issuance of Certificate of Occupancy, the Project shall be required to construct cool pavement and/or portland cement concrete (PCC) for site paving in order to reduce heat island effects.

Impact 4.7-2 ***Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?***

Level of Significance: Significant and Unavoidable Impact

Pursuant to § 15604.4 of the *CEQA Guidelines*, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. Project consistency with SB 32 (2017 Scoping Plan) is evaluated in the following discussion.

SB 32/2017 Scoping Plan Consistency

The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. **Table 4.7-4: 2017 Scoping Plan Consistency Summary** summarizes the Project’s consistency with the 2017 Scoping Plan. As summarized, the Project would not conflict with any of the provisions of the *Scoping Plan* and supports seven of the action categories. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 4.7-4: 2017 Scoping Plan Consistency Summary⁷

Action	Responsible Parties	Consistency
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50% of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	Consistent. The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		Consistent. The Project would be constructed in compliance with current California Building Code requirements. Specifically, new buildings must achieve compliance with 2019 Building and Energy Efficiency Standards and the 2019 California Green Building Standards requirements. The Project includes energy efficient field lighting and fixtures that meet the current Title 24 Standards throughout the Project Site and would be a modern development with energy efficient boilers, heaters, and air conditioning systems.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly-owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		

⁷ Measures can be found at the following link: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf

Action	Responsible Parties	Consistency
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty EVs by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and would therefore comply with the strategy.
At least 4.2 million zero emission and plug-in hybrid light-duty EVs by 2030.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and would therefore comply with the strategy.
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and would therefore comply with the strategy.
Medium- and Heavy-Duty GHG Phase 2.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and would therefore comply with the strategy.
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20% of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100% of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO _x standard.		Not applicable. This measure is not within the purview of this Project.

Action	Responsible Parties	Consistency
<p>Last Mile Delivery: New regulation that would result in the use of low NO_x or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5% of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10% in 2025 and remaining flat through 2030.</p>		<p>Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to improve last mile delivery emissions.</p>
<p>Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document “Potential VMT Reduction Strategies for Discussion.”</p>		<p>Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.</p>
<p>Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).</p>	<p>CARB</p>	<p>Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to improve last mile delivery emissions.</p>
<p>Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).</p>	<p>CalSTA, SGC, OPR, CARB, Governor’s Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans</p>	<p>Consistent. Although this is directed towards CARB and Caltrans, the proposed Project would be designed to promote and support pedestrian activity on-site and in the Project Site area.</p>
<p>By 2019, develop pricing policies to support low-GHG transportation (e.g., low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).</p>	<p>CalSTA, Caltrans, CTC, OPR, SGC, CARB</p>	<p>Not applicable. This measure is not within the purview of this Project.</p>

Action	Responsible Parties	Consistency
Implement California Sustainable Freight Action Plan		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	Consistent. This measure would apply to all trucks accessing the Project site, this may include existing trucks or new trucks that are part of the statewide goods movement sector.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		Not applicable. This measure is not within the purview of this Project.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.	CARB	Consistent. When adopted, this measure would apply to all fuel purchased and used by the Project in the state. The Project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.
Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030		
40% reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, California State Water Resource Control Board (SWRCB), Local Air Districts	Consistent. The Project would be required to comply with this measure and reduce any Project-source SLPS emissions accordingly. The Project would not obstruct or interfere agency efforts to reduce SLPS emissions.
50% reduction in black carbon emissions below 2013 levels.		Not applicable. This measure is not within the purview of this Project.
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	Not applicable. This measure is not within the purview of this Project.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	Consistent. The Project would be required to comply with any applicable Cap-and-Trade Program provisions. The Project would not obstruct or interfere agency efforts to implement the post-2020 Cap-and-Trade Program.
By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA,	Not applicable. This measure is not within the purview of this Project. However, the Project site is not an identified property that needs to be conserved.

Action	Responsible Parties	Consistency
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.	CARB	Consistent. The Project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The Project would not obstruct or interfere agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments.		Consistent. To the extent appropriate for the proposed industrial buildings, wood products would be used in construction, including for the roof structure. Additionally, the proposed Project includes landscaping.
Establish scenario projections to serve as the foundation for the Implementation Plan.		Not applicable. This measure is not within the purview of this Project.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.	CARB	Not applicable. This measure is not within the purview of this Project.
Implement Forest Carbon Plan	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), CalEPA and Departments Within	Not applicable. This measure is not within the purview of this Project.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	Not applicable. This measure is not within the purview of this Project.

Source: Appendix 9.7.1

As shown above, the Project would not conflict with any of the *2017 Scoping Plan* elements as any regulations adopted would apply directly or indirectly to the Project. Further, recent studies show that the State’s existing and proposed regulatory framework would allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030. Notwithstanding, the Project would result in a significant and unavoidable impact with respect to this threshold, as the Project exceeds the SCAQMD’s 3,000 MTCO₂e screening thresholds for GHG emissions and therefore has potential to impede the State’s ability to achieve the 40 percent below 1990 level reduction target. A significant and unavoidable impact would occur as a result of the Project.

Mitigation Measures

MMs AQ-2 through AQ-12 in Section 4.2, Air Quality would be applied, as would **MMs GHG-1 through GHG-5.**

4.7.6 Cumulative Impacts

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable.⁸ As discussed above, the Project would result in approximately 1,946.35 MTCO₂e/yr from construction, area, energy, waste, and water usage under Scenario 1 and Scenario 2. In addition, the Project has the potential to result in an additional 18,142.38 MTCO₂e/yr from mobile sources under Scenario 1 and 10,786.20 MTCO₂e/yr under Scenario 2 if the assumption is made that all of the vehicle trips to and from the Project are “new” trips resulting from the development of the Project. As such, the Project has the potential to generate a total of approximately 20,078.73 MTCO₂e/yr under Scenario 1 and 12,722.54 under Scenario 2 despite implementation of **MMs AQ-2 through AQ-12** from **Section 4.2: Air Quality**, **MMs GHG-1 through GHG-5**, and standards conditions and requirements. As such, the Project would exceed the SCAQMD’s numeric threshold of 3,000 MTCO₂e/yr if it were applied. Thus, the Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions.

4.7.7 Significant Unavoidable Impacts

Impacts 4.7-1 and 4.7-2 were found to contain potentially significant and unavoidable impacts. Specifically, significant unavoidable impacts would occur in the following areas despite the implementation of the mitigation measures and standard conditions and requirements:

- The Project would generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment (Impact 4.7-1).
- The Project would conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions (Impact 4.7-2).
- The Project would result in significant cumulative GHG emissions.

Cumulative GHG Emissions. Despite implementation of **MMs AQ-2 through AQ-12**, **MMs GHG-1 through GHG-5**, and standard conditions and requirements, the proposed Project would still result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 MTCO₂e/yr. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable.

4.7.8 References

Menifee Commerce Center, Greenhouse Gas Analysis Technical Report, Urban Crossroads, February 8, 2022.

⁸ AQMD, Cumulative Impacts White Paper Appendix, <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper-appendix.pdf?sfvrsn=4>

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Introduction

This section of the Draft Environmental Impact Report (EIR) evaluates the potential impacts of the Menifee Commerce Center (Project) on human health and the environment due to exposure to hazards and hazardous materials or conditions associated with the Project site, Project construction, and Project operations. The following discussion addresses the existing hazards and hazardous materials conditions of the affected environment, considers relevant Menifee General Plan (GP) goals and policies, identifies, and analyzes environmental impacts, and recommends conditions of approval or mitigation measures to reduce or avoid adverse impacts anticipated from implementation of the Project, as applicable. The information and analysis herein rely on the following investigations and collectively document the conditions of the site regarding hazards and hazardous materials. The analysis in this section is based, in part, upon the following source(s) found in **Appendix 9.8, Phase I and II Reports**:

- Earth Strata Geotechnical Services, Inc. (ESGS). April 2021. *Phase I Environmental Site Assessment (ESA) of Agricultural Property Assessor's Parcel Numbers 331-110-027, 331-110-035, 331-110-041, 331-140-010, 331-140-021, 331-140-025 and 331-140-018, Menifee, California 92585 (Appendix 9.8.1)*
- ESGS. September 2021. *Phase II Environmental Site Assessment of the Assessor's Parcel Numbers 331-110-041, 331-110-027, 331-110-035, 331-140-018, and the Southern Portion of Assessor's Parcel Number 331-140-025, Menifee, California 92584 (Appendix 9.8.2)*
- ESGS. September 2021. *Phase II Environmental Site Assessment of the Assessor's Parcel Numbers 331-140-021 and 331-140-010, and the Northern Portion of Assessor's Parcel Number 331-140-025, Menifee, California 92584 (Appendix 9.8.3)*

4.8.2 Environmental Setting

Phase I Environmental Site Assessment

The Phase I ESA assessed the Project site's potential hazardous impacts on human health and the environment due to exposure to hazardous materials or conditions associated with the Project site. Listed below are the findings for the Project site and the surrounding properties:

Current Uses of Property

ESGS performed a Phase I ESA for the Project site and off-site improvement areas. The site was previously evaluated in 2018. The Project site consists of five agriculturally developed parcels and two residential parcels totaling approximately 72 net acres. The Project site is located within a mixed-use area and is primarily vacant undeveloped tilled land. Two non-conforming residential properties are located on-site: a manufactured home with a garage (26340 Trumble Road) surrounded by tilled fields and a horse ranch type property with a small, manufactured home and stables (26375 Dawson Road). Power lines are located along Sherman Road and one pole mounted transformer was observed. Eastern Municipal Water

District (EMWD) and Riverside County Flood Control and Water Conservation District land border the property to the south.

Historical Uses of Property

A review of historical sources concluded that the Project site is generally undeveloped and was primarily used for agricultural purposes up until the late 1980s. The Project site contains manufactured homes that were determined to have been built around 2002 and 2006. The Project site did not contain any dry cleaners, gasoline stations, major landfills, military bases, or heavy industrial businesses. As stated above, the Project site currently contains two manufactured homes, and the other parcels are tilled and undeveloped.

Wastewater, Stormwater Management, and Potable Water Supply

The Project site was found to contain no wastewater. Stormwater and surface run-off from the Project site and adjacent properties enter the natural storm water and flood control conveyance systems. The Project site properties would utilize water from EMWD. The houses at 26340 Trumble Road and 26375 Dawson Road utilize a well at each location.

Business Operations

Research of the site indicates no dry cleaners, gasoline stations, military bases, or major manufacturing operations have occupied the Project site.

Hazardous Materials Handling and Storage

No hazardous materials were observed at the Project site. No significant staining or spillage was observed in any of the areas inspected. No other significant hazardous materials handling or storage were observed on the Project site during the site visit.

Waste-stream Generation, Storage, and Disposal

No hazardous waste generation, storage, or improper hazardous waste disposal was identified on the Project site. Stained or discolored sinks, drains, catch basins, drip pads, or sumps were not observed. Additionally, significant spills or staining were not observed at the Project site. The properties located at 26340 Trumble Road and 26375 Dawson Road utilize individual septic systems for their waste stream.

Solid Waste Disposal

During the inspection, no solid waste generation, storage, or improper solid waste disposal was observed on the Project site. Sherman Road and Dawson Road both appear to have illegal dumping of yard waste, automotive and trash along them.

Above-ground Storage Tanks (ASTs)

Visual or physical indicators of current or former ASTs were not observed at the Project site during the site visit.

Underground Storage Tanks (USTs)

No USTs were reported at the Project site. In addition, no visual or physical evidence of current or past USTs were discovered during the Project site visit in the readily visible areas of the property. The ISA searched for: fill pipes, vent pipes, manways, manholes, access covers, and or concrete pads not homogeneous with surrounding surfaces, concrete built-up areas potentially indicating pump islands, abandoned pumping equipment, or fuel pumps.

Polychlorinated Biphenyl (PCB)-Containing Exterior Electrical Transformers

One pole mounted transformer was observed on the Project site and appeared in good condition.

Other PCB-Containing Interior or Exterior Equipment

During the on-site inspection, no evidence was observed of any equipment likely containing PCB-contaminated fluid (e.g., interior electric transformers, hydraulic elevators, hydraulic hoists/lifts, hydraulic loading dock ramps, other fluid containing equipment, etc.).

Lead-Based Paint

Lead-Based Paint (LBP) conditions are unknown for the residential properties located on-site and would require further testing.

Air Quality

No unusual smells or noxious odors were detected. Additionally, no visual emissions were observed during the inspection of the Project site.

Asbestos

Two non-conforming residential homes are present on the Project site. It is unknown if these residences contain asbestos-containing materials (ACMs). Further testing would be required.

Radon

According to the U.S. Environmental Protection Agency (U.S. EPA), the general area of the site has a predicted average indoor screening level of less than the U.S. EPA guideline action level of 4.0 picocuries per liter of air (U.S. EPA Radon Zone Level of 1). Therefore, based upon the reported subsurface characteristics of the area, the Project site exhibits no potential for high-level radon exposure.

Railroad Rights-of-Way

There are several potential environmental risks associated with railroad rights-of-way, including the usage of herbicides, pesticides, petroleum materials and related heavy metals (e.g., arsenic) to maintain the tracks, as well as the potential spillage of hazardous materials from railcars. During the Project site visit, no railroad rights-of-way, spurs, or related features were observed immediately adjoining the Project site. There is no record of any spills or incidences that occurred near the site.

Adjoining Property Observations

Based upon limited observations of the adjoining properties from publicly accessible locations, as well as a review of federal, state, and local environmental databases, none of the adjoining properties appeared to have significantly environmentally impacted the Project site at this time. Specifically, the Project site is bordered by the following:

North: Immediately by residential properties and North County Sand and Gravel company.

East: Immediately by vacant, horse ranch and residential properties.

South: Immediately by Riverside County Flood Control channel.

West: Immediately by Trumble Road and vacant undeveloped properties.

Visual observations of the portions of the adjoining properties visible from the Project site or public roadways did not indicate the exterior storage of hazardous materials or wastes. No indications of spillage or staining were observed in the observable exterior areas of these sites. Additionally, no obvious indications of improper hazardous material storage or unusual or suspicious materials handling, or storage practices were observed. No unusual or suspicious waste stream disposal activities were observed on the portions of the adjoining properties visible from the Project site or public roadways.

Oil and Gas

Geologic Energy Management Division (CalGEM) was created to ensure the safe development and recovery of energy resources. CalGEM is committed to protecting public health, safety, and the environment as drilling, operation, and eventual permanent closure of oil, gas, and geothermal wells, are regulated. CalGEM has jurisdiction over more than 242,000 wells, including nearly 101,300 defined as active or idle oil producers.¹ According to the Phase I ESA, there was no evidence that the Project site was utilized for gas or oil production.

Airport Proximity

Portions of the City are in the airport influence areas (AIA) of the March Air Reserve Base and the Perris Valley airports. Aircraft overflights, takeoffs, and landings at airports and heliports in the region contribute to the ambient noise environment. The closest airports to the Project site are the Perris Valley Airport, 2.3 miles northwest, and the March Air Reserve Base, approximately nine miles northwest.

March Air Reserve Base

A portion of the City, is covered by March Air Reserve Base Compatibility Zones D (Flight Corridor Buffer) or E (Other Airport Environs), as shown in City's March Air Reserve Base Land Use Compatibility Map.² The Project site is within Zone D and Zone E of the March Air Reserve Base. Development in this area is subject to the policies of the Riverside County Airport Land Use Compatibility Plan (RCALUCP). Neither

¹ Department of Conservation. (2019). Oil and Gas. Retrieved from: <https://www.conservation.ca.gov/calgem/Pages/Oil-and-Gas.aspx>. Accessed on July 2021.

² City of Menifee, General Plan. (2010). Exhibit LU-5b, March Air Reserve Base Land Use Compatibility Map. Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/6010/COM---GP-Exhibit-LU-5a-c?bidId=>. Accessed July 2021.

Compatibility Zones D or E have density or height restrictions, but uses that are hazardous to flight (physical, visual, and electronic forms that interfere with the safety of aircraft operations) are prohibited. Although no explicit upper limit on usage intensity is defined for Zones D or E, land uses of the types listed in the Compatibility Plan—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks. Additionally, major spectator-oriented sports stadiums, amphitheaters, and concert halls are discouraged beneath principal flight tracks in Zone D, and electromagnetic radiation notification and deed notice and disclosure are required in Zone D but only disclosure is required in Zone E.

Perris Valley Airport

The Perris Valley Airport is a specialized facility catering predominantly to skydivers and ultralight aircraft enthusiasts. According to the Perris Valley Airport Land Use Plan³, portions of the AIA are located within City limits, approximately one-mile northwest of the City. Part of the City is in Airport Compatibility Zone E in the Airport Land Use Plan for Perris Valley Airport issued by the Riverside County Airport Land Use Commission in 2010. Land uses that attract very high concentrations of people in confined areas—such as sports stadiums, amphitheaters, and concert halls—are discouraged in Zone E beneath principal flight paths. About 80 percent of airport operations to the south of the airport use one of three general traffic patterns. Only two of these patterns extend over the City while the third turns northward and does not pass over City. The northwest corner of the City is in a zone where the heights of structures are limited pursuant to Part 77 regulations of the Federal Aviation Administration (FAA). Height limits range from about 1,580 feet above mean sea level (amsl)—or 160 feet above ground level—on the north City boundary about 0.4 mile east of Goetz Road, to 1,750 feet amsl about 0.7 mile south of the north City boundary. Affected land uses within the AIA would be Economic Development Corridor (EDC) land uses, and residential land uses. The Project site is not within a zone of influence for the Perris Valley Airport.

Phase II Environmental Site Assessment

A limited Phase II ESA was conducted for the Project site (split into two reports as listed in **Section 4.8.1: Introduction**) to address the potential use of bio-sludge on the Project site. Based on the “Permitted Biosolids/Sludge Application Map,” the site is located in an area where the application of bio-sludge was permitted prior to 2004.

To assess for the presence of bio-sludge, the Project site was first divided into multiple quadrants. Four to five samples were collected from each quadrant. Each soil sample was collected at a depth of approximately 0.5 feet below ground surface. A composite sample from each quadrant was generated, for a total of 16 composite samples. The sampling activities were directed by a qualified geologist working under the supervision of a State of California Professional Geologist. Soil samples were analyzed by Enthalpy Analytical – Orange for Fecal Coliform by method SM9221-ABCE. The soil samples collected resulted in concentrations at or below the reporting limits. Based on the results of the limited Phase II ESAs, no further investigation is recommended for the Project site.

³ City of Menifee, General Plan. (2010). Exhibit LU-5c, Perris Valley Airport Land Use Compatibility Map. Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/6010/COM---GP-Exhibit-LU-5a-c?bidId=>. Accessed July 2021.

4.8.3 Regulatory Setting

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 (42 United States Code [USC] §6901 et seq.) is the principal federal law that regulates the generation, management, and transportation of waste. Hazardous waste management includes the treatment, storage, or disposal of hazardous waste. The RCRA gave the U.S. EPA the authority to control hazardous waste from “cradle to grave,” that is, from generation to transportation, treatment, storage, and disposal, at active and future facilities. It does not address abandoned or historical sites. The RCRA also set forth a framework for managing nonhazardous wastes. Later amendments required phasing out land disposal of hazardous waste and added underground tanks storing petroleum and other hazardous substances.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (USC Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List (NPL). CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

Comprehensive Environmental Response, Compensation, and Liability Information System and the National Priorities List

The U.S. EPA also maintains the Comprehensive Environmental Response Compensation (CERCLIS) and Liability Information System list. This list contains sites that are either proposed to be or on the NPL, as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The NPL is a list of the worst hazardous waste sites that have been identified by Superfund. There are no NPL sites on the Project site.

Emergency Planning and Community Right-to-Know Act

Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA; 42 USC § 11001 et seq.) to inform communities and citizens of chemical hazards in their areas by requiring businesses to report the locations and quantities of chemicals stored on-site to state and local agencies; releases to the environment of more than 600 designated toxic chemicals; off-site transfers of waste; and pollution prevention measures and activities and to participate in chemical recycling. The U.S. EPA

maintains and publishes an online, publicly available, national database of toxic chemical releases and other waste management activities by certain industry groups and federal facilities —the Toxics Release Inventory.

To implement EPCRA, each state appointed a state emergency response commission to coordinate planning and implementation activities associated with hazardous materials. The commissions divided their states into emergency planning districts and named a local emergency planning committee for each district. The federal EPCRA program is implemented and administered in California Governor's Office of Emergency Services (Cal OES), a state commission, six local committees, and 81 Certified Unified Program Agencies (CUPAs). Cal OES coordinates and provides staff support for the state commission and local committees.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 (TSCA) provides the U.S. EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and LBP. Title IV of the TSCA directs the U.S. EPA to regulate LBP hazards.

TSCA §§ 402 and 404 requires that those engaged in lead abatements, risk assessments and inspections in homes or child-occupied facilities (such as daycare centers and kindergartens) built prior to 1978 be trained and certified in specific practices to ensure accuracy and safety. TSCA § 403, sets standards for dangerous levels of lead in paint, household dust, and residential soil.

Occupational Safety and Health Act

The Federal Occupational Safety and Health Act of 1970 (OSHA) (29 USC § 651 et seq.) authorizes each state (including California) to establish their own safety and health programs with the U.S. Department of Labor, with OSHA approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. California OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations (CCR) and include best practices for all industries (General Industrial Safety Orders), and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes as might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

OSHA Regulation 29 CFR Standard 1926.62 regulates the demolition, renovation, or construction of buildings involving lead materials. Federal, state, and local requirements also govern the removal of asbestos or suspected ACMs, including the demolition of structures where asbestos is present. All friable (crushable by hand) ACMs, or non-friable ACMs subject to damage, must be abated prior to demolition following all applicable regulations.

Hazardous Materials Transportation Act

The U.S. Department of Transportation (DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S.C. § 5101 et seq.). The DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling, and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

Clean Water Act/Spill Prevention, Control and Countermeasure (SPCC) Rule

The Clean Water Act (CWA) (33 USC § 1251 et seq.) was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the U.S. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA § 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCBs). The Project is within the jurisdiction of the Santa Ana RWQCB.⁴

Section 402 of the CWA authorizes the California State Water Resources Control Board (SWRCB) to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the “General Construction Permit.”

Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the U.S.; and
- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

⁴ California Water Boards. (2021). Santa Ana Region. Retrieved from: https://www.waterboards.ca.gov/santaana/about_us/regional_boundaries_map.html. Accessed July 2021.

Title 40, Code of Federal Regulations, § 61 Subpart M

Title 40 CFR § 61 Subpart M—National Emissions Standards for Asbestos—sets forth emissions standards for asbestos from demolition and renovation activities, and for waste disposal from such activities.

Title 40, Code of Federal Regulations, Part 745

Title 40 CFR Part 745 contains regulations developed under §§ 402 and 406 of the TSCA and applies to all renovations performed for compensation in target housing and child-occupied facilities. The purpose of this part is to ensure the following:

- Owners and occupants of target housing and child-occupied facilities receive information on LBP hazards before these renovations begin; and
- Individuals performing renovations regulated in accordance with § 745.82 are properly trained; renovators and firms performing these renovations are certified; and the work practices in § 745.85 are followed during these renovations.

Title 29, Code of Federal Regulations, § 1926.62

Title 29 CFR § 1926.62, sets standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standards include requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.

U.S. EPA's Lead Renovation, Repair and Painting Program Rules

The U.S. EPA's 2008 LBP Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from LBP hazards associated with renovation, repair, and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be U.S. EPA-certified. These requirements became fully effective April 22, 2010.

Federal Aviation Administration

The basic responsibilities of the Federal Aviation Administration (FAA), under the U.S. Department of Transportation, are the regulation of civil aviation to promote safety, airspace and air traffic management, and the regulation of commercial space transportation. The CFR contains standards for aircraft noise emission levels.

State

California Environmental Protection Agency

The California Environmental Protection Agency (Cal/EPA) was created in 1991, unifying California's environmental authority in a single cabinet-level agency and bringing the California Air Resources Board (Air Resources Board), SWRCB, RWQCB, California Department of Resources Recycling and Recovery

(known as CalRecycle and formerly the Integrated Waste Management Board), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment, and Department of Pesticide Regulation under one agency. These agencies were placed within the Cal/EPA “umbrella” for the protection of human health and the environment and to ensure the coordinated deployment of state resources. Its mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality.

Department of Toxic Substance Control

The DTSC is a department of Cal/EPA and is the primary agency in California that regulates hazardous waste, clean-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (HSC, primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

California Government Code (CGC) § 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services (DHS) lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and which have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Regional Water Quality Control Board

The RWQCB is a department of Cal/EPA that oversees investigation and cleanup of sites including USTs where wastes have been discharged in order to protect the water quality of the state. The RWQCB regulates wastewater discharges to surface waters and to groundwater. They also regulate storm water discharges from construction, industrial, and municipal activities.

California Office of Emergency Services

To protect the public health and safety and the environment, the California Office of Emergency Services (OES) is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions’ business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code (HSC) Article 1 – Hazardous Materials Release Response and Inventory Program (§§25500 to 25520) and Article 2 – Hazardous Materials Management (§§25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4 – Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous

Materials Business Plans (HMBP). These plans shall include the following: (1) a hazardous material inventory in accordance with §§ 2729.2 to 2729.7; (2) emergency response plans and procedures in accordance with § 2731; and (3) training program information in accordance with § 2732. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Health and Safety Code

Cal/EPA has established rules governing the use of hazardous materials and the management of hazardous wastes. California HSC § 25531, et seq. incorporate the requirement of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. California HSC § 25534 directs owners or operators storing, handling, or using regulated substances exceeding threshold planning quantities to develop and implement a Risk Management Plan. The Risk Management Plans are submitted to the administering agency and possibly the U.S. EPA, depending upon the chemical and the amount, for review.

Hazardous Materials Release Response Plans and Inventory Law

The Hazardous Materials Release Response Plans and Inventory Law (California HSC § 25500 et seq.) aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on-site, to prepare an emergency response plan, and to train employees to use the materials safely. Any business that handles hazardous materials in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of gas must submit a business plan.

Hazardous Materials Transportation

Section 31303 of the California Vehicle Code and U.S. Department of Transportation regulate hazardous materials transport. The California Highway Patrol and Caltrans are the enforcement agencies. Cal OES provides emergency response services involving hazardous materials incidents.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the State hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing

of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a CUPA. The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (“Tiered Permitting”); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or “Community-Right-To-Know”); California Accidental Release Prevention Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. The Project site is within Riverside County. The Riverside County Department of Environmental Health Hazardous Materials Branch is responsible for overseeing the six hazardous materials programs in the County. The Riverside County Department of Environmental Health Hazardous Materials Branch is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate USTs, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. In addition, the Branch maintains an emergency response team that responds to hazardous materials and other environmental health emergencies 24 hours a day, 7 days a week.⁵

California Aeronautics Act

The State Aeronautics Act included in the California Public Utilities Code establishes statewide requirements for airport land use compatibility planning and requires nearly every county to create an Airport Land Use Commission (ALUC) or other alternative.

California Labor Code

Section 9030 of the California Labor Code states that “[t]he standards board shall adopt one or more standards requiring each employer which uses any carcinogen, including asbestos and vinyl chloride, to submit a written report regarding the use or any incident which results in the release of a potentially hazardous amount of a carcinogen into any area where employees may be exposed.”

⁵ Riverside County, Department of Environmental Health. (2021). The Riverside County Department of Environmental Health Hazardous Materials Branch. Retrieved from: <https://www.rivcoeh.org/OurServices/HazardousMaterials>. Accessed July 2021.

2019 California Fire Code

CCR Title 24, Part 9 (2019 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of wildland-urban interface areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2019 (adopted January 1, 2020). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the California Fire Code.

Worker and Workplace Hazardous Materials Safety

The California Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.

Hazardous Materials in Structures: Asbestos-Containing Materials and Lead-Based Paint

Several regulations and guidelines pertain to abatement of and protection from exposure to ACM and LBP, including Construction Safety Orders § 1529 (pertaining to ACM) and § 1532.1 (pertaining to LBP) from Title 8 of the CCR and Part 61, Subpart M, of the CFR (pertaining to ACM). In California, ACM and LBP abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. Asbestos is also regulated as a hazardous air pollutant under the Clean Air Act and a potential worker safety hazard under the authority of Cal/OSHA.

Requirements for limiting asbestos emissions from building demolition and renovation are specified in South Coast Air Quality Management District (SCAQMD) Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). CGC §§ 1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACMs.

Requirements for Phase I Environmental Site Assessments

Phase I ESAs are required for land purchasers to qualify for the Innocent Landowner Defense under CERCLA, to minimize environmental liability under other laws such as RCRA, and as a lender prerequisite to extend a loan for purchase of land.

California Health and Safety Code, §§ 17920.10 and 105255

Lead must be contained during demolition activities.

8 CCR §§ 1529 and 1532.1: Worker Safety Standards: Asbestos and Lead

CCR Title 8 § 1529 sets forth worker safety standards for lead exposure for employees conducting demolition, construction, and renovation work, including painting, and decorating.

CCR Title 8 § 1532.1 sets forth worker safety standards for employees in work including construction, demolition, renovation, and maintenance.

Regional

South Coast Air Quality Management District

SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACM.

Riverside County Department of Environmental Health Hazardous Materials Branch

The Riverside County Department of Environmental Health Hazardous Materials Branch is responsible for overseeing the six hazardous materials programs in the County. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout Riverside County.

CUPA consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs:

- Hazardous materials release response plans and inventory (business plan)
- Hazardous waste generation and on-site treatment
- Aboveground Petroleum Storage Act (APSA)/Spill Prevention, Control, and Countermeasure Plan (SPCC plan)
- Underground storage tanks (UST)
- California Accidental Release Program (CALARP)
- Hazardous materials management plans and inventory statements under California Fire Code

Riverside County Environmental Protection Oversight Division

The Riverside County Community Health Agency, Department of Environmental Health, Environmental Protection Oversight Division is the CUPA for Riverside County. The Certified Unified Program coordinates and makes consistent the administration and enforcement of six environmental and emergency response programs, including: USTs, Business Emergency Plan/Handler Program, Hazardous Waste Generator program, and Accidental Release Prevention Program.

Hazardous Materials Emergency Response Team

The Hazardous Materials Emergency Response Team responds to over 1,100 chemically-related emergencies or complaints each year. The program is a joint agency team staffed by the Hazardous Materials Management and Riverside County Fire/California Department of Forestry.

Local Oversight Program

Under contract with the SWRCB, the Riverside County Department of Environmental Health, Local Oversight Program (LOP) oversees the investigation and cleanup of soil and groundwater contamination resulting from unauthorized releases of petroleum products (gasoline, diesel fuel, waste oil, etc.) from leaking USTs (LUSTs). The cleanup of these sites is necessary to protect the groundwaters of the State from contamination and to protect the public from exposure to hazardous materials. During each phase of assessment and cleanup, technical workplans and reports are required to be submitted to and accepted by the LOP. Once assessment and cleanup efforts have been successfully completed, the Riverside County LOP would issue a closure/no further action letter to the responsible parties.

Airports

Airport authorities and other agencies regulate aircraft activity. The City has no direct authority over airport development and operations. The State Aeronautics Act of the California Public Utilities Code establishes statewide requirements for the airport land use compatibility planning and requires nearly every county to create an airport land use commission or other alternative. Regulations of land uses in airport compatibility zones are implemented by the Riverside County Airport Land Use Commission (RCALUC). If the RCALUC determines that a development plan is inconsistent with the Airport Land Use Plan, the RCALUC requires the local agency to reconsider its approval regarding land use compatibility. The local agency may overrule the RCALUC by a two-thirds vote of its governing board if it makes specific findings that the proposed action is consistent with § 21670 of the California Public Utilities Code (California Aeronautics Act).

Local

City of Menifee General Plan

Safety Element

According to the City's Safety Element, the element provides a strategy for city staff, residents, developers, and business owners to effectively address natural and man-made hazards in Menifee, including seismic and geological issues; flood hazards; fire hazards; hazardous materials; wind hazards; and disaster preparedness, response, and recovery.⁶

Goals and policies from the Safety Element applicable to the Project include:

Goal S-4 A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.

⁶ City of Menifee. 2013. *Menifee General Plan Safety Element*. <https://cityofmenifee.us/222/Safety-Element> (accessed March 2021).

- Policy S-4.1** Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire.
- Policy S-4.4** Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.
- Goals-5** **A community that has reduced the potential for hazardous materials contamination.**
- Policy S-5.1** Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.
- Policy S-5.4** Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.
- Policy S-5.5** Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.

Land Use Element

The Land Use Element generally establishes the density, intensity, and location of land uses throughout the city and is complemented by the additional policy guidance provided in other elements that relate to a specific topic.⁷

Goals and policies from the Land Use Element applicable to the Project include:

- Goal LU-4** **Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**
- Policy LU-4.2** Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

City of Menifee Municipal Code

Chapter 8.20, Section (§) 010 relates to the adoption of the 2019 California Fire Code. This Section states, “Except as otherwise provided in this Chapter, the California Fire Code, Title 24, California Code of Regulations, Part 9, including Chapter 1, Division II - Scope and Administration, except that Section 103.2 and 109.3 are not adopted, and Chapters 3, 25, and § 403.12, 503, 510.2, and 1103.2 are adopted,

⁷ City of Menifee. 2013. *Menifee General Plan Land Use Element*. <https://www.cityofmenifee.us/231/Land-Use-Element> (accessed March 2021).

including any and all amendments set forth in this Chapter, and including any and all amendments thereto that may hereafter be made and adopted by the State of California, is hereby adopted as the City Fire Code.” More specifically, subsection CC of the Municipal Code recognizes that Fire Hazard Severity Zones and maps as defined in the California Fire Code includes § 4904 and the revision related to Government Code § 51175 through 51189 for Very High Fire Hazard Severity Zones and that these resources are retained on file at the office of the Fire Chief.

City of Menifee Emergency Operations Plan (EOP)

This plan is designed as a reference and guidance document for the foundation of response and recovery operations for the City. The EOP is meant to coordinate with the Riverside County Operational Area (OA) EOP and the City Emergency Operations Center (EOC) to facilitate effective response to any emergency.

This plan establishes the emergency organization, assigns tasks, as well as specifies policies and general procedures during both response and recovery. It also provides for coordination with the County as the OA Lead Agency. This plan includes the critical elements of California’s Standardized Emergency Management System, the National Incident Management System, as well as the Incident Command System, and the National Response Framework.

City of Menifee Local Hazard Mitigation Plan (LHMP)

The purpose of the LHMP is to identify local hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to mitigate potential risks (to reduce or eliminate long-term risk) to people and property from natural and man-made hazards.⁸

The City of Menifee LHMP is a new plan to make the City less vulnerable to future hazard events. This plan was prepared pursuant to the requirements of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended by Section 322 of the Disaster Mitigation Act of 2000 and the 44 CFR Part 201 – Mitigation Planning, to be eligible for Federal Emergency Management Agency Pre-Disaster Mitigation and Hazard Mitigation Grant programs.

4.8.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hazards and hazardous materials. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- 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;

⁸ City of Menifee Local Hazard Mitigation Plan. Retrieved from: <https://www.cityofmenifee.us/DocumentCenter/View/12397/Local-Hazard-Mitigation-Plan-LHMP?bidId=>. Accessed July 2021.

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria in order to determine the level of impacts related to hazards and hazardous materials. This analysis also considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts., as well as recommendations from existing site evaluations. Where significant impacts may remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the potential for significant adverse impacts to occur.

Approach to Analysis

This analysis of impacts from hazards and hazardous materials examines the Project’s temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on available information in public databases including local planning documents; a site evaluation of the Project site; review of Project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component would or would not result in “substantial” adverse effects on standards related to hazards and hazardous materials considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project’s components.

4.8.5 Impacts and Mitigation Measures

Impact 4.8-1 *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Level of Significance: Less than Significant with Mitigation

Construction

Construction activities would include the use of materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. The use of these materials would also be temporary and short-term or single-use in nature and would cease upon completion of the Project's construction phase. Project construction would involve the use, storage, transport, and disposal of hazardous materials and would therefore be required to conform to existing laws and regulations. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Therefore, hazards to the public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project construction would be less than significant.

Grading Activities

Grading activities conducted during Project construction would lead to the disturbance of on-site soils. The handling and transport of these materials and exposure to contaminated soils for workers and the surrounding environment could result in a significant impact. Contaminated soils encountered during grading would be required to be removed and disposed of off-site in accordance with all applicable regulatory guidelines. There are no USTs/ASTs identified on-site. Therefore, impacts would be less than significant.

Demolition

Demolition of buildings and equipment on the Project site has the potential to expose and disturb ACMs, PCBs, and LBP. The removal of these hazardous materials, such as PCBs, shall be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs) by workers with the HAZWOPER training, as outlined in 29 CFR 1910.120 and 8 CCR 5192. The removal of LBP material shall be implemented in accordance with CCR, Title 8 § 1532.1, the CFR (Title 40, Part 745, and Title 29, Part 1926), the U.S. EPA's Lead Renovation, Repair and Painting Program Rules and Residential Lead-Based Paint Disclosure Program, and §§ 402/404 and 403, and Title IV of the TSCA. As discussed previously, during the on-site inspection, no evidence of PCB contamination was identified. Testing for ACM and LBP was not conducted as part of the ISA.

Mitigation Measure (MM) HAZ-1 requires an ACM and LBP survey of the existing on-site buildings. Demolition of the on-site buildings has the potential to cause airborne asbestos and LBP concentrations that would exceed federal and state thresholds and may pose an exposure risk for construction workers. Therefore, ACM and LBP would be removed or stabilized prior to demolition. Therefore, the potential presences of these materials would not be present during construction or operation of the Project. **MM HAZ-1** includes measures for the safe dismantling and removal of building components and debris and prevents the accidental release of lead and asbestos, thereby protecting workers and the public from potential exposure to hazardous materials and wastes during demolition. **MM HAZ-2** requires the evaluation of paint waste, should paint be separated from building materials.

With implementation of the MMs, impacts would be less than significant in this regard.

Operation

Operation of the Project would involve the use of small amounts of hazardous materials, such as industrial cleansers, greases, and oils for cleaning and maintenance purposes. The Project may also involve transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the U.S. EPA, U.S. Department of Transportation, California OSHA, and the Riverside County Fire Protection District. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the Project would also be operated with strict adherence to all emergency response plan requirements set forth by the Riverside County Fire Protection District. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for significant hazards to the public or the environment. Mandatory compliance with laws and regulations, would ensure that operational impacts would be less than significant.

Mitigation Measures

MM HAZ-1 Prior to issuance of a demolition permit of the on-site structures, preparation of a demolition plan for the safe dismantling and removal of building components and debris including a plan for lead and asbestos abatement shall be required. The demolition plan shall be submitted to the City's (Building and Safety Department) for review and approval prior to commencement of demolition activities.

Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos-containing materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than one percent in construction materials. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District

(SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

MM HAZ-2

If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.

If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High-Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, § 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Building Official.

Impact 4.8-2

Would the project 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?

Level of Significance: Less than Significant Impact

Construction

The construction of new developments such as the Project site could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials used during construction phases, or as a result of the exposure of contaminated soil during grading activities. Database searches did not reveal any LUSTs, USTs or ASTs located on the Project site. However, there is an AST site and a LUST site 0.25 miles and 0.5 miles from the Project area at 27955 McLaughlin Avenue and 27411 Ethanac Road. The Phase I ESA did not identify them as a recognized environmental condition (REC). Furthermore, the Project site itself is not on the Cortese list.

Additionally, the Project site has not been cited or issued violation notices by any environmental regulatory agency for improper use or disposal of hazardous materials.

Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable regulations, such as RCRA, for the clean up and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility under SCAQMD Rule 1166. Furthermore, strict adherence to all emergency response plan requirements set forth by Riverside County Fire Department would be required through the duration of the Project construction phase. Project construction workers would also be required to conduct safe handling of hazardous material, as stated previously. Therefore, impacts would be less than significant.

Operations

Operation of the Project site would involve typical hazardous materials and chemicals such as solvents and cleaning products associated with operation of an industrial/warehouse type use. As discussed in Impact 4.8-1 above, any routine transport, use, and disposal of these materials during warehouse operations must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous substances. Prior to Project approval, a HMBP also would be required for approval to show conformance with all applicable materials handling protocols. Adherence to these regulations is overseen and enforced by the Riverside County Department of Environmental Health Hazardous Materials Branch. As stated previously, the CUPA program provided by the County is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout Riverside County. Furthermore, household hazards such as cleaners and solvents contain such low quantities of liquid and material that they do not pose a significant threat related to the release of hazardous materials into the environment. A less than significant impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.8-3 ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

Level of Significance: Less than Significant Impact

Construction and Operations

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest operating school to the Project site is 0.4 mile to the northeast. Romoland Elementary School is located at 25890 Antelope Road, Menifee, CA 92585.

The Project would not emit hazardous emissions or include the handling of hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. The transport of hazardous substances or materials to-and-from the Project site during construction and long-term operational activities would be required to comply with applicable federal, state, and local regulations intended to reduce public safety hazards.

Refer to **Section 4.2: Air Quality** for analysis pertaining to human health risks associated with the Project's air pollutant emissions. These health risks include harmful levels of exposure to schoolchildren located more than one-quarter mile from the Project site. As concluded in the Project's Air Quality Impact Analysis (**Appendix 9.2.1**), results of the Localized Significance Threshold analysis indicate that the Project would not exceed the SCAQMD localized significance thresholds during construction. The Health Risk Assessment (Appendix 9.2.1) concluded that the Project would not exceed South Coast Air Quality Management Plan localized significance thresholds during construction. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during Project construction. Additionally, the Project would not exceed the South Coast Air Quality Management District localized significance thresholds during operational activity. Further Project traffic would not create or result in a CO "hotspot." Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Project operations. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.8-4 *Would the project 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?*

Level of Significance: Less than Significant Impact

Construction and Operations

According to the Phase I ESA, the Project site is not included on the hazardous sites list compiled pursuant to CGC § 65962.5.⁹ In addition, the Phase I ESA (2021) did not identify any environmental concerns for the Project site. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.8-5 *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Level of Significance: Less than Significant Impact

⁹ California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: <https://dtsc.ca.gov/dtscs-cortese-list/>. Accessed: July 2021.

Construction and Operations

Portions of the City are in the AIA of the March Air Reserve Base (MARB) and the Perris Valley Airport governed by the RCALUC. The basic function of airport land use compatibility plans is to promote compatibility between airports and the land uses that surround them. A portion of the Perris Valley Airport AIA is located within northwestern part of the City. Part of the City is in Airport Compatibility Zone E in the Airport Land Use Plan for Perris Valley Airport issued by the Riverside County Airport Land Use Commission. Affected land uses within the AIA would be Economic Development Corridor (EDC) land uses, and residential land uses. The Project site is not within a compatibility zone of the Perris Valley Airport.

The Project site is located within Compatibility Zones D and E of the MARB.¹⁰ Within Compatibility Zones D and E of the AIA, residential density and non-residential intensity are not restricted. Furthermore, based on the MARB Inland Airport Land Use Compatibility Plan – Map MA - 1 noise impacts are low to moderate and risk of accidents is low. Airspace protection is the major concern in that aircraft pass over these areas while flying to, from, or around the March Air Reserve Base.¹¹ All new development shall be in accordance with the Compatibility Zone D and E regulations, and all state, county, and local goals, policies, and regulations. Furthermore, the Project has previously been reviewed and approved by the ALUC on October 14, 2021, subject to COA-HAZ-1 through COA-HAZ-5, as noted below and therefore, would not result in a significant impact. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

COA-HAZ-1 If Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

COA-HAZ-2 The following uses/activities are not included in the proposed project and shall be prohibited at this site:

- a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

¹⁰ City of Menifee, Airport Land Use Compatibility Plan. (2010). Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/6010/COM---GP-Exhibit-LU-5a-c?bidId=>.

¹¹ City of Perris, March Air Reserve Base and the Perris Valley Airport Overlay Zone. Retrieved from: <https://www.cityofperris.org/home/showpublisheddocument/1835/637209993691700000>.

- c) Any use which would generate smoke, water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.
- d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- e) Hazards to flight.

COA-HAZ-3

The attached notice shall be provided to all prospective purchasers of the property and tenants of the building and shall be recorded as a deed notice.

COA-HAZ-4

Any proposed detention basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes". The sign will also include the name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

COA-HAZ-5

March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

Impact 4.8-6 *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation of the Project, adequate emergency access for emergency vehicles would be maintained along public streets that abut the Project site. The City has adopted an Emergency Operations Plan¹² to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of the Project.

Furthermore, response times from the Riverside County Fire Department Station 7 and 54 would not be impaired by Project implementation because primary access to all major roads would be maintained during construction of the Project, as discussed further in **Section 4.12: Public Services**. Additionally, the improvement of Sherman and Dawson Roads will benefit future response times in this area, as these two roads are currently unimproved.

Because both Project construction and operations would not disrupt or interfere with emergency access to nearby roadways, would not interfere with the City's emergency response plan, and would comply with design standards for emergency services, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.8-7 *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site is located in a Local Responsibility Area and is not located within a State Responsibility Area or a very high fire hazard severity zone.¹³ According to the City's High Fire Hazard Areas Map¹⁴, neither the California Department of Forestry and Fire Protection (CalFire) nor the City identify the Project site within an area susceptible to wildland fires. See **Section 7.6: Wildfire** for additional information. The Project site and surrounding areas generally consist of agricultural, commercial, transportation, or residential uses, which are generally not associated with wildland fire hazards. The Project would comply

¹² City of Menifee, Emergency Operations Plan. (2021). Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/12396/Emergency-Operations-Plan-EOP?bidId=>. Accessed July 2021.

¹³ Cal Fire FHSZ Viewer Map. (2021). Retrieved from: <https://egis.fire.ca.gov/FHSZ/>.

¹⁴ City of Menifee, General Plan. High Fire Hazard Areas Map. (2012). Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=. Accessed on July 2021.

with all applicable local and state regulations related to fire safety, as evaluated through the City's standard development review process. Impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

4.8.6 Cumulative Impacts

The area considered for cumulative impacts is the City and related projects. Hazards and hazardous waste impacts are typically unique to each site and do not usually contribute to cumulative impacts. Cumulative development projects would be required to assess potential hazardous materials impacts on the development site prior to grading. The Project and other cumulative projects would be required to comply with laws and regulations governing hazardous materials and hazardous wastes used and generated as described previously. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

The areas considered for cumulative airport-related hazards impacts are the AIAs of the March Air Reserve Base and the Perris Valley Airport. Some Projects may be proposed within the safety compatibility zones of the March Air Reserve Base and the Perris Valley Airport AIAs, and thus could expose the nearby population to potential airport-related hazards. Airport land use planning agencies for the March Air Reserve Base and the Perris Valley Airport regulate development within their safety compatibility zones. Projects proposed within safety compatibility zones would be required to comply with each safety zone's respective land use regulations set forth by the affected agencies. After regulatory compliance, cumulative impacts would be less than significant.

4.8.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.8.8 References

CalFire. 2021. *Cal Fire FHSZ Viewer Map*. Retrieved from: <https://egis.fire.ca.gov/FHSZ/>.

City of Menifee. 2010. *Airport Land Use Compatibility Plan*. Retrieved from: <https://cityofmenifee.us/DocumentCenter/View/6010/COM---GP-Exhibit-LU-5a-c?bidId=>.

City of Menifee. 2013. *Menifee General Plan Safety Element*. <https://cityofmenifee.us/222/Safety-Element>.

City of Menifee. 2013. *Menifee General Plan Land Use Element*. <https://www.cityofmenifee.us/231/Land-Use-Element>.

City of Perris. ND. *March ARB/IP Airport Overlay Zone (MAOZ)*. Retrieved from: <https://www.cityofperris.org/home/showpublisheddocument/1835/637209993691700000>.

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<https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=5045819938>.

Urban Crossroads. 2022. *Air Quality Impact Analysis*.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Introduction

This section of the Draft Environmental Impact Report (EIR) describes the hydrologic and water quality conditions on and around the Menifee Commerce Center (Project) site and evaluates whether implementation of the Project would result in adverse effects to such resources. The setting, context, and impact analysis in this section is based on the 2021 *Project Specific Water Quality Management Plan* (WQMP) prepared for the Project site by Albert A. Webb Associates and the *Preliminary Drainage Study*, also prepared by Albert A. Webb Associates. Additional background information for this section was obtained from the City of Menifee's (City) General Plan (GP) and GP EIR. The information and analysis rely on the following reports found in **Appendix 9.9: Hydrology and Water Quality Reports**:

- Albert A. Webb Associates. August 2021. *Preliminary Drainage Study* (**Appendix 9.9.1**);
- Albert A. Webb Associates. August 2021. *Project Specific Water Quality Management Plan* (**Appendix 9.9.2**); and
- Eastern Municipal Water District (EMWD). July 2021. *Water Supply Assessment Report* (**Appendix 9.12.1**).

4.9.2 Environmental Setting

Existing Conditions

Regional Drainage

The City is within the San Jacinto Subbasin of the larger Santa Ana River Watershed. The Santa Ana River Watershed includes much of Orange County, the northwestern corner of Riverside County, part of southwestern San Bernardino County, and a small portion of Los Angeles County. The watershed is bounded by the Santa Margarita watershed to the south, on the east by the Salton Sea and Southern Mojave watersheds, and on the north and west by the Mojave and San Gabriel watersheds, respectively. The watershed covers approximately 2,800 square miles, with about 700 miles of rivers and major tributaries. The San Jacinto River originates in the San Jacinto Mountains and flows some 42 miles west to Lake Elsinore; however, during flooding and heavy storms, Lake Elsinore overflows into Temescal Creek, which flows northwest and discharges into the Santa Ana River. The southeast corner of the City is in the Warm Springs Creek Watershed, part of the larger Santa Margarita Watershed.¹

Local Drainage²

Salt Creek

The Salt Creek drainage occupies the southernmost part of the San Jacinto River Basin, reaching into nearly all of the City. Salt Creek bisects the City area and has a large impact on zoning, development, and

¹ City of Menifee. (2013). City of Menifee General Plan Draft EIR; Section 5.9, Hydrology and Water Quality, Page 5.9-1. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId=>. Accessed August 16, 2021

² City of Menifee. (2013). City of Menifee General Plan Draft EIR; Section 5.9, Hydrology and Water Quality, Page 5.9-2. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId=>. Accessed August 16, 2021

flood-hazard management. The lowlands around Salt Creek have experienced numerous floods over the past century, due in part to the flatness of the valleys and the constricted entrance to the hills at the western edge of the City. The potential for Salt Creek to flood surrounding properties in the City area has been reduced in recent years by the development of flood control measures that include channelization and land use restrictions. However, because many of the road crossings are not designed to convey major storm flows, Salt Creek remains problematic. The Salt Creek channel discharges into the Railroad Canyon Reservoir at the corporate boundary between the City and Canyon Lake.

Ethanac Wash

This watershed includes the southwestern flank of the rugged Lakewood Mountains, in addition to the communities of Romoland and Homeland within the City. The drainage network begins in the Juniper Flats area within the highest part of the mountains and includes numerous steep-sided channels that are generally dry except during storms or where springs are present. Upon reaching the alluvial fan surface, the drainage channels become increasingly less well defined, and the runoff eventually coalesces into sheet flow across the valley floor. Runoff that crosses the Romoland portion of the City, eventually reaches the San Jacinto River; however, the flow is impeded by the Burlington Northern Santa Fe (BNSF) railroad tracks and Interstate 215 (I-215), causing ponding of water upstream of these structures.

Quail Valley

The community of Quail Valley within the City occupies a small drainage basin that is a tributary of Railroad Canyon. Flooding problems on the floor of Quail Valley are due in part to the original layout of the streets and homes in the 1950s, which consists of a grid pattern superimposed on the natural, irregular drainage network.

Other Drainages

The southeastern corner of the City area is in the Santa Margarita River Watershed and drains southward via numerous small tributaries to Warm Springs Creek. This creek passes through a small gap in the hills in the southeastern corner of the City. In the southwestern corner, a drainage divide located just inside the City boundary separates the Salt Creek watershed from streams flowing toward the Elsinore Valley.

Project Site Hydrology

The Project site is located south of Ethanac Road, east of Trumble Road, and west of Dawson Road in the City, within Riverside County. The approximate location of the site is shown on the **Figure 2-1: Vicinity Map**.

The Project site is comprised of seven parcels of land totaling approximately 72 net acres. Topographic relief at the Project site is relatively low with the terrain being generally flat. Elevations at the site range from approximately 1,430 to 1,440 feet above mean sea level (amsl), for a difference of about 10 feet across the entire site. Drainage within the Project site generally flows to the west. A flood control channel runs along the southern boundary of the site.

The Project site is currently bordered by a Riverside County Flood Control channel and McLaughlin Road to the south, Ethanac Road to the north, Dawson Road to the east, and Trumble Road to the west, in the northeastern part of the City of Menifee in Riverside County, California. Land uses surrounding the Project site include residential and commercial development, as well as vacant property to the west, east, and north and Romoland Channel Line-A to the south. Most of the vegetation on the site consists of moderate amounts of annual weeds/grasses, along with small to large trees throughout the site.

According to the Preliminary Drainage Study and the WQMP, for the Building 1 site of the Project area, the existing elevations across the site vary from 1,437 asml at the easterly property line to 1,431 asml at the westerly property line. It is bound by Sherman Road to the west and Dawson Road to the east. The site currently slopes down at approximately 0.5 percent grade to the west. The existing drainage pattern for the site and the general area is characterized by sheet flows that follow the slope to the west. For the Building 2 site, the existing elevations across the site vary from 1,432 asml at the easterly property line to 1,428 asml at the westerly property line. It is bound by Trumble Road to the west and Sherman Road to the east. The site currently slopes down at approximately 0.3 percent grade to the west. The existing drainage pattern for the site and the general area is characterized by sheet flows that follow the slope to the west.

The existing runoff from both sites continue to flow west until it is intercepted by a cutoff channel adjacent to the northbound I-215 off-ramp to Ethanac Road. Flow will ultimately reach and discharge into Romoland Line-A which drains into the San Jacinto River before finally reaching Canyon Lake and Lake Elsinore (refer to **Figure 4.9-1: Receiving Waterbodies**).

Groundwater

According to the City's Groundwater Basins Map,³ much of the City overlies the Perris South and Menifee Management Zones of the San Jacinto Groundwater Basin. The Project site is within the San Jacinto Groundwater Basin, underlying the San Jacinto Watershed. The San Jacinto Groundwater Basin underlies several valleys in the southwestern portion of Riverside County. The basin is bounded on the southeast by the Vandeventer Flat Groundwater Basin and otherwise bounded by impermeable rocks of the San Jacinto Mountains. The valley is drained by the South Fork of the San Jacinto River and receives an average annual precipitation ranging from about 14 to 28 inches. Groundwater in the basin is found in Quaternary age younger and older alluvium that consists of clay, silt, sand, and gravel. Groundwater is also produced from residuum and from fractured crystalline rocks below the basin. Recharge of this basin is likely from percolation of precipitation and runoff, and subsurface flow from San Jacinto Mountains and Lake Perris.

According to the Project geotechnical report,⁴ during investigation, groundwater was not encountered at any of the boring locations within the Project site. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 25 feet below existing site grades, at the time of the subsurface investigation.

³ City of Menifee. (2013). City of Menifee General Plan Draft EIR; Groundwater Basins Map, Page 5.9-5. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId=>. Accessed August 16, 2021

⁴ Earth Strata Geotechnical Services, Inc. (2018). Preliminary Geotechnical Interpretive Report.

Recent water level data was obtained from the California Department of Water Resources Water Data Library website, <http://wdl.water.ca.gov/>. The nearest monitoring well on record is located 4,290 feet northwest of the Project site. Water level readings within this monitoring well indicate a groundwater level of 62 feet below the ground surface in March 2020.

The majority of the EMWD's potable water demand is supplied by imported water from the Metropolitan Water District of Southern California (MWD) through the Colorado River Aqueduct and connections to the State Water Project. However, approximately 25 percent of EMWD's potable water demand is supplied by EMWD groundwater wells. EMWD plans to supply new water demands in its service area, including the Project, through a combination of additional imported water purchases from MWD and the ongoing development of EMWD's local supply resources.

Flood Zones

Two parts of the City are in 100-year flood zones mapped by the Federal Emergency Management Agency (FEMA). One is an east–west band across the Perris Valley in the northern part of the City. The second extends east–west along Salt Creek through the central part of the City and includes tributary areas both north and south of Salt Creek. Some drainages in the southern part of the City are also in Riverside County Flood Hazard Zones—in the Paloma Valley and in hills on the south flank of the Paloma Valley (see Flood Zones Map).⁵

FEMA Flood Insurance Rate Map (FIRM) shows the Project site being covered by one map panel: 06065C2060H (effective 8/18/2014).⁶ Based on a review of this map panel, the Project site is largely within a Flood Boundary, identified as Zone A which indicates that the Project site is subject to inundation by the 1-percent annual chance flood event. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood.⁷

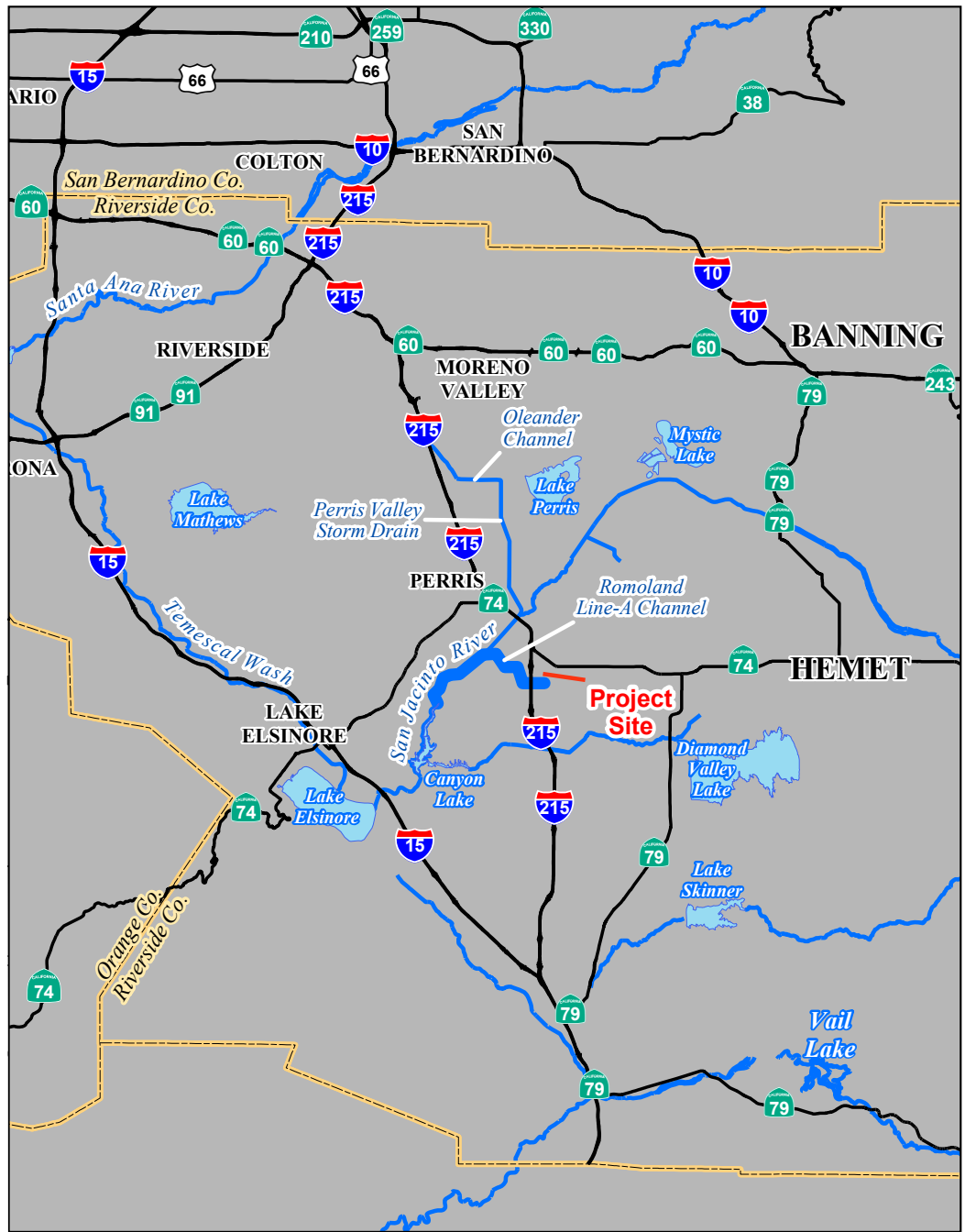
Seismically Induced Dam Inundation

Secondary effects of seismic shaking considered as potential hazards include several types of ground failure as well as induced flooding. Seismically induced flooding is normally a consequence of a tsunami (seismic sea wave), a seiche (i.e., a wave-like oscillation of surface water in an enclosed basin that may be initiated by a strong earthquake) or failure of a major reservoir or retention system up gradient of the site. Since the Project site is at an elevation of more than 1,400 feet amsl and is located more than 30 miles inland from the nearest coastline of the Pacific Ocean, the potential for seismically induced flooding due to a tsunami is considered nonexistent. Since no enclosed bodies of water lie adjacent to or up gradient of the Project site, the likelihood for induced flooding due to a dam failure or a seiche overcoming the dam's freeboard is considered nonexistent.

⁵ City of Menifee. (2013). City of Menifee General Plan Draft EIR; Flood Zones Map, Page 5.9-13. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId=>. Accessed August 16, 2021.

⁶ FEMA. Flood Insurance Rate Map. (2020). Retrieved from: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.19036396779732,33.7418625623032,-117.18517121114374,33.744092920211955>. Accessed on August 16, 2021.

⁷ FEMA. 2020. *Flood Zones*. Retrieved at: <https://www.fema.gov/glossary/flood-zones>. Accessed February 25, 2022.



Source: Albert A. Webb Associates (2021) Preliminary Drainage Study

Figure 4.9-1: Receiving Waterbodies
 City of Menifee
 Menifee Commerce Center



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Mudflows

A mudflow is a landslide composed of saturated rock debris and soil with a consistency of wet cement. Landslide debris was not observed during the subsurface exploration and no ancient landslides are known to exist on the Project site. No landslides are known to exist, or have been mapped, in the vicinity of the site.

4.9.3 Regulatory Setting

Federal

Federal Clean Water Act

The Project would be subject to federal permit requirements under the Federal Clean Water Act (CWA). The primary goals of the CWA are to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The U.S. Environmental Protection Agency (U.S. EPA) has delegated the administrative responsibility for portions of the CWA to State and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the U.S. EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants to "Waters of the United States" from any point source unless the discharge is in compliance with an NPDES Permit.

The Anti-degradation Policy under U.S. EPA's Water Quality Standards Regulations (48 Federal Register (FR) 51400, 40 Code of Federal Regulations [CFR] 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects "high quality" waters where existing conditions are better than necessary to support "fishable/swimmable" waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designed uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters (ONRWs). Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in § 303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the U.S., including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program, and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

State

California Porter-Cologne Water Quality Control Act (Porter-Cologne Act)

The Porter-Cologne Act (California Water Code [CWC] § 13000 et seq) is the principal law governing water quality regulation in California. It established a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and groundwater and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected,
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason, and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine RWQCB's (based on hydrogeologic barriers) and the SWRCB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrology regions. The SWRCB and RWQCBs have numerous nonpoint source pollution (NPS)-related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality

investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the CWA, such as the NPDES permitting program. Section 401 of the CWA gives the SWRCB the authority to review any proposed federally permitted or federally licensed activity that may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards. If the SWRCB imposes a condition on its certification, those conditions must be included in the federal permit or license. Except for dredge and fill activities, injection wells, and solid waste disposal sites, waste discharge requirements may not “specify the design, location, type of construction, or particular manner in which compliance may be had...” (Porter Cologne Act § 13360). Thus, waste discharge requirements ordinarily specify the allowable discharge concentration or load or the resulting condition of the receiving water, rather than the manner by which those results are to be achieved. However, the RWQCBs may impose discharge prohibitions and other limitations on the volume, characteristics, area, or timing of discharges and can set discharge limits such that the only practical way to comply is to use management practices. RWQCBs can also waive waste discharge requirements for a specific discharge or category of discharges on the condition that management measures identified in a water quality management plan approved by the SWRCB or RWQCBs are followed.

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. A number of statewide water quality control plans have been adopted by the SWRCB. In addition, regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and are updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. Statewide and regional water quality control plans include enforceable prohibitions against certain types of discharges, including those that may pertain to nonpoint sources. Portions of water quality control plans, the water quality objectives and beneficial use designations, are subject to review by the U.S. EPA. When approved they become water quality standards under the CWA.

State Water Resources Control Board

National Pollution Discharge Elimination System

The SWRCB administers water rights, water pollution control, and water quality functions throughout the State, while the RWQCBs conduct planning, permitting, and enforcement activities. The City of Menifee and Project area is within the jurisdiction of the Santa Ana RWQCB.

The NPDES permit is divided into two Phases: Phase I and Phase II. Phase I requires medium and large cities, or certain counties with populations of 100,000 or more to obtain NPDES permit coverage for their stormwater discharges. Phase II requires regulated small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. Concerning the

Project, the NPDES permit is divided into two parts: construction and post-construction. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities (Order No. 2012-0006-DWQ, NPDES Number CAS000002) (General Construction Permit). This Statewide General Construction Permit regulates discharges from construction sites that disturb one or more acres of soil.

The SWRCB has issued and periodically renews a statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (GCASP) and a statewide General Industrial Activities Stormwater Permit (GIASP) for projects that do not require an individual permit for these activities. The GCASP was adopted in 2009 and further revised in 2012 (Order No. 2012-0006-DWQ). The most recent GIASP (Order No. 2014-0057-DWQ) was adopted in April 2014 and requires dischargers to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) to reduce or prevent industrial pollutants in stormwater discharges, eliminate unauthorized non-storm discharges, and conduct visual and analytical stormwater discharge monitoring to verify the effectiveness of the SWPPP and submit an annual report.

By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least one acre of total land area must comply with the provisions of this NPDES Permit and develop and implement an effective SWPPP. The SWPPP is required to contain a site map(s), which shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. The SWPPP is required to list Best Management Practices (BMPs) the discharger will use to protect stormwater runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Construction General Permit Section A describes the elements that must be contained in an SWPPP. A project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by the NPDES General Permit and prepare the SWPPP before beginning construction. SWPPP implementation starts with the commencement of construction and continues through project completion. Upon project completion, the applicant must submit a Notice of Termination (NOT) to the SWRCB to indicate that construction is completed.

For industrial uses, the NPDES program requires certain industrial land uses to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program unless an exemption has been granted. This began on April 1, 2014 when the SWRCB adopted an updated new NPDES permit for storm water discharge associated with industrial activities (referred to as the “Industrial General Permit”). The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under this currently effective NPDES Industrial General Permit, industrial uses including but not limited to manufacturing, transportation facilities, and other uses with typically heavy industrial uses would require permitting. These facilities are

subject to stormwater effluent limitations. While warehousing uses are not specifically included if a covered use is implemented, the Project could require NPDES coverage under this order (2014-0057-DWQ).

Municipal Stormwater Permitting Program

The Municipal Stormwater Permitting Program regulates stormwater discharges from MS4s. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in CWA § 402(p). The management programs specify what BMPs will be used to address certain program areas. The program areas include public education and outreach; illicit discharge detection and elimination; construction and post-construction; and good housekeeping for municipal operations.

For construction activities that would result in the disturbance of one acre or more, permittees must develop, implement, and enforce a program to reduce pollutant runoff in stormwater. This includes: (1) a program to prevent illicit stormwater discharges; (2) structural and non-structural BMPs to reduce pollutants in runoff from construction sites; and (3) preventing discharges from causing or contributing to violations of water quality standards. Permittees are required to review construction site plans to determine potential water quality impacts and ensure proposed controls are adequate. These include preparation and submission of an Erosion and Sediment Control Plan (ESCP) with elements of an SWPPP, prior to issuance of building or grading permits. The 2012 MS4 permit requires that the ESCP be developed by a Qualified SWPPP Developer. Permittees are required to develop a list of BMPs for a range of construction activities.

Regional

Riverside County

The proposed Project is located within the larger Santa Ana Watershed which encompasses much of northern Riverside County and drains to the Santa Ana River. On January 29, 2010, the Santa Ana Regional Water Quality Control Board issued a fourth-term area wide NPDES MS4 Permit to the Riverside County Flood Control and Water Conservation District (RCFCWCD), the County of Riverside and the Cities of Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Menifee, Norco, Perris, Riverside, San Jacinto and Wildomar (Permittees). Watersheds are based on geography and do not follow jurisdictional boundaries and as a result these agencies are working together to improve water quality through implementation of water quality protection measures.

Accordingly, these efforts led to development of a Water Quality Management Plan (County WQMP) that was approved in October of 2012. The County WQMP was intended to be a guidance document to assist RCFCWCD which is considered the Principal Permittee, and co-permittees including the City of Menifee to design water quality protection projects and measures in compliance with the Santa Ana RWQCB for Priority Development Projects. These requirements are specified in the NPDES MS4 permit, discussed

above and issued to the RCFCWCD, and other cities within the Santa Ana River watershed in the 2010 MS4 Permit.

The Santa Ana MS4 Permit is for the portion of the Santa Ana River watershed located within Riverside County (Order No. R8-2010-0033, NPDES No. CAS618033). The Permittees' stormwater programs are designed to ensure compliance with this permit. In addition, the County WQMP is intended to protect, preserve, enhance, and restore water quality of receiving water bodies, which would be accomplished through an adaptive planning and management process. The process identifies high priority water quality conditions within the watershed and implements strategies to address them. The County WQMP also includes typical measures and design recommendation that are required for all projects. Accordingly, the co-permittees, including the City of Menifee work cooperatively to implement the requirements of the permitting process.

Riverside County Drainage Area Master Plan

The Riverside County Drainage Area Master Plan (DAMP) for the Santa Ana Region and the Riverside County's Water Quality Management Plan (RCWQMP) were developed to further address post-construction urban runoff from new development and significant redevelopment projects under the jurisdiction of the co-permittees. The DAMP is intended to provide guidelines for project-specific post-construction BMPs and for regional and sub-regional source control BMPs and structural BMPs to address management of urban runoff quantity and quality to protect receiving waters. The DAMP also illustrates the jurisdictions covered by the Riverside County RWQCB, each of which was issued a MS4 permit for their respective jurisdiction. The RCWQMP identify the BMPs, including design criteria for treatment control BMPs that may be applicable when considering any map or permit for which discretionary approval is sought. Examples may include tentative tract maps, parcel maps with land-disturbing activity, conditional permits, and discretionary grading permits where the project is not part of a master plan of development.

The RCWQMP provides guidelines for the management of urban runoff quantity and quality and the protection of receiving waters through identification and implementation of source control and structural BMPs on a regional and sub-regional level. Design criteria for treatment control BMPs are also given for application on a project-level basis to minimize potential impacts of urban runoff.

Water Quality Control Plan, Santa Ana River Basin

The Water Quality Control Plan for the Santa Ana River Basin, updated in June 2019, establishes water quality standards for groundwater and surface water in the basin; that is, standards for both beneficial uses of specific water bodies and the water quality levels that must be maintained to protect those uses. The basin plan includes an implementation plan describing actions by the Santa Ana RWQCB and others needed to achieve and maintain the water quality standards. The Santa Ana RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's groundwater and surface waters. The Basin Plan lists water quality problems for the region, along with causes, where they are known. Plans for improving water quality are included for water bodies with quality below the levels needed to enable all the beneficial uses of the water.

Part of the southeast corner of the City is in the territory of the San Diego RWQCB; however, discharges to municipal storm drains throughout the City of Menifee are regulated by the Santa Ana RWQCB.

Local

City of Menifee General Plan

Open Space & Conservation Element

The City of Menifee's Open Space & Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the City's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.⁸

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

Goal OSC-7: **A reliable and safe water supply that effectively meets current and future user demands.**

Policy OCS-7.1 Work with the Eastern Municipal Water District to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.

Policy OCS-7.2 Encourage water conservation as a means of preserving water resources.

Policy OCS-7.8 Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.

4.9.4 Impact Thresholds and Significance Criteria

The CEQA Guidelines Appendix G Environmental Checklist Form, includes questions concerning hydrology and water quality. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. The Project would have a significant effect on the environment if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - Result in substantial erosion or siltation on- or off-site?

⁸ City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

- Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?
 - Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?
 - Impede or redirect flood flows?
- In flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation;
 - Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning hydrology and water quality. This analysis also considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on hydrology and water quality examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on available information in public databases including local planning documents; a site evaluation of the Project site; review of Project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component would or would not result in "substantial" adverse effects on standards related to hydrology and water quality considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

Hydrological Analysis

The RCFCWCD's Hydrology Manual and NOAA Atlas 14 criteria were the basis for the hydrology analyses. The 10- and 100-year existing and proposed condition rational method results are included in the *Preliminary Drainage Study* in **Appendix 9.9.1**.

Detention Analysis

In order to size the detention basins for the Project site, the CivilDesign Unit Hydrograph computer program was used for synthetic hydrograph analyses which determined the required 10-year, 24-hour detention volume. The 10-year, 24-hour detention volume typically requires the largest storage volume of the 12 detention events, so is commonly used for preliminary design.

4.9.5 Impacts and Mitigation Measures

Impact 4.9-1 *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

Clearing, grading, excavation, and construction activities associated with Project buildout may impact water quality due to sheet erosion of exposed soils and subsequent deposition of particulates in nearby drainages. Grading activities, in particular, lead to exposed areas of loose soil sediment stockpiles, that are susceptible to uncontrolled sheet flow. Although erosion occurs naturally in the environment, primarily from weathering by water and wind action, improperly managed construction activities can lead to substantially accelerated rates of erosion that are detrimental to the environment. Grading activities during construction would be typical of what is found in other warehousing development. Bare soils would be exposed, and stockpiles would be created. Fuels, lubricants, and solid and liquid wastes would be stored within active construction areas.

The Project is required to comply with the NPDES Construction General Permit, the water quality policies of the City GP and the Riverside County DAMP, all which require the preparation and implementation of a SWPPP in order to obtain grading and building permits. The SWPPP shall identify site-specific construction BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater runoff from the Project site. Construction BMPs would include, but not be limited to, the following:

- Minimization of disturbed areas to the portion of the Project site necessary for construction;
- Stabilization of exposed or stockpiled soils and cleared or graded slopes;
- Establishment of permanent re-vegetation or landscaping as early as is feasible;
- Removal of sediment from surface runoff before it leaves the Project site by silt fences or other similar devices around the site perimeter;
- Diversion of upstream runoff around disturbed areas of the Project site;
- Protection of all storm drain inlets on-site or downstream of the Project site to eliminate entry of sediment;
- Prevention of tracking soils and debris off-site through use of a gravel strip or wash facilities, which will be located at all construction exits from the Project site;

- Proper storage, use, and disposal of construction materials, such as solvents, wood, and gypsum; and
- Continual inspection and maintenance of all BMPs through the duration of construction.

BMPs are designed to control and prevent discharges of pollutants that can adversely impact the downstream surface water quality. Construction activities are also required to comply with the City's Stormwater/Urban Runoff Ordinance⁹, the City's Grading Ordinance¹⁰, and other required regulations. With the implementation of BMPs as described in the SWPPP (see Mitigation Measure [MM] HYD-1), the Project is not anticipated to violate water quality standards during construction. Therefore, impacts would be considered less than significant with mitigation incorporated.

Proposed conditions for the Project sites anticipate impact from off-site flows since Sherman Road and Dawson Road are not currently built and do not intercept off-site run-on. There is also a channel that discharges flow at the northeast corner of the Building 1 site. Three off-site storm drains are proposed: one each in Trumble Road, Sherman Road, and Dawson Road. The storm drains would capture off-site runoff and convey it to Line-A. The Project would also construct Sherman Road and Dawson Road, and would widen Trumble Road to ultimate width. To mitigate the increase in runoff and not adversely affect the downstream facilities, the two-year, 24-hour storm would be routed to match existing flowrates for both sites. The flows would be routed by storing the volume in the basins and pumping at a rate to meet drawdown requirements. All high flows would bypass the basin via a splitter manhole and gravity flow from the sites.

The off-site circulation improvements for both Sherman Road and Dawson Road would involve grading and roadway construction equipment. These construction activities would not cause any long-term impacts to water quality standards in consideration of the above (NPDES permitting and associated SWPPP measures, including MM HYD-1).

Construction of the sewer service improvements and the off-site storm drains would not cause any significant water quality impacts. Construction would be temporary, gradually moving down the length of the roads as trenching occurs and then is backfilled and the roads are resurfaced. Off-site construction would utilize the same BMPs as the on-site construction, listed above. Example construction BMPs that may be used include erosion control blankets for slope stabilization and wind erosion control; slope drains to intercept and direct surface runoff or groundwater into a stabilized watercourse; or check dams constructed of rock, gravel bags, sandbags, fiber rolls, or other materials for soil stabilization and sediment control. Per MM HYD-2, the Project Applicant shall prepare a Final Project-Specific WQMP with operations and maintenance (O&M) Plan which would identify Project BMPs.

⁹ City of Menifee. (2012). Municipal Code Chapter 15.01, Stormwater/Urban runoff Ordinance. Retrieved from: https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-2967. Accessed on August 16, 2021.

¹⁰ City of Menifee. (2019). Municipal Code. Chapter 8.26.060 Erosion Control Plan. Retrieved from: https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-28708#JD_8.26.060. Accessed on August 16, 2021.

Operations

To collect surface water and runoff from the impervious areas, an extensive drainage plan would be in place which includes ribbon gutters, subsurface storm drains, curb cuts, u-channels, and detention basins. The basins are designed to weaken the flow of post-development runoff to pre-development conditions, and have been designed to treat runoff for pollutants, pursuant to SWRCB regulations.

Typical stormwater-related pollutants of concerns for warehousing development include the following:

- Pesticides and herbicides and an increase in nutrients from fertilizers used for the landscaped areas;
- Trash/debris from the trash enclosures and break areas;
- Fluids from vehicles (motor oil, transmission fluid, antifreeze, brank fluid, gasoline, etc.) spilled onto paved areas; and

The Project would be required to comply with the NPDES Municipal Permit, the City GP, and the DAMP, which require implementation of post-construction BMPs in accordance with the Water Quality Control Plan for the Santa Ana River Basin. In addition, the Santa Ana MS4 Permit requires the preparation of a project-specific WQMP for all development projects and, as such, a project-specific WQMP has been prepared for the Project. The Project-Specific WQMP (see **Appendix 9.9.2**) has incorporated combined low-impact development (LID) treatment, hydrologic control BMPs, and sediment supply BMPs. A final WQMP will be required to address BMP sizing and O&M plan.

The WQMP is intended to comply with the requirements of the City's Municipal Code Section 15.01, Storm Water/Urban Runoff, which includes the requirement for the preparation and implementation of a Project-Specific WQMP, and has outlined all BMPs designed to meet water quality standards and mitigate any adverse impacts; see MM HYD-2. Therefore, impacts would be less than significant with mitigation incorporated.

Mitigation Measures

MM HYD-1: Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board. This process requires that the applicant electronically submit Permit Registration Documents (PRDs) prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee.

The required Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Menifee Engineering Department for review and approval, identifying specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence

for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.
- B. Temporary erosion control measures shall be implemented on all disturbed areas.
- C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.
- E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.
- F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure.
- G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction.
- H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval by the City of Menifee Engineer. The City of Menifee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.

MM HYD-2:

The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with O&M Plan for submittal together with the associated grading and improvement plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City (Menifee) and County (Riverside) water quality requirements, for review and approval by the City of Menifee Engineering Department, including the following:

- Site Design BMPs
- Source Control BMPs
- Treatment Control BMPs

- BMP Sizing
- Equivalent Treatment Control Alternatives
- Regionally-Based Treatment Control BMPs
- O&M Responsibility for Treatment Control BMPs

Impact 4.9-2 *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site overlies the San Jacinto Groundwater Basin and within the service area of EMWD. The Project would construct on-site and off-site potable water and recycled water systems in accordance with EMWD design standards to receive water services from EWMD. Thus, the Project would utilize potable and recycled water and would not use any on-site or off-site groundwater wells, nor any other groundwater extractive methods to service the Project. Furthermore, the WSA prepared by the EMWD (**Appendix 9.12.1**) also determined that EMWD does not plan to develop new groundwater supplies for this Project (see **Section 4.15: Utilities and Service Systems** for more information). Therefore, the Project would not directly draw water from the groundwater basin. Accordingly, implementation of the Project in this regard would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies. Impacts would be less than significant.

As further discussed in **Section 4.15: Utilities and Systems**, considering the above and considering current as well as project water demand through the year 2045 in both normal, and single, and multiple dry year scenarios, EMWD has ability to meet all of its member agencies', including the Project's projected supplemental demand through 2045, even under a repeat of historic multiple-year drought scenarios EMWD plans to supply new water demands in its service area, including the Project, through a combination of additional imported water purchases from MWD and the ongoing development of EMWD's local supply resources.

While construction activities would introduce new impermeable surfaces to the Project site, the Project would include elements to reduce the effects of the new impervious areas pursuant to design measures in the EWMP. These measures include, but are not limited to, LID BMPs and other stormwater drainage controls. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows water to slowly infiltrate the ground and helps facilitate recharge. In addition, LIDs that include permeable materials, enable run-off to immediately infiltrate and begin the recharge process. Lastly, the Project site also includes areas that will be landscaped with permeable surfaces in accordance with EMWD's Water Efficient Guidelines for New Development, which also would facilitate groundwater recharge. Therefore, with the required measures in place, the loss of the permeable area would not be substantial and groundwater recharge would maintain pre-project conditions.

In conclusion, the Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. No significant impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-3 *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

Result in substantial erosion or siltation on- or off-site?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

Considering the existing site is generally undeveloped with little existing impervious surfaces, construction of the Project would alter the existing drainage pattern of the site; however, the Project shall preserve the existing drainage pattern to the southwest. An NPDES Construction Stormwater Permit shall be obtained and a SWPPP would be implemented to minimize soil erosion and siltation on and off the site; see **MM HYD-1**. BMPs as outlined in the WQMP (**Appendix 9.9.2**) would also be implemented during construction and operation of the site to minimize erosion and sedimentation (see **MM HYD-2**). In addition to the SWPPP and WQMP, the Project would comply with other applicable local and regional water quality requirements described in the Regulatory Framework discussion. Overall drainage patterns would remain consistent, with flows directed to the Santa Ana Watershed Region, with water quality measures applicable to the respective watershed. In consideration existing regulations, and with implementation of **MM HYD-1** and **MM HYD-2**, no significant impacts are anticipated.

Mitigation Measures

Refer to **MM HYD-1** and **MM HYD-2** above.

Impact 4.9-4 *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?

Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

The Project site is within a Flood Boundary, identified as the Zone A Flood Hazards. Zone A is an area subject to inundation by the 1-percent annual chance flood event generally determined using

approximate methodologies. The Project designation as Zone A will be addressed through the implementation of the required drainage improvements, as suggested in the Hydrology and WQMP report. FEMA The Project site is mostly vacant and undeveloped, and possibility of flooding could be significant. However, design features pursuant to the BMPs in the WQMP and SWPPP would be implemented to collect any excess runoff that may flow through the site. Implementation of the Project would introduce impervious surfaces on the site; therefore, increasing the amount and rate of surface runoff. To address this concern, the Project Applicant prepared a Preliminary Drainage Study (**Appendix 9.9.2**) based on the RCFCWCD's Hydrology Manual criteria. The Preliminary Drainage Study shows that, without mitigation, the Project would increase surface runoff flows for both the 10-year and 100-year events in certain drainage areas. The Project's drainage system has been designed to mitigate this impact, by providing on-site detentions basins and bio-retention basins, combined with a comprehensive on-site and off-site storm drainage system (shown in **Figure 4.9-2: Proposed On-site Utilities** and **Figure 4.9-3: Proposed Off-site Utilities**). These drainage design recommendations are included in the Project design plans. Project drainage has been designed to ensure that runoff flows leaving the site do not exceed existing conditions, thereby avoiding impacts to downstream facilities. Prior to grading permit issuance, the Project Applicant would be required to submit final grading and drainage plans for review and approval by the City and the EMWD, to ensure that the Project does not result in increased flows off-site or otherwise significantly impact downstream drainage facilities. The drainage design would prevent flooding on- and off-site due to an increase in surface water runoff, resulting in impacts to surface runoff being less than significant with mitigation incorporated. The proposed drainage system design includes relatively minor off-site improvements. Three off-site storm drains are proposed on the following roads, Trumble Road, Sherman Road, and Dawson Road. The storm drains will capture off-site runoff and convey it to Line-A. In addition to typical roadway drainage facilities within the Sherman Road, Dawson Road, and Trumble Road extension, the Project requires a drainage conduit outlet (on-site flows would surface flow through the site utilizing ribbon gutters leading to planned basins). With proposed on-site and off-site improvements, the Project would not cause additional flooding, exceed the capacity of existing drainage facilities, or impede or redirect flood flows such that on-site or off-site areas are significantly impacted. Water quality effects of the Project are addressed under Impact 4.9-1 above.

Mitigation Measures

MM HYD-3: Prior to issuance of grading permits, the Project Applicant shall submit final parcel map(s) for review and approval by the City of Menifee, including final drainage design plans supported by a final drainage study. The tract maps, grading plans, and final drainage study shall demonstrate compliance with applicable City and County drainage plans, policies, design guidelines and regulations including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations.

Impact 4.9-5 *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

Impede or redirect flood flows?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

As stated above, the Project site is within a Flood Boundary, identified as the Zone A Flood Hazards. The Project Applicant would develop approximately 52.2 percent of the total approximately 72 acres with industrial uses and associated infrastructure that could cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff that could impede or redirect flood flows. However, per the Project's Drainage Study, on-site flows would be collected by a system of off-site storm drains proposed at Trumble Road, Sherman Road, and Dawson Road which would convey runoff to Line-A. On-site flows generated by the Project would surface flow through the Project site's ribbon gutters. Minimal subsurface storm drains would be used to convey flow into the Project site's proposed (two) detention basins located along Building 1 and Building 2's western property line. Building-1-basin would discharge into the proposed Sherman Road storm drain, while Building-2's basin would discharge into the proposed Trumble Road storm drain.

The last half-mile reach of Line-A connecting to the San Jacinto River is not built out to its ultimate condition. This classifies the Project as a HCOC nonexempt area. To mitigate the increase in runoff and not adversely affect the downstream facilities, the 2-year, 24-hour storm will be routed to match existing flowrates for both sites. The flows will be routed by storing the volume in the basins and pumping at a rate to meet drawdown requirements. All high flows will by-pass the basin via a splitter manhole and gravity flow from the sites. Therefore, with implementation of efficient design measures and applicable BMPs pursuant the Project's WQMP and SWPPP (**MM HYD-1; MM HYD-2; MM HYD-3**), the Project would not substantially impede or redirect flood flows and no on-site flooding would occur.

Mitigation Measures

Refer to **MMs HYD-1** through **MM HYD-2**.

Impact 4.9-6 *Would the project in flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation?*

Level of Significance: Less than Significant with Mitigation Incorporated

Construction and Operations

The Project is inland and is not at risk for inundation due to a tsunami since it is more than 30 miles from the Pacific Ocean. The Project site is not within a seiche zone, since no large bodies of water border the Project site.

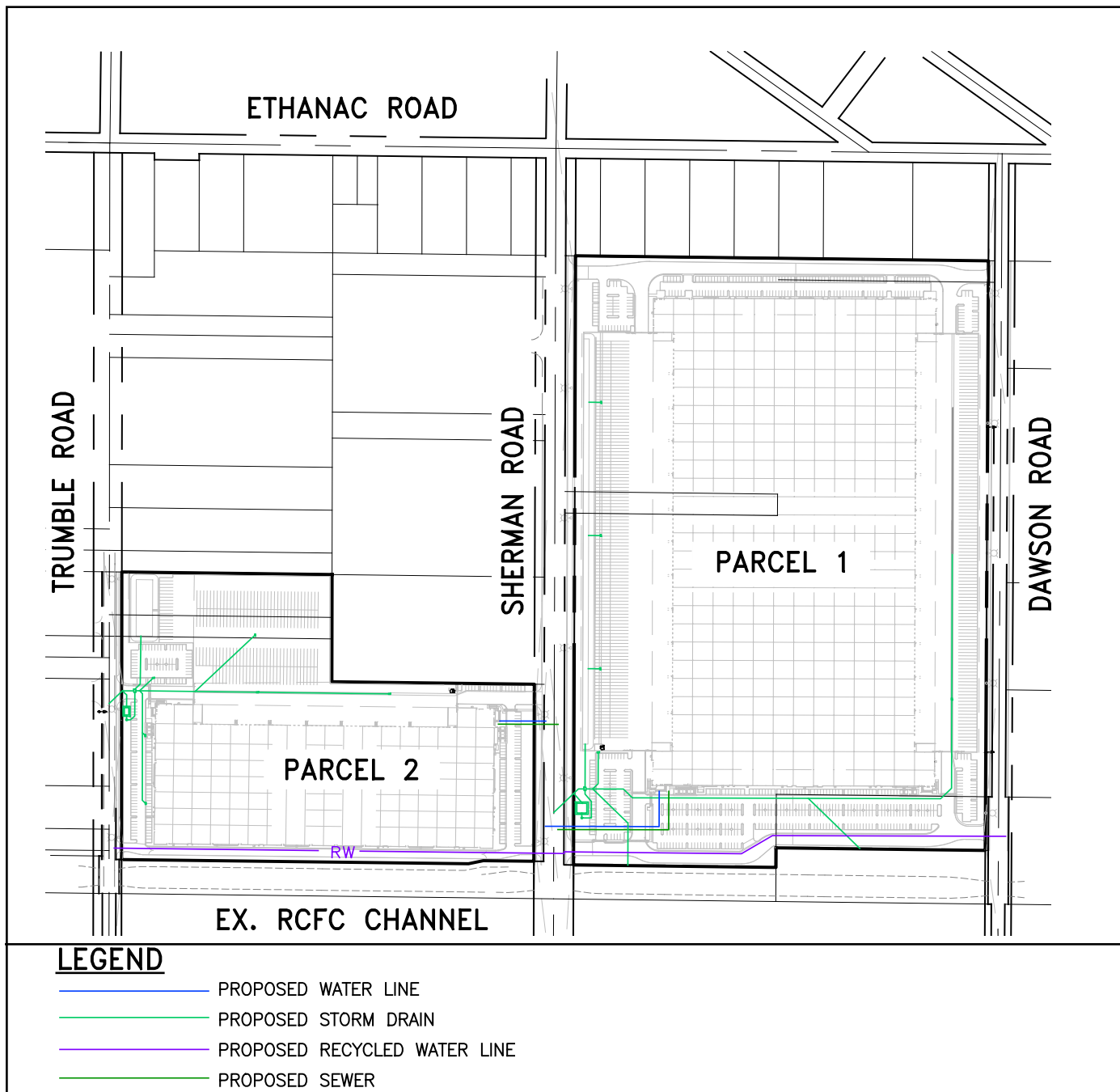
A review of the FEMA FIRMs was conducted to determine whether the Project site is largely located within a flood zone. According to Map No. 06065C2060H, portions of the Project site are located within the Zone A, which indicates that the Project site is subject to the 1-percent annual chance flood event or 100-year flood. The WQMP (**Appendix 9.9.2**), concluded that no enclosed bodies of water lie adjacent to or up gradient of the site, the likelihood for induced flooding due to a dam failure or a seiche overcoming dam's freeboard is considered nonexistent. Best Management Practices (BMPs) have been incorporated into the site design to fully address all Drainage Management Areas (DMAs). As noted in the Hydrology Report, with the implementation of the proposed DMAs, runoff will be conveyed to the corresponding detention basins which have been design appropriately to provide flood protection for the 100-year storm event. As such, the Project would implement BMP's and efficient design measures pursuant to the Project' WQMP

and SWPPP (**MM HYD-1; MM HYD-2; MM HYD-3**), that includes, but is not limited to, the pretreatment of runoff through the proposed bioretention basins. Therefore, the Project 's impacts regarding the risk of pollutants would be reduced to less than significant levels.

Mitigation Measures

MM HYD-1, MM HYD-2, MM HYD-3 apply.

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Source: Albert A. Webb Associates, Inc. (2022).

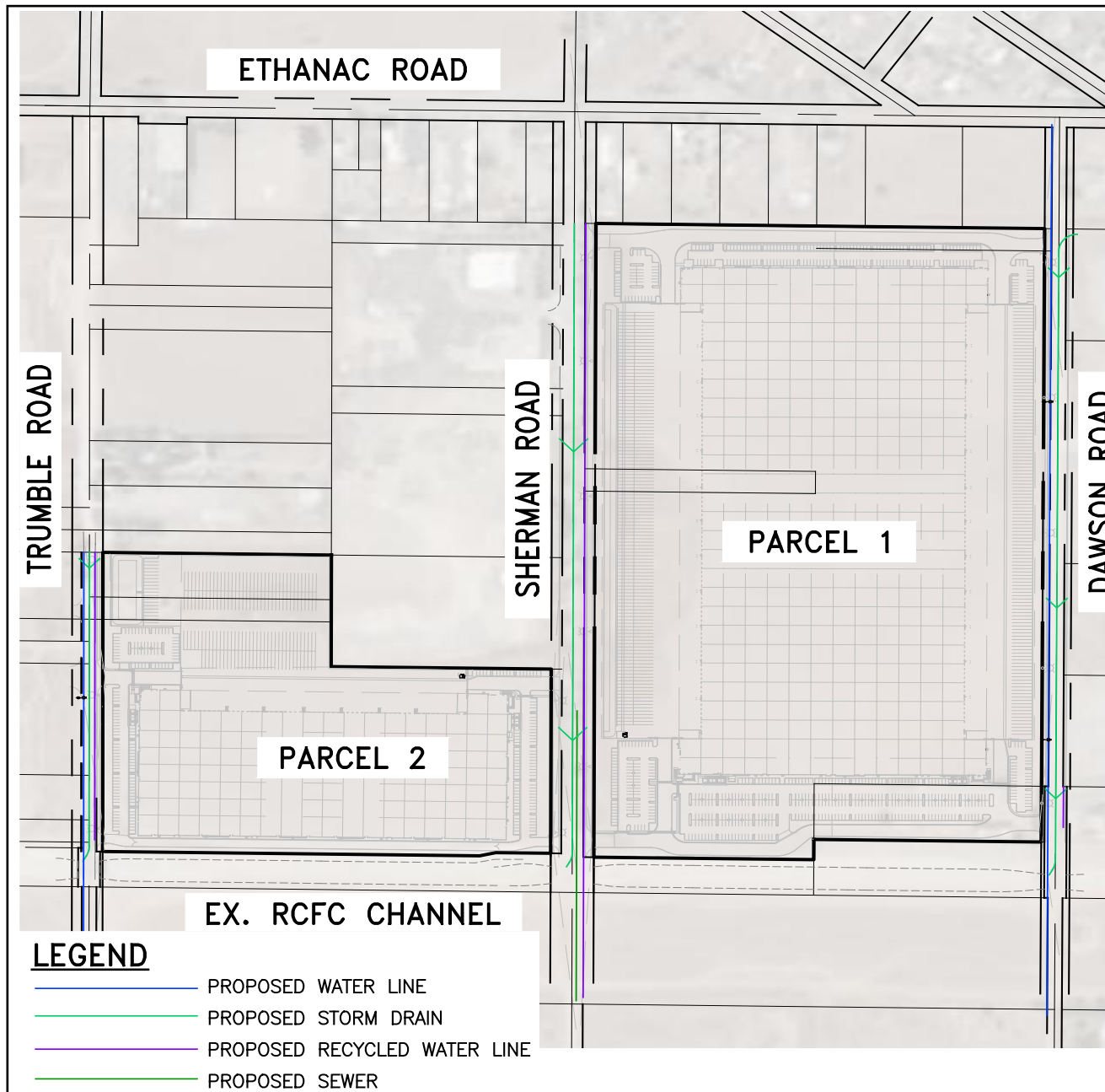
Figure 4.9-2: Proposed On-site Utilities
 City of Menifee
 Menifee Commerce Center



Not to Scale

Kimley»Horn

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Source: Albert A. Webb Associates, Inc. (2022)

Figure 4.9-3: Proposed Off-site Utilities
 City of Menifee
 Menifee Commerce Center



Not to Scale

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Impact 4.9-7 ***Would the project conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?***

Level of Significance: Less than Significant Impact

Construction and Operations

As discussed in the Impacts above, the Project is underlain by the San Jacinto Groundwater Basin. For groundwater management plan and reporting purposes, the San Jacinto Groundwater Basin is further separated into the Hemet/San Jacinto Management Plan Area, where the San Jacinto Fault Zone strongly influences the groundwater hydrology and is adjudicated under the Hemet-San Jacinto Watermaster, and the West San Jacinto Management Plan Area (submitted to the DWR on January 31, 2022), for which EMWD is the designated Groundwater Sustainability Agency (GSA). As discussed above, the Project's components are not anticipated to obstruct groundwater facilities as groundwater facilities are not planned by EMWD for this Project. Furthermore, it was concluded that the Project would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies. Thus, the Project would not conflict with the Hemet/San Jacinto Groundwater Management Plan or the West Jacinto Groundwater Basin Management Plan.

Mitigation Measures

No mitigation is necessary.

4.9.6 Cumulative Impacts

Cumulative impacts concerning hydrology and water quality could occur as, existing uses, new development or redevelopment occurs within a specific watershed. This includes the Project, and other past, present, and future projects. Due to the urbanized nature of the watershed, growth would consist of a mix of residential and non-residential development, consistently with past and present growth trends. Cumulative development in conjunction with the Project would result in the increase of impervious surfaces, and thus could generate increased run-off from the affected site. Thus, cumulative development, including the Project, are required to develop SWPPPs and site specific WQMP with BMPs to control erosions and stormwater run-off in accordance with all required water quality permits and the Water Quality Control Plans. The location of the Project requires the creation of specific BMPs to minimize impact to stormwater systems and conveyance. As needed, cumulative projects would implement BMPs, including LID BMPs to minimize run-off, erosion, and storm water pollution. As part of these requirements, projects would be required to implement and maintain source controls, and treatment measures to minimize polluted discharge and prevent increases in run-off flows that could substantially decrease water quality. Conformance with these measures would aid in minimizing runoff and stormwater pollutants. Therefore, related projects are not expected to cause substantial increases in storm water pollution. With compliance with State and local mandates, cumulative impacts would be less than significant. As concluded above, the Project would implement BMPS and efficient design measures in accordance with applicable federal, state, and local regulations. Therefore, the Project's impacts would not be cumulatively considerable.

4.9.7 Significant Unavoidable Impacts

No significant unavoidable hydrology and water quality impacts were identified.

4.9.8 References

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4.10 LAND USE AND PLANNING

4.10.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses the potential land use impacts associated with the implementation of the Menifee Commerce Center (Project). The existing land uses of the Project site and surrounding areas along with applicable regional and local regulations will be described in order to contextualize the Project’s potential to result in land use impacts. In the event that a potentially significant environmental impact is identified, mitigation measures would be proposed in order to reduce the impacts to less than significant levels.

4.10.2 Environmental Setting

Existing and Surrounding Land Uses

The Project is located within seven parcels in the northeastern portion of the City of Menifee (City). The Assessor’s Parcel Numbers (APNs) associated with the Project site are included in **Table 2.0-1**, and here in **Table 4.10-1: Assessor’s Parcel Numbers**.

Table 4.10-1: Assessor’s Parcel Numbers

Parcel	APN
1	331110035
2	331110027
3	331110041
4	331140021
5	331140025
6	331140010
7	3311140018

Source: Riverside County. ND. Map My County.
https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public (accessed March 2021).

The majority of the Project site consists of vacant, undeveloped land. There are also existing single-family residences and associated out structures located on parcels 331110027 and 3311140018. Existing land uses north of the Project site include vacant undeveloped land, single-family residences with associated out structures, and commercial establishments including, but not limited to, North County Sand & Gravel, Summit Equipment Rentals, and Neill’s Recycling. Ethanac Road is located approximately 325 feet north of the Project site (eastern half). East of the Project site is Dawson Road and beyond the road is vacant, undeveloped land and a single-family residence with associated out structures. South of the Project site, a Riverside County Flood Control channel and overhead utility corridor separate the Project site from McLaughlin Road. Lastly, west of the Project site is Trumble Drive and vacant, undeveloped land beyond the roadway in the City of Perris. See **Figure 2-1: Local Vicinity Map** for existing Project site and surrounding land uses.

General Plan Land Use Designations and Zoning Classifications

The site's existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI)(see **Figure 2-3: Existing General Plan Land Use Designations**). The site's proposed land use designation is Menifee North Specific Plan (SP) (see **Figure 2-4: Proposed General Plan Land Use Designations**). The City's General Plan (GP) Land Use Map was amended December 2021.¹

The Project site's existing zoning classifications are Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). (see **Figure 2-5: Existing Zoning Classifications**). The site's proposed zoning classification is Menifee North SP (see **Figure 2-6: Proposed Zoning Classifications**). The City's Zoning Map was amended February 2022.²

As shown in **Figure 2-7: Menifee North Specific Plan**, the proposed Project would be located within Planning Area (PA) 2 which is an area designated *Industrial* under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations. The majority of the site designated as Industrial under the Menifee North SP is made up of three parcels and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP), (see Table 2-2)). **Table 4.10-2: General Plan Permitted Uses**, provides a description of the allowed uses for the land uses currently making up the Project site.

¹ City of Menifee. 2021. *General Plan Land Use Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan-Land-Use-Map---December-2021> (accessed February 2022).

² City of Menifee. 2022. *Zoning Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--February-2022> (accessed February 2022).

Table 4.10-2: General Plan Permitted Uses

Designation	Details
Specific Plan (SP) Menifee North SP Planning Areas 2 and 3	<p>The purpose of a specific plan is to provide detailed policies, standards, and criteria for the development or redevelopment of an area. As required by state law, specific plans generally consist of a land plan, circulation plan, development standards, design guidelines, and phasing plan and set forth detailed implementation programs necessary to serve the development.</p> <p>The actual designation of each area will be SP followed by a corresponding number (e.g., SP-1). Land uses within the SP areas depicted on the land use plan are conceptual and will be shown to provide context with surrounding uses. Actual land uses are illustrated in detail in the specific plan documents (zoning).</p> <p>Planning Areas (PA) 2 and 3 are Industrial parcels which allow Industrial uses intended to support the commercial uses in the region and to blend in with the adjacent industrial uses.</p>
Heavy Industrial (HI) Maximum 0.50 FAR	More intense industrial activities, such as manufacturing uses, that can generate significant impacts such as excessive noise, dust, and other nuisances.
Business Park (BP) Maximum 0.60 FAR	Industrial and related uses including warehousing/distribution, assembly and light manufacturing, repair facilities, and business parks, including corporate offices. Employee-intensive uses, including research and development, technology centers, “clean” industry, and supporting hotel and ancillary retail uses are also permitted.
<p>Source: General Plan. 2020. <i>Land Use Element</i>. https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322 (accessed February 2022).</p>	

As shown in **Table 4.10-2**, all three designations (Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project *is* consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP (Industrial) designation (see Table 2-4), the amendments noted in Section 2.8, Discretionary Actions and Approvals would be required to consolidate the site’s designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The necessary amendments are summarized below:

- Change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).
- Change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 (“Industrial”).
- The General Plan land use and zoning classification amendments would allow for the boundary modification of Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-140-035 within Planning Area 2 (“Industrial”).

For existing and proposed land use designations and zoning classifications by parcel see **Table 4.10-3: General Plan Land Use Designations and Zoning Classifications**.

Table 4.10-3: General Plan Land Use Designations and Zoning Classifications

APN	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation	Existing Zoning Classification	Proposed Zoning Classification
331110035	Menifee North Specific Plan (SP)	Menifee North Specific Plan (SP)	Menifee North SP	Menifee North SP
331110027	Heavy Industrial (HI)		Heavy Industrial/Manufacturing (HI)	
331110041	Menifee North Specific Plan (SP)		Menifee North SP	
331140021	Business Park (BP)		Business Park/Light Industrial (BP)	
331140025	Menifee North Specific Plan (SP)		Menifee North SP	
331140010	Heavy Industrial (HI)		Heavy Industrial/Manufacturing (HI)	
331140018	Business Park (BP)		Business Park/Light Industrial (BP)	
Sources: City of Menifee. 2021. <i>General Plan Land Use Map</i> . Retrieved at: https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map--December-2021 (accessed February 2022). and City of Menifee. 2022. <i>Zoning Map</i> . Retrieved at: https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--February-2022 (accessed February 2022).				

4.10.3 Regulatory Setting

Regional

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a council of governments representing Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. SCAG is the Federally recognized Metropolitan Planning Organization (MPO) for this region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under Federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the Southern California region’s MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the Regional Transportation Plan/Sustainability Communities Strategy.

2020-2045 Regional Transportation Plan/Sustainable Communities Strategies

SCAG’s Connect SoCal 2020-2045 Regional Comprehensive Plan/Sustainable Communities Strategies (RTP/SCS) provides the long-range vision of the SCAG region. The RTP/SCS expands land use and transportation strategies established from previous cycles to increase mobility options and achieve a more sustainable growth pattern. The RTP/SCS contains plans and projections for the region’s future, from 2020 through the horizon year of 2045. Like other RTP/SCS publications, the Connect SoCal RTP/SCS provides a policy framework for preparing local plans and handling issues of regional significance, such as land use

and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. Specifically, the plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

The RTP/SCS advances regional planning by incorporating an integrated approach between SCAG, State and local governments, transportation commissions, resources agencies and conservation groups, the private sector, and the general public.

Connect SoCal can be found here: <https://scag.ca.gov/read-plan-adopted-final-plan>.

Local

City of Menifee General Plan

The Menifee GP contains includes goals and policies intended to provide benefits to the City through long-range planning. The Menifee GP was adopted in 2013 to provide planning framework to guide the City's growth and development through 2030. The GP is comprised of the following elements: Land Use; Housing; Circulation; Open Space & Conservation; Community Design; Economic Development; Safety; and Noise. Goals and policies applicable to the Project are identified in **Table 4.10-4: City of Menifee General Plan Consistency**.

The Menifee GP can be found here: <https://www.cityofmenifee.us/221/General-Plan>.

City of Menifee Municipal Code

The City of Fontana Municipal Code (MC) Title 9: Planning and Zoning is the Menifee Development Code. The Menifee Development Code assists the Menifee GP by providing driving policies that reinforce the goals set by the GP. By complying with the standards set in the development code, the City will more efficiently achieve sustainable growth. This document outlines the City's guidelines and requirements for developments for each zoning type. The Project is located within the Specific Plan zone. Per § 9.155.020 Adopted Specific Plans, SP-11 Menifee North is incorporated into this Title in its entirety by reference.

The Menifee MC can be found here: <https://www.cityofmenifee.us/318/Municipal-Code>.

Menifee North Specific Plan

The Project would be located within Planning Area (PA) 2: Industrial of the Menifee North SP. The Project would be implemented in compliance with the design guidelines and development plans and standards outlined in the Menifee North SP. These standards and guidelines pertain to such areas as circulation, drainage, grading, and landscaping.

4.10.4 Impact Thresholds and Significance Criteria

State California Environmental Quality Act (CEQA) Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project would have a significant environmental impact if one or more of the following occurs:

- Physically divide an established community or
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning land use and planning. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on land use and planning components examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn in October 2021; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "significant" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.10.5 Impacts and Mitigation Measures

Impact 4.10-1 *Would the project physically divide an established community?*

Level of Significance: No Impact

Construction and Operation

The Project involves the development of approximately 1,640,130 square feet of warehouse space within an approximately 72-acre site, with associated facilities and improvements including mezzanine and office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements. The Project would occupy an area to be fully designated/classified as Menifee North SP, considering that there are currently three different designations. The Project, a proposed warehousing development, would conform to the established land use and zoning of the area, after the General Plan, Zone change, and SP Amendment. Surrounding land uses are largely vacant undeveloped land with some residential and commercial development to the north, such as storage yards, equipment rentals, and aggregate sales.

The Project would potentially displace two non-conforming single-family residential structures with associated out structures. These residences are rural in nature and are not part of a distinct, established community. Residential uses are within the surrounding area of the Project site. However, these developments are not part of an established community. Further, the residential structures are classified as nonconforming uses since residential uses are not permitted uses under their respective General Plan land use and zoning designations of Heavy Industrial/Manufacturing (HI) and Business Park/Light Industrial (BP). The dwelling units in the surrounding area are sporadically placed and do not form a geographically cohesive community. Lastly, the Project would not involve the removal of vital roadways or points of connection for residents but would improve Project area roadways. Therefore, development of the Project would not divide an established community and no impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.10-1 *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Level of Significance: Less than Significant Impact

Construction and Operation

The Project shall comply with any applicable federal, state, regional, and local land use plans, policies, and regulations. Projects should be consistent with applicable policies in order to promote the efficient, sustainable growth projected in the long-term planning documents. At a regional level, the Project should comply with the goals and policies presented in SCAG's RTP/SCS. Locally, the Project should comply with the City's GP, the Menifee North SP, and any airport land use compatibility plans (ALUCPs). The Project's consistency with these applicable goals and policies are described below.

SCAG 2020-2045 RTP/SCS

The SCAG RTP/SCS is a long term planning document intended to guide the growth of the region that includes the Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. The RTP/SCS allows public agencies who implement transportation projects to do so in a coordinated manner and assists the region in achieving California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries, and more efficient use of resources. The Project's compliance with the RTP/SCS would promote the sustainable and beneficial growth of the region. **Table 4.10-4: SCAG 2020-2045 RTP/SCS Connect SoCal Goals** summarizes the Project's compliance with the RTP/SCS.

Table 4.10-4: SCAG 2020-2045 RTP/SCS Connect SoCal Goals

Goal	Consistency
1. Encourage regional economic prosperity and global competitiveness	Consistent: The Project would involve the development of warehouse facilities which would increase the City’s ability to process and distribute goods. This increased goods processing capacity would improve trade both in the City and potentially the region.
2. Improve mobility, accessibility, reliability, and travel safety for people and goods	Consistent: Development of the Project site would help connect people and employment by providing safe and efficient roads, access, and buildings, including pedestrian improvements, while continuing to provide well-maintained streets. The Project would improve Trumble Road, Sherman Road, McLaughlin Road and Dawson Road, safely connecting development to the north and south of the Project site. Improvements to the surrounding roadways would also increase the efficiency of goods transport. Additionally, the future use of the warehouse facilities would further promote the goals of the goods movement as they would be a direct supplier of goods to the region reducing long-range trips. See Section 4.13: Transportation .
3. Enhance the preservation, security, and resilience of the regional transportation system	
4. Increase person and goods movement and travel choices within the transportation system	
5. Reduce greenhouse gas emissions and improve air quality	Consistent: Development of the Project site would be consistent with current building codes, state and Federal requirements including Green Building Standards. This includes EV Parking spaces, energy-efficient buildings, and use of construction and grading equipment that complies with current AQ standards, etc. See Section 4.2: Air Quality, Section 4.7: Greenhouse Gas Emissions, and Section 4.13: Transportation .
6. Support healthy and equitable communities	Consistent: The Project would be constructed consistent with the Menifee North SP land use designation/zoning classification and associated development standards. The Project would be constructed to current building codes, state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents.
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network	Consistent: The Project would construct new roads, infrastructure, and buildings to support uses consistent with the 2020-2045 RTP/SCS and consistent with current building codes, state and federal requirements including Green Building Standards. This includes EV Parking spaces, energy-efficient buildings, and use of construction and grading equipment that complies with current AQ standards, etc. See Section 4.2: Air Quality, Section 4.7: Greenhouse Gas Emissions, and Section 4.13: Transportation .
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel	Not applicable: The Project is not a transportation project. However, the Project would include roadway improvements that would result in more efficient travel.
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options	Not applicable: The Project does not propose housing development.
10. Promote conservation of natural and agricultural lands and restoration of habitats	Consistent: The Project site is located within an existing semi-urban area designated for industrial development through the Menifee North SP. There are no designated agricultural lands or farmlands in the area or habitat restoration areas. As a result, industrial development is permitted for this property.
Source: SCAG. 2020. Connect SoCal. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176 (accessed March 2021).	

City of Menifee General Plan

The City’s General Plan, adopted in 2013, contains goals and policies meant to guide growth and development within the City. Goals and policies from the various resources sections relevant to the Project are analyzed for consistency in **Table 4.10-5: City of Menifee General Plan Consistency**.

The Project would require a General Plan Amendment (GPA) and Zone Change to designate/classify parcels 331110027, 331140021, and 331140010 as Menifee North SP. Upon approval of the GPA and Zone Change, the Project would be consistent with the land use designations and zoning classifications set by the City’s GP and MC.

Table 4.10-5: City of Menifee General Plan Consistency

Policy	Consistency
Circulation Element	
Goal C-1: A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.	
Policy C-1.1: Require roadways to: <ul style="list-style-type: none"> • Comply with federal, state, and local design and safety standards. • Meet the needs of multiple transportation modes and users. • Be compatible with the streetscape and surrounding land uses. • Be maintained in accordance with best practices. 	Consistent: The Project is designed to enhance pedestrian and vehicular access and circulation, and it is located in a centralized area to reduce distances traveled from the Project site to distribution endpoints
Policy C-1.2: Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.	Consistent: Roadway improvements proposed for the Project would reduce potential traffic impacts to less than significant levels. However, LOS is no longer a component of CEQA traffic analysis. (CEQA Guidelines § 15064.3). Further, a supplemental Traffic Study was conducted for the Project, which evaluated LOS impacts (see Appendix 9.11) to address compliance with Policy C-1.2. The Traffic Study details the study intersections which would operate at an unacceptable LOS under various scenarios and provides recommended improvements the Project could implement to obtain acceptable LOS. The Traffic Study concludes by stating that “With the implementation of the recommended improvements, all study intersections are expected to operate at or above the minimum acceptable LOS standard.” Through implementation of measures selected, acceptable LOS would be achieved.
Policy C-1.5: Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.	Consistent: Refer to Impact 4.13-2 that discusses the Project impacts on VMT. It is not anticipated for the Project to create a significant impact on VMT as the baseline project VMT per service population and the

Policy	Consistency
	cumulative project VMT are both lower than the City threshold. Further, the Project would reduce VMT within the City boundary under baseline and cumulative conditions. Therefore, the Project would have a less than significant impact on VMT.
Goal C-2 A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.	
<p>Policy C-2.1: Require on- and off-street pathways to:</p> <ul style="list-style-type: none"> • Comply with federal, state, and local design and safety standards. • Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines. • Be compatible with the streetscape and surrounding land uses. • Be maintained in accordance with best practices. 	<p>Consistent: The Project is designed to enhance pedestrian and bicycle access and circulation. The Project would provide 5- to 6-foot wide sidewalks and 8- to 10-foot wide bike lanes along Trumble, Sherman, and Dawson Roads. The proposed bike/pedestrian facilities would meet the needs of multiple types of users, be ADA compliant, and connect communities to the north and south of the Project site.</p>
<p>Policy C-2.2: Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel, and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.</p>	
<p>Policy C-2.3: Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.</p>	
Community Design Element	
Goal CD-3: Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.	
<p>Policy CD-3.3: Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes, but is not limited to: appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).</p>	<p>Consistent: Refer to Section 4.1: Aesthetics. Undergrounding of existing and proposed aerial utilities would be conducted. Design of the two buildings would be of neutral coloration and aesthetically pleasing. Landscaping would be incorporated throughout the Project site. See Figures 2.8a-b for conceptual elevations of Buildings 1 and 2.</p>
<p>Policy CD-3.5: Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.</p>	<p>Consistent: The Project would comply with the Menifee GP goals and policies listed in Section 4.1.3 as they pertain to aesthetics and scenic quality. Parking, loading, trash and service areas shall be screened by structures or landscaping, consisting of trees, shrubs, walls, and fencing. Refer to the Conceptual Landscape Plan for further detail.</p>

Policy	Consistency
<p>Policy CD-3.8: Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.</p>	<p>Consistent: Refer to Section 4.9: Hydrology and Water Quality. To collect surface water and runoff from the impervious areas, an extensive drainage plan would be in place which includes ribbon gutters, subsurface storm drains, curb cuts, u-channels, and detention basins. The basins are designed to weaken the flow of post-development runoff to pre-development conditions, and have been designed to treat runoff for pollutants, pursuant to SWRCB regulations.</p>
<p>Policy CD-3.9: Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.</p>	<p>Consistent: Refer to Section 4.12: Public Services. The MPD would be provided the opportunity to review the Project's design to verify that all feasible CPTED strategies are incorporated. CPTED is a way of designing the built environment to create a safer built environment. CPTED elements include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of a single, clearly identifiable point of entry.</p>
<p>Policy CD-3.10: Employ design strategies and building materials that evoke a sense of quality and permanence.</p>	<p>Consistent: Refer to Section 4.1: Aesthetics. The Project would comply with the Menifee GP goals and policies listed in Section 4.1.3 as they pertain to aesthetics and scenic quality. Parking, loading, trash and service areas shall be screened by structures such as iron fencing and decorative walls, and landscaping consisting of trees, shrubs, and ground cover. Outside storage shall be screened with structures or landscaping. Landscaping shall be placed in a manner adjacent to the exterior boundaries of the area so that materials stored are screened from view. All new utilities shall be underground. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet. All lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.</p>
<p>Policy CD-3.14: Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.</p>	<p>Consistent: Project development will consist of variations in color, texture, materials, articulation, and architectural treatments (refer to Architectural and Elevation Plans).</p>
<p>Policy CD-3.15: Require property owners to maintain structures and landscaping to high standards of design, health, and safety.</p>	<p>Consistent: Refer to the Project's Conceptual Landscape Plan, which incorporates a high standard of design, health and safety and for structures through the design review/discretionary City approval process. Improvements for signage, perimeter walls, fencing,</p>

Policy	Consistency
	pilaster, etc. shall be maintained by an owner's association or private owner(s).
Policy CD-3.16: Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.	Consistent: Refer to Section 4.1: Aesthetics . The Project would comply with the Menifee GP goals and policies as they pertain to aesthetics and scenic quality. Project development will consist of variations in color, texture, materials, articulation, and architectural treatments (refer to Architectural and Elevation Plans). Project development areas shall be screened by structures such as decorative walls, and landscaping consisting of trees, shrubs, and varying ground cover.
Policy CD-3.17: Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.	Consistent: Refer to the Project's Conceptual Landscape Plan. The Project site will consist of varying species of tree, flora, and shrubbery.
Policy CD-3.19: Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.	Consistent: Refer to the Project's Conceptual Landscape and Architectural Plans. Landscaping shall be placed in a manner adjacent to the exterior boundaries of the area so that materials stored are screened from view. All new utilities shall be underground. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet. All lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.
Policy CD-3.20: Avoid the blocking of public views by solid walls.	Consistent: Refer to Section 4.1: Aesthetics .
Goal CD-6: Attractive landscaping, lighting, and signage that conveys a positive image of the community.	
Policy CD-6.3: Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.	Consistent: Refer to the Project's Conceptual Landscape Plan. Improvements for signage, perimeter walls, fencing, pilaster, etc. shall be maintained by the association or private owner(s).
Policy CD-6.4: Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.	Consistent: Refer to Section 4.1: Aesthetics . Development Standards for Article X H-I Zone (Heavy Industrial) of Ordinance No. 348, all lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.
Policy CD-6.5: Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.	Consistent: Refer to Section 4.1: Aesthetics , Impact 4.1-4. Once operational, the buildings would use interior lighting and exterior security and parking lot lighting. Consistent with Section 10.4. Development Standards for Article X H-I (Heavy Industrial) of

Policy	Consistency
	Ordinance No. 348, all lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.
Land Use Element	
Goal LU-3: A full range of public utilities and related services that provide for the immediate and long-term needs of the community.	
Policy LU-3.4: Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.	Consistent: As discussed in Section 4.15: Utilities and Service Systems , the Project would be adequately served by existing utilities and service systems.
Policy LU-3.5: Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.	Consistent: The Project would comply with the Menifee GP goals and policies listed in Section 4.1.3 as they pertain to aesthetics and scenic quality. Existing and proposed aerial utilities would be undergrounded as part of the Project, minimizing visual impacts from utilities infrastructure in this portion of Menifee.
Goal LU-4: Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.	
Policy LU-4.2: Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.	Consistent: The Project would comply with land use plans, policies, and regulations that would apply to its development and the surrounding area. The Project site is located within Compatibility Zones D and E of the March Air Reserve Base. Within Compatibility Zones D and E of the AIA, residential density and non-residential intensity are not restricted. Furthermore, noise impacts are low to moderate and risk of accidents is low. Airspace protection is the major concern in that aircraft pass over these areas while flying to, from, or around the March Air Reserve Base. All new development would be in accordance with the Compatibility Zone D and E and all state, county, and local goals, policies, and regulations. Furthermore, the Project has previously been reviewed and approved by the ALUC on October 14, 2021, subject to COA-HAZ-1 through COA-HAZ-5, as noted in Section 4.8, Hazards, Threshold 4.8-5 which ensures that future development would be compatible with the ALUCP.
Noise Element	
Goal N-1: Noise-sensitive land uses are protected from excessive noise and vibration exposure.	
Policy N-1.1: Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.	Consistent: The Project's noise-related impacts were evaluated in Section 4.11: Noise . Mitigation measures would be implemented to reduce significant impacts to less than significant levels.
Policy N-1.2: Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited	Consistent: Refer to Section 4.11: Noise . The Project would comply with this policy. These noise standards are applied to new construction in California for interior

Policy	Consistency
<p>to the city's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.</p>	<p>noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. Construction would occur during days and times prescribed by the City of Menifee and the City of Perris, and would not exceed 80 dBA in Perris residential zones. Further, to avoid unnecessary annoyance from construction noise, construction noise control MM NOI-1 shall be implemented. With mitigation incorporated, construction noise impacts would be less than significant. There would be periodic, temporary, noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant, following compliance with MM NOI-1, the General Plan, and the Municipal Code.</p>
<p>Policy N-1.7: Mitigate exterior and interior noises to the levels listed in the table below to the extent feasible, for stationary sources adjacent to sensitive receptors. See Table N-1 in Section 4.11: Noise.</p>	<p>Consistent: The Project would be required to adhere to the stationary source noise standards set within this policy.</p>
<p>Policy N-1.8: Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state, and city noise standards and guidelines as a part of new development review.</p>	<p>Consistent: Refer to Section 4.11: Noise.</p>
<p>Policy N-1.9: Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land be are designed with adequate noise abatement measures.</p>	<p>Consistent: Refer to Section 4.11: Noise.</p>
<p>Policy N-1.13: Require new development to minimize vibration impacts to adjacent uses during demolition and construction.</p>	<p>Consistent: Refer to Section 4.11: Noise.</p>
<p>Policy N-1.15: Employ noise mitigation practices and materials, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of</p>	<p>Consistent: The Project would be required to adhere to the stationary source noise standards set within this policy.</p>

Policy	Consistency
natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.	
Goal N-2: Minimal Noise Spillover. Minimal noise spillover from noise-generating uses, such as agriculture, commercial, and industrial uses into adjoining noise-sensitive uses.	
Policy N-2.1: Require that new developments abutting residentially designated properties that operate stationary noise sources such as industrial, commercial, entertainment, institutional uses, hospitals, or large hotels, be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise-generating features to the extent feasible.	Consistent: Refer to Section 4.11: Noise.
Policy N-2.2: Require commercial or industrial truck delivery hours to be limited when adjacent to noise-sensitive land uses unless there is no feasible alternative or there are overriding transportation benefits.	Consistent: Refer to Section 4.11: Noise.
Open Space & Conservation Element	
Goal OSC-4: Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.	
Policy OCS-4.1: Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.	Consistent: Refer to Section 4.5: Energy.
Policy OCS-4.2: Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.	Consistent: Refer to Section 4.5: Energy.
Goal OSC-5: Archaeological, historical, and cultural resources are protected and integrated into the City's built environment.	
Policy OCS-5.1: Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.	Consistent: The Project's impacts on cultural resources are analyzed within Section 4.4: Cultural Resource . A Phase I Cultural Resource Assessment was conducted for the Project by Jean A. Keller, Ph.D, in October 2021. It was concluded that the Project would not cause an adverse change in the significance of a historical resource pursuant to State CEQA Guidelines § 15064.5, with the implementation of mitigation measures recommended. Additionally, Project development would be subject to compliance with the established federal, state, and local regulatory framework concerning the protection of cultural resources.
Policy OCS-5.4: Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable	Consistent: Refer to response to Goal OSC-5-1 above. Given the negative results of the Phase I Cultural Resource Assessment, no additional work in conjunction with cultural resources is recommended for the Project.

Policy	Consistency
<p>CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.</p>	<p>Even though the cultural report did not warrant or recommend further monitoring as the chance of encountering buried archaeological deposits is considered very low, to avoid any inadvertent discovery of archaeological resources, monitoring of future earth-disturbing activities will be conducted according to COA-CUL-1 through COA-CUL-8.</p> <p>Additionally, a record search of the NAHC Sacred Lands File was completed for the area of potential effect “the Project site” and the search returned negative results. The Project’s potential impacts concerning the significance of an archaeological, historical, and cultural resources would be less than significant, with adherence to Standards Conditions of Approval COA-CUL-1 through COA-CUL-8 and MM CUL-1 which would further minimize impacts.</p>
<p>Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.</p>	
<p>Policy OCS-7.1: Work with the Eastern Municipal Water District to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.</p>	<p>Consistent: The Project would receive potable water from EMWD. Section 4.15: Utilities and Service Systems determined that EMWD would have adequate supply to support the Project’s water demand in conjunction with cumulative development. Refer to Section 4.15 for more information.</p>
<p>Policy OCS-7.2 Encourage water conservation as a means of preserving water resources.</p>	<p>Consistent: Refer to Section 4.9: Hydrology and Section 4.15: Utilities and Service Systems for more information. The Project would comply with the RCWQMP for the Santa Ana River Region of Riverside County, which would minimize impacts on receiving water quality by incorporating post-construction BMPs into Project design, including LID site design, hydromodification measures, source control, and treatment control. Implementation of the BMPs as PDFs would reduce the impacts of the Project to receiving water quality in both the construction and operation phases, encouraging the use of water conservation and preservation of the surrounding water resources.</p>
<p>Goal OSC-8: Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.</p>	
<p>Policy OCS-8.4: Identify and inventory existing natural resources in the City of Menifee.</p>	<p>Consistent: The Project’s impacts to biological resources were evaluated in Section 4.3: Biological Resources of this EIR. A Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis (June 2021), Fairy Shrimp Habitat Suitability Assessment (November 2021), and Motte Rancon Distribution Center Western Riverside County MSHCP Burrowing Owl Assessment (September 2018),</p>

Policy	Consistency
	<p>were conducted for the Project site by ELMT Consulting and Searl Biological Services. Each assessment identified and inventoried the existing natural resources surrounding the Project site, within the City. Where necessary, mitigation measures are implemented to reduce impacts to the surrounding natural resources. All Project potential impacts to biological resources would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards, and implementation of EIR mitigation measures.</p>
<p>Policy OCS-8.5: Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.</p>	<p>Consistent: Refer to response to Goal OSC-8.4 above.</p>
<p>Goal OSC-9: Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.</p>	
<p>Policy OCS-9.1: Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.</p>	<p>Consistent: The Project's impacts to air quality were evaluated in Section 4.2: Air Quality of this EIR. Where necessary, mitigation measures are implemented to reduce impacts to less than significant levels.</p>
<p>Policy OCS-9.2: Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses.</p>	<p>Consistent: Refer to response to Goal OSC-9.1 above. Sensitive land uses surrounding the Project consist mostly of residential uses. The nearest receptor is an existing residence at 26026 Sherman Road, approximately 26 feet north of the Project site. Localized effects of on-site Project emissions on nearby receptors were found to be less than significant (refer to Table 4.2-6 and Table 4.2-7). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. Neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. Information on health impacts related to exposure to ozone and particulate matter emissions can be found here: http://www.capcoa.org/health-effects/.</p>
<p>Policy OCS-9.3: Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.</p>	<p>Consistent: Refer to response to Goal OSC-9.1 above. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during</p>

Policy	Consistency
	<p>construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances.</p>
<p>Policy OCS-9.5: Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.</p>	<p>Consistent: Refer to response to Goal OSC-9.1 above, and refer to Section 4.2: Air Quality, Section 4.5: Energy, and Section 4.7: Greenhouse Gas Emissions for how the Project is compliant with the mandatory requirements of Title 24. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. It should be noted that the analysis herein assumes compliance with the 2019 Title 24 Standards. It should be noted that the CEC anticipates that nonresidential buildings would use approximately 30% less energy compared to the prior code. As such, the CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard. The Project would use energy from SCE, which have committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020. Because the Project would be constructed after January 1, 2020, the 2019 CALGreen standards are applicable to the Project and require, among other items.</p>

Policy	Consistency
Safety Element	
Goal S-1: A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.	
<p>Policy S-1.1: Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the city.</p>	<p>Consistent: The Project’s proposed buildings would be designed in accordance with the latest California Building Code which includes, but not limited to, seismic-resistant design standards. Refer to Section 4.6: Geology and Soils for more information.</p>
Goal S-2: A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.	
<p>Policy S-2.1: Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.</p>	<p>Consistent: Section 4.6: Geology and Soils, analyzed existing seismic shaking and other geologic hazards and the Project’s effects on them. Project design features would be implemented in compliance to applicable federal, state, regional, and local regulations. Refer to Section 4.6, for more information.</p>
<p>Policy S-2.2: Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.</p>	<p>Consistent: Refer to Section 4.6: Geology and Soils, for more information. A Geotechnical Investigation (December 2020) and Paleontological Overview was prepared by Southern California Geotechnical (January 2022) and BCR Consulting. According to the geotechnical investigation prepared for this Project, the Project site is not within an Alquist-Priolo fault zone and there was no evidence of faulting identified during the investigation of the Project site. The Project site is located within a zone of low liquefaction susceptibility. In addition, the soil conditions encountered at the boring locations are not considered to be conducive to liquefaction and the Project site and the immediate area are not within a zone of generalized landslide susceptibility. Furthermore, per SCG recommendations, excavation, filling, and subgrade preparation would be performed in a manner and sequence that would provide drainage at all times and proper control of erosion to reduce impacts of substantial erosion. In conclusion, the Project’s compliance with applicable state and local design standards and regulations would ensure that impacts related to geology and soils are reduced to less than significant levels. None of the Project characteristics would affect or influence the geotechnical hazards for off-site development and any cumulative development would be required to comply with the same applicable state and local design standards, regulations, goals, and policies. For these</p>

Policy	Consistency
	reasons, no significant cumulative geotechnical impacts would occur for the Project.
Policy S-2.3: Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.	Consistent: Refer to Section 4.6: Geology and Soils , for more information. No major grading or excavation would be needed to substantially alter the slope of the site, create, or remove steep slopes, create retaining walls, or make other landform modifications. Nevertheless, grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. During construction, the Project site would be required to comply with erosion and siltation control measures.
Goal S-4: A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.	
Policy S-4.1: Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire.	Consistent: Refer to Section 4.12: Public Services . The Project would include a minimum of fire safety and fire suppression features, including type of building construction, fire sprinklers, a fire hydrant system, and paved access.
Policy S-4.4: Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.	Consistent: Refer to Section 4.12: Public Services . Station 7 is approximately 3.4 miles from the Project site. Station 54 is approximately 4.2 miles from the Project site. Based on the Project site's proximity to two existing fire stations, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. The Project would include a minimum of fire safety and fire suppression features, including type of building construction, fire sprinklers, a fire hydrant system, and paved access. The proposed buildings would be of concrete tilt-up construction that contains a low fire hazard risk rating. Fire protection apparatus ingress and egress would be available via eight driveways and the Project site's internal circulation (a 26-foot wide fire lane with red curbs and signage per fire department standards) would allow fire apparatus access around each building. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the California Fire Code (CFC) and National Fire Protection Association (NFPA) 24. Overall, the Project would receive adequate fire protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. Because no fire protection facilities exist on the Project site,

Policy	Consistency
	development of the Project would not conflict with existing fire structures or require modification of fire protection facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to fire protection services.
Goal S-5: A community that has reduced the potential for hazardous materials contamination.	
Policy S-5.1: Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.	Consistent: Refer to Section 4.8: Hazards and Hazardous Materials , Impact 4.8-1. Project construction would involve the use, storage, transport, and disposal of hazardous materials and would therefore be required to conform to existing laws and regulations.
Policy S-5.4: Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.	Consistent: Refer to Section 4.8: Hazards and Hazardous Materials . Project construction would involve the use, storage, transport, and disposal of hazardous materials and would therefore be required to conform to existing laws and regulations. Compliance with applicable laws and regulations concerning hazardous materials (California Fire Code, OSHA, Construction Safety Orders § 1529 (pertaining to ACM) and § 1532.1 (pertaining to LBP) from Title 8 of the CCR and Part 61, Subpart M, of the CFR (pertaining to ACM), CCR Title 8 § 1529, etc.) would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Therefore, hazards to the public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project construction would be less than significant. The Project may also involve transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the U.S. EPA, U.S. Department of Transportation, California OSHA, and the Riverside County Fire Protection District. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the Project would also be operated with strict adherence to all emergency response plan requirements set forth by the Riverside County Fire Protection District. Mandatory compliance

Policy	Consistency
	with laws and regulations, would ensure that operational impacts would be less than significant.
<p>Policy S-5.5: Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.</p>	<p>Consistent: Refer to response above and Section 4.8: Hazards and Hazardous Materials. The Project site has the potential to expose and disturb ACMs, PCBs, and LBP. The removal of these hazardous materials, such as PCBs, shall be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs) by workers with the HAZWOPER training, as outlined in 29 CFR 1910.120 and 8 CCR 5192. The removal of LBP material shall be implemented in accordance with CCR, Title 8 § 1532.1, the CFR (Title 40, Part 745, and Title 29, Part 1926), the U.S. EPA’s Lead Renovation, Repair and Painting Program Rules and Residential Lead-Based Paint Disclosure Program, and §§ 402/404 and 403, and Title IV of the TSCA. Condition of Approval (COA) HAZ-1 requires an ACM and LBP survey of the existing on-site buildings. Therefore, ACM and LBP would be removed or stabilized prior to demolition. Therefore, the potential presences of these materials would not be present during construction or operation of the Project. COA HAZ-1 includes measures for the safe dismantling and removal of building components and debris and prevents the accidental release of lead and asbestos, thereby protecting workers and the public from potential exposure to hazardous materials and wastes during demolition. With implementation of the conditions of approval, impacts would be less than significant in this regard.</p>
<p>Source: City of Menifee. 2013. City of Menifee General Plan. https://www.cityofmenifee.us/221/General-Plan (accessed March 2021).</p>	

Menifee North Specific Plan

This Menifee North SP was prepared within the framework of a detailed and comprehensive multi-disciplinary planning program. Issues such as engineering feasibility, market acceptance, economic viability, County Comprehensive General Plan goals and objectives, development phasing and local community goals were fully examined and considered. To further ensure the environmental compatibility, aesthetic satisfaction and functional integrity of the SP, specific planning goals and objectives were identified. Project consistency with planning objectives from the SP is detailed below in **Table 4.10-6: Menifee North Specific Plan Consistency.**

Table 4.10-6: Menifee North Specific Plan Consistency

Objective	Consistency
Provides a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of the community and region.	Consistent: The Project includes a GPA, Zone Change, and Specific Plan Amendment. Following approval of these actions, the Project site would be fully zoned as Menifee North SP. Project construction and operation would comply with the development standards and design standards and guidelines laid out in the Menifee North SP.
Considers topographic, geologic, hydrologic and environmental opportunities and constraints to create a design that generally conforms to the character of the land by retaining and utilizing basic existing landforms as much as possible.	Consistent: Project construction and operation would comply with the development standards and design standards and guidelines laid out in the Menifee North SP. No such landforms are present on the Project site.
Reflects anticipated market needs and public demand by providing a range of housing types which will be marketable within the developing economic profile of Southern Perris Valley.	Not applicable. Not a housing project.
Provides residential uses with specific emphasis on employing natural and created open space for a heightened aesthetic environment.	Not applicable. Not a housing project.
Provides direct and convenient access to clustered neighborhoods via a convenient and efficient circulation system.	Not applicable. Not a housing project. However, the Project does propose roadway improvements to the adjacent circulation system (Trumble, Sherman, and Dawson Roads).
Provides additional employment opportunities for the current and future residents of the region and surrounding communities.	Consistent: Refer to Section 7.0, Effects Found Not to be Significant. The Project would have a beneficial effect on the City’s employment base by developing a site that is largely vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for Riverside County is approximately 4.3% ³ , it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site.
Creates a unique residential character that provides for a distinct environment through architectural treatment, viewshed, and natural	Not applicable. Not a housing project.

Source: Riverside County. 2004. *Menifee North Specific Plan 260, Amendment No. 1.*

³ State of California Employment Development Department. 2021. Local Area Unemployment Statistics (LAUS) - Riverside County (Preliminary for March 2022). <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed May 2022).

March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

The Project is within the March Air Reserve Base/Inland Port ALUCP airport influence area boundary. The Project site is within Compatibility Zones D and E. Furthermore, the Project has previously been reviewed and approved by the ALUC on October 14, 2021, subject to COA-HAZ-1 through COA-HAZ-5.

There are no limits, restrictions, or requirements for density/intensity standards pertinent to these zones. Prohibited uses include hazards to flight. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. Man-made features must be designed to avoid heightened attraction of birds. Other development conditions for Zone D include 1) Deed notice and disclosure. For Zone E, other development conditions include disclosure only.⁴

Overall, the Project would comply with land use plans, policies, and regulations that would apply to its development and the surrounding area. The Project would therefore cause a less than significant impact regarding compliance with land use policies and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

4.10.6 Cumulative Impacts

The geographic area for the analysis of cumulative impacts to land use and planning includes the jurisdiction of local and regional agencies including the City of Menifee, Riverside County, and SCAG, where land use changes could interact with land use changes under the Project to result in cumulative effects. **Table 3-1: List of Cumulative Projects** and **Figure 3-1: Location of Cumulative Projects**, represent past, present, and potential future projects that could lead to cumulative impacts once combined with the Project.

Land use impacts would not be cumulatively considerable if the Project, in conjunction with other past, present, reasonably foreseeable future projects, would be designed or otherwise conditioned to maintain consistency with adopted land use plans and ordinances or be amended with the appropriate mitigation and conditions of approval.

Implementation of future projects requiring a change in the GP land use designation would require discretionary approval, similar to this Project review and approval process. Future projects would also be subject to CEQA review, as well as the California Zoning and Planning Law and the California Subdivision Map Act, similar to this Project's review and approval process. Future projects would be designed or otherwise conditioned to maintain consistency with adopted land use plans and ordinances or be amended with the appropriate mitigation and conditions of approval.

⁴ Riverside County. 2014. March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. <http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700> (accessed March 2021).

As described above, the Project would be consistent with applicable land use goals, policies and objectives of the Menifee North SP, City's GP, the 2020-2045 RTP/SCS, and ALUCP. Mitigation measures to address potential significant environmental impacts of the Project have been included in this Draft EIR. Given the Project's consistency, as well as the potential for other projects in the cumulative impact scenario to be generally consistent with the land use policy framework, overall cumulative land use consistency impacts would be less than significant.

4.10.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.10.8 References

City of Menifee. 2013. *City of Menifee General Plan*. <https://www.cityofmenifee.us/221/General-Plan>.

City of Menifee. 2021. *General Plan Land Use Map*.
<https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---December-2021>.

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4.11 NOISE

4.11.1 Introduction

The purpose of this section is to describe both construction-related and operational noise and vibration levels to on-site and surrounding land uses resulting from the Menifee Commerce Center Project (Project). The analysis in the section evaluates the level of noise impacts the Project would have on the environment. Noise data and assumptions that are used for quantifying the Project's noise impacts are based on the following sources. The noise data and calculations are included in **Appendix 9.10: Noise Report** of this EIR.

- *Noise and Vibration Technical Report for Core 5 – Menifee Commerce Center, Menifee, CA* (dBF Associates Inc., 2021) (**Appendix 9.10.1**)
- City of Menifee General Plan
- City of Perris General Plan

4.11.2 Environmental Setting

For noise and vibration descriptors see the Noise and Vibration Technical Report in **Appendix 9.10.1**.

Many land uses are considered noise-sensitive. Noise-sensitive receptors are land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise, such as residential dwellings, hotels/motels, dormitories, hospitals, educational facilities, and libraries. Industrial and commercial land uses are generally not considered sensitive to noise. The existing sound level at any given location depends on the distance to a roadway, proximity to commercial and neighborhood noise sources, and intervening structures and topography.

Noise-sensitive land uses potentially affected by the Project consist of single-family residential properties adjacent on the northwest, north, and southwest. The Project site and all adjacent properties to the north, south, and east are in the City of Menifee. The adjacent properties to the west across Trumble Road, and the properties to the north of Ethanac Road west of Sherman Road, are in the City of Perris.

Sound Level Measurements

A Project site visit and ambient noise level survey was conducted in May 2021, to observe the existing noise environment near noise-sensitive areas in the Project area. Sound level measurement locations (MLs) were selected at or near Project property lines. Attended short-term (15-20-minute) measurements were conducted during the daytime period (7:00 a.m. – 7:00 p.m.).

The data collection device was a RION Model NL-31 American National Standards Institute (ANSI) Type 1 Integrating Sound Level Meter (SLM). The meter was field-calibrated with a Larson Davis Model CAL200 acoustic calibrator. The meter was set for "slow" time response and A-weighting for all measurements. The microphone was equipped with a windscreen and placed five feet above the ground to simulate the average height of the human ear. Weather conditions during the measurements were approximately 75°F,

40 percent relative humidity, calm wind, and clear skies. The results of the measurements are summarized in **Table 4.11-1** and correspond to the locations depicted on **Figure 4.11-1: Noise Measurement Locations**.

Table 4.11-1: Sound Level Measurements (dBA)

Measurement	Location	Time	Leq	Lmin	Lmax	L10	L50	L90
ML1	Near 26340 Trumble Road, 50' from Trumble Road centerline	2021-05-20 10:50 – 11:05	52.1	41.7	67.4	55.7	47.0	43.5
ML2	Sherman Road bridge over aqueduct	2021-05-20 11:10 – 11:25	50.1	42.7	64.6	50.7	46.0	44.2
ML3	Near 26375 Dawson Road, 50 feet from Dawson Road centerline	2021-05-20 11:30 – 11:45	44.2	39.9	73.8	46.2	42.4	41.2
ML4	Near 27625 Ethanac Road, approx. 350 feet from Ethanac Road centerline	2021-05-20 11:50 – 12:10	48.0	39.3	62.7	49.3	43.8	40.9
ML5	Near 26227 Sherman Road, 50 feet from Sherman Road centerline	2021-05-20 12:20 – 12:35	55.3	41.6	78.0	53.3	49.1	45.6

Source: dBF Associates Inc. 2021. *Noise and Vibration Technical Report for Core 5 – Menifee Commerce Center, Menifee, CA.*

4.11.3 Regulatory Setting

Federal

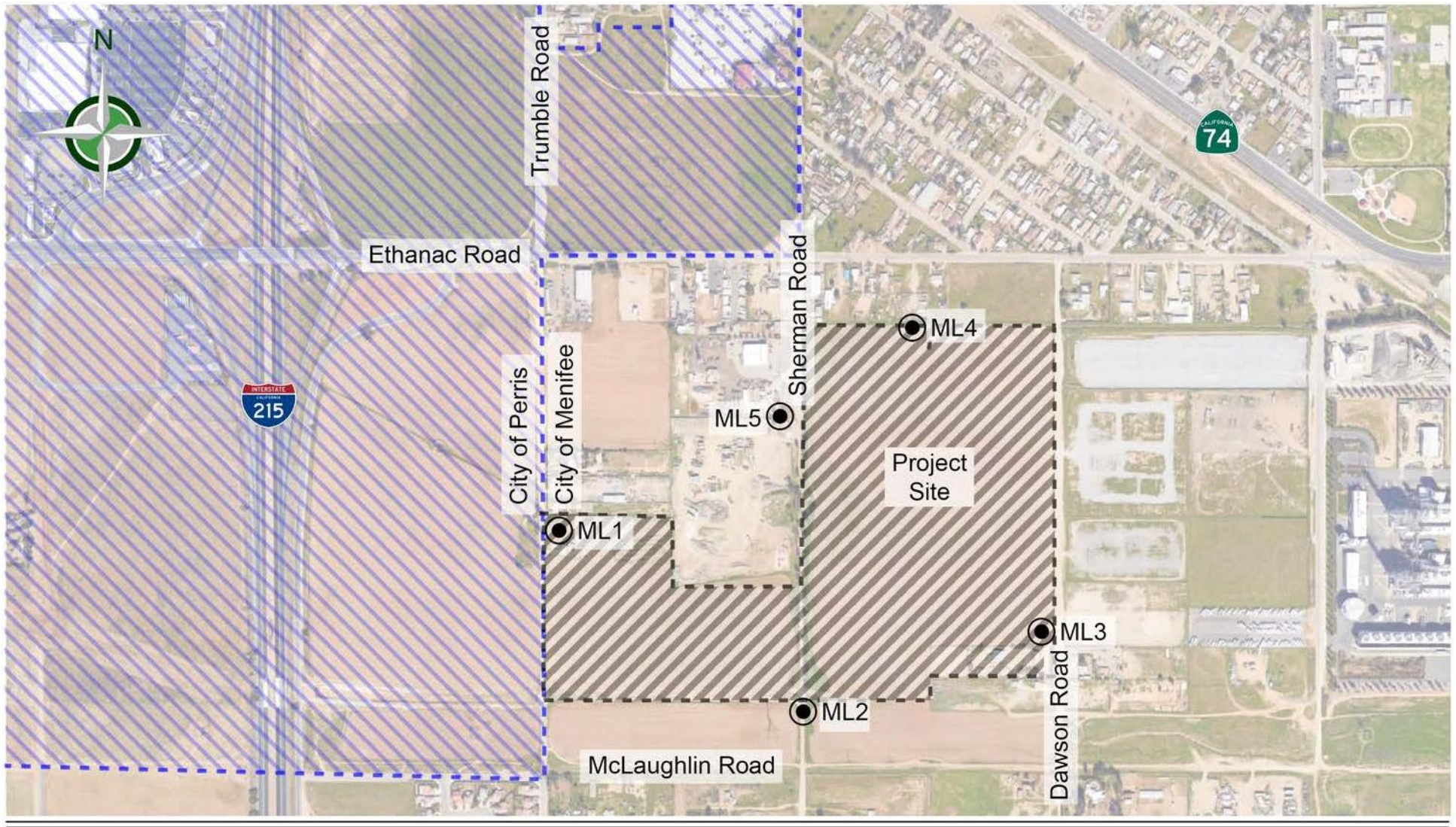
Federal Transit Administration Noise and Vibration Guidance

The Federal Transit Administration (FTA) has published the Transit Noise and Vibration Impact Assessment report to provide guidance on procedures for assessing impacts at different stages of transit project development. The report covers both construction and operational noise impacts and describes a range of measures for controlling excessive noise and vibration. The specified noise criteria are an earlier version of the criteria provided by the Federal Railroad Administration’s High-Speed Ground Transportation Noise and Vibration Impact Assessment. In general, the primary concern regarding vibration relates to potential damage from construction. The guidance document establishes criteria for evaluating the potential for damage for various structural categories from vibration.

State

California Government Code

California Government Code (CGC) § 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” noise levels for various land use types. Single-family homes are “normally acceptable” in exterior noise environments up to 60 CNEL and “conditionally acceptable” up to 70 CNEL. Multiple-family residential uses are “normally acceptable” up to 65 CNEL and “conditionally acceptable” up to 70 CNEL. Schools, libraries, and churches are “normally acceptable” up to 70 CNEL, as are office buildings and business, commercial, and professional uses.



Source: dBF Associates, Inc. (2021) Noise and Vibration Impact Assessment Technical Report

Figure 4.11-1: Noise Measurement Locations
 City of Menifee
 Menifee Commerce Center

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California Noise Control Act of 1973

California Health and Safety Code §§ 46000 through 46080, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The act declares that the State of California has a responsibility to protect the health and welfare of its citizens through the control, prevention, and abatement of noise. It is the policy of the state to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

California Code of Regulations, Title 24 (California Noise Insulation Standards)

The State's noise insulation standards are codified in the California Code of Regulations (CCR), Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels.

California Vehicle Code

A number of California vehicle noise regulations can be enforced by local authorities, as well as the California Highway Patrol. These include §§ 23130, 23130.5, 27150 and 38275 of the California Vehicle Code (CVC), as well as excessive speed laws, which may also be applied to curtail traffic noise. CVC §§ 23130 and 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration. CVC § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise. CVC § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

Local

City of Menifee General Plan – Noise Element

The City of Menifee's Noise Element contains policies for limiting the noise generated from future projects as well as means to abate existing noise problems. The primary function of the Noise Element is to ensure that considerations of noise are incorporated into the land use planning and decision-making process. The Noise Element of the General Plan is directly related to both the land use and circulation elements.¹

Goals and policies from the Community Design Element applicable to the Project include:

Goal N-1 Noise-sensitive land uses are protected from excessive noise and vibration exposure.

¹ City of Menifee. 2013. *Menifee General Plan Noise Element*. <https://www.cityofmenifee.us/228/Noise-Element> (accessed March 2021).

Policy N-1.1 Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.

Policy N-1.2 Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the city's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.

Policy N-1.7 Mitigate exterior and interior noises to the levels listed in the table below to the extent feasible, for stationary sources adjacent to sensitive receptors:

Land Use (Residential)	Interior Standards	Exterior Standards
10 p.m. – 7 a.m.	40 Leq (10 minute)	45 Leq (10 minute)
7 a.m. – 10 p.m.	55 Leq (10 minute)	65 Leq (10 minute)

Policy N-1.8 Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state, and city noise standards and guidelines as a part of new development review.

Policy N-1.9 Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land be are designed with adequate noise abatement measures.

Policy N-1.13 Require new development to minimize vibration impacts to adjacent uses during demolition and construction.

Policy N-1.15 Employ noise mitigation practices and materials, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.

Goal N-2 **Minimal Noise Spillover. Minimal noise spillover from noise-generating uses, such as agriculture, commercial, and industrial uses into adjoining noise-sensitive uses.**

Policy N-2.1 Require that new developments abutting residentially designated properties that operate stationary noise sources such as industrial, commercial, entertainment, institutional uses, hospitals, or large hotels, be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise-generating features to the extent feasible.

Policy N-2.2 Require commercial or industrial truck delivery hours to be limited when adjacent to noise-sensitive land uses unless there is no feasible alternative or there are overriding transportation benefits.

City of Menifee Noise Background Document & Definitions

The City of Menifee Noise Background Document & Definitions provides noise/land use compatibility criteria. Criteria applicable to this Project are reproduced below.

At the Residential – Low Density land use category, noise levels up to 60 dBA CNEL are considered Normally Acceptable. Noise levels between 55 – 70 dBA CNEL are considered Conditionally Acceptable, with an analysis of noise reduction requirements. Noise levels above 70 dBA CNEL are considered Normally or Clearly Unacceptable.

At the Commercial land use category, noise levels up to 70 dBA CNEL are considered Normally Acceptable. Noise levels between 67.5 – 77.5 dBA CNEL are considered Conditionally Acceptable, with an analysis of noise reduction requirements. Noise levels above 75 dBA CNEL are considered Normally Unacceptable.

City of Menifee Municipal Code

The City of Menifee Code of Ordinances provides noise standards; relevant portions are detailed below.²

Section 8.01.010 Hours of Construction

Any construction within the city located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday, except nationally recognized holidays, 6:30 a.m. to 7:00 p.m. There shall be no construction permitted on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

Section 9.09.030 Construction-Related Exemptions

Exceptions may be requested from the standards set forth in § 9.09.040 or § 9.09.060 of this chapter and may be characterized as construction-related, single event or continuous events exceptions.

- A. Private construction projects, with or without a building permit, located one-quarter of a mile or more from an inhabited dwelling.
- B. Private construction projects, with or without a building permit, located within one-quarter of a mile from an inhabited dwelling, provided that:
 - 1. Construction does not occur between the hours of 6:00 p.m. and 6:00 a.m. the following morning during the months of June through September; and
 - 2. Construction does not occur between the hours of 6:00 p.m. and 7:00 a.m. the following morning during the months of October through May.

Therefore, construction may occur between 6:30 a.m. and 7:00 p.m. on any day except Sundays or nationally recognized holidays. The municipal code does not regulate noise levels produced by construction provided it occurs during the timeframe mentioned above.

City of Menifee Code §9.09.050 specifies noise standards for stationary noise sources identical to General Plan Policy N-1.7.

² ALP. 2021. *Menifee, CA Code of Ordinances*. <https://codelibrary.amlegal.com/codes/menifee/latest/overview> (accessed October 2021).

City of Menifee Design Guidelines Industrial Good Neighbor Policies

The City Council approved the change to add the Industrial Good Neighbor Policies as Appendix A to the City's existing Design Guidelines on March 2, 2022. The purpose of the Good Neighbor Policies (Policies) is to provide local government and developers with ways to address environmental and neighborhood compatibility issues associated with permitting warehouse, logistics and distribution facilities. These Policies are designed to promote economic vitality and sustainability of businesses, while still protecting the general health, safety, and welfare of the public and sensitive receptors. within the City of Menifee. The following noise-related guidelines are applicable to the proposed Project:

- When not adjacent to sensitive receptors, truck courts and trailer parking should face internal to the site when feasible to avoid screen walls being the most prominent street feature. A "wingwall" may also be installed perpendicular to the loading dock areas to further attenuate noise related to truck activities and also address aesthetics by screening the loading area.
- Use of perimeter walls, buildings, and/or enhanced landscaping to reduce noise impacts as appropriate.
- If a public address (PA) system is being used in conjunction with an industrial use, the PA system shall be oriented away from sensitive receptors and the volume set at a level not readily audible past the property line.

City of Perris General Plan – Noise Element

The western edge of the Project along Trumble Road is adjacent to the City of Perris. Although the Project is located in the City of Menifee, noise sources on-site could affect surrounding properties, including properties located in the City of Perris. Therefore, the Project must also comply with the City of Perris's noise standards. The City of Perris establishes exterior transportation noise level standards in the Noise Element of its General Plan. Noise levels up to 60 dBA CNEL are considered Normally Acceptable at exterior usable open spaces of commercial land uses; noise levels up to 70 dBA CNEL are considered Conditionally Acceptable.³

City of Perris Municipal Code

The City of Perris Municipal Code provides noise limits for project-generated noise.⁴

Section 7.34.040 – Sound amplification – states:

No person shall amplify sound using sound amplifying equipment contrary to any of the following:

- 1) The only amplified sound permitted shall be either music or the human voice, or both.
- 2) The volume of amplified sound shall not exceed the noise levels set forth in this subsection when measured outdoors at or beyond the property line of the property from which the sound emanates.

³ City of Perris. 2016. *General Plan Noise Element*. <https://www.cityofperris.org/home/showpublisheddocument/461/637203139725000000> (accessed October 2021).

⁴ Municode. 2021. *Perris, CA Code of Ordinances*. https://library.municode.com/ca/perris/codes/code_of_ordinances (accessed October 2021).

Time Period	Maximum Noise Level
10:01 p.m.— 7:00 a.m.	60 dBA
7:01 a.m.— 10:00 p.m.	80 dBA

Section 7.34.050 – General prohibition – states:

It is unlawful for any person to willfully make, cause or suffer, or permit to be made or caused, any loud excessive or offensive noises or sounds which unreasonably disturb the peace and quiet of any residential neighborhood or which are physically annoying to persons of ordinary sensitivity or which are so harsh, prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of the city, or any section thereof. The standards for dBA noise level in § 7.34.040 shall apply to this section. To the extent that the noise created causes the noise level at the property line to exceed the ambient noise level by more than 1.0 decibels, it shall be presumed that the noise being created also is in violation of this section.

Section 7.34.060 – Construction noise – states: It is unlawful for any person between the hours of seven p.m. of any day and seven a.m. of the following day, or on a legal holiday, with the exception of Columbus Day and Washington's birthday, or on Sundays to erect, construct, demolish, excavate, alter, or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise. Construction activity shall not exceed eighty dBA in residential zones in the city. (Ord. 1082 § 2(part), 2000).

4.11.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions concerning noise. The questions presented in the Environmental Checklist Form have been used as threshold of significance in this section. Accordingly, the Project may create a significant environmental impact and it would:

- Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Result in the generation of excessive groundborne vibration or groundborne noise levels; or
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Methodology and Assumptions

The proposed warehouse sites and their associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to noise. This analysis considers existing regulations, laws and standards that serve to avoid or reduce potential noise impacts.

The Datakustik Cadna/A industrial noise prediction model was used to estimate property line noise levels from noise sources on the Project site, which are expected to include vehicle traffic and rooftop mechanical units. The locations of the Project buildings and screen walls and perimeter walls along the northern boundary were imported from the site plan. The assumptions made for source input into the

noise model are detailed below under Impact 4.11-1. The Project would not include exterior emergency generators, cooling towers, or trash compactors.

An analysis was conducted of the project's effect on traffic noise conditions at offsite land uses. Without-Project traffic noise levels were compared to With-Project traffic noise levels. The environmental baseline is the Without-Project condition.

The Federal Highway Administration (FHWA) Traffic Noise Model (TNM) version 2.5 was used to estimate traffic noise levels at a general reference distance of 50 feet from the centerline of the nearest roadway. The modeling effort considered the peak-hour traffic volume, average estimated vehicle speed, and estimated vehicle mix, i.e., percentage of cars, medium trucks, heavy trucks, buses, and motorcycles. The peak hour traffic noise level was considered equivalent to the CNEL [24 CFR 51 Subpart B].

Sound levels caused by line sources (i.e., variable or moving sound sources such as traffic) generally decrease at a rate of 3 to 4.5 dBA when the distance from the road is doubled, depending on the ground surface hardness between the source and the receiving property. The model assumed "hard soil" propagation conditions, which corresponds to a drop-off rate of approximately 3 dBA per doubling of distance. The actual sound level at any receptor location is dependent upon such factors as the source-to-receptor distance and the presence of intervening structures (walls and buildings), barriers, and topography. The noise attenuating effects of changes in elevation, topography, and intervening structures were not included in the model. Therefore, the modeling effort is considered a worst-case representation of the roadway noise.

The Existing (year 2021) and Project-generated traffic volumes on Project roadway segments were obtained from the Traffic Impact Analysis (TIA). The project vehicle mix was also obtained from the TIA. Roadway segments projected to experience less than a doubling of Passenger Car Equivalent (PCE) volume would generate less than a 3-dBA noise increase, and would not result in a significant noise increase. Roadway segments projected to experience a doubling of PCE volume or more were studied in detail with individual TNM models.

Approach to Analysis

This analysis of the existing and with project noise environments is based on noise prediction modeling and empirical observations. Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration. Reference noise levels are used to estimate operational noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Groundborne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from Federal Transit Administration published data for construction equipment. Potential groundborne

vibration impacts related to structural damage and human annoyance were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria for structural damage and human annoyance.

4.11.5 Impacts and Mitigation Measures

Impact 4.11-1 *Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated.

Construction

Project construction would result in a temporary increase in noise levels in the Project vicinity. Construction noise varies depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work.

The primary noise from Project construction would be from site preparation. Grading would require the use of heavy equipment such as bulldozers, loaders, and scrapers. No blasting, pile driving, or vibratory equipment would be necessary.

Mass site grading is expected to produce the highest construction noise levels. Grading of the site is estimated to require up to eight Caterpillar (CAT) 637 scrapers, one CAT D8 dozer, one CAT 824 rubber-tire dozer, one CAT 637 water pull, and one motor grader. Construction activity and delivery of construction materials and equipment would not occur on Sundays or holidays and would be limited to between 7:00 a.m. and 6:00 p.m. Construction is expected to last approximately 22 months, beginning no sooner than January 2023. Construction equipment generally produces noise levels of 85 dBA at 50 feet. The closest Perris residence is over 3,000 feet from the project site. At this distance, construction noise levels would be below 80 dBA.

Construction would occur during days and times prescribed by the City of Menifee and the City of Perris, and would not exceed 80 dBA in Perris residential zones. The impact of Project construction noise would be less than significant

However, to avoid unnecessary annoyance from construction noise, construction noise control **Mitigation Measure (MM) NOI-1** shall be implemented. With mitigation incorporated, construction noise impacts would be less than significant.

Operations

The Project would result in a significant increase in existing ambient noise levels if on-site operations generate more than 65/45 dBA Leq at a Menifee residence or 80/60 dBA at a Perris residence during the daytime/nighttime.

On-site Project traffic would consist of tractor-trailer trucks in the truck yards and passenger cars in the employee parking lots. The TIA indicates a daily truck volume of 40/198 medium (2-axle) / heavy (3+-axle) trucks at Building 1 and 39/193 at Building 2. In the scenario where Building 1 is a High-Cube Transload and Short-Term Storage Warehouse instead of a High-Cube Fulfillment Center Warehouse, the Project would generate 6,359 fewer passenger cars, 6 more 2-axle trucks, 9 more 3-axle trucks, and 24 more 4-axle trucks. The reduction in noise caused by the removal of cars would be greater than the additional noise produced by the added trucks. In this scenario, the project-generated traffic noise along project roadways would be lower than the original scenario.

The truck traffic was assumed to be evenly distributed over a 24-hour period. Heavy truck traffic at 15 mph generates an hourly noise level of approximately 64.3 dBA Leq(h) at a distance of 50 feet from a frequency of one truck per minute (46.5 dBA Leq(h) from one truck per hour).

The TIA also reports 1,480 peak-hour passenger cars at Building 1 and 62 cars at Building 2. Passenger car traffic at a frequency of one car per minute at 15 mph generates an hourly average noise level of approximately 42.2 dBA Leq(h) at a distance of 50 feet.

All on-site vehicles were treated as areas of moving point sources and were assumed to be active for a period of five minutes per hour.

Two 5- to 10-ton rooftop heating, ventilation, and air conditioning (HVAC) units are expected to be positioned over each office area. Each HVAC unit was assumed to produce a sound power level of approximately 91 dBA. Rooftop HVAC units were treated as stationary point sources and assumed to be constantly operational. HVAC units were assumed to be five feet in height above rooftop level.

On-site operations would generate noise levels ranging from approximately 27 dBA at the southern property line near Building 2 to 42 dBA at the north property line near Building 1. These noise levels are below the most-restrictive nighttime limit of 45 dBA. The impact from on-site operations would be less than significant.

Offsite Traffic Noise

Along the I-215 southbound off-ramp to Ethanac Road, there are multiple commercial buildings. The closest is roughly 175 feet from the ramp. At this distance, the existing + Project noise level of 70.7 dBA CNEL at 50 feet would be reduced to approximately 65 dBA CNEL, between the 60 dBA Normally Acceptable level and the 70 dBA CNEL Conditionally Acceptable level. Standard construction provides at least 20 dBA of exterior-to-interior noise reduction. Therefore, the interior noise level would be less than the California Green Code limit of 50 dBA.

Along Sherman Road, between Ethanac Road and the north Project driveway, there are two non-conforming residences, at 26026 and 26061 Sherman Road. The existing + Project noise level at 50 feet from the Sherman Road centerline near the residences would be higher than the Normally Acceptable level, but below the Conditionally Acceptable level.

At 26026 Sherman Road, along the east side of Sherman Road, the front yard appears to be the primary outdoor usable space. The front yard is between 35-125 feet from the centerline; at these distances, the front yard would be exposed to between 60-67 dBA CNEL. These noise levels are considered Conditionally Acceptable. The closest living area of the home is 125 feet from the centerline, and would be exposed to 60 dBA CNEL or below. This noise level is considered Normally Acceptable. In addition, standard construction provides at least 20 dBA of exterior-to-interior noise reduction. Therefore, the interior noise level would be less than the California Building Code limit of 45 dBA CNEL.

At 26061 Sherman Road, along the west side of Sherman Road, the backyard appears to be the primary outdoor usable space. The backyard is 125 feet or more from the centerline; at this distance, the backyard would be exposed to 60 dBA CNEL or below. This noise level is considered Normally Acceptable. The closest living area of the home is 88 feet from the centerline; at this distance, the façade would be exposed to 62 dBA CNEL or below. This noise level is considered Conditionally Acceptable. Standard construction provides at least 20 dBA of exterior-to-interior noise reduction. Therefore, the interior noise level would be less than the California Building Code limit of 45 dBA CNEL.

Along this segment, there are also three commercial properties. The existing + Project noise level at the commercial properties would be within the Normally Acceptable range.

Along all but two roadway segments, Project traffic would generate less-than-significant noise increases. Along one segment, Project traffic would increase the noise level to over 70 dBA CNEL, but interior noise levels would not exceed California limits. Along the other segment, Project traffic would increase the noise level by 9-10 dBA CNEL. Along this segment, existing plus-Project traffic noise levels would exceed those considered Normally Acceptable, but would be lower than those considered Conditionally Acceptable by the City of Menifee, and interior noise levels would not exceed California limits. The impact of Project-generated traffic noise would be less than significant.

Mitigation Measures

- MM NOI-1 Construction Noise Control.** To avoid unnecessary annoyance from construction noise, the following construction noise control measures shall be implemented:
- Perform all construction in a manner to minimize noise and vibration. The contractor should be required to select construction processes and techniques that create the lowest noise levels.
 - Equip all internal combustion engines with a muffler of a type recommended by the manufacturer.
 - Turn off idling equipment.
 - Perform noisier operations during the times least sensitive to receptors.
 - Implement a noise control monitoring program to limit the impacts.
 - The construction contractor should be required by contract specification to comply with all local noise ordinances and obtain all necessary permits and variances.

Impact 4.11-2 *Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?*

Level of Significance: Less than Significant Impact

Construction

The primary vibration from project construction would be from site preparation. Grading would require the use of heavy equipment such as bulldozers, loaders, and scrapers. No blasting, pile driving, or vibratory equipment would be necessary.

Mass site grading is expected to produce the highest construction vibration levels. Grading of the site is estimated to require up to eight Caterpillar (CAT) 637 scrapers, one CAT D8 dozer, one CAT 824 rubber-tire dozer, one CAT 637 water pull, and one motor grader. Construction activity and delivery of construction materials and equipment would not occur on Sundays or holidays, and would be limited to between 7:00 a.m. and 6:00 p.m. Construction is expected to last approximately 22 months, beginning no sooner than January 2023.

Full-size excavators, dozers, loaders, backhoes, etc. produce a vibration level of 0.089 inches per second (in/sec) peak particle velocity (PPV) at 25 feet. Small bulldozers and similar equipment produce 0.003 in/sec PPV.

Vibration levels were estimated using the following Caltrans formula:

- $PPV_{\text{Equipment}} = PPV_{\text{Ref}} (25/D)^n$ (in/sec)

Where:

- PPV_{Ref} = reference PPV at 25 ft.
- D = distances from equipment to the receiver in feet.
- n = 1.1 (the value related to the attenuation rate through ground).

The closest inhabited dwelling to construction activity is at 26230 Trumble Road, 15 feet from the north property line near Building 2. At this distance, Project construction would generate vibration levels up to approximately 0.07 in/sec, which are not expected to be readily perceptible and pose virtually no risk of damage. Construction is not expected to generate significant vibration levels.

Operations

Vibration associated with operation of the project would be generated by vehicular traffic and mechanical equipment operation.

Vehicles traveling on a smooth pavement surface are rarely, if ever, the source of perceptible ground vibration. All vehicles on the Project site would have rubber tires and suspension systems that isolate vibration from the ground, and would generally travel at a maximum speed of approximately 10 mph. All vehicular traffic would operate over 25 feet from vibration-sensitive land uses. Vibration from vehicles is expected to be negligible.

All mechanical equipment would be located over 100 feet from vibration-sensitive land uses. Groundborne vibration levels resulting from mechanical equipment are dependent of the design of the equipment. All ground-mounted mechanical equipment would be installed using vibration-dampening resilient isolators designed to ensure that vibration levels would be lower than 0.2 in/sec PPV at Project property lines adjacent to vibration-sensitive land uses.

No significant operational vibration impacts would be expected.

Mitigation Measures

No mitigation is necessary.

Impact 4.11-3 For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?

Level of Significance: Less than Significant Impact

Construction and Operations

The following airports/airstrips are located nearest the Project site:

- Perris Valley Airport: at 2091 Goetz Road, Perris, approximately 2.3 miles to the northwest;
- Skylark Field Airport: at 20701 Cereal St, Lake Elsinore, CA 92530, approximately 9.9 miles to the southwest;
- French Valley Airport: at 37600 Sky Canyon Drive, Murrieta, approximately 11 miles to the southeast; and
- Hemet Ryan Airport: at 4710 W. Stetson Avenue, Hemet, approximately 8.4 miles to the east.
- March Air Reserve Base: at 22495 Van Buren Boulevard, Moreno Valley, approximately 11.0 miles north.

The Project site is not within the Airport Influence Area (AIA) Boundary or noise contours for Perris Valley Airport or French Valley Airport. The Project is within the AIA of the March Air Reserve Base (zones D and E), but not within noise contours.^{5,6} The runway for March Air Reserve Base/Inland Port Airport is located approximately 9.2 miles northwest of the Project site. Due to the distance, the Project site would not be exposed to excessive noise levels from airport operations

The Project site is not within two miles of any other public airport/public-use airport or in the vicinity of a private airstrip; therefore, the Project would not expose people residing or working in the Project area to excessive airport/airstrip-related noise levels. As such, this impact would be less than significant.

⁵ Riverside County Airport Land Use Commission. 2021. *Current Compatibility Plans for French Valley Airport, March Air Reserve Base, and Perris Valley Airport*. <http://www.rcaluc.org/Plans/New-Compatibility-Plan>. Accessed March 2021.

⁶ City of Menifee. 2013. *Menifee General Plan Draft EIR*, Section 5.12: Noise, Figure 5.12-3: Airport Noise Contours. <https://www.cityofmenifee.us/DocumentCenter/View/1112/Ch-05-12-N?bidId=>. Accessed April 2021.

Mitigation Measures

No mitigation is necessary.

4.11.6 Cumulative Impacts

For purposes of noise resource impact analysis, cumulative impacts are considered for cumulative development according to the related Projects; see **Table 3-1: List of Cumulative Projects**. Construction-related noise is a localized activity and would only affect land uses that are immediately adjacent to the construction areas due to the fact that noise dissipates as it travels away from its source.

The warehouse's construction activities, or construction activities associated with future proposed development, would not result in a substantial temporary increase in ambient noise levels. The City of Menifee permits construction activities between the hours of 6:30 a.m. and 7:00 p.m. Monday through Saturday, and prohibited on Sundays and nationally recognized holidays.⁷ According to the Perris Municipal Code, §7.34.060 Construction Noise "It is unlawful for any person between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, with the exception of Columbus Day and Washington's birthday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the city."

There would be periodic, temporary, noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant, following compliance with **MM NOI-1**, the General Plan, and the Municipal Code. Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project sites and surrounding vicinity. Thus, cumulative operational noise impacts from related Projects, in conjunction with project specific noise impacts, would not be cumulatively significant.

4.11.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.11.8 References

ALP. 2021. *Menifee, CA Code of Ordinances*.

<https://codelibrary.amlegal.com/codes/menifee/latest/overview>

City of Menifee. 2013. *Menifee General Plan Noise Element*. <https://www.cityofmenifee.us/228/Noise-Element>.

⁷ City of Menifee. 2021. *Comprehensive Development Code, § 9.210.060 Noise Control Regulations*. <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1550&keywords=hour%2Chour%27s%2Chours%27%2Chours#secid-1550> (accessed October 2021).

City of Perris. 2016. *General Plan Noise Element*.

<https://www.cityofperris.org/home/showpublisheddocument/461/637203139725000000>

dB Associates Inc. 2021. *Noise and Vibration Technical Report for Core 5 – Menifee Commerce Center, Menifee, CA*.

Municode. 2021. *Perris, CA Code of Ordinances*.

https://library.municode.com/ca/perris/codes/code_of_ordinances.

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4.12 PUBLIC SERVICES

4.12.1 Introduction

This section evaluates potential Menifee Commerce Center (Project) impacts on public services by identifying anticipated demand and evaluating its relationship to existing and planned public services, facilities, and availability to serve the City of Menifee (City) population. For abbreviation purposes, the general term “public services” in this Draft Environmental Impact Report (EIR) includes the following: fire protection, police protection, schools, parks, and other services. This section identifies potential impacts that could result from implementation of the Project, which includes construction and operation of the warehouses.

In accordance with Appendix G of the California Environmental Quality Act (CEQA), the emphasis in this Draft EIR is on impacts to public services that could result from implementation of the Project and that could require construction or expansion of existing public service facilities resulting in a physical impact on the environment. The environmental setting discussion is based largely on review of relevant documents and information including the following:

- City of Menifee General Plan (GP)
- City of Menifee website

4.12.2 Environmental Setting

Fire Protection

The City of Menifee contracts for fire services with the Riverside County Fire Department/CAL FIRE (“Menifee Fire Department”), providing a full range of fire protection services. The fire department responds to fires; rescues; traffic accidents; medical emergencies; and requests for general public assistance.¹ There are four fire stations in Menifee. Station 68 is located at 26020 Wickard Road, approximately six miles southwest of the Project site, and Station 76 is located at 29950 Menifee Road, approximately four miles southeast of the Project site. Station 5 is located at 28971 Goetz Road in Menifee. Also nearby is Station 7 located at 28349 Bradley Road, Sun City, CA 92586, and Station 54 located at 25730 Sultans Road, Homeland, CA 92548. Station 7 is approximately 3.4 miles southwest of the Project site and Station 54 is approximately 4.2 miles northeast of the Project site.² Stations 7 and 54 are the closest to the Project site.

Police Protection

Police protection services would be provided by the Menifee Police Department (MPD). The MPD is comprised of the Operations Division (Patrol, Traffic, K9 Unit, and SWAT) and Investigations and Support Services (Investigations Unit, Problem-Oriented Policing Team, Crime-Scene Investigators, Code

¹ City of Menifee. ND. Fire Department. <https://www.cityofmenifee.us/103/Fire-Department> (accessed March 2021).

² Riverside County Fire Department. ND. Fire Stations. <http://www.rvcfire.org/stationsAndFunctions/FireStations/Pages/default.aspx> (accessed March 2021).

Enforcement, and Records Bureau). The MPD station is located at 29714 Haun Road, approximately three miles to the south.³

Schools

The Project site is within the boundaries of the Romoland School District⁴ and the Perris Union High School District.⁵ Schools closest to the Project site include Romoland Elementary located at 25890 Antelope Road, located approximately 0.3 mile northeast; Ethan A Chase Middle School located at 28100 Calm Horizon Drive, located 2.8 miles southeast; and Heritage High School located at 26001 Briggs Road, located 2.1 miles east.

Parks and Recreation

Available for public use in the City of Menifee are 13 City-owned parks and 20 Valley-wide owned parks. The closest parks to the Project site are Eller Park (located at State Highway [SH] 74 and Antelope Road approximately 0.3 mile northeast of the Project site) and Nova Park located at 25444 Nova Lane, approximately 0.8 mile southwest of the Project site.⁶

Other Public Facilities

Other public facilities present in the City include the Lazy Creek Recreation Center (26480 Lazy Creek Road), located approximately 3.8 miles southwest; Kay Cenicerros Senior Center (29995 Evans Road), located approximately 4.0 miles southwest; Sun City Library (26982 Cherry Hills Road), located 2.2 miles south; Menifee Library (28798 La Piedra Road), located 4.4 miles south; and Marion Ashley Community Center (25625 Briggs Road) located approximately 3.3 miles southeast.

4.12.3 Regulatory Setting

State

California Senate Bill 50 and California Government Code (Section 65995(b)) and Education Code (Section 17620)

California Senate Bill (SB) 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity, which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of SB 50, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under CEQA. Prior to SB 50, case law allowed cities to consider and impose conditions to mitigate impacts of new development on school facilities.

³ Menifee Police Department. 2021. <https://menifeepolice.org/#> (accessed March 2021).

⁴ Romoland School District. 2017. 2016-2017 Elementary School Boundaries. https://www.romoland.net/cms/lib/CA01902709/Centricity/domain/19/documents/BoundaryMap_4-11-2017.pdf (accessed March 2021).

⁵ Perris Union High School District. ND. District and High School Boundaries. <https://www.puhsd.org/Content2/schools> (accessed March 2021).

⁶ City of Menifee. ND. Parks. <https://www.cityofmenifee.us/285/Parks> (accessed March 2021).

SB 50 amended California Government Code (CGC) § 65995, which contains limitations on Education Code § 17620, the statute that authorizes school districts to assess development fees within school district boundaries. CGC § 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. Currently, the maximum impact fees allowed by SB 50 are as follows:

- In the case of residential construction, one dollar and ninety-three cents (\$1.93) per square foot of assessable space.
- In the case of any commercial or industrial construction, thirty-one cents (\$0.31) per square foot of chargeable covered and enclosed space. (Gov. Code § 65995, subd. (b)).

According to CGC § 65995(3)(h), the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.” The school district is responsible for implementing the specific methods for mitigating school impacts under the CGC.

California State Assembly Bill 2926: Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential, commercial, and industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added §§ 66000 et seq. to the CGC. Under this statute, payment of school impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

Mitigation Fee Act (California Government Code (Sections 66000 through 66008))

Enacted as AB 1600, the Mitigation Fee Act requires a local agency, such as the City of Menifee, establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied. This Act became enforceable on January 1, 1989.

California State Assembly Bill 97

Approved in July 2013, AB 97 revises existing regulations related to financing for public schools, by requiring state funding for county superintendents and charter schools that previously received a general-purpose entitlement. AB 97 authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

California Building Code

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The CBC is based on the International Building Code but has been modified for California conditions. It is generally

adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Industrial buildings are plan checked by local city and county building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all industrial buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

2019 California Fire Code

The 2019 California Fire Code (CCR Title 24 Part 9) sets forth requirements including those for building materials and methods pertaining to fire safety and life safety, fire protection systems in buildings, emergency access to building, and handling and storage of hazardous materials. The Fire Code also is intended to aid firefighters and other emergency responders during their operations. The code is updated every three years and was last updated in 2019 and adopted in 2020.

Mutual Aid Agreements

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the MAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

Local

City of Menifee General Plan

Safety Element

According to the City's Safety Element, it provides a strategy for city staff, residents, developers, and business owners to effectively address natural and man-made hazards in Menifee, including seismic and geological issues; flood hazards; fire hazards; hazardous materials; wind hazards; and disaster preparedness, response, and recovery.⁷

Goals and policies from the Safety Element applicable to the Project include:

Goal S-4: **A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.**

Policy S-4.1 Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire. Ensure all new development and/or redevelopment in the LRA and

⁷ City of Menifee. 2013. *Menifee General Plan Safety Element*. <https://cityofmenifee.us/222/Safety-Element> (accessed March 2021).

VHFHSZ will comply with the California Fire Code (CFC) and California Building Code (CBC). All new development within the LRA Very High Fire zone will comply with Chapter 49 of the California Fire Code and Chapter 7A of the California Building Code.

Policy S-4.2: Ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. The City will continue to coordinate with the Riverside County Fire Department, for Interagency coordination, to respond to emergency calls in Menifee and to provide training and ongoing programs for public education.

Policy S-4.4 Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

Policy S-4.17 The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

Community Design Element

The City of Menifee's Community Design Element is intended to enhance the current community identity through the identification of design techniques, guidelines, and features that will enhance the visual character of the city and its neighborhoods. It serves as a practical guide to city leaders, developers, business owners, and residents as they provide direction to implement new projects in Menifee and is intended to stimulate design creativity in the City.⁸

Goals and policies from the Community Design Element applicable to the Project include:

Goal CD-3: **Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.**

Policy CD-3.9 Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.

4.12.4 Impact Thresholds and Significance Criteria

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to public services. The issues presented in the Environmental Checklist Form have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it:

- Would 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

⁸ City of Menifee. 2013. *Menifee General Plan Community Design Element*. <https://www.cityofmenifee.us/240/Community-Design-Element> (accessed March 2021).

maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning public services. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts associated with public services.

Approach to Analysis

This analysis of impacts on public services examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on public services standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.12.5 Impacts and Mitigation Measures

Impact 4.12-1 ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

A significant impact would result if development of the Project site would result in significant increase demands for fire protection services, police protection, schools, parks, or other facilities such that new or physically altered stations, schools, parks, or other facilities or location from which services are provided would be needed. If the construction or operation of such facilities would cause substantial environmental

effects due to the expansion or construction of facilities on new sites needed to maintain acceptable service ratios, response times, or other performance objectives a potentially significant impact could result.

Fire Protection?

Level of Significance: Less than Significant Impact

The City of Menifee contracts for fire services with the Riverside County Fire Department/CAL FIRE, providing a full range of fire protection services. The Project site would be served by the Station 7 located at 28349 Bradley Road, Sun City, CA 92586, and Station 54 located at 25730 Sultanas Road, Homeland, CA 92548. Station 7 is approximately 3.4 miles from the Project site and would have an approximate eight-minute response time. Station 7 is equipped with one three-person fire engine and one two-person medic squad. Station 7 receives approximately 3,700 calls/year. Station 54 is approximately 4.2 miles from the Project site and would have an approximate nine minute response time. Station 54 is equipped with one three-person fire engine. Station 54 receives approximately 1,850 calls/year.⁹ Riverside County Fire Department has stated that both of these stations are beyond their response time standards to the Project site. As such, the Project Applicant will be required to pay DIF fees to reduce impacts to a level of less than significant. With payment of these fees, the Project would be adequately served by fire protection services.

The Menifee Fire Department, Office of the Fire Marshal (OFM) currently reviews all new development plans, and future development is required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, and fire flow. The Project applicant must be able to demonstrate sufficient fire flow. The Project would be required to comply with the most current provisions of the Fire Fee Schedule,¹⁰ which requires a fee payment that the City applies to the funding of fire protection facilities. Mandatory compliance with the Fire Fee Schedule and plan review would be required prior to the issuance of a building permit. In addition, property tax revenues generated from development of the site would also provide funding to offset potential increases in the demand for fire protection at Project build-out. The Project would comply with the Riverside County Fire Department Technical Policies and Standards, California Fire Code, and CBC, including Project features that aid in fire safety and support fire suppression activities, such as fire sprinklers, paved access, and required aisle widths.

The Project would include a minimum of fire safety and fire suppression features, including type of building construction, fire sprinklers, a fire hydrant system, and paved access. The proposed buildings would be of concrete tilt-up construction that contains a low fire hazard risk rating. Fire protection apparatus ingress and egress would be available via eight driveways and the Project site's internal circulation (a 26-foot wide fire lane with red curbs and signage per fire department standards) would allow fire apparatus access around each building. There are currently no fire hydrants present on adjacent Project roadways. The minimum number of fire hydrants required, as well as the location and spacing of

⁹ Reinertson, Adrian. CAL FIRE/Riverside County Fire Department. April 1, 2021. Personal communication (email).

¹⁰ Menifee Fire Department. 2019. Fire Fee Schedule. <https://www.cityofmenifee.us/DocumentCenter/View/8988/FIRE-FEES?bidId=> (accessed March 2021).

fire hydrants, shall comply with the California Fire Code (CFC) and National Fire Protection Association (NFPA) 24. Fire hydrants shall be located no closer than 40 feet from a building. A fire hydrant shall be located within 200 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3). In addition, a fire alarm system is proposed to be installed, as well as ESFR (Early Suppression, Fast Response) ceiling-mounted fire sprinklers. ESFR systems are located in ceiling spaces as with conventional fire sprinkler systems, but they incorporate large, high volume, high-pressure heads to provide the necessary fire protection for warehouse buildings that may contain high-piled storage. While most other sprinklers are intended to control the growth of a fire, an ESFR sprinkler system is designed to suppress a fire. To suppress a fire does not necessarily mean it would extinguish the fire but rather it is meant to "knock" the fire back down to its source.

The Project Applicant would be required to pay Development Impact Fees toward new fire facilities. With payment of these fees, the Project would receive adequate fire protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. Because no fire protection facilities exist on the Project site, development of the Project would not conflict with existing fire structures or require modification of fire protection facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to fire protection services.

Police Protection?

Level of Significance: Less than Significant Impact

Police protection services for the City and Project site would be provided by the MPD. MPD is a new department, authorized by the City Council, to be created in late 2018 and officially opened to serve the public July 1st, 2020. The MPD operates out of its headquarters at 29714 Haun Road, which is approximately three miles south of the Project site. As with fire protection services discussed above, the Project site is already within the service area of the MPD. The MPD is authorized to serve the City with 90 full-time employees of which 69 are sworn officers and 21 are not sworn (professional staff members).¹¹ According to the Demographic Marketing Report for the City, the January 2021 population was 105,773.¹² This represents a service ratio of 0.85 officers per 1,000 population.

MPD is comprised of two divisions: Operations and Investigations & Support Services. Within these divisions numerous units are used to serve the public. These include SWAT (in partnership with the cities of Murrieta and Hemet), K-9, Traffic, Patrol, Crime Scene Investigators, Code Enforcement, Records, Investigations Unit, Problem Oriented Policing, and Court Ordered Registrants. The Patrol unit is the largest unit within the department and calls for routine and emergency service are typically handled by this unit. Between July 1, 2020 and April 14, 2021 there were a total of 48,667 calls for service. Proactive calls removed from all calls for service totaled 39,192. Proactive are vehicle stops, pedestrian checks,

¹¹ Gutierrez, David. MPD. March 23, 2021. Personal communication (telephone conversation).

¹² Derrigo Studies. 2021. *City of Menifee Demographic Marketing Report*. <https://13xrl43fkrpl49g75u4bh1cl-wpengine.netdna-ssl.com/wp-content/uploads/2021/03/2021DerrigoStudyMenifee.pdf> (accessed March 2021).

Bicycle stops, business checks, extra patrols, etc.).¹³ The average response time for Priority 1 calls was 9:00 minutes. MPD's goal response time for Priority 1 calls is 6:00 minutes. This goal can be achieved through such measures as a False Alarm Ordinance.¹⁴

The MPD would be provided the opportunity to review the Project's design to verify that all feasible CPTED strategies are incorporated. CPTED is a way of designing the built environment to create a safer built environment. CPTED elements include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of a single, clearly identifiable point of entry. Therefore, impacts would be less than significant.

Additionally, development impact fees are imposed on new developments to pay for new facilities. Funding for the operation and maintenance of existing services comes from the City's General Fund, Measure DD funds, as well as County Service Area 86 monies. It is anticipated that the Project site would be adequately served by existing MPD facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the Project warehouses. Additionally, development of the site would increase property tax revenues to provide a source of funding to offset any increases in the anticipated demands for public services generated by the Project.

Schools?

Level of Significance: Less than Significant Impact

The Project site is within the boundaries of the Romoland School District and the Perris Union High School District. Schools closest to the Project site include Romoland Elementary, Ethan A Chase Middle School, and Heritage High School.

The Project, however, would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The Project is not expected to draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for additional public-school services, the Project Applicant would be required to contribute development impact fees to the Romoland School District and the Perris Union High School District in compliance with California SB 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of building permits and payment of school fees constitutes complete mitigation under CEQA. School fees

¹³ Gutierrez, David. MPD. April 20, 2021. Personal communication (email).

¹⁴ Gutierrez, David. MPD. March 23, 2021. Personal communication (telephone).

listed below represent currently approved rates. Actual fees are subject to change by the school districts as determined to be necessary or appropriate. Final fees will be determined at time of payment.

Developer fees for industrial development located within the Romoland School District is currently \$0.48 per square foot.¹⁵

Developer fees for industrial development located in the Perris Union High School District (within Menifee) is currently \$0.1848 per square foot.¹⁶

Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no school facilities exist on the Project site, development of the Project would not conflict with existing school structures or require modification of school facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to school services.

Parks?

Level of Significance: Less than Significant Impact

The closest parks to the Project site are Eller Park and Nova Park. The Project, however, would not create a direct demand for park facilities, as the subject property would contain non-residential uses that would not generate population growth requiring park facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring park facilities. Because the Project would not directly generate population growth and is not expected to indirectly introduce parkgoers to the area, the Project would not cause or contribute to a need to construct new or physically alter park facilities.

Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no park facilities exist on the Project site, the Project would not conflict with existing park structures or require modification of park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities.

Other Public Facilities?

Level of Significance: Less than Significant Impact

Other public facilities located in the greater Project area include the Lazy Creek Recreation Center, Kay Cenicerros Senior Center, and Sun City Library.

¹⁵ Owen, Karen. Romoland School District. March 8, 2021. Personal communication (email).

¹⁶ Gerfen, Arrow. PUHSD. March 8, 2021. Personal communication (email).

The Project, however, would not create a direct demand for other public facilities, as the subject property would contain non-residential uses that would not generate population growth requiring other public facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring other public facilities. Because the Project would not directly generate population growth and is not expected to indirectly introduce new population to the area, the Project would not cause or contribute to a need to construct new or physically alter other public facilities.

Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no public facilities exist on the Project site, development of the Project would not conflict with existing public structures or require modification of public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities.

Mitigation Measures

No mitigation is necessary.

4.12.6 Cumulative Impacts

The Project is not anticipated to substantially increase the need for public services in the City. The Project would not result in an overall net increase in City population. Anticipated increase demands for public services within the City was accounted for in the GP and analyzed in the GP Final EIR, which accounts for cumulative growth in the City. In addition, related to all public services, the Project applicant would pay the required development fees that would be appropriately allocated for police, fire, schools, and other public facilities. Additionally, the Project would be conditioned to contribute to new to funding beyond the DIF as this project is part of a cumulative impact to fire protection.

Similar to the Project, other cumulative projects would be required to demonstrate their level of impact on public services including paying the appropriate development fees; therefore, the past, present, and future projects would not result in a cumulative impact related to the provision of public services.

4.12.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.12.8 References

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4.13 TRANSPORTATION

4.13.1 Introduction

This section addresses transportation impacts related to the construction and operation of the Menifee Commerce Center (Project), including the existing transportation system, significance criteria for transportation impacts, and potential Project impacts resulting from Project implementation. Information presented in this section was obtained from the City of Menifee’s General Plan (GP) and following technical reports located in **Appendix 9.11: Transportation Reports**:

- *Menifee Commerce Center Project Traffic Impact Analysis (TIA)* (Albert A. Webb Associates 2021); see **Appendix 9.11.1**
- *Core 5 Menifee Warehouse – VMT Analysis* (Translutions 2021); see **Appendix 9.11.2**

This Draft EIR analyzes two project development scenarios. For a description of each evaluated scenario, see **Section 2.0: Project Description**.

4.13.2 Environmental Setting

Existing Transportation System

Existing Roadway Network

Regional vehicular access to the Project site is provided via **Interstate (I) 215**. I-215 is a north-south trending freeway located approximately 1,400 feet west of the western Project site border. I-215 provides three travel lanes in each direction separated by a wide median with median barrier. Interchanges with I-215 in the vicinity of the Project site are located at McCall Boulevard, Ethanac Road, and State Route (SR) 74.

SR-74 is a four-lane regional roadway providing access to I-215. West of Antelope Road, it is classified as a Major in the City’s GP and has a northwest/southeast orientation. East of Antelope Road, it is classified as an Expressway in the City’s GP and has an east/west orientation.

Also providing access to I-215, **Ethanac Road** is classified as an Expressway in the City’s GP. It currently has four travel lanes west of the I-215 interchange and two travel lanes east of the interchange. From Goetz Road to Sherman Road, it forms part of the City of Menifee’s boundary with the City of Perris.

Portions of **McLaughlin Road** within the Project area are currently unpaved and undeveloped. Discontinuous at I-215, west of Evans Road it is currently a two-lane roadway classified as a Secondary in the City’s GP. West of Encanto Drive, it is a two-lane roadway classified as a Collector and remains unpaved east of Trumble Road.

West of the I-215 interchange, **McCall Boulevard** is a four-lane roadway classified as a Major in the City’s GP. East of I-215, it is classified as an Urban Arterial.

Murrieta Road is a two-lane roadway classified as a Secondary in the City’s GP.

Encanto Drive is a two-lane roadway classified as a Major in the City's GP. It terminates to the north at Ethanac Road. The portion of Encanto Drive north of McLaughlin Road is located in the City of Perris.

Trumble Road is a two-lane roadway classified as a Collector in the City's GP and is a jurisdictional boundary between the City of Menifee and City of Perris. A portion of Trumble Road between Ethanac Road and McLaughlin Road, including along the Project frontage, is paved, but is not fully built.

Sherman Road is a two-lane roadway classified as a Major in the City's GP. Portions of it between SR-74 and Rouse Road are currently unpaved and undeveloped, including along the Project frontage.

Dawson Road is classified as a Local in the City's GP. It terminates at Ethanac Road to the north and Rouse Road to the south. It is currently largely undeveloped, with few roadside features such as curbs and gutters and a large portion currently unpaved south of the Project frontage, including along the Project frontage.

Palomar Road is a two-lane roadway classified as a Collector in the City's GP.

Antelope Road, south of Ethanac Road and east of the Project site, is a two-lane undivided roadway. According to Exhibit C-3: Roadway Network, of the City's GP, this portion of Antelope Road is designated as Secondary (4 lanes, undivided).

Existing Transit Service

The Riverside Transit Agency (RTA) provides fixed route and Dial-a-Ride bus service within the City of Menifee and neighboring jurisdictions. The following RTA routes are located in proximity to the Project:

- Route 28 | Perris Station Transit Center (4.0 miles northwest), Hemet Valley Mall, Florida & Lincoln, located approximately 4.0 miles northwest
- Route 61 | Perris Station Transit Center, Sun City, Menifee, Murrieta, Temecula
- Route 74 | San Jacinto, Hemet, Winchester, Menifee, Sun City, Perris

Additionally, the Perris Station Transit Center is located approximately four roadway miles northwest of the Project site. Boarding for routes 28, 61, and 74 are located at the Perris Station Transit Center. The Perris Station Transit Center is in the City of Perris at C Street and 4th Street (SR-74) and has eight bus bays served by eight RTA routes. The facility handles multi-modal transfers between Metrolink; RTA local, regional, and express routes; RTA's Dial-A-Ride; and park-and-ride patrons in the southwest region. It is owned, operated, and maintained by Riverside County Transportation Commission (RCTC).¹

Pedestrian and Bicycle Facilities

There are no existing pedestrian or bike facilities along Project area roadways. Class III Bike Routes are proposed for Trumble Road and McLaughlin Road and Community On-Street Bike Lanes (Class II) are proposed for Sherman Road. Six-foot wide sidewalks or five-foot wide meandering sidewalks are also

¹ RTA. ND. *Short Range Transit Plan FY 22 – FY 24*. <https://www.riversidetransit.com/images/DOWNLOADS/PUBLICATIONS/SRTPS/FY2022-2024%20SRTP.pdf> (accessed September 2021).

proposed along Project area streets. Similarly, the Menifee Active Transportation Plan (ATP) adopted in 2020 does not designate any of the surrounding roadways as Class I or Class II Bike Routes.

According to Menifee GP Exhibit C-4: Proposed Bikeway and Community Pedestrian Network,² the following designations are proposed for Project area roadways:

- Trumble Road - Class III Bike Routes
- Sherman Road – Community On-Street Bike Lanes (Class II)
- McLaughlin Road - Class III Bike Routes

In addition, a total of 27 bicycle parking spaces will be provided by the Project for short and long term use. Covered and secured storage lockers would be provided.

4.13.3 Regulatory Setting

Federal

Federal rules and regulations govern many facets of the City's transportation system, including transportation planning and programming; funding; and design, construction, and operation of facilities. The City complies with all applicable rules and regulations of the Federal Highway Administration, the Urban Mass Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, and other Federal agencies. In addition, the City coordinates with Federal resource agencies where appropriate in the environmental clearance process for transportation facilities.

State

Assembly Bill 1358 – Complete Streets

The California Complete Streets Act of 2008 was signed into law on September 30, 2008. Beginning January 1, 2011, Assembly Bill (AB) 1358 required circulation elements to address the transportation system from a multi-modal perspective. The Complete Streets Act also requires circulation elements to consider the multiple users of the transportation system, including children, adults, seniors, and people with disabilities.

Assembly Bill 32 – Global Warming Solutions Act

The California Global Warming Solutions Act of 2006 (AB 32) was signed into law in September 2006 after considerable study and expert testimony before the legislature. The law instructs the California Air Resources Board (CARB) to develop and enforce regulations for the reporting and verifying of statewide greenhouse gas (GHG) emissions. The Act directed CARB to set a GHG emission limit based on 1990 levels to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner (AB 32). In December 2008, CARB adopted a

² City of Menifee. 2013. *Exhibit C-4: Proposed Bikeway and Community Pedestrian Network*. https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways_HD0913?bidId= (accessed September 2021).

Scoping Plan to achieve the goals of AB 32. AB 32 was followed by Senate Bill (SB) 32 in 2016, which expanded this goal for statewide GHG emissions to be 40 percent below 1990 levels by 2030 (SB 32).

The scoping plan has a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market based mechanisms (e.g., cap-and-trade system), and an AB 32 program implementation regulation to fund the program. CARB recognizes cities as “essential partners” in reducing GHG emissions. As such, CARB has developed a Local Government Toolkit with guidance for GHG reduction strategies, such as improving transit, developing bicycle/pedestrian infrastructure, and increasing city fleet vehicle efficiency, among other strategies.

CARB’s 2017 Scoping Plan builds upon the successful framework established by the Scoping Plan, while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The 2017 Scoping Plan includes goals and measures that specifically reduce GHG emissions from the transportation sector. These goals and measures focus on using vehicle miles traveled (VMT) as the metric for determining transportation impacts on the environment; encouraging development practices that reduce VMT; enhancing mass transit systems, shared-use mobility, and bicycle and pedestrian networks; and reducing fossil fuels for transportation use, in favor of fuels and energy technology that emits less GHG emissions.

Senate Bill 375 – Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act, or SB 375, provides incentives for cities and developers to bring housing and jobs closer together and to improve public transit. The goal is to reduce the number and length of automobile commuting trips, which will help to meet the statewide targets for reducing GHG emissions set by AB 32.

SB 375 requires each Metropolitan Planning Organization to add a broader vision for growth, called a Sustainable Communities Strategy (SCS), to its transportation plan. The SCS must lay out a plan to meet the region’s transportation, housing, economic, and environmental needs in a way that enables the area to lower GHG emissions. The SCS should integrate transportation, land-use, and housing policies to plan for achieving the emissions target for their region. The latest Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) and SCS were adopted in 2020.

Senate Bill 743 – Amending CEQA with Respect to Evaluating Transportation Impacts

On September 27, 2013, Governor Jerry Brown signed SB 743 into law. A key element of this law is, for CEQA purposes, the potential elimination or deemphasizing of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. According to the legislative intent contained in SB 743, these changes to current practice were necessary to more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions.

As noted, SB 743 requires impacts to transportation network performance to be viewed through a filter that promotes the reduction of GHG emissions, the development of multimodal transportation networks, and the diversification of land uses. Some alternative metrics were identified in the law, including VMT or automobile trip generation rates. SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e., the general plan), studies, or ongoing network monitoring, but these metrics may no longer constitute the sole basis for determining CEQA impacts once SB 743 is ratified into CEQA Guidelines.

In December 2018, the California Natural Resources Agency finalized updates to the State CEQA Guidelines, which included SB 743. Section 15064.3 of the 2019 CEQA Guidelines provides that transportation impacts of projects are, in general, best measured by evaluating the project's VMT. Automobile delay will no longer be considered to be an environmental impact under CEQA. Automobile delay can, however, still be used by agencies to determine local operational impacts. The provisions of this section became mandatory July 1, 2020.

State Transportation Improvement Program

The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects on and off the State Highway System, funded with revenues from the Transportation Investment Fund and other funding sources. STIP programming generally occurs every two years. The programming cycle begins with the release of a proposed fund estimate in July of odd numbered years, followed by California Transportation Commission (CTC) adoption of the fund estimate in August (odd years). The fund estimate serves to identify the amount of new funds available for the programming of transportation projects. Once the fund estimate is adopted, Caltrans and the regional planning agencies prepare transportation improvement plans for submittal to the CTC by December 15th (odd years). Caltrans prepares the Interregional Transportation Improvement Program and regional agencies prepare the Regional Transportation Improvement Plans. Public hearings are held in January (even years) in both northern and southern California. The STIP is adopted by the CTC by April (even years).

Technical Advisory on Evaluating Transportation Impacts in CEQA

The Governor's Office of Planning and Research (OPR) released the Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) in December 2018. The Technical Advisory aids in the transition from LOS to VMT methodology for transportation impact analysis under CEQA. The advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

California Department of Transportation

The California Department of Transportation (Caltrans) owns and operates the State highway system (SHS), which includes the freeways and State routes within California. In Menifee, Caltrans maintains I-215 and SR-74. As discussed above, VMT are now used which, although Caltrans recognizes will not apply to all projects on the SHS; however, they would apply to the Project. Caltrans also recognizes that VMT is the most appropriate primary measure of transportation impacts for capacity increasing transportation projects on the SHS.

The Caltrans Guide for the Preparation of Traffic Impact Studies (December 2002) provides guidance on the evaluation of traffic impacts to State highway facilities. The document outlines when a traffic impact study is needed and what should be included in the scope of the study. The Guide states the following: “Caltrans endeavors to maintain a target LOS at the transition between LOS “C” and LOS “D” on State highway facilities, however, Caltrans acknowledges that this may not be always feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS.”

County

Riverside County Long Range Transportation Study

The Riverside County Long Range Transportation Study (LRTS) is meant to address the challenges of a growing population and growing industrial and warehousing base. The RCTC is the Regional Transportation Planning Agency (RTPA) for Riverside County. RCTC is charged with coordinating transportation planning, funding, and facilitation of all modes of transportation in Riverside County. Short and long-range transportation planning is a key responsibility of RCTC. RCTC plans and implements transportation and transit improvements, particularly those that affect more than one jurisdiction. The agency also assists local governments with money for local streets and roads and develops plans and programs to improve commuting and goods movement. Policies adopted by RCTC also aim to ensure that all persons have equitable access to transportation.

The purpose of the LRTS is meant to strengthen transportation in the region in order to improve mobility, safety, and economic prosperity for Riverside County residents. The LRTS dovetails with and bridges local plans and SCAG’s RTP/SCS. It supports the County’s economy and quality of life through smart planning, project development and implementation. The LRTS is multimodal in nature and encompasses all forms of transportation: highways, local roads, transit, rail, pedestrian, and bicycle facilities.

The four basic purposes of the LRTS are to:

- Develop strategies to address transportation challenges.
- Provide a realistic vision of transportation in Riverside County in 2045.
- Develop a list of high priority feasible and fundable projects.
- Comprise RCTC’s input to SCAG’s RTP/SCS (Connect SoCal).

SCAG’s RTP/SCS, is a long-range regional plan covering the six counties within the SCAG region. The Riverside County LRTS focuses only on Riverside County and its cities. SCAG’s RTP/SCS is required to address transportation and related elements such as housing, aviation, air quality conformity, public health, environmental justice, and conservation lands. The LRTS focuses on transportation projects and funding.

RCTC also functions as the County Congestion Management Agency and contained within the LRTS is the County of Riverside Congestion Management Program (CMP), the purpose of which is provided immediately below.

County of Riverside Congestion Management Program

The passage of Proposition 111 in June 1990 established a process for each metropolitan county in California that has an urbanized area with a population over 50,000 (which would include the County of Riverside) to prepare a CMP. The CMP that was prepared by the RCTC in 2011 in consultation with the county and cities in Riverside County is an effort to more directly align land use, transportation, and air quality management efforts, and to promote reasonable growth management programs that effectively use statewide transportation funds while ensuring that new development pays its fair share of needed transportation improvements. Additionally, the passage of Proposition 111 provided additional transportation funding through a \$0.09 per gallon increase in the state gas tax.

The focus of the CMP is the development of an Enhanced Traffic Monitoring System in which real-time traffic count data can be accessed by the RCTC to evaluate the condition of the Congestion Management System, as well as meeting other monitoring requirements at the state and federal levels. Per the CMP-adopted LOS standard of E, when a Congestion Management System segment falls to LOS F, a deficiency plan is required. Preparation of a deficiency plan would be the responsibility of the local agency where the deficiency is located. Other agencies identified as contributors to the deficiency would also be required to coordinate with the development of the plan. The plan must contain mitigation measures, including transportation demand management (TDM) strategies and transit alternatives, and a schedule of mitigating the deficiency. To ensure that the Congestion Management System is appropriately monitored to reduce the occurrence of CMP deficiencies, it is the responsibility of local agencies, when reviewing and approving development proposals, to consider the traffic impacts on the Congestion Management System.

Local

City of Menifee General Plan

Circulation Element

The Circulation Element provides overall guidance for the City's responsibility to satisfy the local and subregional circulation needs of its residents, visitors, and businesses while maintaining the City's quality of life. In addition, it coordinates the circulation system with future land use patterns and levels of buildout and addresses access and connectivity among the various neighborhoods and economic development districts.³

Goals and policies from the Circulation Element applicable to the Project include:

Goal C-1 **A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.**

Policy C-1.1: Require roadways to:

- Comply with federal, state, and local design and safety standards.

³ City of Menifee. 2013. *Menifee General Plan Circulation Element*. <https://www.cityofmenifee.us/211/Circulation-Element> (accessed September 2021).

- Meet the needs of multiple transportation modes and users.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices.

Policy C-1.2 Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.

Policy C-1.5 Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.

Goal C-2 **A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.**

Policy C-2.1 Require on- and off-street pathways to:

- Comply with federal, state, and local design and safety standards.
- Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices.

Policy C-2.2 Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel, and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.

Policy C-2.3 Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Active Transportation Plan

The City of Menifee has adopted an Active Transportation Plan (ATP) to meet the City's goals and vision for providing a transportation system that supports walking, cycling, public transit and automobiles. The ATP was developed through a robust public engagement process that included a series of workshops, outreach "pop-up" events and online engagement that provided multiple opportunities for residents to participate and provide input into the ATP.

4.13.4 Impact Thresholds and Significance Criteria

The following significance criteria for transportation impacts were derived from the Environmental Checklist Form in State CEQA Guidelines Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);

- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment?); or
- Result in inadequate emergency access.

Methodology and Standards

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning transportation resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Level of Service Analysis Methodology

Per the City of Menifee Traffic Study Guidelines, the TIA used methodology from the most recent Transportation Research Board *Highway Capacity Manual* to analyze traffic operations via LOS rankings. LOS Analysis is provided for informational purposes only, not for CEQA impact purposes. Accordingly, the *Highway Capacity Manual* 6th Edition (HCM6, 2016) was used to perform intersection LOS analysis for the following scenarios:

- Existing conditions (2021)
- Opening Day conditions (existing traffic + ambient growth + Project, 2023)
- Opening Day conditions with cumulative projects (existing traffic + ambient growth + cumulative development traffic + Project, 2023)

LOS measures transportation quality of service from the traveler's perspective. Per the HCM6, LOS rankings at intersections use a letter-grade scale ranging from LOS A (optimal conditions) to LOS F (congested or overcrowded conditions) based on average control delay in seconds per vehicle, or how long a vehicle typically waits before proceeding through the intersection. This delay is compared with free-flow conditions, and includes slowing before an intersection, waiting in queues, and stopping at the intersection. The TIA used Vistro traffic modeling software to evaluate LOS at both signalized and unsignalized intersections.

For signalized and all-way stop-controlled intersections, LOS rankings are based on the average control delay of all vehicles passing through the intersection. For two-way or side-street stop-controlled intersections, LOS rankings are based on the highest average control delay of all controlled movements.

Level of Service Standards

Per the City of Menifee Traffic Impact Analysis Guidelines (2019), the minimum acceptable LOS on roadway segments and at intersections is LOS D, except at constrained locations in close proximity to I-215, where LOS E is accepted during peak hours. Per Caltrans District 8 Office of Intergovernmental Review, Community and Regional Planning, the minimum acceptable LOS on state highways and at freeway ramps is LOS D.

Significant Impact and Mitigation Criteria

The Project's potential traffic impacts were evaluated per the City of Menifee and Caltrans standards. Per the City of Menifee Traffic Impact Analysis Guidelines, the expected Project traffic impacts are considered significant under the following conditions:

- If the pre-Project condition at an intersection or roadway segment is at or better than the minimum acceptable LOS (LOS D, or LOS E at constrained locations near I-215) and the addition of Project trips results in unacceptable LOS (LOS E or LOS F), a significant impact is forecast to occur. This type of impact would be considered a "direct" project impact in which the Project would be fully responsible for mitigating the impact.
- If the pre-Project condition is LOS E or F and the Project adds 50 or more peak hour trips to the intersection or roadway segment, then a significant impact is forecast to occur. This type of impact would be considered a "cumulative" Project impact in which the Project would be required to contribute a fair share payment toward mitigating the impact.

Additionally, the Project traffic impact at an unsignalized intersection is considered significant if the addition of Project traffic is anticipated to result in the intersection meeting the peak-hour traffic signal warrant as described in the California Manual on Uniform Traffic Control Devices (MUTCD).

VMT Analysis Methodology

The analysis methodology for the project generated VMT and project effect of VMT were developed consistent with the City VMT guidelines.

Socio-Economic Data. The Project socio-economic data was based on median factors for Riverside County from the SCAG Employment Density Survey (October 31, 2001). The SCAG Study recommends a factor of 819 square feet per employee for warehousing uses and 598 square feet per employee for office uses. While the SCAG survey was conducted prior to the proliferation of high cube warehouses (both short-term transload facilities and e-commerce facilities), the employee forecasts resulted in slightly higher employee generation for the Project. For example, the typical square feet/employee for short term transload facilities is approximately 2,000 square feet/employee, and the typical square feet/employee for e-commerce facilities is approximately 850 square feet/employee. Since higher employment typically results in higher VMT/capita for project generated VMT, the factors from the SCAG Survey result in more conservative estimates. Income groups were kept consistent with the transportation employment factors included in RIVTAM.

Other Edits. No network edits were made for the Project beyond using a spare zone for the Project, which isolated the Project in a separate zone.

Model Runs. Each model was run for five loops, and the convergence criteria was set at 0.01. Final assignment runs were completed.

Model Outputs. The model outputs were compared to trip generation of similar facilities included in the RIVTAM. The results were found to be consistent. It should be noted that model trip generation for

warehousing projects generally do not correspond to the trip generation included in surveys such as the Institute of Transportation Engineers (ITE) Trip Generation, or the Transportation Uniform Mitigation Fee (TUMF) High-Cube Warehouse Trip Generation Study. The model trip generation rate was higher than the trip generation rate included in the Western Riverside Council of Governments (WRCOG) Study but lower than the rates included in the ITE, which is typical. In fact, the model forecasts different trips for all land uses (including common land uses such as single-family homes or retail) depending on the location. All model data have to be checked for reasonableness, and in this case, the total trip generation from the model was deemed to be reasonable since the data showed a trip generation between the ITE and WRCOG rates. One discrepancy in the model was that the truck trip generation was not reflective of truck trips generated by e-commerce facilities. Therefore, truck trip generation was adjusted during the post processing stage (discussed below), but conservation of trips was maintained by increasing the number of automobile trips.

VMT data was extracted using the time-of-day Origin-Destination (OD) matrices multiplied by the time-of-day skims. Per standard modeling practice, the data reported is daily weekday VMT.

Model Data Post-Processing. The model outputs were reviewed and post processed using standard modeling practice to address discrepancies in truck trip generation. Trip generation in the model is significantly higher than rates for e-commerce uses included in published sources. To account for the significantly lower truck trips generated by e-commerce uses, the truck traffic from the model was reduced to reflect actual observed truck traffic. Truck trip generation was corrected during post-processing of the model results, by applying truck percentages from published sources. The number of truck trips reduced from the model data was added back in as passenger cars which resulted in an increase in the number of automobile trips. This approach provides a more representative analysis of the Project VMT and also maintains conservation of trip generation.

The RIVTAM has a base year of 2012 and a future year of 2040. To obtain current year (2021) VMT, the values from 2012 and 2040 were interpolated to year 2021.

4.13.5 Project Design Features

The Project is located along Trumble Road, Sherman Road, and Dawson Road south of Ethanac Road, within an undeveloped site. The Project site plan includes the following improvements:

- Construct curb, sidewalk, bike lane, and driveway improvements on Trumble Road, Sherman Road, and Dawson Road adjacent to Project site.
- Provide roadway pavement on unpaved roadway sections adjacent to Project site.
- Provide roadway pavement on Sherman Road south of Project frontage to McLaughlin Road and on McLaughlin Road between Trumble Road and Sherman Road to provide a two-lane roadway.
- Signing/stripping to be implemented along with detailed construction plans for the Project site.
- Sight distance at the Project driveways would be reviewed with respect to City of Menifee standards at the time of preparation of final grading, landscape, site development, and street improvement plans.

4.13.6 Impacts and Mitigation Measures

Impact 4.13-1 *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

The Project TIA (see **Appendix 9.11.1**) used a multi-step process to estimate Project traffic. First, Project trip generation estimates the total arriving and departing traffic during a typical weekday and the weekday peak hours by applying the appropriate vehicle trip generation rates to the Project development tabulation. Next, trip distribution identifies the origins and destinations of Project traffic based on existing and expected future travel patterns. Finally, traffic assignment allocates the distributed Project traffic to specific roadways and intersections.

Table 4.13-1: Project Trip Generation – Total Project, presents the daily and peak hour trip generation for the Project. As indicated in **Table 4.13-1**, the Project is anticipated to generate approximately 8,749 average daily traffic (ADT), including an estimated 1,159 AM peak hour trips and 1,577 PM peak hour trips.

Table 4.13-1: Project Trip Generation – Total Project

Vehicle Type	PCE Factor ¹	Units ²	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Proposed Project Trip Generation (classification, non-PCE)									
Passenger Cars	-	1,640 KSF	8,279	918	206	1,124	589	953	1,542
2-axle Trucks	-		79	3	3	6	3	3	6
3-axle Trucks	-		97	4	4	8	3	4	7
4-axle Trucks	-		294	11	10	21	11	11	22
Total				8,749	936	223	1,159	606	971
Passenger Car Equivalent (PCE) Project Trip Generation									
Passenger Cars	1	1,640 KSF	8,279	918	206	1,124	589	953	1,542
2-axle Trucks	1.5		119	5	5	10	5	5	10
3-axle Trucks	2		194	8	8	16	6	8	14
4-axle Trucks	3		882	33	30	63	33	33	66
Total				9,474	964	249	1,213	633	999
¹ PCE factors per San Bernardino County Transportation Authority ² KSF = 1,000 square feet gross floor area Source: Albert A. Webb Associates. 2021. <i>Menifee Commerce Center Project Traffic Impact Analysis</i> .									

Intersection Analysis

Per Policy C-1.2 of the Menifee GP, the following LOS will be utilized for study area intersections located within the City:

- *The City of Menifee has identified LOS D as the threshold for acceptable operating conditions for intersections except at constrained intersections and roadway segments in close proximity to I-215, where LOS E is accepted during peak hours.*

Therefore, any intersection operating at LOS E or F will be considered deficient for the purposes of this analysis.

Based on a review of the existing roadway network and anticipated project traffic, the following study intersections were selected for analysis in conjunction with the City of Menifee:⁴

1. Case Rd. / Bonnie Dr. @ I-215 SB Ramps
2. SR-74 @ I-215 NB Ramps
3. SR-74 @ Trumble Rd.
4. SR-74 @ Sherman Rd.
5. Ethanac Rd. @ Murrieta Rd.
6. Ethanac Rd. @ Case Rd. / Barnett Rd.
7. Ethanac Rd. @ I-215 SB Ramps
8. Ethanac Rd. @ I-215 NB Ramps
9. Ethanac Rd. @ Encanto Dr.
10. Ethanac Rd. @ Trumble Rd.
11. Ethanac Rd. @ Sherman Rd.
12. Ethanac Rd. @ Dawson Rd.
13. Ethanac Rd. @ Antelope Rd.
14. SR-74 @ Palomar Rd.
15. SR-74 @ Menifee Rd.
16. SR-74 @ Briggs Rd.
17. Matthews Rd. @ Palomar Rd.
18. McLaughlin Rd. @ Murrieta Rd.
19. McLaughlin Rd. @ Encanto Dr.
20. McLaughlin Rd. @ Trumble Rd.
21. McLaughlin Rd. @ Sherman Rd.
22. Rouse Rd. @ Murrieta Rd.
23. Rouse Rd. @ Encanto Dr.
24. McCall Blvd. @ Bradley Rd.
25. McCall Blvd. @ I-215 SB Ramps
26. McCall Blvd. @ I-215 NB Ramps
27. McCall Blvd. @ Encanto Dr.
28. Sherman Rd. @ Project Dwy. 1
29. Sherman Rd. @ Project Dwy. 2
30. Sherman Rd. @ Project Dwy. 3
31. Trumble Rd. @ Project Dwy. 4
32. Trumble Rd. @ Project Dwy. 5
33. Dawson Rd. @ Project Dwy. 6
34. Dawson Rd. @ Project Dwy. 7

Existing Conditions (2021)

To establish a baseline analysis for existing conditions, intersection turning movement counts were conducted at the study intersections in June 2018, January-February 2019, and January 2021 for the AM and PM peak periods. Traffic volume data from previous years is adjusted to 2021 conditions by applying a two percent annual ambient growth rate, while 2021 data is adjusted to expected typical conditions by applying a 1.32 pandemic adjustment factor.

Based on the existing intersection geometrics and peak-hour traffic volumes, intersection LOS was analyzed for the AM and PM peak hours (Table 13 of the TIA). Under existing conditions, the following study intersections currently operate below the minimum acceptable LOS standard:

- #1 Case Rd. / Bonnie Dr. @ I-215 SB (AM peak hour only) (60.4 sec. Delay/ LOS E)
- #9 Ethanac Rd. @ Encanto Dr. (63.7 sec. Delay/ LOS F AM Peak Hour) (50.9 sec. Delay/ LOS F PM Peak Hour)

⁴ Rd. = Road; Dr. = Drive; SB = southbound; NB = northbound; Blvd. = Boulevard; Dwy. = Driveway.

- #15 SR-74 @ Menifee Rd. (107.5 sec. Delay/ LOS F AM Peak Hour) (72.5 sec. Delay/ LOS F PM Peak Hour)
- #16 SR-74 @ Briggs Rd. (AM peak hour only) (144 sec. Delay/ LOS F)

Opening Day Conditions (2023)

The expected Project traffic is then added to the opening day AM and PM peak-hour traffic volumes. TIA Table 14 gives the LOS analysis for the “opening day” scenario for all intersections. With the addition of ambient area growth⁵ and the Project traffic, the following study intersections are expected to operate below the minimum acceptable LOS standard:

- #1 Case Rd. / Bonnie Dr. @ I-215 SB (AM peak hour only)
- #8 Ethanac Rd. @ I-215 NB
- #9 Ethanac Rd. @ Encanto Dr.
- #10 Ethanac Rd. @ Trumble Rd. (AM peak hour only)
- #11 Ethanac Rd. @ Sherman Rd.
- #12 Ethanac Rd. @ Dawson Rd. (PM peak hour only)
- #15 SR-74 @ Menifee Rd.
- #16 SR-74 @ Briggs Rd. (AM peak hour only)

With the implementation of the recommended improvements (MM TRAN 1 - 12), all study intersections are expected to operate at or above the minimum acceptable LOS standard (see **Table 4.13-2: Intersection LOS – Opening Day with Improvements**).

Table 4.13-2: Intersection LOS – Opening Day with Improvements

Intersection	Traffic Control	AM Peak Hr		PM Peak Hr	
		Delay	LOS ¹	Delay	LOS ¹
1 Case Rd / Bonnie Dr @ I-215 SB	Signal	33.8	C	no impact	
8 Ethanac Rd @ I-215 NB	Signal	21.4	C	43.8	D
9 Ethanac Rd @ Encanto Dr	Signal	22.2	C	9.8	A
10 Ethanac Rd @ Trumble Rd	Signal	15.6	B	no impact	
11 Ethanac Rd @ Sherman Rd	Signal	27.7	C	32.8	C
12 Ethanac Rd @ Dawson Rd	Signal	no impact		16.7	B
15 SR-74 @ Menifee Rd	Signal	45.5	D	35.5	D
16 SR-74 @ Briggs Rd	Signal	46.5	D	no impact	

¹ Level of service (LOS) rankings based on average control delay (sec/veh) per Highway Control Manual.

Source: Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

Cumulative Conditions (2023)

The cumulative projects traffic is then added to the opening day traffic volumes (existing traffic + ambient growth + Project). TIA Table 17 summarizes the “opening day with cumulative projects” LOS analysis for

⁵ An ambient traffic growth factor is used in future traffic models to account for regular growth in traffic volumes due to the developments within the region. Per the approved scoping agreement (Appendix A of [Appendix 9.11.1](#)), the TIA used a two percent annual ambient growth rate, for a total of six percent growth from 2021 to 2024.

all intersections. Also see **Table 3-1: List of Cumulative Projects in Section 3.0** for a list of cumulative projects. With the addition of traffic from ambient area growth, nearby cumulative projects, and the Project, the following intersections are expected to operate below the minimum acceptable LOS standard:

- #1 Case Rd. / Bonnie Dr. @ I-215 SB (AM peak hour only)
- #7 Ethanac Rd. @ I-215 SB
- #8 Ethanac Rd. @ I-215 NB
- #9 Ethanac Rd. @ Encanto Dr.
- #10 Ethanac Rd. @ Trumble Rd. (AM peak hour only)
- #11 Ethanac Rd. @ Sherman Rd.
- #12 Ethanac Rd. @ Dawson Rd.
- #13 Ethanac Rd. @ Antelope Rd. (PM peak hour only)
- #15 SR-74 @ Menifee Rd.
- #16 SR-74 @ Briggs Rd. (AM peak hour only)
- #25 McCall Blvd. @ I-215 SB (PM peak hour only)

With the implementation of the recommended improvements (MMs TRAN 1 - 12), all study intersections are expected to operate at or above the minimum acceptable LOS standard (**Table 4.13-3: Intersection LOS – Opening Day with Cumulative Projects and Improvements**).

Table 4.13-3: Intersection LOS – Opening Day with Cumulative Projects and Improvements

Intersection	Traffic Control ¹	AM Peak Hr		PM Peak Hr	
		Delay	LOS ²	Delay	LOS ²
1 Case Rd / Bonnie Dr @ I-215 SB	Signal	53.1	D	no impact	
7 Ethanac Rd @ I-215 SB	Signal	27.2	C	31.5	C
8 Ethanac Rd @ I-215 NB	Signal	19.1	B	41.8	D
9 Ethanac Rd @ Encanto Dr	Signal	15.1	B	11.7	B
10 Ethanac Rd @ Trumble Rd	Signal	16.7	B	no impact	
11 Ethanac Rd @ Sherman Rd	Signal	38.4	D	50.6	D
12 Ethanac Rd @ Dawson Rd	Signal	10.2	B	35.2	D
13 Ethanac Rd @ Antelope Rd	TWSC	no impact		18.0	C
15 SR-74 @ Menifee Rd	Signal	46.5	D	38.5	D
16 SR-74 @ Briggs Rd	Signal	49.4	D	no impact	
25 McCall Blvd @ I-215 SB	Signal	no impact		29.3	C

¹ TWSC = two-way stop control; AWSC = all-way stop control

² Level of service (LOS) rankings based on average control delay (sec/veh) per Highway Control Manual.

Source: Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

Conclusion

Several study intersections are expected to operate below the minimum acceptable LOS standard under existing conditions, with the opening of the Project, or with the completion of nearby cumulative projects and the Project. **Table 4.13-7** provides a summary of the recommended mitigation at each study intersection with impacts to traffic operations.

It is noted that although the intersection of Case Road/Bonnie Drive at I-215 SB is expected to be directly impacted by the Project, an improvement project is currently under design at this location that would provide the additional lane capacity and operational improvements necessary to mitigate the expected Project impact. Therefore, it is not expected that the Project would contribute to this ongoing improvement project.

It is further noted that the City of Perris has considered approved an entitlement project that would eliminate the intersection of Ethanac Road at Encanto Drive by constructing a new two-lane east/west roadway that would connect Encanto Drive to Trumble Road. In this case, if the approved project is constructed, the new traffic signal recommended at this location would not be installed.

Just as the Project traffic would comprise a portion of the traffic at impacted intersections, the Project would contribute to the cost of improvements proportionately, per City and regional funding programs (Table 4.13-4: Project Fair Share Contribution).

Table 4.13-4: Project Fair Share Contribution

Intersection	AM Peak Hour			PM Peak Hour			Project Fair Share
	EACP Growth	Project Traffic	Fair Share	EACP Growth	Project Traffic	Fair Share	
1 Case Rd / Bonnie Dr @ I-215 SB	225	34	15.1%	acceptable LOS conditions			15.1%
7 Ethanac Rd @ I-215 SB	acceptable LOS conditions			1,488	647	43.5%	43.5%
8 Ethanac Rd @ I-215 NB	direct project impact						100%
9 Ethanac Rd @ Encanto Dr	1,189	883	74.3%	1,683	1,177	69.9%	74.3%
10 Ethanac Rd @ Trumble Rd	direct project impact						100%
11 Ethanac Rd @ Sherman Rd	direct project impact						100%
12 Ethanac Rd @ Dawson Rd	direct project impact						100%
13 Ethanac Rd @ Antelope Rd	acceptable LOS conditions			614	186	30.3%	30.3%
15 SR-74 @ Menifee Rd	528	89	16.9%	741	125	16.9%	16.9%
16 SR-74 @ Briggs Rd	460	67	14.6%	acceptable LOS conditions			14.6%
25 McCall Blvd @ I-215 SB	acceptable LOS conditions			743	73	9.8%	9.8%

Source: Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

Roadway Segment Analysis

Per the City of Menifee Traffic Study Guidelines, the TIA analyzed segments along the following roadways adjacent to the Project or where the Project is expected to contribute at least 500 daily trips:

- SR-74 from the I-215 interchange to Sherman Rd.
- SR-74 from Menifee Rd. to Briggs Rd.
- Ethanac Rd. from Murrieta Rd. to Antelope Rd.
- Matthews Rd. from Antelope Rd. to Palomar Rd.
- Palomar Rd. from Matthews Rd. to SR-74
- Sherman Rd. from SR-74 to McLaughlin Rd.
- Trumble Rd. and Dawson Rd. south of Ethanac Rd. along the Project frontage

- Encanto Dr. from McLaughlin Rd. to McCall Rd.
- McLaughlin Rd. from Encanto Drive to Sherman Rd.

Similar to the intersection LOS analysis, the roadway segment analysis assigns a LOS ranking from LOS A to LOS F, indicating relative vehicle density or congestion along the roadway segment. The rankings are based on estimated daily vehicle capacities based on roadway classifications and number of travel lanes as defined in the City of Menifee GP and Traffic Study Guidelines. Per the City of Menifee GP, the minimum acceptable LOS for roadway segments is LOS D.

The roadway segment analysis is based on daily traffic volume data from 2018, 2019, and 2021. To estimate typical 2021 traffic, a two percent annual ambient growth rate is applied to prior year data while the pandemic adjustment rate of 1.32 is applied to 2021 data.

Existing Conditions (2021)

TIA Table 20 (**Appendix 9.11.1**) provides the roadway segment analysis for the existing condition of all roadway segments (2021), including adjustment factors. The following study roadway segments currently operate below the minimum acceptable LOS, while all other study roadway segments currently operate under acceptable LOS:

- #1 SR-74 between I-215 NB and Trumble Rd.
- #2 SR-74 between Trumble Rd. and Sherman Rd.
- #4 SR-74 between Menifee Rd. and Briggs Rd.

Opening Day Conditions (2023)

TIA Table 21 provides the roadway segment analysis for the opening day condition for all study segments (2023), including ambient area growth and anticipated Project traffic. The following roadway segments are expected to be impacted:

- #1 SR-74 between I-215 NB and Trumble Rd.
- #2 SR-74 between Trumble Rd. and Sherman Rd.
- #3 SR-74 between Palomar Rd. and Menifee Rd.
- #4 SR-74 between Menifee Rd. and Briggs Rd.
- #7 Ethanac Rd. between I-215 SB and I-215 NB
- #8 Ethanac Rd. between I-215 NB and Trumble Rd.
- #9 Ethanac Rd. between Trumble Rd. and Sherman Rd.

Cumulative Conditions (2023)

TIA Table 22 provides the roadway segment analysis for the opening day with cumulative projects condition (2023), including ambient area growth, cumulative project traffic, and anticipated Project traffic for all study segments. The following roadway segments are expected to be impacted:

- #1 SR-74 between I-215 NB and Trumble Rd.
- #2 SR-74 between Trumble Rd. and Sherman Rd.
- #3 SR-74 between Palomar Rd. and Menifee Rd.
- #4 SR-74 between Menifee Rd. and Briggs Rd.
- #6 Ethanac Rd. between Case Rd. / Barnett Rd. and I-215 SB
- #7 Ethanac Rd. between I-215 SB and I-215 NB
- #8 Ethanac Rd. between I-215 NB and Trumble Rd.
- #9 Ethanac Rd. between Trumble Rd. and Sherman Rd.
- #12 Matthews Rd. between Antelope Rd. and Palomar Rd.

Conclusion

The Project is expected to create or contribute to traffic impacts along SR-74, Ethanac Road, and Matthews Road. SR-74 is currently built out to its ultimate designated width from the I-215 interchange to Sherman Road; therefore, no further roadway capacity improvements can be constructed there. It is recommended that Ethanac Road be widened to provide four through lanes from the I-215 interchange to Sherman Road. Likewise, it is recommended that Matthews Road be widened to provide four through lanes east of Antelope Road. For those roadway segments with cumulative impacts, the Project fair share contributions are given in **Table 4.13-5: Roadway Segment Fair Share Contributions**.

Table 4.13-5: Roadway Segment Fair Share Contributions

Roadway Segment	Type of Impact	TUMF1	ADT				Fair Share %	
			Existing (2021)	EACP (2023)	Total Growth	Project Only		
SR-742								
1	I-215 NB - Trumble Rd	Cumulative	-	36,913	42,552	5639	248	4.4%
2	Trumble Rd - Sherman Rd	Cumulative	-	31,003	36,407	5404	497	9.2%
3	Palomar Rd - Menifee Rd	Direct	-	28,273	33,620	5347	662	100%
4	Menifee Rd - Briggs Rd	Cumulative	Yes	34,086	39,745	5659	497	TUMF
Ethanac Rd								
6	Case Rd / Barnett Rd - I-215 SB	Cumulative	-	26,897	33,784	6887	828	12.0%
7	I-215 SB - I-215 NB	Direct	-	19,515	29,062	9547	4,093	100%
8	I-215 NB - Trumble Rd	Direct	-	13,517	24,877	11360	6,394	100%
9	Trumble Rd - Sherman Rd	Direct	-	9,090	20,691	11601	6,990	100%
Matthews Rd								
12	Antelope Rd - Palomar Rd	Cumulative	-	7,104	12,540	5436	993	18.3%
1 Transportation Uniform Mitigation Fee program 2 SR-74 is currently built out to its ultimate width from the I-215 interchange to Sherman Rd; no further capacity improvements can be constructed. Source: Albert A. Webb Associates. 2021. <i>Menifee Commerce Center Project Traffic Impact Analysis</i> .								

Freeway Analysis

Per *Caltrans* District 8, a freeway ramp merge and diverge analysis was conducted for the two freeway interchanges within the study area: I-215 at SR-74 and I-215 at Ethanac Road. The analysis used Highway Capacity Software version 7 (HCS7) and methodology from the latest *Highway Capacity Manual* from the Transportation Research Board to assign LOS rankings based on a calculated vehicle density in passenger

cars per lane-mile (pc/mi/ln) within the ramp influence area where cars are merging onto or diverging off of the freeway. TIA Table 25 shows the LOS ranking thresholds while TIA Tables 26-28 provide the analysis results for the existing, opening day, and opening day with cumulative projects scenarios, respectively. According to TIA Tables 26-28, the LOS at these freeway interchanges was found to be acceptable (not deficient).

Traffic Signal Warrants

The California Manual on Uniform Control Devices (MUTCD) provides a set of nine warrant guidelines for the installation of a traffic signal. These traffic signal warrants include volume thresholds as well as other considerations such as proximity to railroad grade crossings or existing traffic signals.

Accordingly, as a preliminary step in assessing the need for and feasibility of a new traffic signal, the TIA analyzed whether unsignalized study intersections meet the peak-hour traffic signal warrant as outlined in the MUTCD in any study scenario (**Table 4.13-6: Peak-Hour Traffic Signal Warrants**).

Per the MUTCD guidelines, the satisfaction of any single warrant shall not require the installation of a traffic signal. The peak-hour traffic signal warrant analysis should only be considered an indicator that an unsignalized intersection is likely to meet one or more of the other volume-based signal warrants. The MUTCD further advises that an engineering study should be conducted to determine that installing a traffic control signal will improve the overall safety and/or operation of the intersection and not seriously disrupt progressive traffic flow. A full assessment of the traffic signal warrants—including traffic volumes, collision history, and other factors—may be conducted prior to installing a new traffic signal to assess traffic conditions and safety concerns at the intersection.

Table 4.13-6: Peak-Hour Traffic Signal Warrants

Intersection	Existing (2021)		Opening Day		OD w Cumulative	
	AM	PM	AM	PM	AM	PM
9 Ethanac Rd @ Encanto Dr	YES	YES	YES	YES	YES	YES
11 Ethanac Rd @ Sherman Rd	NO	NO	YES	YES	YES	YES
12 Ethanac Rd @ Dawson Rd	NO	NO	NO	YES	NO	YES
13 Ethanac Rd @ Antelope Rd	NO	NO	NO	NO	NO	NO
17 Matthews Rd @ Palomar Rd	YES	NO	YES	NO	YES	YES
18 McLaughlin Rd @ Murrieta Rd	NO	NO	NO	NO	NO	NO
19 McLaughlin Rd @ Encanto Dr	NO	NO	NO	NO	NO	NO
20 McLaughlin Rd @ Trumble Rd	NO	NO	NO	NO	NO	NO
21 McLaughlin Rd @ Sherman Rd	NO	NO	NO	NO	NO	NO
22 Rouse Rd @ Murrieta Rd	NO	NO	NO	NO	NO	NO
23 Rouse Rd @ Encanto Dr	NO	NO	NO	NO	NO	NO
28 Sherman Rd @ Project Dwy 1	DOES NOT EXIST		NO	NO	NO	NO
29 Sherman Rd @ Project Dwy 2	DOES NOT EXIST		NO	NO	NO	NO
30 Sherman Rd @ Project Dwy 3	DOES NOT EXIST		NO	NO	NO	NO
31 Trumble Rd @ Project Dwy 4	DOES NOT EXIST		NO	NO	NO	NO
32 Trumble Rd @ Project Dwy 5	DOES NOT EXIST		NO	NO	NO	NO
33 Dawson Rd @ Project Dwy 6	DOES NOT EXIST		NO	NO	NO	NO
34 Dawson Rd @ Project Dwy 7	DOES NOT EXIST		NO	NO	NO	NO

Intersection	Existing (2021)		Opening Day		OD w Cumulative	
	AM	PM	AM	PM	AM	PM
X = meets the peak-hour volume warrant per MUTCD Source: Albert A. Webb Associates. 2021. <i>Menifee Commerce Center Project Traffic Impact Analysis</i> .						

Overall Conclusion

With implementation of the Project Design Features (PDFs) and Mitigation Measures (MMs) (Table 4.13-7), the Project would be consistent with all applicable traffic thresholds and therefore, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. The Project’s traffic impacts, in terms of being consistent with all applicable traffic thresholds, would be less than significant with mitigation incorporated.

Mitigation Measures

Table 4.13-7: Mitigation Measures (Recommended Improvements)

Mitigation Measures	Intersection	Deficient Operations	Type of Impact	Scenario Needed	Recommended Improvements
1	1	Case Rd / Bonnie Dr @ I-215 SB	AM	Cumulative	Opening Day - provide second SB through lane
2	7	Ethanac Rd @ I-215 SB	PM	Cumulative	Cumulative - provide second EB through lane (no widening) - provide second WB left-turn lane (no widening)
3	8	Ethanac Rd @ I-215 NB	AM/PM	Direct	Opening Day Cumulative - restripe/widen Ethanac for 2 thru lanes per direction - provide second EB left-turn lane - provide WB right-turn lane
4	9	Ethanac Rd @ Encanto Dr	AM/PM	Cumulative	Opening Day - widen Ethanac to provide 2 thru lanes each direction - install new traffic signal
5	10	Ethanac Rd @ Trumble Rd	AM	Direct	Opening Day - widen Ethanac to provide 2 thru lanes each direction
6	11	Ethanac Rd @ Sherman Rd	AM/PM	Direct	Opening Day Cumulative - install new traffic signal - provide E/W left-turn lanes - provide SB, EB, WB right-turn lane - NB: provide 2 left-turn lanes, shared thru/right lane - provide N/S protected left-turn phasing - provide WB shared through/right lane at intersection - provide EB right-turn overlap phasing
7	12	Ethanac Rd @ Dawson Rd	AM/PM	Direct	Opening Day - install new traffic signal - provide WB left-turn lane
8	13	Ethanac Rd @ Antelope Rd	PM	Cumulative	Cumulative - widen Ethanac Rd to provide two-way left-turn lane through intersection
9	15	SR-74 @ Menifee Rd	AM/PM	Cumulative	Opening Day Cumulative - provide N/S left-turn lanes - modify signal to eliminate N/S split phase operation - modify signal to provide N/S protected left-turn - modify signal to provide NB right-turn overlap phasing - provide second WB left-turn lane

Mitigation Measures	Intersection	Deficient Operations		Type of Impact	Scenario Needed	Recommended Improvements
10	16	SR-74 @ Briggs Rd	AM	Cumulative	Opening Day	- provide second NB left-turn lane, NB right-turn lane
						- provide SB right-turn lane
						- modify signal to eliminate N/S split phase operation
						- modify signal to provide N/S protected left-turn
11	25	McCall Blvd @ I-215 SB	PM	Cumulative	Cumulative	- provide second SB left-turn lane
						- provide second SB right-turn lane
12	Ethanac Rd (I-215 to Sherman Rd)			Direct	Opening Day	- widen from 1 to 2 lanes each direction (approx. 0.7 mi)

Source: Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

Impact 4.13-2 *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Level of Significance: Less than Significant Impact

Per the Project’s VMT Analysis (**Appendix 9.11.2**), the City of Menifee prepared the *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled* (Guidelines) for land use projects in June 2020 to address changes to CEQA pursuant to SB 743 to include VMT analysis methodology and thresholds. The City guidelines have established thresholds based on guidance/substantial evidence prepared in the WRCOG and City of Menifee Implementation Studies. A project would result in a significant project-generated VMT impact if either of the following conditions are met:

1. The baseline project-generated VMT per service population exceeds the County of Riverside General Plan Buildout MVT per service population; or
2. The cumulative project-generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT per service population.

Utilizing the OD/VMT per service population methodology for County GP buildout and utilizing RIVTAM, the County VMT/Service Population threshold is 35.68.

The Project’s effect on VMT would be considered significant if it resulted in either of the following conditions:

1. The baseline link-level Citywide boundary VMT per service population increased under the plus project condition compared to the no project condition, or
2. The cumulative link-level Citywide boundary VMT per service population increased under the plus project condition compared to the no project condition.

While the requirements of SB 743 are only applicable to automobile traffic, based on discussion with City staff, the VMT reported in this analysis includes both automobile and truck VMT.

VMT Screening

The City of Menifee includes the following screening thresholds:

Transit Priority Area (TPA) Screening. A TPA is defined as a half-mile area around an existing major transit stop or an existing stop along a high-quality transit corridor. The Project does not fall under a TPA. In fact, as of January 1, 2022, no TPAs exist in the City of Menifee.

Low VMT Area Screening. Residential and office projects located within a low VMT-generating area are presumed to have a less than significant impact absent substantial evidence to the contrary. Based on the WRCOG screening tool, the jurisdictional average 2012 daily total VMT per service population was 30.99 miles while the VMT for the Project traffic analysis zone (TAZ) was 80.97 miles. The Project TAZ is largely vacant which could be a reason for the unusually high VMT reported in the screening tool – but based on the screening tool, the Project does not qualify to be screened out.

Project Type Screening. This is primarily applicable to local serving uses. The Project does not qualify.

Therefore, the Project does not screen out from a detailed VMT analysis.

Project Generated VMT

The project generated VMT compares the project generated VMT per service population to the County of Riverside General Plan Buildout VMT per service population under baseline and year 2040 conditions.

Table 4.13-8: Project Generated VMT shows the project VMT per service population for the model base year (2012), Cumulative (2040), and baseline (2021) conditions. As shown in **Table 4.13-8**, the Project generated VMT is 30.95 miles/service population (SP) in the base year model, 35.58 miles under year 2040, and 33.14 miles under year 2021 conditions. Based on the City’s guidelines, the threshold for impacts is 35.68 miles, and therefore, the Project has a less than significant impact under project generated VMT.

Table 4.13-8: Project Generated VMT

	2012 (Model Base)	2040 (Cumulative)	2021 (Baseline)
VMT	62,269	71,596	66,687
Service Population	2,012	2,012	2,012
VMT/SP	30.95	35.58	33.14
Threshold	35.68	35.68	35.68
Impact?	No	No	No
Source: Translutions. 2021. <i>Core 5 Menifee Warehouse – VMT Analysis.</i>			

Project Effect on VMT

The project effect on VMT compares how the project changes VMT on the Citywide network and compares it to the no project condition. **Table 4.13-9: Roadway VMT within the City of Menifee** summarizes the outputs. As shown in **Table 4.13-9**, the Project reduces VMT within the City boundary under all scenarios. Based on the City thresholds, a project would have a significant effect on VMT if the baseline link-level Citywide boundary VMT per SP increases under the plus project condition compared to the no project condition. The plus project VMT per SP is lower than the no project condition, in all analysis scenarios,

and therefore, the Project would have a less than significant impact. This finding is reasonable since the Project improves the jobs-to-housing ratio within the City.

Table 4.13-9: Core 5 Warehouse - Roadway VMT Within the City of Menifee

2012 (Model Base)	With Project	Without Project	Difference	Percent Difference
Roadway VMT	1,111,643	1,115,521	(3,878)	-0.3%
Service Population	93,437	91,425	2,012	2.2%
VMT per service population	11.90	12.20	(0.30)	-2.5%
2040 (Cumulative)	With Project	Without Project	Difference	Percent Difference
Roadway VMT	1,849,930	1,867,665	(17,735)	-0.9%
Service Population	141,526	139,514	2,012	1.4%
VMT per service population	13.07	13.39	(0.32)	-2.4%
2021 (Baseline)	With Project	Without Project	Difference	Percent Difference
Roadway VMT	1,348,949	1,357,282	(8,332)	-0.6%
Service Population	108,894	106,882	2,012	1.9%
VMT per service population	12.39	12.70	(0.31)	-2.5%
Source: Translutions. 2021. Core 5 Menifee Warehouse – VMT Analysis.				

Conclusion

The baseline project VMT per service population is 33.14 miles and the cumulative project VMT is 35.58 miles, which are both lower than the threshold of 35.68 miles. Further, the Project would reduce VMT within the City boundary under baseline and cumulative conditions. Therefore, the Project would have a less than significant impact on VMT.

Mitigation Measures

No mitigation is necessary.

Impact 4.13-3 *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment?)?*

Level of Significance: Less than Significant Impact

The Project would not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. The design features of the Project would create new driveways and improve adjacent roadways. The proposed on-site and off-site improvements are noted under **Section 4.13.5** above. The anticipated on-site and off-site roadway improvements would be compatible with the surrounding existing and future land uses. All on-site and site-adjacent improvements would be constructed as approved by the City of Menifee Public Works Department. In accordance with the City’s Development Code § 9.160.050, “Every structure shall be constructed upon or moved to a legally recorded parcel with a permanent means of access to a public street or road, or a private street or road, conforming to city standards. All structures shall be located to provide safe and convenient access for servicing, fire

protection and required off-street parking.” In addition, according to the TIA (**Appendix 9.11.1**), all Project driveway intersections (Intersections 28 – 34) were found to operate at an acceptable LOS under the Opening Day and Cumulative Conditions, and would therefore not create unsafe traffic conditions at these intersections. Sight distance at Project access points would comply with applicable City of Menifee sight distance standards and no sharp curves are proposed as part of the Project design (Development Code § 9.160.060). Therefore, a less than significant impact would occur, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

Impact 4.13-4 Would the project result in inadequate emergency access?

Level of Significance: Less than Significant Impact

Project access is proposed via eight driveways: two each on Trumble Road and Dawson Road, and four on Sherman Road. Pedestrian sidewalks would be constructed along Trumble Road, Sherman Road, and Dawson Road adjacent to Project site. Emergency access lanes would be provided around the perimeter of both buildings. In accordance with the City’s Development Code § 9.160.050, “Every structure shall be constructed upon or moved to a legally recorded parcel with a permanent means of access to a public street or road, or a private street or road, conforming to city standards. All structures shall be located to provide safe and convenient access for servicing, fire protection and required off-street parking.” Metal, manual operated gates with Knox-Padlock would be provided at each driveway per Riverside County Fire Department (RCFD) Standards. Curbs would be painted, and signage provided to inform of the fire lanes, as required by the RCFD. The RCFD would review the Project for access requirements concerning minimum roadway width, fire apparatus access roads, fire lanes, signage, access devices and gates, and access walkways, among other requirements, which would enhance emergency access to the Project site. Following compliance with RCFD access requirements, adequate emergency access to the Project site would be provided. Project impacts concerning emergency access would be less than significant and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

4.13.7 Cumulative Impacts

Construction activities associated with the Project and nearby cumulative projects may overlap and result in temporary traffic impacts to local roadways. However, the Project would not result in significant traffic related impacts resulting from conflicts with transportation plans or policies and is consistent with applicable Menifee GP policies such as mitigating traffic impacts and achieving acceptable LOS and minimize idling times and VMT to conserve resources, protect air quality, and limit greenhouse gas emissions. As discussed under Impact 4.13-1, under the Cumulative Conditions for both the intersection and roadway segment analyses, with the implementation of the recommended improvements (see **Table 4.13-7**), all study intersections/segments are expected to operate at or above the minimum

acceptable LOS standard. The Project effect on VMT was discussed under Impact 4.13-2 for a Cumulative (2040) scenario and found that the plus project VMT per SP is lower than the no project condition, in all analysis scenarios including Cumulative (2040), and therefore, the Project would have a less than significant impact. Cumulative development projects would also be required to reduce construction traffic impacts on the local circulation system and implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the Project contribution to impacts in these regards would be less than significant.

4.13.8 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.13.9 References

Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

City of Menifee. 2013. *Menifee General Plan Circulation Element*.
<https://www.cityofmenifee.us/211/Circulation-Element>.

City of Menifee. 2013. *Exhibit C-4: Proposed Bikeway and Community Pedestrian Network*.
https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways_HD0913?bidId=.

RTA. ND. *Short Range Transit Plan FY 22 – FY 24*.
<https://www.riversidetransit.com/images/DOWNLOADS/PUBLICATIONS/SRTPS/FY2022-2024%20SRTP.pdf>.

Translutions. 2021. *Core 5 Menifee Warehouse – VMT Analysis*.

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4.14 TRIBAL CULTURAL RESOURCES

4.14.1 Introduction

This section of the Draft Environmental Impact Report (EIR) identifies and analyzes the Tribal Cultural Resources (TCRs) impacts associated with the development of the Menifee Commerce Center (Project), within the City of Menifee (City). Historically, the term “cultural resources” encompassed archaeological, historical, paleontological, and tribal cultural resources, including both physical and intangible remains, or traces left by historic or prehistoric peoples. TCRs refer to either a site, feature, place, cultural landscape, that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe.

4.14.2 Environmental Setting

Ethnographic Setting¹

According to available ethnographic research, the Project area was included in the known territory of the Luiseño Indians during both prehistoric and historic times. The name Luiseño is Spanish in origin and was used in reference to those aboriginal inhabitants of southern California associated with the Mission San Luis Rey. As far as can be determined, the Luiseño, whose language is of the Tatic family (part of the Californian Uto-Aztecan linguistic stock), had no equivalent word for their nationality because they did not consider themselves to “belong to” the Spanish occupiers. The Luiseño people refer to themselves as ‘Atáaxum.

According to ethnographers and Luiseño oral tradition, the territory of the Luiseño was extensive, encompassing much of coastal and inland southern California. Known territorial boundaries extended on the west to the southern Channel Islands, to the Santa Ana River and Box Springs Mountain on the north, as far northeast as Mt. San Jacinto, to Lake Henshaw on the southeast, and to Agua Hedionda Creek on the southwest. Their habitat included every ecological zone from sea level to 6,000 mean feet above sea level. Territorial boundaries of the Luiseño were shared with the Gabrieliño and Serrano to the north, the Cahuilla to the east, and the Cupeño and Ipai to the south. With the exception of the Ipai, these tribes shared similar cultural and language traditions. Although the social structure and philosophy of the Luiseño were similar to that of neighboring tribes, they had a greater population density and correspondingly, a more rigid social structure.

The settlement pattern of the Luiseño was based on the establishment and occupation of sedentary autonomous village groups. Villages were usually situated near adequate sources of food and water, in defensive locations primarily found in sheltered coves and canyons. Typically, a village was comprised of permanent houses, a sweathouse, and a religious edifice. The permanent houses of the Luiseño were earth-covered and built over a two-foot excavation. According to informants’ accounts, the dwellings were conical roofs resting on a few logs leaning together, with a smoke hole in the middle of the roof and entrance through a door. Cooking was done outside when possible, on a central interior hearth when

¹ Jean A. Keller, Ph.D. 2021. *A Phase I Cultural Resource Assessment of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements.*

necessary. The sweathouse was similar to the houses except that it was smaller, elliptical, and had a door in one of the long sides. Heat was produced directly by a wood fire. Finally, the religious edifice was usually just a round fence of brush with a main entrance for viewing by the spectators and several narrow openings for entry by the ceremonial dancers.

Luiseño subsistence was based on seasonal floral and faunal resource procurement. Each village had specific resource procurement territories, most of which were within one day's travel of the village. During the autumn of each year, however, most of the village population would migrate to the mountain oak groves and camp for several weeks to harvest the acorn crop, hunt, and collect local resources not available near the village. Hunters typically employed traps, nets, throwing sticks, snares, or clubs for procuring small animals, while larger animals were usually ambushed, then shot with bow and arrow. The Luiseño normally hunted antelope and jackrabbits in the autumn by means of communal drives, although individual hunters also used bow and arrow to hunt jackrabbits throughout the year. Many other animals were available to the Luiseño during various times of the year but were generally not eaten. These included dog, coyote, bear, tree squirrel, dove, pigeon, mud hen, eagle, buzzard, raven, lizards, frogs, and turtles.

Small game was prepared by broiling it on coals. Venison and rabbit were either broiled on coals or cooked in an earthen oven. Whatever meat was not immediately consumed, it was crushed on a mortar, then dried and stored for future use. Of all the food sources utilized by the Luiseño, acorns were by far the most important. Six species were collected in great quantities during the autumn of every year, although some were favored more than others. In order of preference, they were black oak (*Quercus kelloggii*), coast live oak (*Q. agrifolia*), canyon live oak (*Q. chrysolepis*), Engelmann Oak (*Q. engelmannii*), interior live oak (*Q. wislizenii*), and scrub oak (*Q. berberidifolia*). The latter three were used only when others were not available. Acorns were prepared for consumption by crushing them in a stone mortar and leaching off the tannic acid, then made into either a mush or dried to a flour-like material for future use.

Herb and grass seeds were used almost as extensively as acorns. Many plants produce edible seeds which were collected between April and November. Important seeds included, but were not limited to, the following: California sagebrush (*Artemisia californica*), wild tarragon (*Artemisia dracunculus*), white tidy tips (*Layia glandulosa*), sunflower (*Helianthus annuus*), calabazilla (*Cucurbita foetidissima*), sage (*Salvia carduacea* and *S. colombariae*), California buckwheat (*Eriogonum fasciculatum*), peppergrass (*Lepidium nitidum*), and chamise (*Adenostoma fasciculatum*). Seeds were parched, ground, cooked as mush, or used as flavoring in other foods.

Fruit, berries, corns, tubers, and fresh herbage were collected and often immediately consumed during the spring and summer months. Among those plants commonly used were basketweed (*Rhus trilobata*), Manzanita (*Arctostaphylos adans.*), miner's lettuce (*Montia claytonia*), thimbleberry (*Rubus parviflorus*), and California blackberry (*Rubus ursinus*). When an occasional large yield occurred, some berries, particularly juniper and manzanita, were dried and made into a mush at a later time.

Tools for food acquisition, preparation, and storage were made from widely available materials. Hunting was done with a bow and fire-hardened or stone-tipped arrows. Coiled and twined baskets were used in

food gathering, preparation, serving, and storage. Seeds were ground with handstones on shallow granitic matates, while stone mortars and pestles were used to pound acorns, nuts, and berries. Food was cooked in clay vessels over fireplaces or earthen ovens. The Luiseño employed a wide variety of other utensils produced from locally available geological, floral, and faunal resources in all phases of food acquisition and preparation.

The Luiseño subsistence system described above constitutes seasonal resource exploitation within their prescribed village-centered procurement territory. In essence, this cycle of seasonal exploitation was at the core of all Luiseño lifeways. During the spring collection of roots, tubers, and greens was emphasized, while seed collecting and processing during the summer months shifted this emphasis. The collection areas and personnel (primarily small groups of women) involved in these activities remained virtually unchanged. However, as the autumn acorn harvest approached, the settlement pattern of the Luiseño altered completely. Small groups joined to form the larger groups necessary for the harvest and village members left the villages for the mountain oak groves for several weeks. Upon completion of the annual harvest, village activities centered on the preparation of collected foods for use during the winter. Since few plant food resources were available for collection during the winter, this time was generally spent repairing and manufacturing tools and necessary implements in preparation for the coming resource procurement seasons.

Each Luiseño village was a clan tribelet – a group of people patrilineally related who owned an area in common and who were both politically and economically autonomous from neighboring villages. The chief of each village inherited his position and was responsible, with the help of an assistant, for the administration of religious, economic, and warfare powers. A council comprised of ritual specialists and shamans, also hereditary positions, advised the chief on matters concerning the environment, rituals, and supernatural powers.

According to early ethnographers, the social structure of the villages was considered obscure, since the Luiseño apparently did not practice the organizational system of exogamous moieties used by many of the surrounding Native American groups. At birth, a baby was confirmed into the house-holding group and patrilineage. Girls and boys went through numerous puberty initiation rituals during which they learned about the supernatural beings governing them and punishing any infractions of the rules of behavior and ritual. The boys' ceremonies including the drinking of toloache (*Datura*), visions, dancing, ordeals, and the teaching of songs and rituals. Girl's puberty rituals, which included "roasting" in warm sands and rock painting, were centered on how to be a contributing adult in their society and their responsibilities in the cycles of the world. Marriages did not take place immediately after puberty rituals were completed as the relationship between girls, puberty, and marriage was very complex. Children's future marriages were often arranged at birth, but as the parties became adults, relationships were reevaluated. The Luiseño were concerned that marriages not occur between individuals too closely related. Although cross-cousin marriages occurred on occasion, they were not commonly accepted. Instead, marriage was based more on clan relationships. Luiseño marriages created important economic and social alliances between lineages and were celebrated accordingly with elaborate ceremonies and a bride price. Residence was typically patrilineal. Men and women with large social responsibility often lived with multiple people and the relationships were of support for the community.

One of the most important elements in the Luiseño life cycle was death. At least a dozen successive mourning ceremonies were held following an individual's death, with feasting taking place and gifts being distributed to ceremony guests. Luiseño cosmology was based on a dying-god theme, the focus of which was Wiyó-t', a creator-culture hero and teacher who was the son of earth-mother. The order of the world was established by this entity, and he was one of the first "people" or creations. Upon the death of Wiyó-t' the nature of the universe changed, and the existing world of plants, animals, and humans was created. The original creations took on the various life forms now existing and worked out solutions for living. These solutions included a spatial organization of species for living space and a chain-of-being concept that placed each species into a mutually beneficial relationship with all others.

Based on Luiseño settlement and subsistence patterns, the type of archaeological sites associated with this culture may be expected to represent the various activities involved in seasonal resource exploitation. Temporary campsites usually evidenced by lithic debris and/or milling features, may be expected to occur relatively frequently. Food processing stations, often only single milling features, are perhaps the most abundant type of site found. Isolated artifacts occur with approximately the same frequency as food processing stations. The most infrequently occurring archaeological site is the village site. Sites of this type are usually large (often spanning out five miles in all directions), in defensive locations amidst abundant natural resources, and usually surrounded by the types of sites previously discussed, which reflect the daily activity of the villagers. Little is known of ceremonial sites, although the ceremonies themselves are discussed frequently in the ethnographic literature. It may be assumed that such sites would be found in association with village sites, but with what frequency is not known.

Native American Coordination

As part of the cultural resource assessment, the Native American Heritage Commission (NAHC) was contacted on January 17, 2019, for a review of the Sacred Lands File (SLF) search. The objective of the SLF search was to determine if the NAHC had any knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) within the immediate vicinity of the Project area of potential effect (APE). The NAHC responded on January 25, 2019, stating that the SLF was completed with negative results. However, NAHC noted that the absence of specific site information in the SLF does not indicate the absence of cultural resources within the Project APE.

The NAHC suggested that 10 Native American tribal groups be contacted to elicit information regarding cultural resource issues related to the Project. SB 18 outreach letters to the 10 recommended tribal groups were sent on January 28, 2019. AB 52 letters were sent on January 17, 2019, to the Agua Caliente Band of Cahuilla Indians, Pechanga Band of Mission Indians, Soboba Band of Luiseño Indians, and Rincon Cultural Resources Department. To date five responses have been received in response to the SB 18 and AB 52 letters.

In response to the AB 52 and SB 18 letters, Ms. Tuba Ebru Ozdil, Cultural Resource Analyst for the Pechanga Band of Luiseño Mission Indians, stated that the Pechanga Tribe asserts that the Project area is part of 'Atáaxum (Luiseño), and therefore, the Tribe's, aboriginal territory as evidenced by the existence of cultural resources, named places, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive 'Atáaxum artifact record is in the vicinity of the Project. This culturally sensitive area is affiliated with the

Pechanga Band of Luiseño Mission Indians because of the Tribe's cultural ties to this area as well as extensive history with both this Project and other projects within the area. Therefore, the Tribe requested to receive consulting party status with the lead agency and wishes to participate in scoping, development, or review of documents for the Project. On December 13, 2021, consultation with the Pechanga Band of Luiseño Indians concluded.

In response to the AB 52 and SB 18 letters, Ms. Lacy Padilla, Archaeological Technician for the Agua Caliente Band of Cahuilla Indians (ACBCI) states that the Project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI Tribal Historic Preservation Office defers to the Soboba Band of Luiseño Indians.

In response to the SB 18 letter, Joseph Ontiveros, Tribal Historic Preservation Officer for the Soboba Band of Luiseño Indians stated that the Project has been assessed through their Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the Project area does fall within the bounds of their Tribal Use Areas. The Project location is in proximity to known sites, is a shared use area that was used in ongoing trade between the Tribes and is considered culturally sensitive by the people of Soboba. The Soboba Band of Luiseño Indians is requested to receive consulting party status with the lead agency and wished to participate in scoping, development, or review of documents for the Project. On October 21, 2021, consultation with the Soboba Band of Luiseño Indians concluded with the Tribe's acceptance of the Project Cultural Resources COAs.

In response to the SB 18 letter, both the Augustine Band of Cahuilla Indians and the Rincon Band of Luiseño Indians sent letters stating that the Project area is not within the Tribe's specific area of historic interest and as such, they do not have any information to provide and defer to a closer tribe to the Project area.

Existing Conditions

The Project site is separated into two properties (eastern property and western property) by the unpaved Sherman Road. The Project site is depicted on the Romoland quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series in Section 15 of Township 5 South, Range 3 West. The Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances associated with agricultural activities. The southeast and southwest regions of the site include ranch-style residential lots, each with one-story single-family residences and detached garages and sheds.

A California Historical Resource Information System (CHRIS) search by the Eastern Information Center (EIC) was conducted on the Project site and the surrounding area within a 1-mile radius on May 29, 2018. The CHRIS study includes data available from the National Register of Historic Places (NRHP), the Archaeological Determinations of Eligibility list, and the Directory of Properties in the Historic Property Data File. EIC records indicate that 39 cultural resources studies have been conducted within a one-mile radius of the Project area. Six of these studies involved the Project area. The CHRIS records search identified 26 previously recorded cultural resources properties within a 1-mile buffer. None of the properties involved the Project area.

4.14.3 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) (54 U.S. Code [USC] 300101 et seq.) is legislation intended to preserve historical and archaeological sites in the United States of America. The act created the NRHP, the list of National Historic Landmarks, and the State Historic Preservation Offices (SHPO). Among other things, the act requires federal agencies to evaluate the impact of all federally funded or permitted projects on historic properties (buildings, archaeological sites, etc.) through a process known as “Section 106 Review.”

National Register of Historic Places

Developed in 1981 pursuant to Title 36 Code of Federal Regulations [CFR] § 60, the NRHP provides an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment. It should be noted that the listing of a private property on the NRHP does not prohibit any actions which may otherwise be taken by the property owner with respect to the property. The listing of sites in California to the NRHP is initiated through an application submitted to the State Office of Historical Preservation (OHP). Applications deemed suitable for potential consideration are handled by the SHPO. All NRHP listings for sites in California are also automatically added to the California Register of Historical Resources (CRHR) by the State of California. The listing of a site on the NRHP does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA (and the National Environmental Protection Act [NEPA]) review to be satisfied prior to the approval of any discretionary action occurring that might adversely affect the resource.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

National Park Service – National Register Bulletin 38

National Park Service has prepared guidelines to assist in the documentation of Traditional Cultural Properties (TCPs) by public entities. The Bulletin is intended to be an aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, SHPOs, Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate such properties when considering their eligibility for the NRHP as part of the review process prescribed by the Advisory Council on Historic Preservation (ACHP).

TCPs are a broad group of places that can include:

- location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
- rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
- an urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;
- location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
- location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

State

California Register of Historical Resources (Public Resource Code § 5024.1 et seq.)

State law protects cultural resources by requiring evaluations of the significance of historical resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in § 15064.5(a) of the State CEQA Guidelines. These criteria are similar to those used in federal law. The CRHR is maintained by the state OHP. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are state historical landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

CRHR Criteria

For purposes of CEQA, a historical resource is any object, building, structure, site, area, place, record, or manuscript listed in or eligible for listing in the CRHR (California Public Resources Code [PRC] § 21084.1). A resource is eligible for listing in the CRHR if it meets any of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history. The California Code of Regulations (CCR) further provides that cultural resources of local significance are CRHR-eligible (Title 14 CCR, § 4852).

California Government Codes (Related to Native American Heritage)

Section 6254(r) of the California Government Code (CGC) exempts from disclosure public records of Native American graves, cemeteries and sacred places maintained by the NAHC. Pursuant to Senate Bill (SB) 18, CGC § 65351 specifies how local planning agencies should provide opportunities for involvement of California Native American tribes to consult on the preparation or amendment of general plans. In particular, CGC § 65352 requires local planning agencies to refer proposed actions of general plan adoption or amendment to California Native American tribes on the contact list maintained by the NAHC and others, with a 45-day opportunity for comments. In regard to historical properties, CGC §§ 25373 and 37361 allows city and county legislative bodies to acquire property for the preservation or development of a historical landmark. It also allows local legislative bodies to enact ordinances to provide special conditions or regulations for the protection or enhancement of places or objects of special historical or aesthetic interest or values. Lastly, CGC §§ 50280-50290 implement the Mills Act which allows the negotiation of historical property contracts between a private property owner of a “qualified historical property” and provides additional guidelines for such contracts.

California Health and Safety Code (§§ 7050.5, 7051, and 7054)

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code (HSC) collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the PRC), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

Human Remains

According to § 15064.5 of the CEQA Guidelines, all human remains are a significant resource. This section also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC § 5097.

Native American Heritage Commission

The NAHC, created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands) in California. The NAHC is charged with the duty of preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintain an inventory of Native American sacred sites located on public lands (i.e., Sacred Lands File), and review current administrative and statutory protections related to these sacred sites.

State Historic Preservation Office

SHPO is a state governmental function created by the federal government in 1966 under NHPA § 101. SHPO administers the NRHP, the CRHR, the California Historical Landmarks, and the California Points of Historical Interest programs. The purposes of a SHPO include surveying and recognizing historic

properties, reviewing nominations for properties to be included in the NRHP, reviewing undertakings for the impact on the properties as well as supporting federal organizations, state and local governments, and private sector. SHPO maintains the CHRIS, which includes the statewide Historical Resources Inventory database.

California State Historical Landmarks

California Historical Landmarks are buildings, structures, sites, or places that have been determined to have statewide historical significance and meet specific criteria. The resource must also be approved for designation by the county or local jurisdiction, be recommended by the State Historical Resources Commission, and be officially designated by California State Parks. California Historical Landmarks are automatically listed in the CRHR.

California Points of Historical Interest

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific, technical, religious, experimental, or other value.

Native American Heritage Commission

PRC § 5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. PRC § 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (CGC § 6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to “Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects...maintained by, ..., the Native American Heritage Commission...”. Section 6254.10 specifically exempts from disclosure requests for “records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [NAHC], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.”

Senate Bill 18

SB 18 (CGC § 65352.3) requires local governments to consult with Native American tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to the adoption and amendment of general plans and specific plans. The consultation process requires (1) that local governments send the NAHC information on a proposed project and request contact information for local Native American tribes; (2) that local

governments then send information on the project to the tribes that the NAHC has identified and notify them of the opportunity to consult; (3) that the tribes have 90 days to respond on whether they want to consult or not, and (4) that consultation begins, if requested, by a tribe and there is no statutory limit on the duration of the consultation. If issues arise and consensus on mitigation cannot be reached, SB 18 allows a finding to be made that the suggested mitigation is infeasible.

Assembly Bill 52

Signed into law in September 2014, California Assembly Bill (AB) 52 created a new class of resources – tribal cultural resources – for consideration under CEQA. Tribal cultural resources may include sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are listed or determined to be eligible for listing in the CRHR, included in a local register of historical resources, or a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant and eligible for listing on the CRHR. AB 52 requires that the lead CEQA agency consult with California Native American tribes that have requested consultation for projects that may affect tribal cultural resources. The lead CEQA agency shall begin consultation with participating Native American tribes prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

Local

City of Menifee General Plan

Open Space & Conservation Element

The City of Menifee's Open Space & Conservation Element provides policy direction for Menifee's parks and open space areas, recreational trails, and the conservation, development, and utilization of the city's natural resources with an overall goal of maintaining the high quality of life Menifee residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.²

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

Goal OSC-5 Archaeological, historical, and cultural resources are protected and integrated into the city's built environment

Policy OCS-5.1 Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.

² City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed March 2021).

Policy OCS-5.4 Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.

4.14.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been used as significance criteria in this section. Accordingly, the Project may have a significant environmental impact if one or more of the following occurs:

- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or
 - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning tribal cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on tribal cultural resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field reconnaissance conducted by Jean A. Keller, Ph.D.; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on tribal cultural resources considers the existing site's resource value and the severity of the Project implementation on resources that may be considered significant tribal cultural resources.

4.14.5 Impacts and Mitigation Measures

Impact 4.14-1 *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

Level of Significance: Less than Significant Impact

AB 52 specifies that a project that may cause a substantial adverse change to a defined TCR may result in a significant effect on the environment. AB 52 requires tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a lead agency of such interest and to request notification of future projects subject to CEQA prior to determining if a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The lead agency is then required to notify the tribe within 14 days of deeming a development application subject to CEQA complete to notify the requesting tribe as an invitation to consult on the project. AB 52 identifies examples of mitigation measures that will avoid or minimize impacts to a TCR. The bill makes the above provisions applicable to projects that have a notice of preparation or a notice of intent to adopt a negative declaration/mitigated negative declaration or environmental impact report circulated on or after July 1, 2015. AB 52 amends § 5097.94 and adds §§ 21073, 21074, 2108.3.1., 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to the California PRC, relating to Native Americans.

Based on the City's prior experience with and written request from potentially interested Tribes, AB 52 Notices were sent to the following four Tribes on January 17, 2019:

- Agua Caliente Band of Cahuilla Indians;
- Pechanga Band of Luiseño Mission Indians;
- Rincon Band of Luiseño Indians; and
- Soboba Band of Luiseño Indians.

To date, no response from the Rincon Band of Luiseño Indians Cultural Resources Department has been received. The Agua Caliente Band of Cahuilla Indians (ACBCI) responded on January 24, 2019. Ms. Lacy Padilla noted that the Project is not located within the boundaries of the ACBCI reservation.

However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI Tribal Historic Preservation Office deferred to Soboba. The January 24 letter concluded their consultation efforts.

On February 24, 2019, the Soboba Band of Luiseño Indians acknowledged receipt of the City's notification and requested to initiate formal consultation with the City of Menifee. As of October 21, 2021, the Soboba Band of Luiseño Indians concluded consultation with the incorporation of the Standard Conditions of Approval, as listed in **Section 4.4: Cultural Resources**.

On January 24, 2019, the Pechanga Band of Luiseño Mission Indians (Pechanga Tribe) responded, requesting to begin consultation under AB 52 for the Project. The Pechanga Tribe asserted that the Project area is part of 'Atáaxum (Luiseño), and therefore, the Tribe's aboriginal territory as evidenced by the existence of cultural resources, named places, *tóota yixéival* (rock art, pictographs, petroglyphs), and an extensive 'Atáaxum artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as their extensive history with the City and other projects within the area. During consultation, the Pechanga Tribe stated that they would provide more specific, confidential information on potential TCRs that may be impacted by the Project. The Pechanga Tribe requested continuation of the consultation process and requested archaeological, geotechnical, and conceptual grading plans. The City provided the Pechanga Tribe with the requested materials including the Phase I Cultural Resources Assessment (CRA, 2021). The Pechanga Tribe provided comments on the Phase I CRA in September 2021. In November 2021, the City submitted a revised Phase I CRA to the Pechanga Tribe, addressing the Tribe's comments. In December 2021, the Pechanga Tribe communicated to the City that they had no further comments on the Phase I CRA. Because the Pechanga Tribe had no further comments on the Phase I CRA, consultation is found to be concluded.

Based on consultation with local tribes, Standard Conditions of Approval **COA-CUL-1** through **COA-CUL-8** (see **Section 4.4: Cultural Resources**) would ensure that any impacts to potential tribal cultural resources would be less than significant.

Mitigation Measures

Overall, the Project would not cause a substantial adverse change to a tribal cultural resource and a less than significant impact would occur in this regard with implementation of **COA-CUL-1** through **COA-CUL-8** as identified in **Section 4.4: Cultural Resources**.

4.14.6 Cumulative Impacts

For purposes of cumulative impact analysis to cultural and tribal resources, the geographic context for cumulative analysis is regional and considers both direct and indirect impacts over a wide area. However, the discussion is focused on the Projects potential for resulting in site-specific impact that could contribute to a cumulative loss. Accordingly, impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact a common resource, or an affected resource extends off-site, such as a historic townsite or district. With this consideration, the cumulative analyses for historical, archaeological, and tribal cultural resources considers whether the Project, in combination with the past, present, and

reasonably foreseeable projects, could cumulatively affect any common cultural or paleontological resources.

As discussed above, the NAHC determined that there are no known Native American cultural resources within the immediate Project site. However, the potential exists for undiscovered tribal cultural resources to be adversely impacted during groundbreaking activities. In the event that a potential tribal cultural resource is found, the Project would implement the previously discussed Standard Conditions of Approval that would minimize/avoid further damage to the found tribal resource. Therefore, Project impacts would be reduced to a less than significant level.

In addition, future cumulative development projects have the potential to encounter/adversely affect tribal cultural resources. Potential tribal cultural resource impacts associated with other project development would be site-specific and would undergo individually environmental and design review pursuant to CEQA in order to evaluate potential impacts. The combination of the Project as well as past, present, and reasonably foreseeable projects in the City would be required to comply with all applicable state, federal, and local regulations concerning preservation, salvage, or handling of cultural and paleontological resources, including compliance with Standard Conditions of Approval. This also includes project-by-project consultation with the appropriate tribal representatives to discuss mitigation measures/Standard Conditions of Approval that would be included to minimize/avoid impacts to tribal cultural resources. In addition, implementation of the proposed Standard Conditions of Approvals would reduce Project-specific impacts to a less than significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant.

4.14.7 Significant Unavoidable Impacts

There are no unavoidable significant impacts with respect to Tribal Cultural Resources.

4.14.8 References

City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*.

<https://www.cityofmenifee.us/250/Open-Space-Conservation-Element>.

Jean A. Keller, Ph.D. 2021. *A Phase I Cultural Resource Assessment of Plot Plan No. 2019-005 and Associated Potential Off-Site Roadway Improvements*.

4.15 UTILITIES AND SERVICE SYSTEMS

4.15.1 Introduction

This section evaluates potential impacts of the Menifee Commerce Center (Project) on utilities and service systems by identifying anticipated demand and evaluating its relationship to existing and planned utilities services facilities and availability. For abbreviation purposes, the general term “utilities and service systems” in this Draft Environmental Impact Report (EIR) includes the following: water, sewer, stormwater, electricity and natural gas, and solid waste. This section identifies potential impacts that could result from the Project, which includes construction and operation of the warehouse facilities. This section evaluates the existing public utilities and service systems that would be used by the Project and the associated environmental impacts from Project implementation. Information herein is derived from the City of Menifee General Plan, Eastern Municipal Water District (EMWD) 2020 Urban Water Management Plan and following technical report located in **Appendix 9.12: Utilities and Service System Report** following:

- EMWD. 2021. Water Supply Assessment Report. (**Appendix 9.12.1**)

This Draft EIR analyzes two project development scenarios. For a description of each evaluated scenario, see **Section 2.0: Project Description**.

4.15.2 Environmental Setting

Water

Water Supply Assessment

A Water Supply Assessment (WSA) was prepared by EMWD for the Project to evaluate the existing and future demands on the water supply needed to be supplied from EMWD. Approximately half of EMWD’s existing and future retail demand will be supplied through local sources such as groundwater, brackish groundwater desalination, and recycled water, with the balance coming from imported water delivered by MWD. This WSA analyzes and evaluates EMWD’s past and projected water supplies, water rights, the current Urban Water Management Plan (UWMP) developed by EMWD, the Hemet/San Jacinto Groundwater Management Plan, the West San Jacinto Groundwater Basin Management Plan, and supply and demand.

Eastern Municipal Water District

EMWD provides potable water, wastewater, and recycled water service to the City of Menifee. EMWD has a service area of approximately 555 square miles and provides water utility service to a population of over 800,000 people. EMWD owns and operates two desalination plants that convert brackish groundwater from the West San Jacinto Basin into potable water. EMWD also owns, operates, and maintains its own recycled water system that consists of four Regional Water Reclamation Facilities and several storage ponds spread throughout EMWD’s service area that are all connected through the

recycled water system.¹ EMWD provides wastewater services to approximately 239,000 customers within its service area and currently treats approximately 43 million gallons per day of wastewater at its four active regional water reclamation facilities through 1,813 miles of sewer pipelines.²

In accordance with requirements of Water Code §§ 10610 through 10656 of the Urban Water Management Planning Act, EMWD prepared an Urban Water Management Plan (UWMP). The UWMP provided current water supplies for 2020 as well as projected supplies for consecutive five-year periods between 2025 and 2045. **Table 4.15-1: Total Retail and Wholesale Water Supply (AFY)**, below shows these volumes from each of the respective sources.

Additionally, EMWD also provides anticipated water supplies for a normal year, single dry year, multiple dry years. The UWMP plan developed for the EMWD performed these calculations, which are shown in **Table 4.15-2: Normal Year Supply and Demand Comparison**, **Table 4.15-3: Single Dry Year Supply and Demand Comparison**, and **Table 4.15-4: Multiple Dry Years Supply and Demand Comparison**.

Table 4.15-1: Total Retail and Wholesale Water Supply (AFY)

Supply	2020	2025	2030	2035	2040	2045
Retail						
Purchased/Imported Water	65,577	66,447	72,147	70,247	74,747	78,847
Groundwater	11,785	18,753	18,753	18,753	18,753	18,753
Desalinated Groundwater	7,310	13,400	13,400	13,400	13,400	13,400
Recycled Water	39,642	43,330	49,020	54,500	59,800	61,100
Other	0	4,000	4,000	12,000	12,000	12,000
Total Retail Supply	124,314	145,930	157,320	168,900	178,700	187,100
Wholesale						
Purchased/Imported Water	36,384	58,200	52,400	54,400	56,700	58,800
Recycled Water	1,285	4,770	5,180	5,600	5,600	5,600
Total Wholesale Supply	37,669	62,970	57,580	60,000	62,300	64,400
Total Water Supply	161,983					
Source: EMWD. 2021. 2020 UWMP, Tables 6-8 and 6-9. https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758 (accessed October 2021).						

Table 4.15-2: Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Retail					
Supply Totals	145,930	157,320	168,900	178,700	187,100
Demand Totals	145,930	157,320	168,900	178,700	187,100
Difference	0	0	0	0	0
Wholesale					
Supply Totals	62,970	57,580	60,000	62,300	64,400
Demand Totals	62,970	57,580	60,000	62,300	64,400
Difference	0	0	0	0	0
Source: EMWD. 2021. 2020 UWMP, Table 7-2. https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758 (accessed October 2021).					

¹ EMWD. 2021. EMWD 2020 Urban Water Management Plan. https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721 (accessed October 2021).

² EMWD. ND. Wastewater Service. <https://www.emwd.org/wastewater-service> (accessed October 2021).

Table 4.15-3: Single Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Retail					
Supply Totals	151,130	162,820	174,700	184,700	193,300
Demand Totals	151,130	162,820	174,700	184,700	193,300
Difference	0	0	0	0	0
Wholesale					
Supply Totals	64,770	59,080	61,600	63,600	65,900
Demand Totals	64,770	59,080	61,600	63,600	65,900
Difference	0	0	0	0	0
Source: EMWD. 2021. 2020 UWMP, Table 7-3. https://www.emwd.org/sites/main/files/file_attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758 (accessed October 2021).					

Table 4.15-4: Multiple Dry Years Supply and Demand Comparisons

		2025	2030	2035	2040	2045
Retail						
First Year	Supply Totals	151,130	162,820	174,700	184,700	193,300
	Demand Totals	151,130	162,820	174,700	184,700	193,300
	Difference	0	0	0	0	0
Second Year	Supply Totals	132,700	143,300	153,700	162,500	170,300
	Demand Totals	132,700	143,300	153,700	162,500	170,300
	Difference	0	0	0	0	0
Third Year	Supply Totals	134,900	145,500	155,500	164,100	171,900
	Demand Totals	134,900	145,500	155,500	164,100	171,900
	Difference	0	0	0	0	0
Fourth Year	Supply Totals	137,100	147,600	157,400	165,700	173,500
	Demand Totals	137,100	147,600	157,400	165,700	173,500
	Difference	0	0	0	0	0
Fifth Year	Supply Totals	140,200	150,800	160,000	168,000	175,800
	Demand Totals	140,200	150,800	160,000	168,000	175,800
	Difference	0	0	0	0	0
Wholesale						
First Year	Supply Totals	64,770	59,080	61,600	63,600	65,900
	Demand Totals	64,770	59,080	61,600	63,600	65,900
	Difference	0	0	0	0	0
Second Year	Supply Totals	63,200	59,100	61,400	63,400	65,600
	Demand Totals	63,200	59,100	61,400	63,400	65,600
	Difference	0	0	0	0	0
Third Year	Supply Totals	62,100	59,600	61,800	63,900	66,000
	Demand Totals	62,100	59,600	61,800	63,900	66,000
	Difference	0	0	0	0	0
Fourth Year	Supply Totals	61,000	60,100	62,200	64,300	66,400
	Demand Totals	61,000	60,100	62,200	64,300	66,400
	Difference	0	0	0	0	0
Fifth Year	Supply Totals	59,800	60,600	62,600	64,700	66,900
	Demand Totals	59,800	60,600	62,600	64,700	66,900
	Difference	0	0	0	0	0
Source: EMWD. 2021. 2020 UWMP, Table 7-4. https://www.emwd.org/sites/main/files/file_attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758 (accessed October 2021).						

EMWD will continue to rely on imported water from the Metropolitan Water District of Southern California (MWD) as the main source of supply for its retail and wholesale customers, yet recognizes the need to increase local supplies and water conservation to manage supply and demand. MWD has developed dry-year storage through groundwater and surface water reservoirs that help meet dry-year demands. Based on the information provided in MWD's UWMP, MWD has sufficient supply capabilities to meet the expected demands of its member agencies from 2020 through 2045 under normal, historic single-dry, and historic multiple-dry year conditions.³

If another multiple-dry year period were to occur over the next five years, MWD could declare an allocation. EMWD is able to respond to a potential allocation through implementation of its Water Shortage Contingency Plan (WSCP) and its balance of carry-over credits in the Hemet/San Jacinto Management Plan Area. EMWD has the ability to meet current and projected water demands through 2045 under normal, historic single-dry and historic multiple-dry year conditions using a combination of imported water from MWD and existing local supply resources.⁴

Stormwater Drainage

The City of Menifee is in the San Jacinto Subbasin of the larger Santa Ana River Watershed. The Santa Ana River Watershed includes much of Orange County, the northwestern corner of Riverside County, part of southwestern San Bernardino County, and a small portion of Los Angeles County. The watershed is bounded by the Santa Margarita watershed to the south, on the east by the Salton Sea and Southern Mojave watersheds, and on the north and west by the Mojave and San Gabriel watersheds, respectively. The watershed covers approximately 2,800 square miles, with about 700 miles of rivers and major tributaries. The San Jacinto River originates in the San Jacinto Mountains and flows 42 miles west to Lake Elsinore; however, during flooding and heavy storms, Lake Elsinore overflows into Temescal Creek, which flows northwest and discharges into the Santa Ana River.⁵

In the City, open drainage channels and underground storm drains larger than 36 inches diameter are operated and maintained by the Riverside County Flood Control and Water Conservation District (RCFCWCD); smaller underground storm drains are operated and maintained by the City of Menifee Public Works Department.⁶ The Project is located within RCFCWCD Zone 4 which encompasses approximately 733 square miles and includes the cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto, and Wildomar.⁷ The open channel along the southern Project boundary is an RCFCWCD facility. The project name under which it falls is Romoland Master Drainage Plan (MDP)-Line A, Stage 4.⁸

³ EMWD. 2021. 2020 UWMP. https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721 (accessed October 2021).

⁴ Ibid.

⁵ City of Menifee. 2013. *City of Menifee General Plan Draft EIR. Utilities and Service Systems*. <https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=> (accessed March 2021).

⁶ City of Menifee. 2013. *City of Menifee General Plan Draft EIR. Utilities and Service Systems*. <https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=> (accessed March 2021).

⁷ RCFCWCD. 2021. *District Zone 4*. <https://rcflood.org/About-the-District/District-Zones/Zone-4> (accessed March 2021).

⁸ RCFCWCD. ND. *Flood Control – WebMap*. <https://content.rcflood.org/webmaps/rcfc/> (accessed March 2021).

The RCFCWCD is responsible for:

- Identification of flood hazards and problems
- Regulation of floodplains and development
- Regulation of drainage and development
- County watercourse and drainage planning
- Education for flood prevention & safety
- Construction of flood control structures and facilities
- Flood warning and early detection
- Maintenance and operation of completed structures⁹

Groundwater Recharge

Groundwater recharge depends on numerous factors and but occurs largely through snowmelt and rainwaters that are able to enter the aquifer after entering the ground and seeping to lower depths within the ground. Impervious surfaces introduced from development such as roofs, streets, and parking lots, induce runoff and impede infiltration and can keep water from reaching the aquifer. Artificial groundwater recharge is increasingly used where natural sources are insufficient and many projects include designs that incorporate detention basis and timed release of runoff to facilitate infiltration. The Project would incorporate such facilities into the Project design.

Approximately 20 percent of EMWD's potable (drinking) water demand is supplied by EMWD groundwater wells. The majority of the groundwater produced by EMWD comes from its wells in the Hemet and San Jacinto area. Some of these wells have limited production as a result of the Fruitvale Judgment and Decree. EMWD also has wells in the Moreno Valley, Perris Valley and Murrieta areas.¹⁰ The Project site is located within the San Jacinto Groundwater Basin.¹¹ According to EMWD, this basin is deemed a high priority basin, but is not critically over drafted. As the Groundwater Sustainability Agency (GSA) for this basin, EMWD is required to develop by 2022 and implement by 2042 a Groundwater Sustainability Plan (GSP). The GSP will document basin conditions and basin management will be based on measurable objectives and minimum thresholds defined to prevent significant and unreasonable impacts to the sustainability indicators defined in the GSP.¹²

Recycled Water

EMWD's recycled water system currently receives and treats more than 45 million gallons of wastewater each day at its four operating regional treatment plants. The treated water is then distributed throughout the service area, through more than 200 miles of pipeline. According to EMWD's Public Map Portal, there is a recycled water main located south of the Project site along McLaughlin Road.¹³ According to the

⁹ RCFCWCD. 2021. *District Overview*. <https://rcflood.org/About-the-District/District-Overview> (accessed March 2021).

¹⁰ EMWD. ND. *Groundwater*. <https://www.emwd.org/post/groundwater> (accessed March 2021).

¹¹ DWR. 2019. *Groundwater Basin Boundary Assessment Tool*. <https://gis.water.ca.gov/app/bbat/> (accessed March 2021).

¹² EMWD. ND. *Sustainable Groundwater Management Act*. <https://www.emwd.org/post/sustainable-groundwater-management-act> (accessed March 2021).

¹³ EMWD. ND. *Public Map Portal*. <https://mapportal.emwd.org/> (accessed March 2021).

Recycled Water System fact sheet from EMWD, 64 percent of recycled water was used for agriculture; 15 percent for recreational and environmental use; 15 percent for landscaping; and seven percent for construction, industrial, and wholesale.¹⁴

Conservation

MWD, one of the larger agencies from which the local water providers receive some of their water, imports about half of the region's overall supply from the Colorado River and northern California and holds water in storage in case of drought. During an extraordinary drought cycle, MWD will limit water supplied and mandatory conservation is required. The district created a Water Supply Allocation Plan to approach drought in a regional and fair manner designed to minimize impacts. The governor called for a 25 percent reduction in urban water use starting in June 2015, which California communities have been meeting and exceeding. Some of the measures used to reduce potable water consumption includes limiting water use for landscaping, use of drought-tolerant vegetations, use of recycled water by municipalities, and encouraging extension of recycled water lines.

Solid Waste

Solid waste from Menifee is collected by Waste Management, Inc. (WMI). WMI provides residential customers with three bins: burgundy for trash, green for green waste, and gray for recyclable materials. According to the City's GP EIR, for waste generated within the City, WMI transports the waste to the El Sobrante Landfill and Badlands Sanitary Landfill for disposal.¹⁵ See **Table 4.15-5: Landfill Information** for further details regarding the landfills.

Natural Gas and Electricity

The Project would be served by Southern California Gas Company (SoCalGas) and Southern California Edison (SCE). SoCalGas serves 21.8 million consumers through 5.9 million meters in more than 500 communities with its 24,000-square mile service territory through central and southern California.¹⁶ There is a high pressure distribution line along Ethanac Road, north of the Project site and a transmission line along McLaughlin Road, southeast of the Project site. There are no gas transmission lines with or adjacent to the Project site.¹⁷ SCE delivers power to 15 million people within its 50,000-square mile service across central, coastal, and southern California. SCE's electricity system is comprised of 12,635 miles of transmission lines; 91,375 miles of distribution lines (less Streetlight miles); 1,433,336 electric poles; 720,800 distribution transformers; and 2,959 substation transformers.¹⁸ South of the RCFCWCD channel is an SCE utility corridor with one overhead transmission line and two sub-transmission lines.¹⁹

¹⁴ EMWD. 2018. *Recycled Water System*. https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem_englis.pdf?1537295072 (accessed March 2021).

¹⁵ City of Menifee. 2013. *GP EIR, Utilities and Service Systems*. [https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-US\\$?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-US$?bidId=) (accessed March 2021).

¹⁶ SoCalGas. 2021. *Company Profile*. <https://www.socalgas.com/about-us/company-profile> (accessed March 2021).

¹⁷ SoCalGas. ND. *Gas Transmission Pipeline Interactive Map-Riverside*. <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138> (accessed March 2021).

¹⁸ SCE. 2021. *Who We Are*. <https://www.sce.com/about-us/who-we-are> (accessed March 2021).

¹⁹ SCE. 2019. *SCE Power Site Search Tool*. <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed March 2021).

4.15.3 Regulatory Setting

Federal

Safe Drinking Water Act

The U.S. Environmental Protection Agency (U.S. EPA) administers the Safe Drinking Water Act (SDWA), the primary federal law that regulates the quality of drinking water and establishes standards to protect public health and safety. The Department of Health Services (DHS) implements the SDWA and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminants that could threaten public health.

Clean Water Act

In 1972, the Federal Water Pollution Control Act Amendments were enacted to address water pollution problems. After an additional amendment in 1977, this law was re-named the Clean Water Act (CWA). Thereafter, it established the regulation of discharges of pollutants into waters of the United States by the U.S. EPA. Under the CWA, the U.S. EPA can implement pollution control programs and set water quality standards. Additionally, the CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained pursuant to its provisions.

State

California Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, which was passed in California in 1969 and amended in 2013, the State Water Resources Control Board (SWRCB) has authority over State water rights and water quality policy. This Act divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB) to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. Menifee is overseen by the Santa Ana Area RWQCB.

State Water Resources Control Board

The SWRCB is the California (State) agency focused on providing and ensuring clean sustainable water for all state residents. This state agency works alongside other federal programs like the CWA to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, storm water, and other sources.

Urban Water Management Planning Act

In 1983, the California legislature enacted the Urban Water Management Planning Act (California Water Code, §§ 10610–10656), which requires specified urban water suppliers within the state to prepare a UWMP and update it every five years. Specifically, § 10610.04 et seq. as amended, of the California Urban Water Management Planning Act specifies that “Urban Water Suppliers shall be required to develop water management plans to actively pursue the efficient use of available supplies.” As such, UWMPs serve as an important element in documenting water supply availability and reliability for purposes of compliance

with Senate Bills (SB) 610 and 221, which link water supply sufficiency to large land-use development Project approvals. Urban water suppliers also must prepare UWMPs, pursuant to the Urban Water Management Planning Act, in order to be eligible for state funding and drought assistance.

On June of 2016, the EMWD Board of Directors adopted the District's 2015 UWMP. This plan details EMWD's demand projections and provides information regarding EMWD's supply. The majority of EMWD's existing and future planned demand is met through imported water delivered by MWD. EMWD's 2015 UWMP relies heavily on information and assurances included in the 2010 MWD RUWMP when determining supply reliability. Demand for EMWD included in the 2015 UWMP is calculated across the District and is not project-specific.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act of 2014 (SGMA) consists of three legislative bills, SB 1168 (Pavley), Assembly Bill (AB) 1739 (Dickinson), and SB 1319 (Pavley). The legislation provides a framework for long-term sustainable groundwater management across California. Under the roadmap laid out by the legislation, local and regional authorities in medium and high priority groundwater basins will form Groundwater Sustainability Agencies that oversee the preparation and implementation of a local Groundwater Sustainability Plan. Groundwater Sustainability Plans will have to be in place and implementation will begin between 2020 and 2022. Groundwater Sustainability Agencies will have until 2040 to achieve groundwater sustainability.

California Senate Bills 610 and 221

SB 610 and SB 221 amended State law to (1) ensure better coordination between local water supply and land use decisions and (2) confirm that there is an adequate water supply for new development. Both statutes require city and county decision-makers to receive detailed information regarding water availability prior to approval of large development projects. SB 610 requires the preparation of a Water Supply Assessment (WSA) for certain types of projects subject to the California Environmental Quality Act (CEQA). Projects that would be required to prepare a WSA include, but are not limited to, residential developments of more than 500 dwelling units and shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor area.

Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881)

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the State Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (WELO) by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, cities and counties were required to adopt a state updated model landscape water conservation ordinance by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the updated Model Ordinance (MO).

City of Menifee “Landscape Water Use Efficiency Requirements” are under Ordinance No. 2009–61 (MMC Chapter 15.04) and City Landscape Standard can be found here:

<https://www.cityofmenifee.us/DocumentCenter/View/2247/DRAFT-Landscape-Standards>.

Regulating documents for these standards include AB 1881.

2015 Update of the State Model Water Efficient Landscape Ordinance (per Governor’s Executive Order B-29-15)

To improve water savings in the landscaping sector, the DWR, updated the MO in 2015 (in accordance with Executive Order [EO] B-29-15). The MO promotes efficient landscapes in new developments and retrofitted landscapes. The EO calls for revising the MO to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review.

Assembly Bill 1668 and Senate Bill 606 – May 31, 2018

AB 1668 and SB 606 build on Governor Brown’s ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022.

The two bills strengthen the state’s water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

Solid Waste

Assembly Bill 75

AB 75, approved by the Governor in 1999, took effect on January 1, 2000. This Bill added new provisions to the Public Resources Code (PRC), requiring each state agency to develop and adopt an Integrated Waste Management Plan (IWMP). AB 75 also mandated that community service districts providing solid waste

services report disposal and diversion information to the City, county, or regional agency in which the community service district is located.

Integrated Waste Management Act – Assembly Bill 939

The Integrated Waste Management Act (AB 939) mandates that communities reduce their solid waste. AB 939 required local jurisdictions to divert 25 percent of their solid waste by 1995 and 50 percent by 2000, compared to a baseline of 1990. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.

Mandatory Commercial Recycling – Assembly Bill 341

In 2011, AB 341 was passed that sets a state policy goal of not less than 75 percent of solid waste that is generated to be source reduced, recycled, or composted by the year 2020. CalRecycle was required to submit a report to the legislature by January 1, 2014 outlining the strategy that will be used to achieve this policy goal.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act require areas in development projects to be set aside for collecting and loading recyclable materials. The Act required CalRecycle (formerly the California Integrated Waste Management Board) to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, providing for adequate areas in development projects for the collection and loading of recyclable materials.

Mandatory Commercial Organics Recycling – Assembly Bill 1826

In October of 2014 Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Greenhouse gas (GHG) emissions result from the decomposition of organic wastes in landfills. Mandatory recycling of organic waste is aimed at helping achieve California's aggressive recycling and GHG emission goals. The implementation schedule began in January 2016 and as of January 1, 2019, businesses that generate four cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services. In addition, future regulations include the following:

- Fall 2020: After receipt of the 2019 annual reports submitted on August 1, 2020, CalRecycle shall conduct its formal review of all jurisdictions.
- Summer/Fall 2021: If CalRecycle determines that the statewide disposal of organic waste in 2020 has not been reduced by 50 percent of the level of disposal during 2014, the organic recycling requirements on businesses will expand to cover businesses that generate two cubic yards or

more of commercial solid waste per week. Additionally, certain exemptions, previously discussed, may no longer be available if this target is not met.

Local

City of Menifee General Plan

Land Use Element

The Land Use Element generally establishes the density, intensity, and location of land uses throughout the city and is complemented by the additional policy guidance provided in other elements that relate to a specific topic.²⁰

Goals and policies from the Land Use Element applicable to the Project include:

Goal LU-3 **A full range of public utilities and related services that provide for the immediate and long-term needs of the community.**

Policy LU-3.4 Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.

Policy LU-3.5 Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.

City of Menifee Municipal Code

The City's Municipal Code Chapter 6.30: Collection of Solid Waste and Recycling explains in detail the City's regulations regarding waste management. This includes the guidelines for service and requirements for both the collectors of waste and the owners of the waste-generating properties. This section also details the unlawful acts associated with trash collection, such as prohibited containers and refuse burning. The purpose of Chapter 6.40: Waste Reduction and Recycling Plan Requirements for Construction and Demolition Projects is to increase the amount of construction and demolition debris that is recycled or reused so as to reduce the amount that is disposed of in landfills in compliance with the California Waste Management Act.

Chapter 15.01: Storm Water/Urban Runoff includes Best Management Practices (BMPs), lists non-storm water discharge requirements, and details prohibited discharges. Per § 15.01.015(B)(2): Any person performing construction work in the city shall be regulated by the State Water Resources Control Board in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, State Water Resources Control Board Order Number 2009-0009-DWQ. The city may notify the State Board of any person performing construction work that has a non-compliant construction site per the General Permit.

²⁰ City of Menifee. 2013. *Menifee General Plan Land Use Element*. <https://www.cityofmenifee.us/231/Land-Use-Element> (accessed March 2021).

4.15.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning utilities and service systems. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (issues related to storm water drainage facilities are addressed in **Section 4.9: Hydrology and Water Quality**);
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
- 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;
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact level of significance concerning utilities and service systems. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on utilities examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn in October 2021; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on

utilities and service systems considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.15.5 Impacts and Mitigation Measures

Impact 4.15-1 *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Level of Significance: Less than Significant Impact

The Project site is currently substantially vacant with some existing adjacent unimproved roadways. Adjacent and nearby uses including residential and commercial developments are served by existing utilities, including electricity, natural gas, wet and dry facilities but they have not been extended into the Project site.

Utilities necessary for the Project site to operate and the associated service providers are as follows:

- Electricity – SCE
- Water – EMWD
- Sewer – EMWD
- Cable/Internet/Telephone – Frontier Communications
- Gas – SoCalGas Company

Existing utilities would be extended and upgraded as needed during construction of Project to serve the anticipated demands and to accommodate operation of the warehouses. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway rights-of-way adjacent to the Project site, including Trumble Road, Sherman Road, and Dawson Road. All areas adjacent to the existing roadways also are disturbed and are within the overall footprint of the Project. All impacts are discussed and disclosed as part of this Draft EIR, within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall Project. Therefore, impacts associated with extension of services in these areas and within the site, are less than significant. Services provided by each utility is discussed in additional detail below. Utility needs for evaluated Project Scenarios 1 and 2 are anticipated to be similar.

Construction and Operations

Water

Potable water to the Project site would be provided by EMWD. An existing 12-inch water line currently runs north-south along Sherman Road. The building 2 warehouse site would connect to the existing water line near STA. 44+75 and the building 1 warehouse site near STA. 41+50. A new waterline would also be required to be installed along Dawson Road to provide adequate fire flow and fire pipeline maintenance to the required fire hydrants needed to service the Project site.

Impacts of required water facilities are addressed throughout this EIR in the respective EIR section(s). The majority of Project water facilities would be installed below ground and installed within existing or future road rights-of-way, and as such the only physical impacts would be associated with temporary impacts during construction (refer to **Section 4.11: Noise** for a discussion of significant short-term noise impacts during pipeline construction). Above-ground facilities are addressed in respective EIR section(s), (addressed in **Section 4.1: Aesthetics**). All Project water facilities would be constructed and operated in accordance with applicable guidelines and regulations in the EMWD and City, and would also follow applicable EIR mitigation measures in each topical area addressed in the EIR. In consideration of existing requirements and EIR mitigation measures, no significant impacts are anticipated with respect to Project water facilities, with the exception of potentially significant temporary construction-related noise impacts addressed in **Section 4.11: Noise**.

The WSA analyzed and evaluated the existing and future demands on the water supply needed to be supplied from EMWD. The WSA shows that EMWD's available water supplies would be sufficient to meet all of the water demands of the entire Project for the next approximately twenty-five years through 2045, including during single and multiple dry years. **Table 4.15-1: Total Retail and Wholesale Water Supply (AFY)**, above, shows these values. In all cases through year 2045, even during single and multiple dry year conditions, water supplies available to EMWD would be sufficient to meet all present and future water supply requirements of the Project for the next twenty-five years

More specifically, based on land use information provided by the developer and the lead agency, the actual average water demand for the Project is estimated to be 48 AFY, which is well within the limits of the estimated demand considered in the 2020 UWMP. Based on the Project water usage rate, the Project would represent a nominal percentage of EMWD's present and future water supplies for both single- and multiple-dry-year scenarios. Therefore, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant.

Storm Water and Drainage

Refer to **Section 4.9: Hydrology and Water Quality**, regarding existing conditions and Project impacts with respect to storm water and drainage facilities. Off-site improvements for stormwater and drainage include a proposed storm drain line running north on Sherman Road toward Ethanac Road and a proposed storm drain line running from an existing channel heading north on Dawson Road toward Ethanac Road. No other off-site improvements are proposed. All other storm drain connections would be connected to existing storm drain lines. Furthermore, Project storm water and drainage facilities would be constructed and operated in accordance with applicable guidelines and regulations of the EMWD and City. In consideration of existing requirements, no significant impacts are anticipated with respect to Project storm water and drainage facilities.

Wastewater

Construction on the approximately 72-net acre Project site would result in 1,640,130 sf of warehouse, mezzanine, and office use south of Ethanac Road between Trumble Road and Dawson Road. Prior to construction or operations of the Project, the Project applicant would comply with EMWD's New Development Process (<https://www.emwd.org/new-development-process>). A Sewer Capacity Study

would be completed to ensure adequate capacity to treat the anticipated wastewater to be generated by the Project.

The EMWD has previously used wastewater generation rates for industrial uses of approximately 1,700 gallons per day (GPD) per acre.²¹ Based on this value, wastewater generated by the Project would be approximately 122,128 GPD. This represents approximately 0.2% of the total daily capacity of the EMWD's 78 Million Gallon per Day (MGD) current treatment capacity.²² The EMWD's facilities currently treat an average of 50.4 MGD. The Project would therefore represent approximately 0.2 percent of the typical daily flows. Therefore, the increase in the daily wastewater generated by the Project site would be minimal and result in a less than significant impact. Improvements to facilitate service to the Project site would consist of tie-ins to the existing wastewater lines. All areas needed for improvement would occur in previously disturbed or areas already proposed to be disturbed. Impacts would be less than significant. Besides the on-site wastewater system, the Project requires an off-site connection to the existing sewer line at the McLaughlin Road and Sherman Road intersection. This proposed sewer line would run north on Sherman Road to Ethanac Road. No other off-site wastewater system improvements would be required.

Proposed wastewater facilities would be below ground, within existing or planned roadway rights-of-way, and as such are addressed in respective EIR section(s). As with off-site water lines, off-site sewer line construction adjacent to sensitive receptors may result in temporary significant noise impacts, as addressed in **Section 4.11: Noise**. All Project wastewater facilities would be constructed and operated in accordance with applicable guidelines and regulations of the EMWD and City, and would also follow applicable EIR mitigation measures in each topical area addressed in the EIR. In consideration of existing requirements and EIR mitigation measures, no significant impacts are anticipated with respect to Project wastewater facilities, with the exception of potentially significant temporary construction-related noise impacts addressed in **Section 4.11: Noise**.

Electric Power

SCE currently operates electric power in the City through electricity distribution lines both aboveground and buried. SCE also operates at least three substations (one of which is approximately one mile east of the Project site) within the City and no power plants.²³ The existing residential dwelling units located within the Project site are currently occupied and are provided electricity by SCE.²⁴ The Project would connect to the existing SCE lines which would enable services to the site. Electricity facilities such as powerlines and other similar system components would be required for the Project. However, this new infrastructure would be completely undergrounded, pursuant to the City's Development Code, and would be installed within the proposed development areas. At most, it is anticipated that SCE would provide more electricity to the Project compared to what is currently consumed, due to the current vacant status

²¹ EMWD. Rev. 2006. *Sanitary Sewer System Planning and Design*. https://www.emwd.org/sites/main/files/file-attachments/emwdsewer_system_design.pdf?1542760914 (accessed March 2021).

²² EMWD. ND. *Wastewater Service, EMWD's Regional Water Reclamation Facilities Fact Sheets*. <https://www.emwd.org/wastewater-service> (accessed March 2021).

²³ SCE. ND. *SCE Power Site Search Tool*. <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed March 2021).

²⁴ SCE. ND. *Southern California Edison DRPEP*. <https://ltmdrpep.sce.com/drpep/> (accessed October 2021).

of the Project site. Therefore, no additional significant impacts would occur due to electrical facility construction. No off-site electrical facilities are anticipated at this time.

Natural Gas

The SoCalGas Company provides gas services to most of southern California. It is anticipated that the Project site would require some amount of natural gas to support future operations. Similar to electrical services, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas lines exist within current roadway rights-of-way within the vicinity of the Project (along Ethanac Road and McLaughlin Road).²⁵ These areas are anticipated to be heavily disturbed and would not contain any pristine resources. Natural gas services for the Project would be provided through the use of underground pipes to distribute gas within the Project area. However, natural gas facilities are planned for installation as part of Project development, within proposed development areas such as planned roadways. Therefore, construction of the Project's natural gas facilities would not create an increased impact on the environment beyond what is addressed for the overall Project, in respective EIR sections. No off-site natural gas facilities are anticipated at this time.

Telecommunication

The Project site would require telecommunication services to be provided by Frontier Communications. As discussed above, existing telecommunication lines would be located within existing adjacent rights-of-way needed to serve the existing surrounding development. Service to the Project site would require tying into these lines but these improvements would occur within existing areas of disturbance such as those adjacent to existing roadways. The new facilities required for the Project would be constructed within the development area, and would be placed underground as per the City's Development Code, Title 9. Therefore, construction of the Project's telecommunication, cable and internet facilities would not create an increased impact on the environment beyond what is addressed for the overall Project, in respective EIR sections. No off-site telecommunications facilities are anticipated at this time.

Off-Site Construction and Operations Impacts

Project-related off-site infrastructure is addressed in the respective facility discussion above (water, wastewater, electricity, natural gas, and telecommunications).

Mitigation Measures

No mitigation is required, other than that noted in respective EIR sections associated with general Project construction, including construction-related air quality, noise, and transportation mitigation for off-site utility and roadway installation adjacent to sensitive receptors.

²⁵ SoCalGas. ND. *Gas Transmission Pipeline Interactive Map – Riverside*.
<https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138> (accessed October 2021).

Impact 4.15-2 *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Level of Significance: Less than Significant Impact

Construction and Operations

See discussion in Section 4.15.2 and Impact 4.15-1. The Project's water service provider is anticipated to have adequate capacity to serve the projected demands. Projected water service demands for evaluated Project Scenarios 1 and 2 are expected to be similar. The Project would result in less than significant impacts on services provided by the water service provider.

Mitigation Measures

No mitigation is necessary.

Impact 4.15-3 *Would the project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Level of Significance: Less than Significant Impact

Construction and Operations

See the discussion in Section 4.15.2 and Impact 4.15-1. The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. Projected wastewater service demands for evaluated Project Scenarios 1 and 2 are expected to be similar. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

Mitigation Measures

No mitigation is necessary.

Impact 4.15-4 *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Level of Significance: Less than Significant Impact

Construction and Operations

Solid waste generated by construction and operation of the Project would be collected and handled in compliance with any applicable regulation including those in Title 6 of the City's MC, through service provided by WMI. The Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity. According to the City's GP EIR, in 2011, the majority of solid waste in the City went to two landfills: El Sobrante Landfill (10910 Dawson Canyon Road, Corona, CA 91719) and Badlands Sanitary Landfill (31125 Ironwood Avenue, Moreno Valley, CA 92555). According to CalRecycle's Estimated Solid Waste Generation Rates, a warehouse facility is estimated to produce 13.82 pounds of waste per

employee per day.²⁶ The estimated number of employees to operate the warehouses would be approximately 619 people.²⁷ This equates to approximately 8,555 pounds (4.3 tons) of waste per day from the Project. That is approximately 0.03 percent of the El Sobrante Landfill’s maximum daily throughput and 0.09 percent of Badlands Sanitary Landfill’s maximum daily throughput. Further details regarding the two landfills are presented below in **Table 4.15-5: Landfill Information**.

Table 4.15-5: Landfill Information

Landfill	Location	Max. Permitted Throughput (tons per day)	Remaining Capacity (cubic yards)	Max. Permit Capacity (cubic yards)	Ceased Operation Date
El Sobrante Landfill	Corona	16,054	143,977,170	209,910,000	1/1/2051
Badlands Sanitary Landfill	Moreno Valley	4,800	15,748,799	34,400,000	1/1/2022

Source: CalRecycle. 2019. SWIS Facility/Site Search. <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search> (accessed March 2021).

Project implementation would increase solid waste disposal demands over existing conditions. Badlands Sanitary Landfill, located in Moreno Valley, has a maximum permitted throughput is 4,800 tons per day. The facility’s remaining capacity is approximately 16 million cubic yards and maximum capacity is approximately 34 million cubic yards. El Sobrante Landfill, located in Corona, has a maximum permitted throughput is 16,054 tons per day. The facility’s remaining capacity is approximately 144 million cubic yards and maximum capacity is approximately 210 million cubic yards. The Project would be served by a landfill with sufficient remaining permitted capacity to accommodate the Project’s solid waste disposal needs. Therefore, the Project’s solid waste disposal needs could be accommodated at one or a combination of the disposal facilities discussed above. Operational activities would be subject to compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen and AB 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required. Note that solid waste generated by evaluated Project Scenarios 1 and 2 are expected to be similar.

Mitigation Measures

No mitigation is necessary.

Impact 4.15-5 Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Level of Significance: Less than Significant Impact

Section 6.40.010(A) of the Menifee MC states:

Under California law embodied in the California Waste Management Act (Cal. Public Resources Code §§ 40000 et seq.), the city is required to prepare, adopt and implement source reduction and recycling elements to reach reduction goals set forth therein, and is required to make substantial reductions in the amount of waste materials going to the state’s landfills by diverting 50% of materials from landfills annually or will face

²⁶ CalRecycle. 2019. *Estimated Solid Waste Generation Rates*. <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed March 2021).

²⁷ City of Menifee. 2021. *Appendix A - Scoping Agreement for Traffic Impact Study*.

substantial penalties. Debris from construction and demolition projects represents a significant portion of the volume of solid waste that is being disposed of in landfills, much of which is suitable for recycling. Consequently, the purpose of this chapter is to increase the amount of construction and demolition debris that is recycled or reused so as to reduce the amount that is disposed of in landfills. (Ord. 2020-294, passed 3-18-2020)

Furthermore § 6.40.050: Diversion Requirements states:

Every applicant shall make a good fair effort to divert 50% of construction and demolition debris generated from every applicable construction, remodeling, or demolition project from landfills by using recycling, reuse, and diversion programs. Separate calculations and reports will be required for the construction and demolition portions of projects that involve both activities. (Ord. 2020-294, passed 3-18-2020)

Lastly, § 5.408.1: Construction Waste Management of the California Green Building Standards Code states:

Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.

The Project would be constructed in compliance with § 5.408.1, the more stringent of the code sections at 65 percent diversion, and a less than significant impact would occur.

Mitigation Measures

No mitigation is necessary.

4.15.6 Cumulative Impacts

For purposes of public utilities and service systems, cumulative impacts are considered for projects located within Menifee. As discussed above, all impacts from the Project to public services and utilities systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations, and standards. In addition, the Project site would recycle and implement measures on-site to reduce the waste stream to landfill(s). The Project applicant would pay the applicable development impact and service fees. Impacts related to storm water drainage facilities are addressed in **Section 4.9: Hydrology and Water Quality**. Although temporary significant impacts during construction could occur, these impacts would only occur during development of the sites, would be typical of construction, would be localized, would occur at different times, and would be required to implement site-specific erosion control plans. Therefore, impacts are not anticipated to be cumulatively considerable. Other past, present, and reasonably foreseeable projects would be anticipated to implement similar measures or implement mitigation to fully mitigate their contribution to cumulative impacts. Therefore, there are no significant cumulative impacts anticipated relative to public utility and service systems, and the Project's contribution toward potential future utility and service system impacts in the City is not cumulatively considerable.

4.15.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.15.8 References

CalRecycle. 2019. *Estimated Solid Waste Generation Rates*.

<https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>.

City of Menifee. 2013. *City of Menifee General Plan*. <https://www.cityofmenifee.us/221/General-Plan>.

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<https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=>.

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5.0 ADDITIONAL CEQA CONSIDERATIONS

This section of the Draft Environmental Impact Report (EIR) provides a discussion of additional California Environmental Quality Act (CEQA) impact considerations, including Significant Irreversible Environmental Changes, Growth-Inducing Impacts, and any Mandatory Findings of Significance.

5.1 Significant and Unavoidable Impacts

State CEQA Guidelines § 15126.2(c) requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less than significant levels. The Project's environmental effects are addressed in **Sections 4.1** through **4.15** of this EIR. Project implementation would result in potentially significant impacts for the following topical issues: air quality, greenhouse gas emissions, cultural resources, paleontological resources, and tribal cultural resources. Implementation of project design features (PDFs), standard conditions and requirements (SCs), conditions of approval, and mitigation measures (MMs) provided in **Sections 4.1** through **4.15** would reduce these impacts to levels considered less than significant, with the exception of Air Quality and Greenhouse Gas Emissions impacts discussed below.

Air Quality

Construction and operational activities would result in the temporary and permanent conflict or obstruction of an applicable air quality plan. **MMs AQ-1** through **AQ-8** are proposed to minimize impacts to air quality plans, including but not limited to, applicable AQMP Consistency Criteria, however based on the analysis presented in **Section 4.2: Air Quality**, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria regardless of mitigation, Project emissions-reducing design features, and operational programs.

The Project's operational-source emissions also have the potential to exceed numerical thresholds of significance established by SCAQMD for emissions of VOC and NO_x under Scenario 1 and NO_x under Scenario 2. Even with the Project's compliance with applicable rules, and the imposition of all feasible mitigation measures identified above (see **MMs AQ-2** through **AQ-8**), the Project's operational VOC and NO_x emissions under Scenario 1 and NO_x emissions under Scenario 2 would exceed the applicable regional thresholds of significance. As such, Project operational-source VOC and NO_x emissions (Scenario 1) or NO_x emissions (Scenario 2) are considered significant and unavoidable. Regardless of the final scenario, all mitigation measures identified throughout this Draft EIR are required to be implemented.

Greenhouse Gas Emissions

Operational activities associated with the Project would result in the significant generation of CO₂, CH₄, and N₂O emissions. To reduce emissions, the Project would implement **MMs AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, and AQ-8**. Even with the Project's compliance with applicable rules, and the imposition of all feasible mitigation measures, Project design features, and conditions of approval identified throughout this Draft EIR, the Project's operational GHG would exceed the applicable regional thresholds of significance under both Scenarios 1 and 2. As such, Project operational-source GHG emissions are

considered significant and unavoidable. While there are no feasible mitigation measures that would reduce vehicular emissions, the Project would include electric vehicle supply equipment in accordance with the California Building Code which would allow charging stations to be supplied based on demand. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Thus, GHG emissions under both scenarios are considered significant and unavoidable.

The Project would also result in a significant unavoidable impact concerning the Project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. The Project exceeds the 3,000 MTCO₂e/yr screening thresholds for GHG emissions and therefore has potential to impede the State's ability to achieve the 40 percent below 1990 level reduction target. A significant and unavoidable impact would occur as a result of the Project.

5.2 Significant and Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section states that a project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely.

The Project would not involve the utilization of nonrenewable resources in a manner that would make their nonuse or removal unlikely. Nonrenewable resources associated with the development of the proposed Project would include fossil fuels. Fossil fuels would serve as energy sources during both proposed Project construction and operations. Fossil fuels would act as transportation energy sources for construction vehicles and heavy equipment during the construction period and by vehicles and equipment used during proposed Project operations. Though the proposed Project would endeavor to utilize fossil fuels efficiently, their use would be vital for construction and operations activities, making their nonuse unlikely. However, the proposed Project would not require the continued use of fossil fuels at the end of its operational life. Standard vehicles and equipment used by the Project in both construction and operational phases would likely utilize fossil fuels. Some construction and operational equipment may be electrified and therefore not rely on fossil fuels. Energy-efficient equipment would be utilized according to their availability and in order to comply with energy regulations and policies for the Project as a whole as it pertains to industrial usage.

In addition, the Project does not propose any fueling stations that would necessitate the storage of fossil fuels on the site. No infrastructure is proposed to store fossil fuels in large amounts or without the ability of removal.

The proposed Project would also require the commitment of land on which the proposed Project would be developed for industrial use. Land is another finite resource in that once developed and in active use it removes the ability for that land to be used for other uses and developments. However, land developments associated with the Project would not remove the possibility of redevelopment in the future. The land development would not, therefore, make the nonuse of the land unlikely.

The primary and secondary impacts would generally commit future generations to similar uses.

The Project's development is anticipated to produce some significant and unavoidable impacts based on analyses conducted in **Sections 4.2: Air Quality**, and **4.7: Greenhouse Gas Emissions**. These impacts would also affect the surrounding environment and would commit future generations to similar uses throughout the operations of the Project. However, the uses associated with the Project would not modify the land in a way that would prevent the possibly of redevelopment. As previously stated, the proposed warehousing structures would be able to be removed or redeveloped.

Hazardous waste usage during the Project's construction and operational phase would comply with federal, state, and local regulations to ensure that the usage and storage of any hazardous materials and waste would be completed in the safest and most efficient manner. Similarly, the Project would comply with any federal, state, and local air quality and water quality regulations to further ensure the least amount of environmental impact. The industrial land uses are unlikely to lead to impacts that would relegate future generations and developments to similar uses.

The Project would be developed in a portion of the City of Menifee classified with various industrial land use and zoning designations. The Project would modify these land use designations, but not in a manner that removes the industrial land use. Therefore, the Project would not influence future development in that land area as the existing land use and zoning designations would be changed.

The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.

The Project is intended to develop two industrial buildings and is not anticipated to release hazardous materials into the environment. Construction and operation of the Project would utilize chemical substances common with typical construction and warehousing activities and do not generally pose a significant hazard to the public or environment. However, in the event that hazardous materials are either used or stored on the Project site, the Project would storage hazardous materials in compliance with any applicable federal, state, and local policy. Furthermore, the Project would implement conditions of approval prior any demolition activities to further minimize the release of hazards during construction activity.

The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would comply with any applicable federal, state, and local regulation and law regarding the use of resources during both construction and operations. As established in **Section 4.15: Utilities and Service Systems**, development of the Project would not significantly impact water, electricity, solid waste, and telecommunications resources. It was found that the Eastern Municipal Water District, the water supplier for the City and Project site, has adequate supplies to serve the Project's expanded demand. Further, development of the Project would include the use of energy-efficient vehicles and equipment in accordance with the most recent federal, state, and local regulations. Therefore, resources used for the Project, including energy, would be done in an efficient, justifiable manner.

5.3 Growth-Inducing Impacts

State CEQA Guidelines § 15126.2(e) requires that EIRs include a discussion of ways in which a project could induce growth. The State CEQA Guidelines identify a project as "growth-inducing" if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The proposed Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

A project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, the potential for growth inducement is not considered necessarily detrimental nor necessarily beneficial, and neither is it automatically considered to be of little significance to the environment. This issue is presented to provide additional information on ways in which the proposed Project could contribute to significant changes in the environment, beyond the direct consequences of implementing the proposed Project examined in the preceding sections of this Draft EIR.

Direct Growth-Inducing Impacts in the Surrounding Environment

Potential growth-inducing impacts are examined through analysis of the following questions:

Would the project directly or indirectly foster economic or population growth, or the construction of additional housing? No

As discussed in **Section 7.0: Effects Found Not To Be Significant**, the Project would have a beneficial effect on the City's employment base by developing a site that is largely vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for Riverside County is approximately 4.9 percent (as of December 2021),¹ it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. Additionally, the Project does not propose housing that would induce population growth. As a result, the Project would not significantly foster economic or population growth beyond what is planned for the City and County.

Would the project remove obstacles to population growth? No

The Project site currently consists of vacant undeveloped parcels, existing single-family residences and associated out structures that are planned to be demolished (see **Section 3.0: Project Description** for more information). The demolition of these structures would induce population growth since they would be replaced with the proposed warehouse facilities consistent with the existing and proposed land use and zoning designations. The Project would be an allowed and expected use within these land use zones and would therefore not create or remove an obstacle for growth.

Additionally, the proposed Project's development is localized to the Project site. The construction of the new infrastructure would not amend the land uses or increase density on the parcels adjacent of the Project site. The development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections in conjunction with planned utility growth in the City. The Project would also involve the improvement of existing roadways near the Project site which would serve the surrounding community and improve services to these facilities and City connectivity. Roadway improvements included in the Project are discussed in **Section 4.13: Transportation**, and analyzed in the Traffic Impact Analysis (TIA) (see **Appendix 9.11**). Substantial upgrades to the roadway system outside of the general Project area, which would promote further development are not included as components of the Project.

Would the project require the construction of new or expanded facilities that could cause significant environmental effects? No

The Project site is predominately vacant with legal nonconforming residential uses, which are subject to demolition. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and

¹ State of California Employment Development Department. 2021. Local Area Unemployment Statistics (LAUS) - Riverside County (Preliminary for December 2020). <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed April 2021).

fiber optics) along the Project's frontage streets. The environmental impacts associated with the facility improvements associated with the proposed Project have been analyzed in **Section 4.1: Aesthetics** through **Section 4.15: Utilities and Service Systems** of this EIR. In the presence of potentially significant impacts which were not minimized by the Project design features, mitigation measures have been proposed which, when implemented, would reduce potential impacts stemming from the proposed Project's development to less than significant levels, with the exception of impacts associated with air quality and greenhouse gas emissions, which would remain significant and unavoidable. Furthermore, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. **Section 4.15: Utilities and Service Systems** determined that there is adequate capacity of those facilities to serve the Project site.

Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Refer to **Section 4.1: Aesthetics** through **Section 4.15: Utilities and Service Systems** of this EIR. No cumulative impacts were discovered during the analysis of the Project. The design features and objectives of the Project were concluded as having the potential to create significant unavoidable impacts to air quality and greenhouse gas emissions. Mitigation is proposed in each case to minimize the potential of these impacts. However, through the nature of development some impacts cannot be avoided.

6.0 ALTERNATIVES TO THE PROJECT

6.1 Introduction

The California Environmental Quality Act (CEQA) requires that Environmental Impact Reports (EIR) “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” (State CEQA Guidelines § 15126.6). The State CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the project as proposed (California Code of Regulations [CCR] § 15126.6[d]). The EIR is not required to consider every conceivable alternative to a project but is guided by a rule of reason. An EIR is not required to consider alternatives which are infeasible. Section 15126.6[d]) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. Key provisions of the State CEQA Guidelines on alternatives (§ 15126.6(a) through (f)) are summarized below to explain the foundation and legal requirements for the alternative’s analysis in the Draft EIR.

- “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly” (§ 15126.6(b)).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact” (§ 15126.6(e)(1)). “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation was published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives” (§ 15126.6(e)(2)).
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that require an EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project” (§ 15126.6(f)).
- “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can

reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” (§ 15126.6(f)(1)).

- For alternative locations, “only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR” (§ 15126.6(f)(2)(A)).
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative” (§ 15126.6(f)(3)).

Range of Alternatives

The lead agency is responsible for selecting this range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This section describes three alternatives to the Project. These alternatives include the following:

Alternative 1: *No Project Alternative*

This alternative assumes none of the proposed warehouse buildings or off-site infrastructure would be constructed and the Project site would continue to function in its existing condition.

Alternative 2: *Reduced Building Intensity Alternative*

This alternative assumes a general 15% reduction in overall square feet of buildings.

Alternative 3: *Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative*

This alternative assumes that Building 2 would not be constructed. In its place, an auto/truck/trailer parking lot would be constructed in place of Building 2. Building 1 would continue to be constructed in its original location, including the same office and mezzanine space, but with approximately 4,900 additional SF of warehouse space.

Alternatives were developed based on the following: information provided by the Project applicant, the City of Menifee (City), and input received from comments on the Notice of Preparation (NOP). At first a larger group of alternatives was developed and after an initial review, the alternative was either retained for further analysis or discarded. Among the factors that may be considered when addressing the feasibility of alternatives, as described in § 15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that are capable of avoiding or substantially lessening significant effects, especially effects that are found to be significant and unavoidable. In the case of the Project, significant and unavoidable impacts were identified with respect to air quality and greenhouse gas (GHG) emissions. With regard to air quality, the Project would be inconsistent with AQMP Criterion No. 1, and the Project would generate a substantial

increase in emissions compared to existing conditions and would cause a significant and unavoidable impact in criteria pollutants. GHG emissions thresholds were exceeded in the operation phase of the Project regarding the generation of GHG emissions, would conflict with an applicable plan, policy or regulations and would generate cumulative GHG emissions. For this reason, the alternatives analyzed were selected to evaluate the potential to further reduce impacts on air quality and GHG emissions. For air quality and GHG emissions specifically, mobile emissions would need to be reduced, as those constitute the majority of NO_x pollutants and GHG emissions.

Lastly, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic Project objectives. The alternatives that were selected for additional consideration were chosen in accordance with the above listed CEQA Guidelines, represent a reasonable range of alternatives, are feasible, and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

6.2 Project Objectives

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic Project objectives. The basic Project objectives are listed in **Section 2: Project Description** and are as follows:

1. Develop an industrial project that conforms to the City's General Plan and the Menifee North Specific Plan.
2. Provide a new development that will generate a positive fiscal balance for the City moving forward.
3. Design and build a Class-A institutional quality industrial project that will attract high end tenants and increase the City's tax base.
4. Generate employment opportunities within the City while improving the local balance of housing to job ratio.
5. Facilitate the movement of goods and services for the benefit of local and regional economic growth.
6. Develop a warehouse project adjacent to transportation corridors, truck routes, local amenities, and the nearby Interstate 215 Freeway for employee convenience and efficiencies of transporting goods.
7. Develop a warehouse project which efficiently uses the property, while conforming with all City regulatory policies.
8. Improve public safety and traffic flow in North Menifee with roadway and infrastructure improvements of Trumble Road, Sherman Road, Dawson Road, McLaughlin Road, and Ethanac Road.
9. Provide enhanced landscaping along City designated corridors with the construction of wide streets and landscaping setbacks.

10. Provide the backbone infrastructure for future growth and prosperity of the surrounding benefit area that will serve the immediate and long-term needs of the community.

6.3 Criteria for Selecting Alternatives

Per § 15126.6 (b) of the State CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternative’s analysis therefore focuses on Project alternatives that could avoid or substantially lessen environmental impacts of the Project related to the environmental categories listed in Appendix G of the State CEQA Guidelines while meeting the Project’s objectives; refer to **Table 6-1: Project Objective Consistency Analysis**.

Table 6-1: Project Objective Consistency Analysis

Project Objectives	Alternative 1 No Project	Alternative 2 Reduced Building Intensity	Alternative 3 Trailer Storage and/or Additional Vehicular Parking on westerly Site
	Consistent?	Consistent?	Consistent?
1. Develop an industrial project that conforms to the City’s General Plan and the Menifee North Specific Plan.	No	Yes	Yes
2. Provide a new development that will generate a positive fiscal balance for the City moving forward.	No	Yes	Yes
3. Design and build a Class-A institutional quality industrial project that will attract high end tenants and increase the City’s tax base.	No	Yes	Yes
4. Generate employment opportunities within the City while improving the local balance of housing to job ratio.	No	Yes	Yes
5. Facilitate the movement of goods and services for the benefit of local and regional economic growth.	No	Yes	Yes
6. Develop a warehouse project adjacent to transportation corridors, truck routes, local amenities, and the nearby Interstate 215 Freeway for employee convenience and efficiencies of transporting goods.	No	Yes	Yes
7. Develop a warehouse project which efficiently uses the property, while conforming with all City regulatory policies.	No	No	Yes
8. Improve public safety and traffic flow in North Menifee with roadway and infrastructure improvements of Trumble Road, Sherman Road, Dawson Road, McLaughlin Road, and Ethanac Road.	No	Yes	Yes

Project Objectives	Alternative 1 No Project	Alternative 2 Reduced Building Intensity	Alternative 3 Trailer Storage and/or Additional Vehicular Parking on westerly Site
	Consistent?	Consistent?	Consistent?
9. Provide enhanced landscaping along City designated corridors with the construction of wide streets and landscaping setbacks.	No	Yes	Yes
10. Provide the backbone infrastructure for future growth and prosperity of the surrounding benefit area that will serve the immediate and long-term needs of the community.	No	Yes	Yes

6.4 Alternatives Removed from Further Consideration

State CEQA Guidelines § 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the Alternative would be infeasible, fail to meet most of the basic project objectives, or unable to avoid significant environmental impacts. Furthermore, an EIR may consider an alternative location for the proposed Project but is only required to do so if significant project effects would be avoided or substantially lessened by moving the Project to another site and if the Project proponent can reasonably acquire, control, or otherwise have access to the alternative site.

In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. The anticipated significant impacts would result from the intensity of the development proposed. In developing a reasonable range of alternatives, an alternative site alternative was considered but removed from consideration for a variety of reasons. These alternatives and the reasons are discussed briefly below:

Alternative Site Alternative

The analysis of alternatives to the proposed Project must also address “whether any of the significant effects of the Project would be avoided or substantially lessened by putting the Project in another location” (CEQA Guidelines, § 15126.6(f)(2)(A)). Only those locations that would avoid or substantially lessen any of the significant effects of the Project need be considered. If no feasible alternative locations exist, the agency must disclose the reasons for this conclusion (CEQA § 15126.6(f)(2)(B)). In this case, while it is feasible that an alternative site could be selected for the Project, an alternative site would entail either the same or new significant environmental effects as the Project site. For example, development of the proposed Project on any suitable alternative site in or around the City may not avoid or substantially lessen the proposed Project’s impacts. This generally applies to impacts such as air quality impacts, greenhouse gas emissions, or transportation impacts that occur over a wider area than generally site-specific impacts such as those to aesthetic or biological resources. Additionally, impacts like these could be greater if the alternative site is located further away from a major transportation corridor or in areas with existing unacceptable traffic levels. Moreover, an alternative site that is adjacent to undeveloped lands could result in increased impacts on aesthetics and utilities due to increased service capacity and incongruous development, than a site, such as the Project site that is surrounded by existing development.

Furthermore, viable alternative locations for the Project are limited to those that would feasibly attain most of the Project objectives. There are no other lots appropriately located and sufficient sized and owned by the Project applicant in the City and near a major transportation corridor that would satisfy the Project objectives and eliminate or reduce impacts from the Project. The Project is proposed to be located near a major transportation route with Interstate 215 (I-215) to the west of the Project site.

6.5 Alternatives to the Project

The alternatives listed below present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each alternative and the ability of each alternative to meet basic Project objectives.

Alternative No. 1: No Project Alternative – The “No Project” Alternative allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project by leaving the Project site in its existing condition.

Alternative No. 2: Reduced Building Intensity Alternative – The “Reduced Building Intensity” Alternative presents a project variation in which the proposed warehouse buildings would be developed at a smaller scale (Building 1 at 1,066,036 square feet [SF] and Building 2 at 328,074 SF), or a 15% reduction in square footage when compared to the proposed Project and would therefore create a less intense usage of the land area. Other components of the Project would remain.

Alternative No. 3: Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative – Alternative 3 assumes that Building 1 would be built at a slightly smaller scale (1,249,279 SF versus the proposed Project at 1,254,160 SF). Additionally, Building 2 would not be constructed. In its place on the portion of the site totaling approximately 20-acres located west of Sherman Road, east of Trumble Road, south of Ethanac Road and north of McLaughlin Road would be developed with a trailer/auto parking lot consisting of 757 automobile parking stalls and 350 trailer parking stalls.

6.6 Comparison of Project Alternatives

Per the State CEQA Guidelines § 15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. For each alternative, the analysis below describes each alternative, analyzes the impacts of the alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessened by the alternative, assesses the alternative’s ability to meet most of the Project objectives, and evaluates the comparative merits of the alternative and the Project. The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative to meet the Project objectives.

Alternative 1: No Project Alternative (No Warehouse Development or Off-Site Improvements)

State CEQA Guidelines § 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project site would not be developed, which means

there would be no warehousing facilities, landscape improvements, or surface lot improvements developed on the Project site or off-site.

Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development in keeping with the City’s General Plan land use, Menifee North Specific Plan, and zoning designations.

Alternative 1 Impact Comparison to the Project

Alternative 1 would avoid all potential significant impacts that could occur from Project construction and operation as, by definition, it assumes that no development would occur and therefore no grading, construction or operational traffic and related impacts such as air quality and GHG emissions occur. The lack of significant impacts associated with Alternative 1 would also remove the significant and unavoidable impacts associated with proposed Project implementation. Significant and unavoidable impacts associated with development of the proposed Project were identified in the air quality and GHG emissions environmental analyses.

Aesthetics

Under the No Project Alternative, the warehouses site would remain in its current undeveloped state. However, as previously discussed, the land use designation for the site is Menifee North Specific Plan (SP), Heavy Industrial (HI), and Business Park (BP). The zoning district is Menifee North SP, Heavy Industrial/Manufacturing (HI), and Business Park/Light Industrial (BP). As such, similar uses could be developed on the site in the future. Until such time though, this alternative assumes that the Project site would remain in its current state with two single-family residential units and the majority in its undeveloped state. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be less than significant; similar compared to the proposed Project.

The No Project Alternative would be environmentally superior to the Project regarding aesthetic impacts, as no increase in construction activities or the erection of building that could block views of the mountains would occur and as such no impacts in aesthetics would occur from Alternative 1.

Air Quality

Significant and unavoidable impacts were identified in **Section 4.2: Air Quality** in association with the Project’s inconsistency with AQMP Criterion No. 1. The Project was also found to generate a substantial increase in emissions compared to existing conditions and would cause a significant and unavoidable impact from criteria pollutants. Nevertheless, mitigation was proposed in order to reduce the associated emissions as much as possible. However, the Project impacts would still remain significant and unavoidable.

Alternative 1 would result in no construction or operational emissions from the Project as it would not be developed and would presumably continue the existing uses in the Project site. The continued use of the

Project site in its current state would lead to no change in anticipated emissions and would therefore remain at the current level of emissions generated.

The No Project Alternative would be environmentally superior to the Project regarding air quality impacts, as no increase in construction and traffic would occur and as such no impacts in air quality would occur from Alternative 1.

Biological Resources

The Project would result in a less than significant environmental impacts towards special-status species, riparian habitats, wetlands, and important trees with **MM BIO-1** and **BIO-2** implemented. Under this Alternative, none of the Project's impacts would occur, and no habitat modification would occur.

The No Project Alternative would be the environmentally superior alternative to the Project regarding biological resources, as no habitat, or plant or wildlife species would be modified nor impacted.

Cultural Resources

The Project would result in less than significant impact to a historical resource with implementation of **MM CUL-1** which would replace or maintain trees along Sherman Road and implementation of Conditions of Approval (COA) COA-CUL-1 through COA-CUL-8 to avoid impact to archaeological resources and human remains. Under this Alternative, these potential Project impacts would be avoided, as no ground disturbing activities would occur. This Alternative would also avoid the Project's potential for disturbing historical resources and human remains, which is concluded to be less than significant through compliance with the established regulatory framework as outlined in **MM CUL-1** and COA-CUL-1 through COA-CUL-8.

The No Project Alternative would be environmentally superior to the Project regarding cultural resource impacts, as no site disturbance would occur and as such no impacts to cultural resources would occur.

Energy

Under the No Project Alternative, the proposed Project would not be developed. The Project site is currently largely undeveloped with only some residential development, and as such, does not require or consume comparable energy in comparison to the proposed Project. Therefore, when compared to the proposed Project, no energy impacts associated with the No Project Alternative would occur.

The No Project Alternative would be environmentally superior to the Project regarding energy impacts, as no increase in energy consumption would occur from the site continuing in its existing condition.

Geology and Soils

The Project would result in a less than significant impact regarding the loss of topsoil, impacts from strong seismic activity, development on an unstable soil, and impacts on paleontological resources without mitigation measures implemented. Therefore, similar to the proposed Project, no geology impacts associated with the No Project Alternative would occur.

The Project site is located in a region prone to strong seismicity, and is susceptible to seismic, geologic, and soils hazards. Implementation of the Project would naturally introduce potential hazards from significant geologic conditions that could result in the damage or loss of property and people. Project construction could also impact unknown paleontological resources and as such would require implementation of **MM GEO-1** to reduce significance levels. Under this alternative, impacts as described above would be fully avoided, with the exception being strong seismic ground shaking.

The No Project Alternative would be environmentally superior to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under the No Project Alternative would be infrequent, whereas the Project would expose people and structures to said hazards permanently.

The No Project Alternative would be environmentally superior to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under the No Project Alternative would be infrequent, whereas the Project would expose people and structures to said hazards permanently.

Greenhouse Gas Emissions

The Project's significant and unavoidable GHG emissions impacts were associated with the exceedance of emissions thresholds in the operation phase of the Project regarding the generation of GHG emissions, would conflict with an applicable plan, policy or regulations, and would generate cumulative GHG emissions. Although mitigation is proposed to minimize the potential emissions impacts associated with Project implementation, emissions are still anticipated to exceed the City's 3,000 MTCO₂e maximum threshold (AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, and AQ-8). Because emissions are anticipated to exceed allowable levels, the Project's emissions would also conflict with air quality goals in a manner that would be significant and unavoidable.

Alternative 1 would result in no operations emissions as a result of the Project since the Project would not be developed in this alternative. The existing, minimal emissions would continue. These emissions would be incorporated and accounted for in the City's long-range planning efforts and would therefore act as a baseline for the City's air quality goals.

The No Project Alternative would be environmentally superior to the Project regarding GHG emissions, since no increase in GHG emissions would occur.

Hazards and Hazardous Materials

Hazardous and Hazardous Materials Impacts that include 1) increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste 2) foreseeable or accidental release of hazardous materials 3) emissions of hazardous emissions to nearby schools 4) location on Cortese List of known hazardous material sites and 5) location near a nearby airport would all be less than significant level when associated with the proposed Project.

Under Alternative 1, all the previous impacts would be No Impact. As such, because Alternative 1 would not develop the Project site or expose people or structures to the potential of any hazards, then the No Project Alternative would still be a superior alternative.

The No Project Alternative would be environmentally superior to the Project regarding hazards and hazardous materials, since no ground disturbing activities would occur, and no buildings or structures would be constructed or operated.

Hydrology and Water Quality

The proposed Project is anticipated to have a less than significant impact on violating water quality or waste discharge, altering existing drainage patterns, soil erosion with implementation of **MMs HYD-1** through **HYD-3**. Alternative 1 would eliminate both short-term and long-term impacts to water quality, since grading, excavation, or construction activities associated with the development of the site would be avoided. This Alternative would not alter current hydrologic conditions, compared to the development of the Project components nor increase the rate of stormwater runoff that would negatively affect the water quality. In addition, the “No Project” alternative would eliminate the need to seek discretionary permits as listed in **Section 4.9: Hydrology and Water Quality**. Regarding hydrology and water quality, Alternative 1 would be the superior alternative.

The No Project Alternative would be environmentally superior to the Project regarding hydrology and water quality, since no increase in stormwater capacity would occur, impervious surfaces would not increase, and land uses would not be added.

Land Use and Planning

The No Project Alternative would retain the Project site in its current condition - the existing land use as predominately vacant lots with some residential would be retained and no warehouses or improvements would be constructed. The Project includes a General Plan Amendment (GPA), Specific Plan Amendment (SPA), Change of Zone (ZC), Tentative Parcel Map (TPM), and a Plot Plan (PP). Under the No Project Alternative, existing land use would be maintained, removing the need for a GPA, ZC, TPM, and PP. The Project would not divide an established community nor would the No Project Alternative.

The No Project Alternative would be environmentally superior to the Project regarding land use and planning, since no land uses would be added, and no land use entitlements would be required.

Noise

The proposed Project would implement **MM NOI-1** to reduce excess noise levels from construction machinery, demolition, site preparation, grading, and building construction, as well as operational noise which would reduce impacts to a level of less than significant. Additionally, the Project is anticipated to generate a less than significant vibration impact. Under Alternative 1, on-site noise levels would remain from the existing non-conforming residential uses. However, no short-term construction activity or Project operations would occur.

The No Project Alternative would be environmentally superior to the Project regarding noise and vibration. The short-term construction-related or long-term operational vehicular noise level and vibration increases associated with the Project would not occur.

Public Services

The proposed Project would not have an impact to public services with the payment of the applicable Development Impact Fees (DIF). Under Alternative 1, no warehouse or associated improvements would be developed, and as such, no DIFs would be paid to the City of Menifee for various City services. However, because the Project site is currently mostly vacant, with the exception of two non-conforming residential uses, there would be an increased need for police and fire services to account for the likely increase in workers occupying the mostly vacant site. Additionally, maintaining the site in its current mostly vacant condition would continue to be available for illegal dumping. Therefore, the No Project Alternative would be environmentally inferior when compared to the proposed Project.

Transportation

The Project would have a less than significant impact on transportation with mitigation incorporated, specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Project would not have an impact or conflict with CEQA Guidelines § 15064.3.

Alternative 1 would not include the increase in traffic or VMT associated with the Project since the site would not be developed under this Alternative. The existing transportation pattern would continue based on the existing mixed vacant and residential condition of the Project site. However, under Alternative 1, the adjacent roadways would not receive street improvements, sidewalk improvements, turning lanes, and traffic signal improvements, as noted in **Table 4.13-7: Mitigation Measures (Recommended Improvements)**. These improvements would create more efficient transportation routes and improve levels of service and VMT for the associated roadways. Under Alternative 1, those roadways would continue to operate at existing levels. Although the proposed Project is also not anticipated to create any significant impacts and is anticipated to provide infrastructure improvements to the general area, Alternative 1 would avoid any additional traffic in the meantime until the Project site is developed by a different project.

The No Project Alternative would be environmentally superior to the Project regarding transportation impacts. No increase in construction and operational trips would occur under this Alternative.

Tribal Cultural Resources

The proposed Project would cause a less than significant impact to tribal cultural resources without mitigation measures. Implementation of COA-CUL-1 through COA-CUL-8 would further reduce the potential of impacts to tribal cultural resources.

The No Project Alternative would be environmentally superior to the Project regarding tribal cultural resources. There would be no potential for impacting tribal cultural resources since no ground disturbing activities would occur.

Utilities and Service Systems

Alternative 1 would not demand any more utilities or services than those currently being expended to service the site. Given the Project’s scope and nature (i.e., warehouse construction and landscape maintenance), Project operations would create a demand for water, and increase wastewater and solid waste generation. This Alternative would greatly reduce the demand for water and wastewater, solid waste services, and gas and electricity services. Although the proposed Project would not create a significant impact on utilities and service systems, Alternative 1 would be environmentally superior to the Project regarding impacts to utilities and service systems since no additional utilities would be required to continue to operate the existing on-site uses.

The No Project Alternative would be environmentally superior to the Project regarding impacts to utilities and service systems. Temporary increases in utility demand and construction of utilities would not occur during construction, and neither would increase in services and utilities demand resulting from operation of the warehouses.

Alternative 1 Summary

Alternative 1 would not meet any of the Project objectives, as identified above as the Project site would remain in its existing condition. The Project site would not provide employment opportunities, would not facilitate the movement of goods, would not develop an industrial project/warehouse facility that is Class A and that would attract high-end tenants to increase the City’s tax base.

Alternative 2: Reduced Building Intensity (15% Reduction)

Alternative 2 assumes the proposed Project would undergo a 15% reduction in the overall square footage of the proposed of warehouse buildings 1 and 2; refer to **Table 6-2: Alternative 2 Design Alternative**.

Table 6-2: Alternative 2 Design Alternative

Feature	Project	Alternative 2 (15% Reduction)
<u>Net Site Area</u>		
(Acres)	71.84 AC	71.84 AC
(SF)	2,257,803 SF	2,257,803 SF
<u>Building Site Coverage</u>	55.3%	47%
<u>Warehouse Building 1</u>		
Office	14,500 SF	12,325 SF
Mezzanine	144,220SF	122,587SF
Warehouse	1,095,440 SF	1,066,036 SF
Total	1,254,160	1,200,984 SF
Automobile Parking Stalls	679 Stalls	563 Stalls
Trailer Parking Stalls	369 Stalls	243 Stalls

Feature	Project	Alternative 2 (15% Reduction)
<u>Warehouse Building 2</u>		
Office	10,000 SF	8,500 SF
Mezzanine	-	-
Warehouse	375,970SF	319,575 SF
Total	385,970SF	328,075 SF
Automobile Parking Stalls	232 Stalls	180 Stalls
Trailer Parking Stalls	154 Stalls	142 Stalls
Total Building Area	1,640,130 SF	1,394,110 SF
Landscaping	275,745 SF	317,106 SF

Any off-site improvements associated with the proposed Project would remain consistent with the Project.

Alternative 2 Impact Comparison to the Project

Alternative 2 would minimize impacts related to the scale of the Project. Therefore, environmental impact areas such as aesthetics, energy, utilities and service systems, and wildfire hazards may see a nominal improvement regarding potential impact significance. However, these resource areas are anticipated to have a less than significant impact under the Project. Overall, the Project was able to achieve a less than significant impact with mitigation incorporated in all environmental impact areas except air quality and greenhouse gas emissions. These resources were anticipated to create significant and unavoidable impacts. An evaluation of the impacts associated with the development of Alternative 2 (Reduced Building Intensity) are described below.

Aesthetics

The same general aesthetics impacts would occur with the Reduced Building Intensity Alternative (Alternative 2) when compared to the proposed Project. Although the building footprint would be reduced with this Alternative, the general mass and scale of the site would be the same. When compared to the proposed Project, aesthetics impacts associated with Alternative 2 would be similar when compared to the proposed Project.

Alternative 2 would be environmentally equivalent to the Project regarding aesthetic impacts, as no increase in construction and traffic would occur and as such no impacts in aesthetics would occur from Alternative 1.

Air Quality

As previously stated, the Project would conflict with established air quality plans for the region and pollutant generation. Specifically, the Project would be inconsistent with AQMP Criterion No. 1, and the Project would generate a substantial increase in emissions compared to existing conditions and would cause a significant and unavoidable impact in criteria pollutant.

Alternative 2 proposes the same warehousing land use as the Project although the warehousing building space would be reduced by 188,124 square feet for Alternative 2. Presumably, this would reduce potential

operational emissions through the reduced building area. However, the majority of operational emissions stemmed from mobile sources such as vehicles and construction equipment. The vehicular traffic generated from the Project is not anticipated to be significantly reduced under Alternative 2. Operations of Alternative 2 is expected to be similar to the Project. Although under Alternative 2 that proposed uses would be reduced by 15%, because the site's use would not be greatly reduced under Alternative 2.

Alternative 2 would be environmentally superior to the Project regarding air quality impacts because a slight decrease in construction and traffic would occur and as a much less intense air quality impact would occur from Alternative 2. However, there still would be a significant and unavoidable impact under Alternative 2.

Biological Resources

Both Alternative 2 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar biological resource impacts. As with the proposed Project, **MMs BIO-1** and **BIO-2** would be required to reduce biological resource impacts to a level of less than significant.

Alternative 2 would be an environmentally equivalent alternative compared to the Project regarding biological resources, as the same habitat, plant or wildlife species would be modified nor impacted.

Cultural Resources

Alternative 2 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar cultural resource impacts. As with the proposed Project, implementation of **MMs CUL-1** and COA-CUL-1 through COA-CUL-8 would be required to reduce cultural resource impacts to a level of less than significant.

Alternative 2 would be an environmentally equivalent alternative compared to the Project regarding cultural resources, as the same footprint would be modified or impacted.

Energy

Alternative 2 and the proposed Project would require energy during both the construction and operations phases of the Project, although Alternative 2 would require approximately 15% less energy to build and operate when compared to the proposed Project. When compared to the proposed Project, Alternative 2 would result in fewer energy-related impacts than the proposed Project. As such, the Reduced Building Intensity Alternative would be environmentally superior to the Project regarding energy impacts, as a decrease in energy consumption would occur compared to the proposed Project.

Geology and Soils

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar geology and soils impacts. As with the proposed Project, **MM GEO-1** would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would also occur with implementation of the Reduced Building Intensity Alternative.

Alternative 2 would be environmentally equivalent to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under this Alternative would be equivalent to the Project.

Greenhouse Gas Emissions

The Project's significant and unavoidable GHG impacts were associated with the exceedance of emissions thresholds in the operation phase of the Project regarding the generation of GHG emissions, would conflict with an applicable plan, policy or regulations and would generate cumulative GHG emissions. Although mitigation is proposed to minimize the potential emissions impacts associated with Project implementation, emissions are still anticipated to exceed the SCAQMD 3,000 MTCO₂e maximum threshold. Because emissions are anticipated to exceed allowable levels, the Project's emissions would also conflict with air quality goals in a manner that would be significant and unavoidable. For this impact, **MMs AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, and AQ-8**, were proposed to reduce potential impacts, however, the Project was still found to exceed thresholds with mitigation. Like air quality above, the Project's emissions stem largely from mobile source emissions.

Alternative 2 would likely reduce emissions impacts through a reduction in energy use in a smaller space. However, the usage rate of the Project site would remain similar. Even with a reduction in energy use emissions, the mobile source emissions associated with vehicular travel would not be largely reduced. Therefore, Alternative 2 would likely remain in excess of the City's GHG emissions thresholds. The impact would be expected to remain a significant and unavoidable impact.

Alternative 2 would be environmentally superior compared to the Project regarding GHG emissions only because it will reduce the energy need by approximately 15%, but this reduction does not eliminate the significant and unavoidable impact generated by Alternative 2.

Hazards and Hazardous Materials

Alternative 2 and the proposed Project would disturb the same footprint, and as such, Alternative 2 would also result in less than significant impacts. As with the proposed Project, conditions of approval (COA) would be required to further reduce hazards impacts to a level of less than significant. As such, no mitigation measures would be necessary under Alternative 2.

Alternative 2 would be environmentally equivalent to the Project regarding hazards and hazardous materials, since the same ground disturbing activities would occur, and buildings/structures would be constructed and operated on the same footprint.

Hydrology and Water Quality

Alternative 2 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar hydrology and impacts. As with the proposed Project, **MMs HYD-1 through HYD-3** would be required to reduce geology and soils impacts to a level of less than significant.

Alternative 2 would be environmentally equivalent to the Project regarding hydrology and water quality, since although lower, an increase in stormwater capacity would occur, impervious surfaces would increase, and land uses would be added.

Land Use and Planning

The Project requires a GPA, SPA, ZC, TPM, and PP. Alternative 2 would require the same entitlements. As such, Alternative 2 would be environmentally equivalent to the Project regarding land use and planning, since land uses would be added, and land use entitlements would be required.

Noise

Both the Alternative 2 and the proposed Project would generate noise and vibration during both the construction and operations phases of the Project, although the Alternative 2 would likely generate approximately 15% less noise when compared to the proposed Project given the reduction in size. When compared to the proposed Project, Alternative 2 would result in fewer noise-related impacts than the proposed Project; however, it is anticipated that both Alternative 2 and the proposed Project would require similar mitigation measures to reduce noise impacts.

Alternative 2 would be environmentally equivalent to the Project regarding noise and vibration, because the short-term construction-related or long-term operational vehicular noise level and vibration increases associated with the Project, although lower, would remain similar to the proposed Project.

Public Services

Both Alternative 2 and the proposed Project would require additional public service needs compared to the existing conditions on the site. Although Alternative 2 would require approximately 15% less public service needs when compared to the proposed Project given the reduction in size. When compared to the proposed Project, Alternative 2 would result in fewer public service impacts related impacts than the proposed Project and associated DIF would also be paid; however, it is anticipated these reductions would be nominal. Therefore, Alternative 2 would be environmentally equivalent when compared to the proposed Project.

Transportation

The Project would have a less than significant impact on transportation with mitigations incorporated specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Project would not have an impact or conflict with CEQA Guidelines § 15064.3.

Because the proposed Project was found to not have an impact on transportation and because Alternative 2 would further reduce the overall Project footprint by 15%, it is assumed that Alternative 2 would have a lesser impact than the proposed Project. Alternative 2 would be environmentally superior compared to the proposed Project.

Tribal Cultural Resources

The proposed Project would cause a less than significant impact to tribal cultural resources without mitigation measures. Implementation of COA-CUL-1 through COA-CUL-8 would further reduce the potential of impacts to any resources. Alternative 2 would disturb the same footprint and as such has the same potential to unearth tribal cultural resources. Because Alternative 2 would develop the site with the same use as the proposed Project, similar impacts would occur with implementation of the Alternative.

Alternative 2 would be environmentally equivalent to the Project regarding tribal cultural resources. There would be no potential for impacting tribal cultural resources with implementation of COA-CUL-1 through COA-CUL-8.

Utilities and Service Systems

Alternative 2 would result in fewer utility and service system related impacts compared to the proposed Project. Alternative 2 would be environmentally superior compared to the proposed Project regarding impacts to utilities and service systems. Temporary increases in utility demand and construction of utilities would still occur during construction, and there would be an increase in services and utilities demand resulting from operation of the warehouses under Alternative 2, but these increases would be lower than with the proposed Project.

Alternative 2 Summary

Alternative 2 would likely lead to reduced impacts in aesthetics, land use and planning, energy, public services, and utilities and service systems. The smaller size of the warehouse building proposed in Alternative 2 would create a less distinct impact to aesthetic resources such as reduction in viewership of scenic vistas. A smaller building size would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building size as well, along with the associated fire hazards. Additionally, Alternative 2 would reduce air quality and GHG emissions and traffic by approximately 15%.

Alternative 2 would meet all of the Project Objectives. However, Alternate 2 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the proposed Project due to the reduced land coverage (47% versus 55.32%).

Alternative 3: Trailer Storage and/or Additional Vehicular Parking on Smaller Site

Alternative 3 assumes that Building 1 would be built at a slightly smaller scale (1,249,279 SF vs. the proposed Project at 1,254,160 SF). Additionally, Building 2 would not be constructed. In its place on the portion of the site totaling approximately 20-acres located west of Sherman Road, East of Trumble Road, south of Ethanac Road and north of McLaughlin Road would be developed with a trailer/auto parking lot consisting of 757 automobile parking stalls and 350 trailer parking stalls; refer to **Table 6-3: Alternative 3 Design Alternative**.

Table 6-3: Alternative 3 Design Alternative

Feature	Project	Alternative 3
<u>Net Site Area</u> (Acres) (SF)	71.84 AC 2,257,803 SF	71.84 AC 2,257,803 SF
Building Site Coverage	55.3%	39.8%
<u>Warehouse Building 1</u>		
Office	14,500 SF	14,500 SF
Mezzanine	144,220 SF	144,200 SF
Warehouse	1,095,440 SF	1,090,279 SF
Total	1,254,160	1,249,279 SF
Automobile Parking Stall	679 Stalls	679 Stalls
Trailer Parking Stalls	369 Stalls	721 Stalls
<u>Warehouse Building 2</u>		
Office	10,000 SF	N/A
Mezzanine	-	N/A
Warehouse	375,970 SF	N/A
Total	385,970 SF	N/A
Automobile Parking Stall	232 Stalls	757 Stalls
Trailer Parking Stalls	154 Stalls	350 Stalls
Total Building Area	1,640,130 SF	1,249,279 SF
Landscaping	275,745 SF	275,745

Any off-site improvements associated with the proposed Project would remain consistent with the Project.

Alternative 3 Impact Comparison to the Project

Alternative 3 would not construct Building 2 originally considered in the proposed Project. As noted in **Table 6-3**, this would mean that building site coverage would be reduced from 55.3% to 39.8% from the proposed Project to Alternative 3. Building 2 considered in the proposed Project scenario would be replaced by an automobile and truck/trailer parking lot. This would mean that the 385,970 SF Building 2 warehouse would not be constructed. The major change between the proposed Project and Alternative 3 would be that Alternative 3 would reduce long-term impacts to scenic views and would have a slight reduction in utilities and public services as the typical needs from Building 2 construction and operations would not occur. However, other utilities and service system needs would still occur, but at a lower intensity. Other resource areas such as traffic, air quality, energy, GHG, and noise among others would have a similar or greater impact from implementation of Alternative 3.

Aesthetics

Alternative 3 would have a slight reduction in aesthetic impacts as this alternative would not construct Building 2 and there would be less opportunities that views of the mountains (in the distance) are blocked. However, similar to the proposed Project, the general grading activities for the whole site would be similar and mass and scale of Building 1 would be practically identical to the proposed Project. When compared

to the proposed Project, aesthetics impacts associated with Alternative 3 would be similar when compared to the proposed Project.

Alternative 3 would be environmentally superior to the Project regarding long-term aesthetic impacts, and a similar impact on site grading activities.

Air Quality

As previously stated, the proposed Project would conflict with established air quality plans for the region and pollutant generation. Specifically, the Project would be inconsistent with AQMP Criterion No. 1, and the Project would generate a substantial increase in emissions compared to existing conditions and would cause a significant and unavoidable impact in criteria pollutant.

Alternative 3 would not construct Building 2 on the Project footprint. However, in place of Building 2, Alternative 3 would utilize that portion of the site as an auto/truck/trailer parking yard. The capacity of the parking yard in Alternative 3 would be greater than that of the proposed Project. As such, the vehicular traffic generated from proposed Project is anticipated to be higher under Alternative 3. An example of this is shown in **Table 6-3**. Because the traffic generated under Alternative 3 would be higher than the proposed Project, the emissions generated from Alternative 3 would also be greater, worsening the significant and unavoidable impact. As such, the proposed Project would have reduced emissions.

Alternative 3 would be environmentally inferior to the Project regarding air quality impacts because of the increase in traffic that would occur under this Alternative. As a such, a higher intensity in air quality impacts would occur from Alternative 3.

Biological Resources

Both Alternative 3 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar biological resource impacts. As with the proposed Project, **MMs BIO-1** and **BIO-2** would be required to reduce biological resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of Alternative 3.

Alternative 3 would be an environmentally equivalent alternative compared to the Project regarding biological resources, as the same habitat, plant or wildlife species would be modified nor impacted.

Cultural Resources

Alternative 3 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar cultural resource impacts. As with the proposed Project, implementation of **MM CUL-1** and COA-CUL-1 through COA-CUL-8 would be required to reduce cultural resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of Alternative 3.

Alternative 3 would be an environmentally equivalent alternative compared to the Project regarding cultural resources, as the same footprint would be modified or impacted.

Energy

Alternative 3 and the proposed Project would require energy during both the construction and operations phases of the Project, although Alternative 3 would require less energy to build and operate when compared to the proposed Project because only Building 1 would be constructed and operated under Alternative 3. However, Alternative 3 would generate more traffic than the proposed Project and is anticipated to expend higher amounts of fuel/diesel. However, it is assumed that the proposed Project would require less energy than Alternative 3. As such, Alternative 3 would be environmentally inferior to the Project regarding energy impacts.

Geology and Soils

Both Alternative 3 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar geology and soils impacts. As with the proposed Project, **MM GEO-1** would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would occur with implementation of Alternative 3.

Alternative 3 would be environmentally equivalent to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under this Alternative would be equivalent to the Project.

Greenhouse Gas Emissions

The Project's significant and unavoidable GHG impacts were associated with the exceedance of emissions thresholds in the operation phase of the Project regarding the generation of GHG emissions, would conflict with an applicable plan, policy or regulations and would generate cumulative GHG emissions. Although mitigation is proposed to minimize the potential emissions impacts associated with Project implementation, emissions are still anticipated to exceed the City's 3,000 MTCO₂e maximum threshold. Because emissions are anticipated to exceed allowable levels, the Project's emissions would also conflict with air quality goals in a manner that would be significant and unavoidable. For this impact, **MMs AQ-2, AQ-3, AQ-4, AQ-5, AQ-6, and AQ-8**, were proposed to reduce potential impacts, however, the Project was still found to exceed thresholds with mitigation. Like air quality above, the Project's emissions stem largely from mobile source emissions.

Alternative 3 would likely increase emissions impacts through the increase in energy due to the increase in parking facilities as there would be an increase in auto/truck/trailer space. Therefore, Alternative 3 would likely remain in excess of the City's GHG emissions thresholds. The impact would be expected to remain a significant and unavoidable impact.

Alternative 3 would be environmentally inferior to the Project regarding GHG emissions.

Hazards and Hazardous Materials

The proposed Project would have a less than significant impact in this regard. Alternative 3 would disturb the same footprint as the proposed Project, and as such, would also result in less than significant impacts similar to the proposed Project. As with the proposed Project, COAs would be required to further reduce

hazards impacts to a level of less than significant. As such, no mitigation measures would be necessary under Alternative 3.

Alternative 3 would be environmentally equivalent to the Project regarding hazards and hazardous materials, since the same ground disturbing activities would occur, and buildings/ structures would be constructed and operated on the same footprint.

Hydrology and Water Quality

Alternative 3 and the proposed Project would disturb the same footprint for construction, and as such, would result in similar hydrologic and water quality impacts. As with the proposed Project, **MMs HYD-1** through **HYD-3** would be required to reduce impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Alternative 3.

Alternative 3 would be environmentally equivalent to the Project regarding hydrology and water quality, since although lower, an increase in stormwater capacity would occur and impervious surfaces would increase.

Land Use and Planning

The Project requires a GPA, SPA, ZC, TPM, and PP. Alternative 3 would require the same entitlements. As such, the Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative would be environmentally equivalent to the Project regarding land use and planning, since land uses would be added, and land use entitlements would be required.

Noise

Both Alternative 3 and the proposed Project would generate noise and vibration during both the construction and operations phases of the Project. Alternative 3 would have a shorter construction timeframe since Building 2 would not be constructed, and as such, a reduced short-term construction noise impact. However, because Alternative 3 would include an increased amount of traffic compared to the proposed Project, it is anticipated that Alternative 3 would have a greater long-term operational traffic related noise. Because the proposed Project would have a greater short-term construction noise impact and Alternative 3 would have a greater long-term operational noise impact, it is assumed that Alternative 3 and the proposed Project would have a comparable noise impact.

Alternative 3 would be environmentally equivalent to the Project regarding noise and vibration, because the short-term construction-related or long-term operational vehicular noise level and vibration increases associated with the Project, although lower, would remain similar to the proposed Project.

Public Services

The need for public services is anticipated to be greater under the proposed Project than under Alternative 3, because Alternative 3 omits construction of Building 2. As such, less wastewater, solid waste would be generated and less services such as electricity, potable water, and other services would be necessary. Both alternatives would require the Project applicant to pay any applicable DIFs. In this regard, Alternative 3 is anticipated to generate less impacts to public services.

Therefore, the Alternative 3 would be environmentally superior when compared to the proposed Project.

Transportation

The Project would have a less than significant impact on transportation with mitigation measures incorporated specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Project would not have an impact or conflict with CEQA Guidelines § 15064.3.

Alternative 3 would provide the same site use, which includes warehousing and vehicle/truck traffic and parking. However, there would be a greater number of vehicles and trucks associated with Alternative 3; refer to **Table 6-3**. As such, it is assumed that Alternative 3 would create a greater impact as it relates to traffic, and indirectly on, air quality and GHG. It is assumed that Alternative 3 would have a similar impact than the proposed Project as the trailer/auto parking lot could be used not only to park Building 1 associated vehicles, but the additional parking stalls could be rented out to users who would not be visiting or accessing Building 1.

Alternative 3 would be environmentally inferior to the proposed Project.

Tribal Cultural Resources

The proposed Project would cause a less than significant impact to tribal cultural resources without mitigation measures. Implementation of COA-CUL-1 through COA-CUL-8 would further reduce the potential of impacts to any resources. Alternative 3 would disturb the same footprint and as such has the same potential to unearth tribal cultural resources. Because Alternative 3 would develop the same footprint with only one building, it is assumed that the parking lot area would require shallower grading than the proposed project. As such, it is concluded that Alternative 3 could result in less chances that resources are uncovered compared to the site's development under the proposed Project.

Alternative 3 would be environmentally equivalent to the Project regarding tribal cultural resources. There would be no potential for impacting tribal cultural resources with implementation of COA-CUL-1 through COA-CUL-8.

Utilities and Service Systems

Alternative 3 would result in fewer utility and service system related impacts compared to the proposed Project. Although temporary increases in utility demands from construction activities would be necessary, Alternative 3 would be environmentally superior to the Project regarding impacts to utilities and service systems in the long-term because the proposed auto/truck/trailer parking yard would require less utilities for maintenance and functionality than the proposed Project. As such, Alternative 3 would be the superior alternative.

Alternative 3 Summary

As identified above, unlike the proposed Project, Alternative 3 would only develop the site with one warehouse (Building 1). The square feet of Building 1 would decrease slightly under Alternative 3 and

Building 2 would not be constructed. Rather, the portion of the site for Building 2 would be developed with a vehicle/truck/trailer parking yard. Overall, Alternative 3 would be slightly less construction intensive, but has the potential to be more traffic intensive and thus generate more air quality, energy, greenhouse gas emissions, noise, and transportation impacts than the proposed Project.

6.7 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in **Table 6-1: Project Objective Consistency Analysis**, the environmentally superior alternative is Alternative 1: No Project Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the operational impacts that would be associated with any of the other alternatives, Alternative 1 has fewer environmental impacts than the proposed Project or any of the other alternatives (refer to **Table 6-4** below).

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the “No Project” alternative is found to be environmentally superior, “the EIR shall also identify an environmentally superior alternative among the other alternatives. Aside from the No Project Alternative, the Alternatives 2 and 3 include project features that would ultimately offset each other and ultimately have a similar environmental impact.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives, and an alternative’s ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. As such, the No Project Alternative would be the environmentally superior alternative because it would eliminate all of the potentially significant impacts of the proposed Project. However, while the No Project Alternative is the environmentally superior alternative, it is not capable of meeting any of the basic objectives for the Project or the General Plan.

Aside from the No Project Alternative, the environmentally superior Alternative to the proposed Project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, it is assumed that Alternative 2: “Reduced Building Intensity” is the environmentally superior Alternative. This is an environmentally superior project alternative because would reduce the project by 15%, including traffic generated by the project which would translate to a potential 15% reduction in emissions affecting air quality and greenhouse gases. However, the 15% reduction does not generate a less than significant impact in air quality and greenhouse gas emissions.

Table 6-4: Comparison of Project Alternatives Environmental Impacts with the Project

EIR Resource Section	Alternatives			
	Project - Level of Impact After Mitigation	Alternative 1 No Project	Alternative 2 Reduced Building Intensity	Alternative 3 Trailer Storage and/or Additional Vehicular Parking on Smaller Site
Aesthetics	Less Than Significant	-	=	-
Air Quality	Significant and Unavoidable	-	-	+
Biological Resources	Less Than Significant	-	=	=
Cultural Resources	Less Than Significant	-	=	=
Energy	Less Than Significant	-	-	+
Geology and Soils	Less Than Significant	-	=	=
Greenhouse Gas Emissions	Significant and Unavoidable	-	-	+
Hazards and Hazardous Materials	Less Than Significant	-	=	=
Hydrology and Water Quality	Less Than Significant	-	=	=
Land Use and Planning	Less Than Significant	-	=	=
Noise	Less Than Significant	-	=	=
Public Services	Less Than Significant	-	=	-
Transportation	Less Than Significant	-	-	+
Tribal Cultural Resources	Less Than Significant	-	=	=
Utilities and Service Systems	Less Than Significant	-	-	+
Attainment of Project Objectives	Meets all of the Project Objectives	Meets none of the Project Objectives	Meets all of the Project Objectives	Meets all of the Project Objectives
<p>A plus (+) sign means the Project Alternative has more impacts compared to the proposed Project. A minus (-) sign means the Project Alternative has less impact compared to the proposed Project. An equal sign (=) means the Project Alternative has similar impact compared to the proposed Project.</p>				

7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

7.1 Introduction

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines states that “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” This section briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft Environmental Impact Report (EIR) preparation process.

7.2 Agriculture and Forestry Services

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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Impact 7.2-1: *Would the project 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?*

Level of Significance: No Impact

Construction and Operations

Prime farmland is land that has the best combination of physical and chemical attributes that is conducive to sustained agricultural uses and production of the nation’s short and long term needs for food and fiber. Prime farmland is limited and therefore requires conservation when able. Unique farmland is classified as any farmland other than prime farmland that is used to generate high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. Like prime farmland, unique farmland contains an adequate combination of physical and chemical attributes that is conducive to the growth of those high-value crops. Farmland of statewide importance is delineated by individual states and includes land that may not meet the standards of prime or unique farmland but is still able to be an area of significant production for a state.

According to the California Department of Conservation’s California Important Farmland Finder¹ and Exhibit OSC-5: Agricultural Resources² from the City of Menifee’s (City) General Plan (GP) EIR, the Project

¹ California Department of Conservation. 2016. California Important Farmland Finder. Available at <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed May 2020).

² City of Menifee. 2013. Exhibit OSC-5: Agricultural Resources. https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5_AgriculturalResources_HD0913?bidId= (accessed March 2021).

site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The site is classified as Farmland of Local Importance and Other Land by the Farmland Finder and Exhibit OSC-5. Because implementation of the Project would not involve the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, no impact would occur.

Impact 7.2-2: *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Level of Significance: No Impact

Construction and Operations

The City's land use map shows that there are no areas which allow agricultural uses within or nearby the Project site. The Project would occupy a portion of the City which has been designated for Menifee North Specific Plan (SP) land use³ and zoning.⁴ Portions of the Project site are currently designated/classified as Heavy Industrial and Business Park. The Project would include a General Plan Amendment (GPA) and Zone Change to designate/classify these parcels as Menifee North SP. The Project, being a warehousing development with some office uses, would be consistent with the goals and standards intended for Menifee North SP land use type/zone. Additionally, there are no lands within the City that are currently under a Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impact would occur.

Impact 7.2-3: *Would the project 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))?*

Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Level of Significance: No Impact

Construction and Operations

The Project would occupy a portion of the City which has been designated for Menifee North SP land use and zoning. Portions of the Project site are currently designated/classified as Heavy Industrial and Business Park. The Project would include a GPA and Zone Change to designate/classify these parcels as Menifee North SP. According to the City's GPEIR, forest land in the City includes Southern Coast Live Oak Riparian Forest, Southern Cottonwood/Willow Riparian Forest, and Southern Sycamore/Alder Riparian Woodland. These vegetation types are limited and scattered throughout the City, and there is no forest zoning in the City.⁵ The Project site has been heavily disturbed from on-site disturbances (historic farming

³ City of Menifee. 2020. *Land Use Map*. <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2020> (accessed March 2021).

⁴ City of Menifee. 2020. *Zoning Map*. <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---April-2020> (accessed March 2021).

⁵ City of Menifee. 2013. *City of Menifee General Plan Draft EIR, Section 5.2: Agriculture and Forestry Resources*. <https://www.cityofmenifee.us/DocumentCenter/View/1102/Ch-05-02-AG?bidId=> (accessed March 2021).

and disking activities) and existing development, and none of these vegetation types are present on-site. There is no forest or timberland present on the Project site. No impact would occur.

Impact 7.2-4: *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

Level of Significance: No Impact

Construction and Operations

Due to the lack of existing active farmland, forest lands, timberlands, or areas zoned for agriculture on the Project site or immediately surrounding areas, development of the Project site would not involve changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. While a portion of the Project site was designated Farmland of Local Importance, agricultural use of the Project site ceased in the late 1980s.⁶ Further, operations for the Project would not involve logging, forestry, or agricultural uses. Therefore, no impact would occur.

7.3 Mineral Resources

Impact 7.3-1: *Would the project 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?*

Level of Significance: No Impact

Construction and Operations

The Project site and approximately one-third of the City is categorized as Urban Area. A small portion of the City, along Murrieta Road between McCall Boulevard and McLaughlin Road, is symbolized as Mineral Resource Zone (MRZ)-1 (area where available geologic information indicates that little likelihood exists for the presence of significant mineral resources), with the remainder of the City symbolized as MRZ-3 (areas containing known or inferred mineral occurrences of undetermined mineral resource significance).⁷

As previously stated, the Project site would be within an area of the City which is currently disturbed and partially developed. None of the past existing uses included uses that focused on mineral refinement or mining. No mineral resources have been identified in or around the Project site. No impact to mineral resources would occur.

⁶ Earth Strata Geotechnical Services, Inc. 2020. *Phase I Environmental Site Assessment*.

⁷ City of Menifee. 2013. *Exhibit OSC-3: Mineral Resource Zones*. https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3_Mineral_Resource_Zones_HD0913?bidId= (accessed March 2021).

Impact 7.3-2: *Would the project 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?*

Level of Significance: No Impact

Construction and Operations

See response to Impact 7.3-1 above. The Project would be located in a previously disturbed and partially developed portion of the City. The previous uses at the Project site did not include mining activities or mineral processing. Further, no active mining sites exist within the City, according to the California Department of Conservation’s Mines Online mapper.⁸ Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur.

7.4 Population and Housing

Impact 7.4-1: *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Level of Significance: Less than Significant

Construction and Operations

The Project would have a beneficial effect on the City’s employment base by developing a site that is largely vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for Riverside County is approximately 4.3%,⁹ it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant.

Impact 7.4-2: *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Level of Significance: No Impact

Construction and Operations

There are two single-family residences with associated out structures located on the Project site. Both residences appear to be manufactured homes, which can be relocated elsewhere. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere; therefore, no impact would occur.

⁸ California Department of Conservation. 2016. *Mines Online*. <https://maps.conservation.ca.gov/mol/index.html> (accessed March 2021).

⁹ State of California Employment Development Department. 2021. Local Area Unemployment Statistics (LAUS) - Riverside County (Preliminary for March 2022). <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed May 2022).

7.5 Recreation

Impact 7.5-1: *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?*

Level of Significance: No Impact

Construction and Operations

Available for public use in the City of Menifee are 13 City-owned parks and 20 Valley-wide owned parks. The closest parks to the Project site are Eller Park (located at State Highway [SH] 74 and Antelope Road approximately 0.3 mile east of the Project site) and Nova Park located at 25444 Nova Lane, approximately 0.8 mile southwest of the Project site.¹⁰ However, the Project is industrial and warehouse buildings with office space and does not propose any residential development or other land use that may generate a population that would increase the use of these parks or any existing neighborhood or regional parks or other recreational facility. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impact would occur.

Impact 7.5-2: *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?*

Level of Significance: No Impact

Construction and Operations

The Project applicant proposes the construction of a warehouse facility with office space and associated infrastructure improvements. The Project applicant does not propose, nor require, the construction or expansion of recreational facilities. The Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for park and recreational purposes. See Chapter 7.75: Parkland Dedication and Fees of the Menifee Municipal Code for detailed information. Implementation of the Project would not have an adverse physical effect on the environment as it pertains to construction/expansion of recreational facilities. Therefore, no impact would occur.

¹⁰ City of Menifee. ND. Parks. <https://www.cityofmenifee.us/285/Parks> (accessed March 2021).

7.6 Wildfire

Impact 7.6-1: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

Level of Significance: No Impact

Construction and Operations

According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer,¹¹ the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the Project site is located approximately 0.5 mile to the southeast and comprises a small area encompassing a small grouping of hills southeast of C. Talavera. The Project site is located in a Local Responsibility Area. In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZ is located approximately 1.5 miles to the southeast of the Project site, south of McCall Boulevard and encompasses the Menifee mountains. Review of Exhibit S-6: High Fire Hazard Areas of the City's GP further supports the finding that the Project site is not located in or near an SRA and the Project site is not within a VHFHSZ.¹² Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur.

Impact 7.6-2: *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Level of Significance: No Impact

Construction and Operations

Refer to Impact 7.6-1 above. The Project site is not located in or near an SRA and the Project site does not contain lands classified as VHFHSZs. The Project would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire. Therefore, no impact would occur.

Impact 7.6-3: *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Level of Significance: No Impact

Construction and Operations

Refer to Impact 7.6-1 above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project would include construction of warehouse facilities, with parking and

¹¹ CAL FIRE. 2020. CAL FIRE, Fire and Resource Assessment Program, FHSZ Viewer. <https://egis.fire.ca.gov/FHSZ/> (accessed March 2021).

¹² City of Menifee. 2013. City of Menifee General Plan Exhibit S-6: High Fire Hazard Areas. https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId= (accessed March 2021).

landscaping included. Construction and operation of the Project would not increase the risk of fire nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. Therefore, no impact would occur.

Impact 7.6-4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Level of Significance: No Impact

Construction and Operations

Refer to Impact 7.6-1 above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. Because the site is located within an urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impact would occur.

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8.0 EIR CONSULTATION AND PREPARATION

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- Amanda McCallum, Document Production

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Biological Resources

- ELMT Consulting

Cultural Resources and Tribal Cultural Resources

- Jean A. Keller, Ph.D.

Energy

- Urban Crossroads

Geology and Soils

- Southern California Geotechnical
- BCR Consulting LLC

Greenhouse Gas Emissions

- Urban Crossroads

Hazards and Hazardous Materials

- Earth Strata Geotechnical Services, Inc.

Hydrology and Water Quality

- Albert A. Webb Associates

Noise

- dBF Associates, Inc.

Transportation

- Albert A. Webb Associates
- Translutions

Utilities and Service Systems

- Eastern Municipal Water District