

# Draft Environmental Impact Report

## Northern Gateway Logistics Center

---

SCH No. 2021110379

### Lead Agency



**City of Menifee**  
29844 Haun Road  
Menifee, CA 92586  
(951) 769-8520

### CONSULTANT



**Kimley-Horn and Associates, Inc.**  
Kari Cano, Project Manager  
3801 University Avenue, Suite 300  
Riverside, CA 92501

**May 2024**

## Table of Contents

ES	EXECUTIVE SUMMARY .....	ES-1
ES.1	Introduction .....	ES-1
ES.2	Project Overview .....	ES-2
ES.3	Project Description .....	ES-3
ES.4	Significant Unavoidable Impacts .....	ES-3
ES.5	Alternatives to the Project .....	ES-3
ES.6	Areas of Controversy .....	ES-4
ES.7	Summary of Environmental Impacts & Mitigation Measures .....	ES-5
1.0	INTRODUCTION AND PURPOSE .....	1-1
1.1	Purpose of the Environmental Impact Report .....	1-2
1.2	Compliance with CEQA .....	1-2
1.3	Notice of Preparation/Early Consultation .....	1-3
1.4	Draft EIR .....	1-5
1.5	Final EIR .....	1-5
1.6	Format of the EIR .....	1-6
1.7	Incorporation by Reference .....	1-7
2.0	PROJECT DESCRIPTION .....	2-1
2.1	Project Location and Setting .....	2-1
2.2	Surrounding Land uses .....	2-2
2.3	Land Use and Zoning Designations .....	2-2
2.4	Existing Site Conditions .....	2-2
2.5	Proposed Project .....	2-3
2.6	Project Objectives .....	2-5
2.7	Discretionary Actions and Approvals .....	2-5
3.0	BASIS OF CUMULATIVE ANALYSIS .....	3-1
3.1	Introduction .....	3-1
3.2	Cumulative Projects List .....	3-2
4.0	ENVIRONMENTAL IMPACT ANALYSIS .....	4-1
4.0.1	Approach to Environmental Analysis .....	4-1
4.0.2	Environmental Issue Areas Deemed to be Not Significant .....	4-1
4.1	AESTHETICS .....	4.1-1



4.1.1	Introduction.....	4.1-1
4.1.2	Environmental Setting.....	4.1-2
4.1.3	Regulatory Setting .....	4.1-4
4.1.4	Impact Thresholds and Significance Criteria .....	4.1-7
4.1.5	Impacts and Mitigation Measures .....	4.1-8
4.1.6	Cumulative Impacts .....	4.1-11
4.1.7	Significant Unavoidable Impacts .....	4.1-12
4.1.8	References.....	4.1-12
4.2	AIR QUALITY .....	4.2-1
4.2.1	Introduction.....	4.2-1
4.2.2	Environmental Setting.....	4.2-1
4.2.3	Regulatory Setting .....	4.2-6
4.2.4	Impact Thresholds and Significance Criteria .....	4.2-15
4.2.5	Impacts and Mitigation Measures .....	4.2-21
4.2.6	Cumulative Impacts .....	4.2-36
4.2.7	Significant Unavoidable Impacts .....	4.2-37
4.2.8	References.....	4.2-37
4.3	BIOLOGICAL RESOURCES .....	4.3-1
4.3.1	Introduction.....	4.3-1
4.3.2	Environmental Setting.....	4.3-2
4.3.3	Regulatory Setting .....	4.3-7
4.3.4	Impact Thresholds and Significance Criteria .....	4.3-11
4.3.5	Impacts and Mitigation Measures .....	4.3-12
4.3.6	Cumulative Impacts .....	4.3-21
4.3.7	Significant Unavoidable Impacts .....	4.3-22
4.3.8	References.....	4.3-22
4.4	CULTURAL RESOURCES.....	4.4-1
4.4.1	Introduction.....	4.4-1
4.4.2	Environmental Setting.....	4.4-3
4.4.3	Regulatory Setting .....	4.4-7
4.4.4	Impact Thresholds and Significance Criteria .....	4.4-11
4.4.5	Impacts and Mitigation Measures .....	4.4-12

4.4.6	Cumulative Impacts .....	4.4-18
4.4.7	Significant Unavoidable Impacts .....	4.4-18
4.4.8	References.....	4.4-19
4.5	ENERGY.....	4.5-1
4.5.1	Introduction.....	4.5-1
4.5.2	Environmental Setting.....	4.5-1
4.5.3	Regulatory Setting .....	4.5-3
4.5.4	Impact Thresholds and Significance Criteria .....	4.5-9
4.5.5	Impacts and Mitigation Measures .....	4.5-9
4.5.6	Cumulative Impacts .....	4.5-17
4.5.7	Significant Unavoidable Impacts .....	4.5-18
4.5.8	References.....	4.5-18
4.6	GEOLOGY AND SOILS .....	4.6-1
4.6.1	Introduction.....	4.6-1
4.6.2	Environmental Setting.....	4.6-1
4.6.3	Regulatory Setting .....	4.6-4
4.6.4	Impact Thresholds and Significance Criteria .....	4.6-7
4.6.5	Impacts and Mitigation Measures .....	4.6-9
4.6.6	Cumulative Impacts .....	4.6-15
4.6.7	Significant Unavoidable Impacts .....	4.6-15
4.6.8	References.....	4.6-16
4.7	GREENHOUSE GAS EMISSIONS .....	4.7-1
4.7.1	Introduction.....	4.7-1
4.7.2	Environmental Setting.....	4.7-1
4.7.3	Regulatory Setting .....	4.7-3
4.7.4	Impact Thresholds and Significance Criteria .....	4.7-17
4.7.5	Impacts and Mitigation Measures .....	4.7-19
4.7.6	Cumulative Impacts .....	4.7-27
4.7.7	Significant Unavoidable Impacts .....	4.7-27
4.7.8	References.....	4.7-28
4.8	HAZARDS AND HAZARDOUS MATERIALS.....	4.8-1
4.8.1	Introduction.....	4.8-1

4.8.2	Environmental Setting.....	4.8-1
4.8.3	Regulatory Setting .....	4.8-11
4.8.4	Impact Thresholds and Significance Criteria .....	4.8-21
4.8.5	Impacts and Mitigation Measures .....	4.8-22
4.8.6	Cumulative Impacts .....	4.8-29
4.8.7	Significant Unavoidable Impacts .....	4.8-30
4.8.8	References.....	4.8-30
4.9	HYDROLOGY AND WATER QUALITY .....	4.9-1
4.9.1	Introduction.....	4.9-1
4.9.2	Environmental Setting.....	4.9-1
4.9.3	Regulatory Setting .....	4.9-7
4.9.4	Impact Thresholds and Significance Criteria .....	4.9-14
4.9.5	Impacts and Mitigation Measures .....	4.9-15
4.9.6	Cumulative Impacts .....	4.9-24
4.9.7	Significant Unavoidable Impacts .....	4.9-24
4.9.8	References.....	4.9-24
4.10	LAND USE AND PLANNING.....	4.10-1
4.10.1	Introduction.....	4.10-1
4.10.2	Environmental Setting.....	4.10-1
4.10.3	Regulatory Setting .....	4.10-2
4.10.4	Impact Thresholds and Significance Criteria .....	4.10-4
4.10.5	Impacts and Mitigation Measures .....	4.10-5
4.10.6	Cumulative Impacts .....	4.10-20
4.10.7	Significant Unavoidable Impacts .....	4.10-20
4.10.8	References.....	4.10-21
4.11	NOISE .....	4.11-1
4.11.1	Introduction.....	4.11-1
4.11.2	Environmental Setting.....	4.11-1
4.11.3	Regulatory Setting .....	4.11-5
4.11.4	Impact Thresholds and Significance Criteria .....	4.11-10
4.11.5	Impacts and Mitigation Measures .....	4.11-13
4.11.6	Cumulative Impacts .....	4.11-21

4.11.7	Significant Unavoidable Impacts .....	4.11-23
4.11.8	References.....	4.11-23
4.12	PUBLIC SERVICES .....	4.12-1
4.12.1	Introduction.....	4.12-1
4.12.2	Environmental Setting.....	4.12-1
4.12.3	Regulatory Setting .....	4.12-2
4.12.4	Impact Thresholds and Significance Criteria .....	4.12-6
4.12.5	Cumulative Impacts .....	4.12-12
4.12.6	Significant Unavoidable Impacts .....	4.12-12
4.12.7	References.....	4.12-12
4.13	TRANSPORTATION.....	4.13-1
4.13.1	Introduction.....	4.13-1
4.13.2	Environmental Setting.....	4.13-1
4.13.3	Regulatory Setting .....	4.13-2
4.13.4	Impact Thresholds and Significance Criteria .....	4.13-7
4.13.5	Impacts and Mitigation Measures .....	4.13-10
4.13.6	Cumulative Impacts .....	4.13-19
4.13.7	Significant Unavoidable Impacts .....	4.13-20
4.13.8	References.....	4.13-20
4.14	TRIBAL CULTURAL RESOURCES .....	4.14-1
4.14.1	Introduction.....	4.14-1
4.14.2	Environmental Setting.....	4.14-1
4.14.3	Regulatory Setting .....	4.14-3
4.14.4	Impact Thresholds and Significance Criteria .....	4.14-6
4.14.5	Impacts and Mitigation Measures .....	4.14-7
4.14.6	Cumulative Impacts .....	4.14-8
4.14.7	Significant Unavoidable Impacts .....	4.14-9
4.14.8	References.....	4.14-9
4.15	UTILITIES AND SERVICE SYSTEMS.....	4.15-1
4.15.1	Introduction.....	4.15-1
4.15.2	Environmental Setting.....	4.15-1
4.15.3	Regulatory Setting .....	4.15-6

4.15.4	Impact Thresholds and Significance Criteria .....	4.15-12
4.15.5	Impacts and Mitigation Measures .....	4.15-13
4.15.6	Cumulative Impacts .....	4.15-19
4.15.7	Significant Unavoidable Impacts .....	4.15-19
4.15.8	References.....	4.15-19
5.0	ADDITIONAL CEQA CONSIDERATIONS .....	5-1
5.1	Significant and Unavoidable Impacts .....	5-1
5.2	Significant and Irreversible Environmental Changes.....	5-1
5.3	Growth-Inducing Impacts .....	5-3
5.4	Mandatory Findings of Significance .....	5-5
6.0	ALTERNATIVES .....	6-1
6.1	Introduction .....	6-1
6.2	Project Objectives .....	6-3
6.3	Alternatives Rejected as Infeasible .....	6-3
6.4	Analysis of Alternatives to the Project .....	6-4
6.5	Comparison of Alternatives .....	6-4
6.6	Environmentally Superior Alternative .....	6-18
7.0	EFFECTS FOUND NOT TO BE SIGNIFICANT .....	7-1
7.1	Introduction .....	7-1
7.2	Agriculture and Forestry Services .....	7-1
7.3	Mineral Resources.....	7-3
7.4	Population and Housing.....	7-4
7.5	Recreation.....	7-5
7.6	Wildfire .....	7-5
8.0	EIR CONSULTATION AND PREPARATION.....	8-1
8.1	Lead Agency .....	8-1
8.2	Environmental Document Preparers.....	8-1
8.3	Technical Study Preparation .....	8-1

**List of Tables**

Table ES-1: Summary of Impacts and Proposed Mitigation Measures ..... ES-5

Table 2-1: Project Site Assessor Parcel Numbers..... 2-1

Table 2-2: Existing and Surrounding Land Uses ..... 2-2

Table 3-1: List of Cumulative Projects ..... 3-3

Table 4.2-1: Air Contaminants and Associated Public Health Concerns ..... 4.2-3

Table 4.3-2: Ambient Air Quality Data..... 4.2-5

Table 4.2-3: Sensitive Receptors ..... 4.2-6

Table 4.2-4: State and Federal Ambient Air Quality Standards ..... 4.2-7

Table 4.2-5: State and Federal Ambient Air Quality Standards ..... 4.2-12

Table 4.2-6: South Coast Air Quality Management District Emissions Thresholds ..... 4.2-16

Table 4.2-7: South Coast Air Quality Management District Emissions Thresholds ..... 4.2-16

Table 4.2-8: Construction-Related Emissions ..... 4.2-23

Table 4.2-9: Unmitigated Operational Emissions..... 4.2-24

Table 4.2-10: Equipment-Specific Grading Rates ..... 4.2-27

Table 4.2-11: Localized Significance of Construction Emissions ..... 4.2-27

Table 4.2-12: Localized Significance of Operational Emissions..... 4.2-28

Table 4.2-13: Carcinogenic Risk Assessment ..... 4.2-34

Table 4.2-14: Chronic Hazard Assessment..... 4.2-35

Table 4.4-1: Cultural Resources Studies Summary..... 4.4-6

Table 4.4-2: Cultural Resources Summary ..... 4.4-6

Table 4.5-1: Energy Resources Used to Generate Electricity for SCE (2022) ..... 4.5-2

Table 4.5-2: Energy Use During Construction ..... 4.5-10

Table 4.5-3: Unmitigated Annual Energy Use During Operations..... 4.5-14

Table 4.7-1: Description of Greenhouse Gases..... 4.7-2

Table 4.7-2: Construction-Related Greenhouse Gas Emissions ..... 4.7-19

Table 4.7-3: Project Greenhouse Gas Emissions..... 4.7-20

Table 4.7-4: SCAG’s Connect SoCal Consistency ..... 4.7-25

Table 4.10-1: Assessor’s Parcel Numbers ..... 4.10-1

Table 4.10-2: Existing and Surrounding Land Uses ..... 4.10-2

Table 4.10-3: Project Compatibility with SCAG’s Connect SoCal Strategies ..... 4.10-6

Table 4.10-4: Consistency with the City of Menifee General Plan.....	4.10-8
Table 4.11-1: Definitions of Acoustical Terms .....	4.11-1
Table 4.11-2: Existing Traffic Noise Levels.....	4.11-2
Table 4.11-3: Existing Noise Measurements.....	4.11-3
Table 4.11-4: Sensitive Receptors .....	4.11-5
Table 4.11-5: City of Menifee Stationary Source Noise Standards .....	4.11-7
Table 4.11-6: Land Use Compatibility for Community Noise Environments .....	4.11-8
Table 4.11-7: Typical Construction Noise Levels.....	4.11-13
Table 4.11-8: Project Construction Noise Levels.....	4.11-14
Table 4.11-9: Project Operational Noise Levels .....	4.11-17
Table 4.11-10: Project Traffic Noise Levels.....	4.11-18
Table 4.11-11: Typical Construction Equipment Vibration Levels .....	4.11-19
Table 4.11-12: Cumulative Off-Site Traffic Noise Levels.....	4.11-22
Table 4.13-1: Summary of Project Trip Generation .....	4.13-11
Table 4.13-2: Summary of Intersection Operation; Recommended Improvements.....	4.13-14
Table 4.13-3: Summary of Roadway Segment Analysis with Recommended Improvements.....	4.13-15
Table 4.13-4: Project Fair Share Contributions .....	4.13-15
Table 4.13-5: Project VMT Impact Evaluation – Efficiency Metrics .....	4.13-18
Table 4.15-1: Total Retail and Wholesale Water Supply (AFY) .....	4.15-2
Table 4.15-2: Normal Year Supply and Demand Comparison.....	4.15-2
Table 4.15-3: Single Dry Year Supply and Demand Comparison.....	4.15-2
Table 4.15-4: Multiple Dry Years Supply and Demand Comparisons.....	4.15-3
Table 4.15-5: Landfill Information.....	4.15-18
Table 6-1: Alternative 2 Design Alternative.....	6-9
Table 6-2: Alternative 3 Design Alternative.....	6-14
Table 6-3: Comparison of Project Alternatives Environmental Impacts with the Project.....	6-19

**List of Figures**

Exhibit 2-1: Regional Location Map ..... 2-6

Exhibit 2-2: Local Vicinity Map ..... 2-7

Exhibit 2-3: Existing General Plan Land Use Designation ..... 2-8

Exhibit 2-4: Existing Zoning ..... 2-9

Exhibit 2-5: Overall Site Plan ..... 2-10

Exhibit 2-6: Conceptual Site Plan-Building 1 ..... 2-11

Exhibit 2-7: Conceptual Site Plan-Building 2 ..... 2-12

Exhibit 2-8: Conceptual Landscape Plan ..... 2-13

Exhibit 2-9: Conceptual Elevations-Building 1 ..... 2-14

Exhibit 2-10: Conceptual Elevations-Building 2 ..... 2-15

Exhibit 3-1: Location of Cumulative Projects ..... 3-4

Exhibit 4.8-1: Project APNs ..... 4.8-2

Exhibit 4.9-1: National Flood Hazard Layer FIRMette ..... 4.9-6

Exhibit 4.11-1: Noise Measurement Locations ..... 4.11-4



**APPENDICES (PROVIDED UNDER SEPARATE COVER)**

Appendix A - Notice of Preparation and Scoping Meeting Notice

Appendix B - Air Quality and Health Risk Assessments

Appendix C1 - Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

Appendix C2 - Burrowing Owl Focused Survey Report

Appendix C3 – Delineation of State and Federal Jurisdictional Waters

Appendix D - Cultural Resources Assessment

Appendix E - Energy Calculations

Appendix F - Preliminary Geotechnical Evaluation

Appendix G - Greenhouse Gas Emissions Assessment

Appendix H - Phase I Environmental Site Assessment

Appendix I1 - Preliminary Water Quality Management Plan

Appendix I2 - Preliminary Hydrology Calculations

Appendix J - Acoustical Assessment

Appendix K1– Traffic Study

Appendix K2 – SB 743 VMT Analysis

Appendix L - Will Serve Letter

## ES EXECUTIVE SUMMARY

### ES.1 Introduction

The environmental impact report (EIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision-makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with State CEQA Guidelines § 15168 (Title 14 of the California Code of Regulations [CCR]), this Draft EIR (State Clearinghouse No. 2022120083) that has been prepared for the Northern Gateway Logistics Center (Project) and for the City of Menifee (City).

CEQA requires that projects subject to approval by a public agency of the State of California, and that are not otherwise exempt or excluded, undergo an environmental review process to identify and evaluate potential impacts. CEQA Guidelines § 15050 states that environmental review shall be conducted by the Lead Agency, defined in CEQA Guidelines § 15367 as the public agency with principal responsibility for approving a project. The Project is subject to approval actions by the City, which is, therefore the Lead Agency for CEQA purposes. In accordance with CEQA Guidelines § 15123, this section of the Draft EIR provides a brief description of the Project; identifies significant effects and proposed mitigation measures or alternatives that would reduce or avoid those effects; and describes areas of controversy and issues to be resolved.

This Draft EIR serves as a “Project EIR” as defined in § 15161 of the CEQA Guidelines related to the construction and operation of the Project site. The Draft EIR considers the environmental impacts of the Project, as well as the additive effects of growth throughout the County, neighboring areas of the city of Perris. These latter impacts are referred to as cumulative impacts. The Draft EIR also evaluates a range of potential feasible alternatives anticipated to reduce significant impacts of the Project, including a Reduced Footprint Intensity Alternative, Commercial Project Alternative, Manufacturing Project Alternative, No Project Alternative, and an alternative site. This Draft EIR has been prepared for the City, pursuant to the requirements of CEQA.

Pursuant to CEQA Guidelines § 15082, the City circulated a Notice of Preparation (NOP) advising public agencies, special districts, and members of the public who had requested such notice that an EIR for the Project was being prepared. The NOP was distributed on June 21, 2023 to solicit comments related to the implementation of the Project. The NOP was circulated with a 30-day public review period ending on July 20, 2023. This process and the comments submitted in response to the NOP is discussed in **Section 1.0: Introduction**, and **Section ES.6: Areas of Controversy**, below.

After receiving public comments on the NOP, the Project was analyzed for its potential to result in environmental impacts. Impacts were evaluated in accordance with the significance criteria presented in CEQA Guidelines Appendix G, “Environmental Checklist Form,”. The criteria in the Environmental Checklist Form (checklist), was used to determine if the Project would result in, “no impact,” “less than significant impact,” “less than significant impact with mitigation measures,” or “potentially significant impact” to a particular environmental resource. In some instances, a project may use the checklist to provide an initial

discussion of a project and to screen out certain topics from a full discussion in the Draft EIR. This Draft EIR discusses all environmental resources in CEQA Guidelines, Appendix G. A table listing the significant Project impacts and any associated mitigation measures is included at the end of this summary in **Table ES-1: Summary of Significant Impacts and Proposed Mitigation Measures**.

This Draft EIR describes the existing environmental resources on the Project site and in the vicinity of the site, analyzes potential impacts on those resources that would or could occur upon initiation of the Project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts determined to be significant. The environmental impacts evaluated in this Draft EIR concern several subject areas, including air quality, biological resources, cultural resources, energy/energy conservation, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, and utilities and service systems. As noted in the preceding paragraph, public comment was received during the NOP process and included written letters provided to the City. In addition to the list of the summary of comments below, a copy of the letters with the NOP is provided in **Appendix A** to this Draft EIR. The comments were used, as intended, to help inform the discussion of this Draft EIR and help determine the scope and framework of certain topical discussions.

The Draft EIR will be subject to further review and comment by the public, as well as responsible agencies and other interested jurisdictions, agencies, and organizations for a period of 45 days.

Following the public review period, written responses to all comments received on the Draft EIR will be prepared. Those written responses, and any other necessary changes to the Draft EIR, will constitute the Final EIR and will be submitted to the City Planning Commission (Planning Commission) for their consideration. If the City finds that the Final EIR is “adequate and complete” in accordance with the CEQA Guidelines, the City may certify the EIR. The City of Menifee City Council (City Council) would also consider the adoption of Findings of Fact pertaining to the EIR, specific mitigation measures, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan (MMRP). Upon review and consideration of the Final EIR, the hearing body would take action concerning the Project.

Regarding the MMRP, CEQA Guidelines § 15097 requires public agencies to set up monitoring and reporting programs to ensure compliance with mitigation measures, which are adopted or made as a condition of project approval and designed to mitigate or avoid the significant environmental effects identified in environmental impact reports. A MMRP incorporating the mitigation measures set forth in this EIR will be considered and acted upon by the County decision-makers concurrent with adoption of the findings of this EIR and prior to approval of the Project.

## ES.2 Project Overview

### Project Location

The Project is located in the City of Menifee, within the County of Riverside. The Project is located approximately 1,637 feet (0.31 mile) southwest of the Interstate (I-) 215/Ethanac Road interchange. The Project site is generally bounded by farmland, the Ethanac Wash channel, and Ethanac Road to the north. South of the Project site includes the SCE utility corridor, McLaughlin Road, and single-family residences. East of the Project site includes Barnett Road and vacant land. West of the Project site includes Evans Road and

vacant land. The location of the Project in both regional and local contexts are further identified in **Section 2.0: Project Description** and in **Exhibit 2-1: Regional Location** and **Exhibit 2-2: Local Vicinity Map**.

### ES.3 Project Description

The Project proposes the development of two concrete tilt up warehouses on 20.17 acres of land. Building 1 is proposed to be 105,537 square feet (sq. ft.) consisting of 6,000 sq. ft. of office space and 99,537 sq. ft. of warehouse space and is located on the north side of the site. Building 2 is on the southern end of the site and is proposed to be 292,715 sq. ft. consisting of 8,000 sq. ft. of office space, 7,000 sq. ft. of mezzanine, and 277,715 sq. ft. of warehouse area, for a combined 398,252 sq. ft. of total building area. Associated facilities and improvements of the Project site includes loading dock doors (15 for Building 1; 37 for Building 2), on-site landscaping, and related on-site and off-site improvements (including relocation of an underground flood channel). The Project also includes various discretionary approvals including applications for a Major Plot Plan (PLN23-0040). These actions are described in greater detail in EIR **Section 2.0: Project Description**. Project background and objectives are also discussed in **Section 2.0**.

### ES.4 Significant Unavoidable Impacts

The Project's potentially significant impacts are discussed in **Section 4.1: Aesthetics** through **Section 4.15: Utilities and Service Systems** of this Draft EIR. As noted in these sections, all of the potentially significant impacts can be mitigated to a less than significant level through implementation of Project design features, standard conditions, and feasible mitigation measures.

### ES.5 Alternatives to the Project

State CEQA Guidelines § 15126.6(a) requires a Draft EIR to “describe the 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 will avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” In response to the potentially significant impacts that were identified, the EIR includes the following alternatives for consideration by decision-makers upon action related to the Project:

#### Alternative 1: No Project Alternative

The purpose of describing and analyzing a No Project Alternative is to allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project. The No Project Analysis is required to discuss the existing conditions (at the time the Notice of Preparation was published on June 20, 2023), as well as what would be reasonably expected to occur in the foreseeable future, if the Project were not approved, based on current plans and consistent with available infrastructure and services.

Under the No Project Alternative, the

- The Applicant would not improve the site with the two concrete tilt-up buildings and associated infrastructure improvements, and the site would remain undeveloped.

### **Alternative 2: Reduced Building Intensity Alternative**

This alternative assumes a general 15 percent reduction in overall square feet of the proposed non-sort warehouse space, where approximately 59,800 SF of warehouse space is removed for a total building square footage of 338,452 SF. Office space would remain the same.

### **Alternative 3: Modification of two Building Site Plan to one Building with Additional Auto and Trailer Parking**

This alternative assumes that Building 2 (see **Exhibit 2-5: Overall Site Plan** in **Section 2.0, Project Description**) would continue to be constructed in its original location, including the same office and mezzanine space, but the Building 1 site totaling 5.30 acres of land would be utilized for trailer storage and vehicle parking consisting of 352 automobile parking stalls and 41 trailer parking stalls.

### **Environmentally Superior Alternative**

State CEQA Guidelines requires that an Environmentally Superior Alternative be identified; that is, an alternative that would result in the fewest or least significant environmental impacts. The No Project Alternative is the Environmentally Superior Alternative because it would avoid many of the proposed Project's impacts. If the No Project Alternative is the environmentally superior Alternative, CEQA Guidelines § 15126.6(e)(2) requires that another alternative that could feasibly attain most of the Project's basic objectives be chosen as the Environmentally Superior Alternative. With regards to the remaining development alternatives, the Reduced Footprint Project Alternative (Alternative #2) was evaluated as the Environmentally Superior Alternative as it best meets Project objectives with the least impact to the environment when compared to the other alternatives, although it would still not fully meet the Project objectives. Refer to **Section 6.0: Alternatives** for more information.

## **ES.6 Areas of Controversy**

The CEQA Guidelines § 15123 (b)(2) and (3) require that a Draft EIR identify areas of controversy known to the Lead Agency, including issues raised by other 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 NOP and public meetings:

- Health Risk Assessment of all potential health risks from Project-related diesel emissions sources and cumulative cancer risk impact on nearby residential unit(s). (Draft EIR **Section 4.2 Air Quality** and **Section 4.7: Greenhouse Gas Emissions**)
- Potential impacts to Aesthetics. (Draft EIR **Section 4.1: Aesthetics**)
- Potential impacts to Air Quality. (Draft EIR **Section 4.2: Air Quality**)
- Mitigation of adverse air quality impacts beyond what is minimally required. (Draft EIR **Section 4.2: Air Quality**)
- Potential impacts to GHG emissions. (Draft EIR **Section 4.7: Greenhouse Gas Emissions**)
- Potential impacts to storm drain facilities. (Draft EIR **Section 4.9: Hydrology and Water Quality**)

- Potential impacts to noise generated by traffic (Draft EIR **Section 4.11: Noise** and **Section 4.13: Transportation**)
- Potential impacts to public safety and emergency access (Draft EIR **Section 4.12: Public Services**)
- Potential impacts to traffic circulation and vehicle miles traveled. (Draft EIR **Section 4.13: Transportation**)

## ES.7 Summary of Environmental Impacts & Mitigation Measures

The following **Table ES-1: Summary of Impacts and Proposed Mitigation Measures** is a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this EIR. Refer to **Sections 4.1** through **4.15**, for a detailed description of the environmental impacts and mitigation measures for the Project. All impacts of the Project can be mitigated to less than significant levels.

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

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<b>Section 4.1, Aesthetics</b>			
<b>Impact 4.1-1:</b> Would the Project have a substantial adverse effect on a scenic vista?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.1-2:</b> Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation is required.	N/A
<b>Impact 4.1-3:</b> 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?	No Impact	No mitigation is required.	N/A
<b>Impact 4.1-4:</b> Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Less than Significant	No mitigation is required.	N/A
<b>Section 4.2, Air Quality</b>			
<b>Impact 4.2-1:</b> Would the Project, conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.2-2:</b> Would the Project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under	Less than Significant	No mitigation is required.	N/A

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
an applicable federal or state ambient air quality standard?			
<b>Impact 4.2-3:</b> Would the proposed project, expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant	Refer to <b>MM GHG-2</b> below.	Less than Significant with Mitigation Incorporated
<b>Impact 4.2-4:</b> Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact	No mitigation is required.	N/A
<b>Section 4.3, Biological Resources</b>			
<b>Impact 4.3-1:</b> 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?	Potentially Significant	<b>MM BIO-1:</b> If grading or construction activities, including vegetation removal, occurs between February 1 to August 31, 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 Project Applicant shall ensure that impacts to nesting bird species at the Project site and off-site improvement areas are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:  a. Applicant shall designate a biologist (Designated Biologist) experienced in identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.  b. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist	Less than Significant with Mitigation Incorporated

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		<p>shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.</p> <p>c. If an active nest is confirmed during the preconstruction clearance survey, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest) or the nest otherwise becomes inactive under natural conditions.<sup>1</sup> The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.</p> <p><b>MM BIO-2:</b> 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 shall be submitted to the City prior to obtaining a grading</p>	

<sup>1</sup> Ibid.



Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		<p>permit. If at any time there is a lapse of Project activities for 30 days or more, another burrowing owl survey shall be conducted and submitted to the City.</p> <p>If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.</p>	
<p><b>Impact 4.3-2:</b> 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?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.3-3:</b> 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?</p>	No Impact	No mitigation is required.	N/A
<p><b>Impact 4.3-4:</b> 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?</p>	No Impact	No mitigation is required.	N/A

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<b>Impact 4.3-5:</b> Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.3-6:</b> 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?	Potentially Significant	See <b>MMs BIO-1</b> and <b>BIO-2</b> above.	Less than Significant with Mitigation Incorporated
<b>Section 4.4, Cultural Resources</b>			
<b>Impact 4.4-1:</b> Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.4-2:</b> Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.4-3:</b> Would the Project disturb any human remains, including those interred outdoors of dedicated cemeteries?	Less than Significant	No mitigation is required.	N/A
<b>Section 4.5, Energy</b>			
<b>Impact 4.5-1:</b> Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.5-2:</b> Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	Less than Significant	No mitigation is required.	N/A
<b>Section 4.6, Geology and Soils</b>			
<b>Impact 4.6-1:</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"><li>▪ 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</li></ul>	Less than Significant	No mitigation is required.	N/A

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
Mines and Geology Special Publication 42.			
<b>Impact 4.6-2:</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>Strong seismic ground shaking?</li> </ul>	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.6-3:</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>Seismic-related ground failure, including liquefaction?</li> </ul>	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.6-4:</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>Landslides?</li> </ul>	No Impact	No mitigation is required.	N/A
<b>Impact 4.6-5:</b> Would the Project result in substantial soil erosion or the loss of topsoil?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.6-6:</b> 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?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.6-7:</b> 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?	Potentially Significant	<b>MM GEO-1:</b> During construction activity, special care shall be given to moisture conditioning of all slab subgrade to 100 percent of optimum moisture content to a minimum depth of 12 inches prior to trenching.	Less than Significant with Mitigation Incorporated
<b>Impact 4.6-8:</b> Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact	No mitigation is required.	N/A
<b>Impact 4.6-9:</b> Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	<b>MM GEO-2:</b> Prior to issuance of grading permits, the Applicant/Developer 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	Less than Significant with Mitigation Incorporated

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		<p>City for review and approval prior to issuance of a grading permit. Information contained in the PRIMP shall minimally include:</p> <ol style="list-style-type: none"> <li>1. Description of the project site and proposed grading operations.</li> <li>2. Description of the level of monitoring required for earth-moving activities.</li> <li>3. Identification and qualifications of the paleontological monitor to be employed during earth moving.</li> <li>4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens.</li> <li>5. Direction for fossil discoveries to be reported to the developer and the City.</li> <li>6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays.</li> <li>7. Sampling methods for sediments that are likely to contain small fossil remains, if any.</li> <li>8. Procedures and protocol for collecting and processing of samples and specimens, as necessary.</li> <li>9. Fossil identification cataloged and curated into the permanent collections of a scientific institution.</li> <li>10. Identification of the repository to receive fossil material.</li> <li>11. All pertinent maps and exhibits.</li> <li>12. Procedures for reporting of findings.</li> <li>13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation.</li> </ol>	
<b>Section 4.7, Greenhouse Gas Emissions</b>			
<p><b>Impact 4.7-1:</b> Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?</p>	<p>Potentially Significant</p>	<p><b>MM GHG-1:</b> Prior to the issuance of a building permit or tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include conveyance of natural gas utility lines. The purpose of this mitigation measure is to reduce GHG emissions from natural gas.</p> <p><b>MM GHG-2:</b> All outdoor cargo handling equipment (such as yard trucks, hostlers, yard goats, pallet jacks, and forklifts) shall be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse buildings shall include the necessary charging stations for cargo handling equipment. The building manager or their designee</p>	<p>Less than Significant with Mitigation Incorporated</p>

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		shall be responsible for enforcing these requirements.	
<p><b>Impact 4.7-2:</b> Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?</p>	Potentially Significant	Refer to <b>MMs GHG-1</b> and <b>GHG-2</b> above.	Less than Significant with Mitigation Incorporated
<b>Section 4.8, Hazards and Hazardous Materials</b>			
<p><b>Impact 4.8-1:</b> Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	Potentially Significant	<p><b>MM HAZ-1: Soil Management Plan (SMP).</b> Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, or Site Developer shall retain a qualified environmental professional to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The purpose of the SMP is to outline protocol for ensuring the proper handling and/or disposal of impacted soil and/or subsurface features of concern that may be encountered during site development. The SMP shall be submitted to the City's (Engineering Department) for review and approval prior to commencement of trenching or subsurface excavation for utilities or roadway infrastructure.</p> <p>The SMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Land use history, including description and locations of known contamination;</li> <li>• The nature and extent of previous investigations and remediation at the site;</li> <li>• Identified areas of concern at the site, in relation to proposed activities;</li> <li>• A listing and description of institutional controls, such as applicable City ordinances and other local, state, and federal regulations and laws that would apply to the project;</li> <li>• Names and positions of individuals involved with soils management and their specific role;</li> <li>• An earthwork schedule;</li> <li>• Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should address the possibility of encountering subsurface hazards including hazardous waste contamination and include procedures to protect workers and the public;</li> <li>• Hazardous waste determination and disposal procedures for known and previously</li> </ul>	Less than Significant with Mitigation Incorporated

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		unidentified contamination, including those associated with any soil export activities, if applicable; <ul style="list-style-type: none"> <li>Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run-on and run-off controls, waste disposal procedures, etc.; and</li> <li>Copies of relevant permits or closures from regulatory agencies.</li> </ul>	
<b>Impact 4.8-2:</b> 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?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.8-3:</b> 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?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.8-4:</b> Would the project be located on a site which is included on a list of hazardous materials Project sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact	No mitigation is required.	N/A
<b>Impact 4.8-5:</b> 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?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.8-6:</b> Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant	No mitigation is required.	N/A
<b>Impact 4.8-7:</b> Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact	No mitigation is required.	N/A
<b>Section 4.9, Hydrology and Water Quality</b>			
<b>Impact 4.9-1:</b> Would the Project violate any water quality standards or waste discharge	Potentially Significant	<b>MM HYD-1:</b> Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the	Less than Significant with

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<p>requirements or otherwise substantially degrade surface or ground water quality?</p>		<p>National Pollutant Discharge Elimination System (NPDES) General Construction Permit, which shall be obtained from the Regional Water Quality Control Board (RWQCB). 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 Notice of Intent, Risk Assessment, Post-Construction Calculations, a Site Map, the Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement by the Legally Responsible Person, and the first annual fee.</p> <p>The required 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"> <li>A. Compliance with the requirements of the State of California’s most current Construction Stormwater Permit.</li> <li>B. Temporary erosion control measures shall be implemented on all disturbed areas.</li> <li>C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.</li> <li>D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul>	<p>Mitigation Incorporated</p>

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
		<p>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.</p> <p><b>MM HYD-2:</b> The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with operations and maintenance (O&amp;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"> <li>• Site Design Best Management Practices (BMPs)</li> <li>• Source Control BMPs</li> <li>• Treatment Control BMPs</li> <li>• BMP Sizing</li> <li>• Equivalent Treatment Control Alternatives</li> <li>• Regionally-Based Treatment Control BMPs</li> <li>• O&amp;M Responsibility for Treatment Control BMPs</li> </ul>	
<p><b>Impact 4.9-2:</b> Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.9-3:</b> 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> <ul style="list-style-type: none"> <li>▪ Result in substantial erosion or siltation on- or off-site?</li> </ul>	Potentially Significant	Refer to <b>MM HYD-1</b> and <b>MM HYD-2</b> above.	Less than Significant with Mitigation Incorporated
<p><b>Impact 4.9-4:</b> 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>	Potentially Significant	Refer to <b>MM HYD-1</b> and <b>MM HYD-2</b> above.	Less than Significant with Mitigation Incorporated



Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<ul style="list-style-type: none"> <li>▪ Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?</li> <li>▪ 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?</li> <li>▪ Impede or redirect flood flows?</li> </ul>			
<p><b>Impact 4.9-5:</b> In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?</p>	Potentially Significant	Refer to <b>MM HYD-1</b> and <b>MM HYD-2</b> above.	Less than Significant with Mitigation Incorporated
<p><b>Impact 4.9-6:</b> Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>	Less than Significant	No mitigation is required.	N/A
<b>Section 4.10, Land Use and Planning</b>			
<p><b>Impact 4.10-1:</b> Would the Project physically divide an established community?</p>	No Impact	No mitigation is required.	N/A
<p><b>Impact 4.10-2:</b> 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?</p>	Less than Significant	No mitigation is required.	N/A
<b>Section 4.11, Noise</b>			
<p><b>Impact 4.11-1:</b> 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	No mitigation is required.	N/A
<p><b>Impact 4.11-2:</b> Generation of excessive groundborne vibration or groundborne noise levels?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.11-3:</b> For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?</p>	Less than Significant	No mitigation is required.	N/A

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<b>Section 4.12, Public Services</b>			
<p><b>Impact 4.12-1:</b> 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 maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p> <ul style="list-style-type: none"> <li>▪ Fire protection?</li> <li>▪ Police protection?</li> <li>▪ Schools?</li> <li>▪ Parks?</li> <li>▪ Other public facilities?</li> </ul>	Less than Significant	No mitigation is required.	N/A
<b>Section 4.13, Transportation</b>			
<p><b>Impact 4.13-1:</b> Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.13-2:</b> Would the Project, conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.13-3:</b> 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)?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.13-4</b> Would the Project result in inadequate emergency access?</p>	Less than Significant	No mitigation is required.	N/A
<b>Section 4.14, Tribal Cultural Resources</b>			
<p><b>Impact 4.14-1:</b> Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of</p>	Less than Significant	No mitigation is required.	N/A

Resource Impact	Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation Implemented
<p>historical resources as defined in Public Resources Code section 5020.1(k)?</p> <p>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? Native American tribe?</p>			
<b>Section 4.15, Utilities and Service Systems</b>			
<p><b>Impact 4.15-1:</b> 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?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.15-2:</b> Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.15-3:</b> 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?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.15-4:</b> 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?</p>	Less than Significant	No mitigation is required.	N/A
<p><b>Impact 4.15-5:</b> Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	Less than Significant	No mitigation is required.	N/A

## 1.0 INTRODUCTION AND PURPOSE

This document is a Draft Environmental Impact Report (EIR) prepared for the Northern Gateway Logistics 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 two concrete tilt up warehouses on approximately 20.17 acres. Building 1 is located on the northern side of the site and proposed to be 105,537 square feet (sq. ft.) consisting of 6,000 sq. ft. of office space and 99,537 sq. ft. of warehouse space. Building 2 is located on the southern end of the site and is proposed to be 292,715 sq. ft. consisting of 8,000 sq. ft of office space, 7,000 sq. ft. of mezzanine, and 277,715 sq. ft. of warehouse area. The Project is generally bounded by farmland, the Ethanac Wash, and Ethanac Road to the north; a Southern California Edison (SCE) utility corridor, McLaughlin Road, and single-family residences to the south; the Ethanac Wash, Barnett Road and vacant land to the east; and Evans Road and vacant land to the west, in the northwestern part of the City, within the County of Riverside, California.

The Project site is made up of five parcels (APN: 331-060-007, -08, -20, -23, and -30) totaling approximately 20.17 acres. The Project site's existing land use designation is Economic Development Corridor (EDC) – Northern Gateway under the City of Menifee General Plan (Menifee GP).<sup>1</sup> The EDC – Northern Gateway land use designation allows for the development of residential, commercial, office, civic, industrial, entertainment, education, and/or recreational uses or other uses. According to the Menifee GP, areas designated EDC-NG are envisioned as an industrial park area with more intensive industrial uses.<sup>2</sup> Thus, the Project's proposed industrial uses would be permitted by right in the EDC - Northern Gateway land use designation. In addition, the Project site is zoned Economic Development Corridor – Northern Gateway (EDC – NG).<sup>3</sup> The EDC – NG zone is envisioned as a business park area with more intensive industrial uses (less office).<sup>4</sup>

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 Impact 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.

---

<sup>1</sup> City of Menifee. 2023. *General Plan – Land Use Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map--March-2023> (accessed July 2023).

<sup>2</sup> City of Menifee. (2013). *General Plan – Land Use Element* Page 4 of 13. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL\\_Land-Use-Element\\_11823?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL_Land-Use-Element_11823?bidId=)

<sup>3</sup> City of Menifee. (2023). *Zoning Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--March-2023> (accessed July 2023).

<sup>4</sup> City of Menifee. (2020). *Development Code*. Article 3, Pg. 9.140-1. Available at: <https://www.cityofmenifee.us/494/MunicipalDevelopment-Code-and-Design-Gui> (accessed February 2024).

## 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**. 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 Draft EIR is to address the potential Project impacts utilizing the most current and detailed plans, technical studies, and related information available. This Draft 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 § 15064[f][1] of the CEQA Guidelines, 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 Project's basic objectives 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 are 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 Impact Analysis**). Mitigation measures are recommended for potentially significant impacts, to avoid or lessen, to the extent feasible and possible, the Project's environmental 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 requires the decision-makers to balance the benefits of the Project to determine if they outweigh identified unavoidable impacts. The CEQA Guideline § 15093 provides the following:

- CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable...”
- When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- 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. This statement does not substitute for, and shall be in addition to, findings required pursuant to [CEQA Guidelines] § 15091.

### 1.3 Notice of Preparation/Early Consultation

In compliance with CEQA Guidelines, the City 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 a 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 (including the State Clearinghouse Office of Planning and Research), special districts, and members of the public who had requested such notice. The NOP was distributed on June 20, 2023, with the 30-day public review period concluding on July 20, 2023. The NOP and comment letters received are provided in **Appendix A: 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
- 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
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

## Public Scoping Meeting

A public in-person meeting was held on June 27, 2023. The purpose of the scoping meetings was to obtain comments from the public and agencies regarding the scope of the environmental document. A total of nine comment letters were received in response to the NOP. The comment letters received during the NOP comment period, along with the NOP are included in **Appendix A**.

### *Scoping Results*

- Aesthetics (building and landscape) and lighting trespass
- Aesthetics impacts, particularly to existing and long-standing residences
- Air Quality – fumes
- Health Risk Assessment – construction and operational diesel PM emissions
- Biological resources
- Cultural and Tribal Cultural Resources
- Greenhouse Gas Emissions
- Hazardous materials associated with solid waste
- Hydrology and Water Quality
- Vibration – damage to infrastructure (private roads off-site) and buildings
- Noise – disturbances to sensitive receptors
- Public Facilities – additional fire/safety services, hazmat concerns
- Transportation/Safety – potentially, horse-back riding made unsafe by trucks
- Transportation/Traffic – truck traffic in residential areas, parking adequacy concerns
- Cumulative impacts with other trucking-related projects (City of Perris)
- Residential and commercial being in close proximity to Project
- Employment opportunity issues

## Native American Consultation

In accordance with Assembly Bill (AB) 52, the City requested formal tribal consultation with tribes on February 21, 2023. The following tribes were contacted for consultation:

- Agua Caliente Band of Cahuilla Indians (ACBCI)
- Pechanga Band of Indians (PBLI)
- Rincon Band of Luiseño Indians (RBLI)
- Soboba Band of Luiseño Indians (SBLI)
- Torres-Martinez Desert Cahuilla Indians (TMDCI)

To date, the following two responses have been received in response to the AB 52 letters:

- In response to the AB 52 letter, Mr. Shuuluk Linton, Tribal Historic Preservation Coordinator for the RBLI, stated that the Project site is within the Traditional Use Area (TUA) of the Luiseño people. Therefore, RBLI requested to receive copies of existing documents pertaining to the Project such as the cultural survey including archaeological site records, shape files, archaeological record search results, and geotechnical reports. Upon receipt and review of the documents, the Rincon Band of Luiseño Indians would like to consult on the Project to learn more about any potential impacts to cultural resources.
- In response to the AB 52 letter, Mr Juan Ochoa, Assistant Tribal Historic Preservation Officer for the PBLI, stated that the Tribe's aboriginal territory, as evidenced by the existence of cultural features associated with religious practice and an extensive artifact record, are in the vicinity of the Project. Therefore, PBLI requested to receive public notices and circulation of all documents pertaining to the Project and requested consult on the Project to learn more about any potential impacts to cultural resources.

The AB 52 consultation and correspondence is included in **Appendix D: Cultural Resources Assessment**.

## 1.4 Draft EIR

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

- <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>
- Menifee City Hall  
Community Development Department  
29844 Haun Road  
Menifee, CA 92586

In accordance with CEQA Guidelines §§ 15087 and 15105, this Draft EIR will be circulated for a 45-day public review period.

All comment letters should be sent to:

City of Menifee  
Attn: Brandon Cleary  
Associate Planner  
29844 Haun Road  
Menifee, CA 92586  
[bcleary@cityofmenifee.us](mailto:bcleary@cityofmenifee.us)

## 1.5 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 of Menifee 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 City of Menifee Planning Commission 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."

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.

## **1.6 Format of the EIR**

The purpose of this EIR is to provide environmental review of the Project, such that the City will be able to utilize this EIR to satisfy CEQA for Project-related permits or approvals and to provide CEQA analysis.

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 and Purpose** provides CEQA compliance information.
- Section 2.0**           **Project Description** provides 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 Impact 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**           **Other CEQA Considerations** summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes and growth-inducing impacts.
- Section 6.0**           **Alternatives** 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.

## 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. Information contained within these documents has been utilized for various sections of this EIR.

1. **City of Menifee General Plan.** The Menifee GP is the comprehensive, long-term planning document that decision makers will use to guide growth and development in the City for the next several decades. The information contained in the individual sections or Elements that comprise this General Plan will shape the physical development of the City. Public and private decision-makers will refer to this General Plan to formulate decisions with respect to land use and development.

The General Plan consists of the following elements:

- 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 was used throughout this Draft EIR since it contains policies and regulations relevant to the Project. These elements are available for review on the City's website at:

<https://www.cityofmenifee.us/221/General-Plan>

2. **City of Menifee General Plan Final Environmental Impact Report** (December 2013 and Amended February 2014 [Housing Element 5<sup>th</sup> Cycle], March 2020 [Land Use Element], May 2020 [Circulation Element], and November 2022 [Housing Element 6<sup>th</sup> Cycle]) (SCH #2012071033). The City of Menifee General Plan Final EIR (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 158,942 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. 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>.

3. **City of Menifee Municipal Code**. The City of Menifee Municipal Code (Menifee MC) regulates municipal affairs within the City's jurisdiction including, without limitation, zoning regulations (codified in Menifee MC Title 9). Menifee MC Title 9 is the primary tool for implementing the Menifee GP's Goals and Policies. The Menifee 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://codelibrary.amlegal.com/codes/menifee/latest/overview>.

Title 9 is available here:

<http://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx#secid--1>.

4. **City of Menifee Design Guidelines Appendix A: Industrial Good Neighbor Policies.** The purpose of the Good Neighbor 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.

The Good Neighbor Policies are available here:

<https://www.cityofmenifee.us/DocumentCenter/View/16937/Industrial-Good-Neighbor-Policies?bidId=>

5. The Southern California Association of Governments (SCAG) 2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal was adopted in September 2020. The Connect SoCal is SCAG's long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The Connect SoCal charts a course for closely integrating land use and transportation – so that the region can grow in accordance with smart and sustainable growth strategies.

The SCAG Connect SoCal can be accessed online at: <https://scag.ca.gov/read-plan-adopted-final-plan>.

## 2.0 PROJECT DESCRIPTION

The City of Menifee (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Draft Environmental Impact Report (EIR) for the Northern Gateway Logistics Center (Project). The following Project Description is provided in conformance with CEQA Guidelines § 15124 and 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: Environmental Impact Analysis** of this Draft 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 Draft 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.

### 2.1 Project Location and Setting

The Project site is generally located approximately 1,133 feet (0.2 miles) southwest of the Interstate (I-) 215/Ethanac Road interchange in the northwestern part of the City of Menifee (City), within the County of Riverside; refer to **Exhibit 2-1: Regional Location Map**. The Project is composed of five parcels; refer to **Table 2-1: Project Site Assessor Parcel Numbers**. The Project site is located south of Ethanac Road and the adjacent Ethanac Wash channel; north of a 300-foot-wide Southern California Edison (SCE) utility corridor with McLaughlin Road beyond; east of Evans Road; and west of Barnett Road; refer to **Exhibit 2-2: Local Vicinity Map**. Ethanac Road is the jurisdictional boundary between the cities of Menifee and Perris.

**Table 2-1: Project Site Assessor Parcel Numbers**

Assessor’s Parcel Numbers
331-060-007
331-060-008
331-060-020
331-060-023
331-060-030

## 2.2 Surrounding Land Uses

Existing land uses north of the Project site include farmland, the Ethanac Wash channel, Ethanac Road, and vacant land within the City of Perris Zoned for multi-family residential. South of the Project site includes the SCE utility corridor, McLaughlin Road, and single-family residences. East of the Project site includes the Ethanac Wash, Barnett Road, and vacant land. West of the Project site includes Evans Road and vacant land; refer to **Table 2-2: Existing and Surrounding Land Uses** for existing and surrounding land uses, City General Plan (Menifee GP) land use designations, and zoning.

**Table 2-2: Existing and Surrounding Land Uses**

Location	Existing Land Use	General Plan Land Use Designation	Zoning Classification
Project Site	Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)
North	Agricultural Land; Ethanac Wash Channel; Vacant Land	Economic Development Corridor (EDC) – Northern Gateway; Green Valley Specific Plan	Economic Development Corridor – Northern Gateway (EDC-NG); Green Valley Specific Plan Multi-Family (GV-SP MF)
East	Ethanac Wash Channel; Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)
South	SCE Utility Corridor; Single Family Residential Homes	Public Utility Corridor (PUC); 2.1-5 du/ac Residential (2.1-5 R)	Public Utility Corridor (PUC); Low Density Residential-2 (LDR-2)
West	Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)

Sources:  
 City of Menifee. (2023). *General Plan Land Use Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan-Land-Use-Map---March-2023?bidId=> (accessed May 2023);  
 City of Menifee. (2023). *Zoning Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---March-2023> (accessed May 2023);  
 City of Perris. (2023). *Green Valley Specific Plan – Conceptual Land Use Plan*. Available at: <https://www.cityofperris.org/home/showpublisheddocument/16412/638182768144670000> (accessed August 2023)  
 City of Perris. (2023). *Interactive Zoning Map*. Available at: <https://cityofperris.maps.arcgis.com/apps/interactivelegend/index.html?appid=4076972ddb234f298d342f8c167d3752&locale=en> (accessed August 2023).

## 2.3 Land Use and Zoning Designations

The Menifee General Plan (Menifee GP) Land Use Map was amended March 2023.<sup>1</sup> As previously shown in **Table 2-2**, the Project site’s existing land use designation is Economic Development Corridor (EDC) – Northern Gateway; refer to **Exhibit 2-3: Existing General Plan Land Use Designation**. The City’s Zoning Map was amended March 2023.<sup>2</sup> The Project’s existing zoning is Economic Development Corridor – Northern Gateway (EDC - NG); refer to **Exhibit 2-4: Existing Zoning**.

## 2.4 Existing Site Conditions

The Project site is an irregular pentagon-shaped property that consists of five individual parcels totaling approximately 20.17 acres. The site is undeveloped land with grassland/agriculture. According to available

<sup>1</sup> City of Menifee. 2023. *General Plan Land Use Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan-Land-Use-Map---March-2023?bidId=> (accessed March 2023).

<sup>2</sup> City of Menifee. 2023. *Zoning Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---March-2023>, (accessed March 2023).

historical sources, the Project site was formerly agricultural land dating back to circa 1938 until present. APN 331-060-008 was vacant and/or used for agricultural purposes between at least the late 1930s and the mid-1980s and was used for agricultural and residential purposes (with apparent dwellings and associated outbuildings) between the late 1980s and the late 1990s/early 2000s, when the residential structures were demolished. APN 331-060-008 remained vacant between the mid-2000s until present.

## 2.5 Proposed Project

The Project proposes the development of two new concrete tilt up warehouse and distribution buildings with associated office space on 20.17 acres of land. Building 1 is proposed to be 105,537 square feet (sq. ft.) consisting of 6,000 sq. ft. of office space and 99,537 sq. ft. of warehouse space and is located on the north side of the site. Building 2 is on the southern end of the site and is proposed to be 292,715 sq. ft. consisting of 8,000 sq. ft. of office space, 7,000 sq. ft. of mezzanine, and 277,715 sq. ft. of warehouse area. Buildings 1 and 2 combined would consist of 398,252 sq. ft. of total building area. Associated facilities and improvements of the Project site includes loading dock doors (15 for Building 1; 37 for Building 2), on-site landscaping, and related on-site and off-site improvements (including relocation of an underground flood channel). The proposed warehouse uses are considered speculative in nature, but may be used for receiving, storing, and distribution of manufactured goods, pursuant to the City of Menifee Development Code (Menifee Development Code)'s definition for Warehousing, logistics, and distribution facilities.<sup>3</sup> The proposed buildings would not include cold storage. Refer to **Exhibit 2-5, Overall Site Plan**, **Exhibit 2-6: Conceptual Site Plan – Building 1** and **Exhibit 2-7: Conceptual Site Plan – Building 2** for more information.

### Landscaping

Irrigated landscaped areas for Building 1 would be comprised of 36,037 sq. ft., including 9,101 sq. ft. of landscaped shaded parking area. Building 2 would be comprised of 69,800 sq. ft. of landscape area and 21,000 sq. ft. of landscape shaded parking area. The total landscape area would be approximately 105,837 sq. ft. or 12 percent of the Project site. The vegetation would include drought tolerant landscaping. See **Exhibit 2-8: Conceptual Landscape Plan**.

### Project Circulation and Parking

Regional access to the Project would be from I-215 via Ethanac Road, which traverses north of the Project site in a west-east direction. Local passenger vehicle access would be provided via Evans Road and Barnett Road.

Project site ingress and egress to the Buildings 1 and 2 would be provided by two auto-only driveways (each 26' [feet] wide) along Evans Road. Additionally, one shared full movement truck and auto driveway (60' wide) is proposed between Buildings 1 and 2 along Evans Road. Lastly, one full movement truck and auto driveway (55' wide) exclusively for Building 2 is proposed. An on-site 26' wide drive aisle would

---

<sup>3</sup> City of Menifee. (2024). *Menifee Development Code. Section 9.300.240 "W" Definitions*. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1972&keywords=warehouse%27s%2Cwarehoused%2Cwarehouses%27%2Cwarehousing%2Cwarehouse#secid-1972> (accessed February 2024).



provide two-way circulation for Building 1. See **Exhibits 2-5** through **2-7**, for driveway locations. Lastly, a two-lane 32-foot-wide driveway with a 50'6" wide right-of-way south of Building 2 would provide auto and truck access from Barnett Road to Evans Road. The future driveway would be parallel and run 400 feet north of McLaughlin Road. The future driveway would include curb and gutter, sidewalk, signage and striping, A.C. pavement, communication conduit from Ethanac Road, streetlights, landscaping along Project frontage, and potholing. Furthermore, the Project includes a total of 354 automobile parking spaces, 41 truck trailer parking spaces, and 52 dock doors.

## Elevations

As shown on **Exhibit 2-9: Conceptual Elevations – Building 1**, the proposed building would have a maximum building height of 44 feet. As shown on **Exhibit 2-10: Conceptual Elevations – Building 2**, the proposed building would have a maximum building height of approximately 43'-6" (inches). The allowable building height in the EDC-NG zone is 100 feet.

## Earthwork

The Project would require approximately 34,865 Cubic Yards (CYs) of soil cut and 33,346 CYs soil fill resulting in approximately 1,519 CYs of export to balance the site.

## Project Phasing and Construction

The Project is anticipated to be developed in one phase. Should the Project be approved, construction is anticipated to occur over a duration of approximately 12 months, beginning in November 2024. The Project is expected to be completed in late 2025.

## Off-Site Improvements

The Project proposes the following off-site improvements:

- **Evans Road:** Curb and gutter, sidewalk, three drive approaches, handicap accessible ramps, signage and striping, asphalt concrete pavement, utility infrastructure improvements on Evans Road, communication conduit from Ethanac Road, six streetlights, landscaping along Project frontage, three fire hydrants, and potholing.
- **Barnett Road:** Curb and gutter, sidewalk, one drive approach, HC accessible ramps, signage and striping, A.C. pavement, communication conduit from Ethanac Road, two streetlights, landscaping along Project frontage, and potholing.
- **Storm System:** 18" and 24" Reinforced Concrete Pipes (RCP) storm system in A Street. Installation of 7' catch basin and five manholes in A Street.
- **Sewer System:** 6" sewer lateral, 8" sewer main and six manholes in Evans Road.
- **Water System:** 12" water line in Evans Road and Barnett Road. Connect to main water line. A 12" recycled water line extension is proposed from the existing line in McLaughlin Road to Evans Road and an 8" recycled water line from McLaughlin Road and Evans Road to the northern boundary of the Project site.



## 2.6 Project Objectives

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

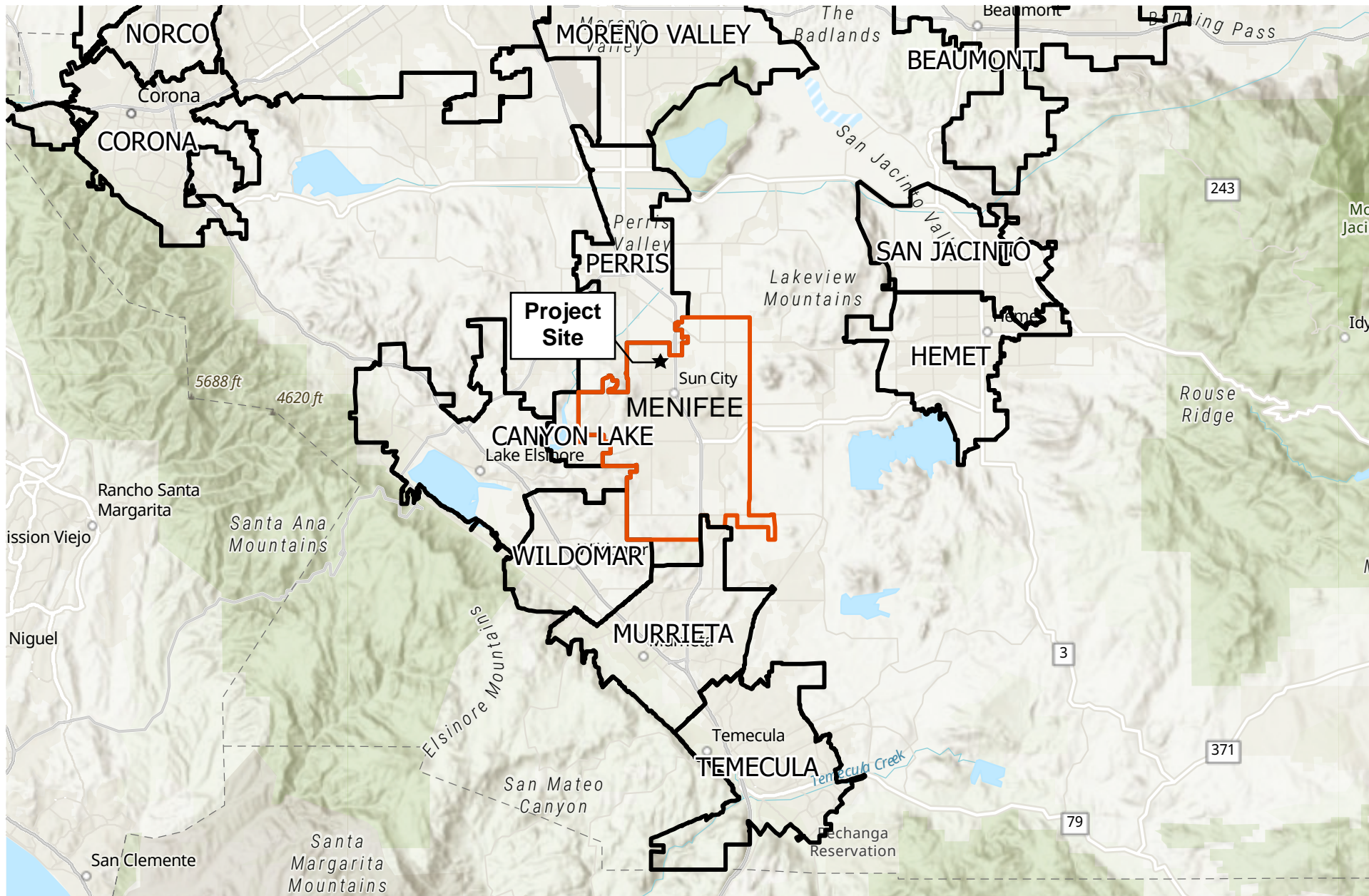
- Objective 1:** Fulfill the City of Menifee’s vision of developing the Economic Development Corridor – Northern Gateway in conformity with the City’s General Plan. The presence of Northern Gateway Logistics Center will attract businesses and investment that will stimulate economic growth.
- Objective 2:** Provide tax revenue to ensure future prosperity for the City and its residents.
- Objective 3:** Create employment opportunities for City residents and surrounding communities.
- Objective 4:** Infrastructure development that will include enhancements in roads, utility infrastructure and landscaping.
- Objective 5:** Increase trade and commerce within the City that will facilitate local and regional economic growth.
- Objective 6:** The institutional quality development will attract high end users and enhance the aesthetics of the underutilized vacant land.
- Objective 7:** Participate in backbone infrastructure that will help facilitate transportation throughout the corridor and increase public safety/traffic flow with new roads, signs, and striping.
- Objective 8:** Locate the Project near the I-215 freeway in order to provide adequate vehicular access to the Project site and to reduce vehicular travel through residential neighborhoods or heavily trafficked City roadways.

## 2.7 Discretionary Actions and Approvals

The following entitlement applications are associated with the Project:

- **Major Plot Plan No. PLN23-0040** proposes to construct two concrete tilt-up buildings totaling 398,252 sq. ft building area on the 20.17-acre Project site. The maximum building height allowed is 100 feet. The proposed building heights fall below this limit at 44 feet in height for Building 1 and 43.6 feet in height for Building 2. The Project includes a total of 354 automobile parking spaces, 41 truck trailer parking spaces, and 52 dock doors. The proposed conceptual landscape plan proposes an approximate total of 105,837 sq. ft. of landscape area or approximately 12 percent of the Project site.

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: Google Earth Pro

**Exhibit 2-1: Regional Location Map**  
 City of Menifee  
 Northern Gateway Logistics Center



Not to Scale

**Kimley»Horn**





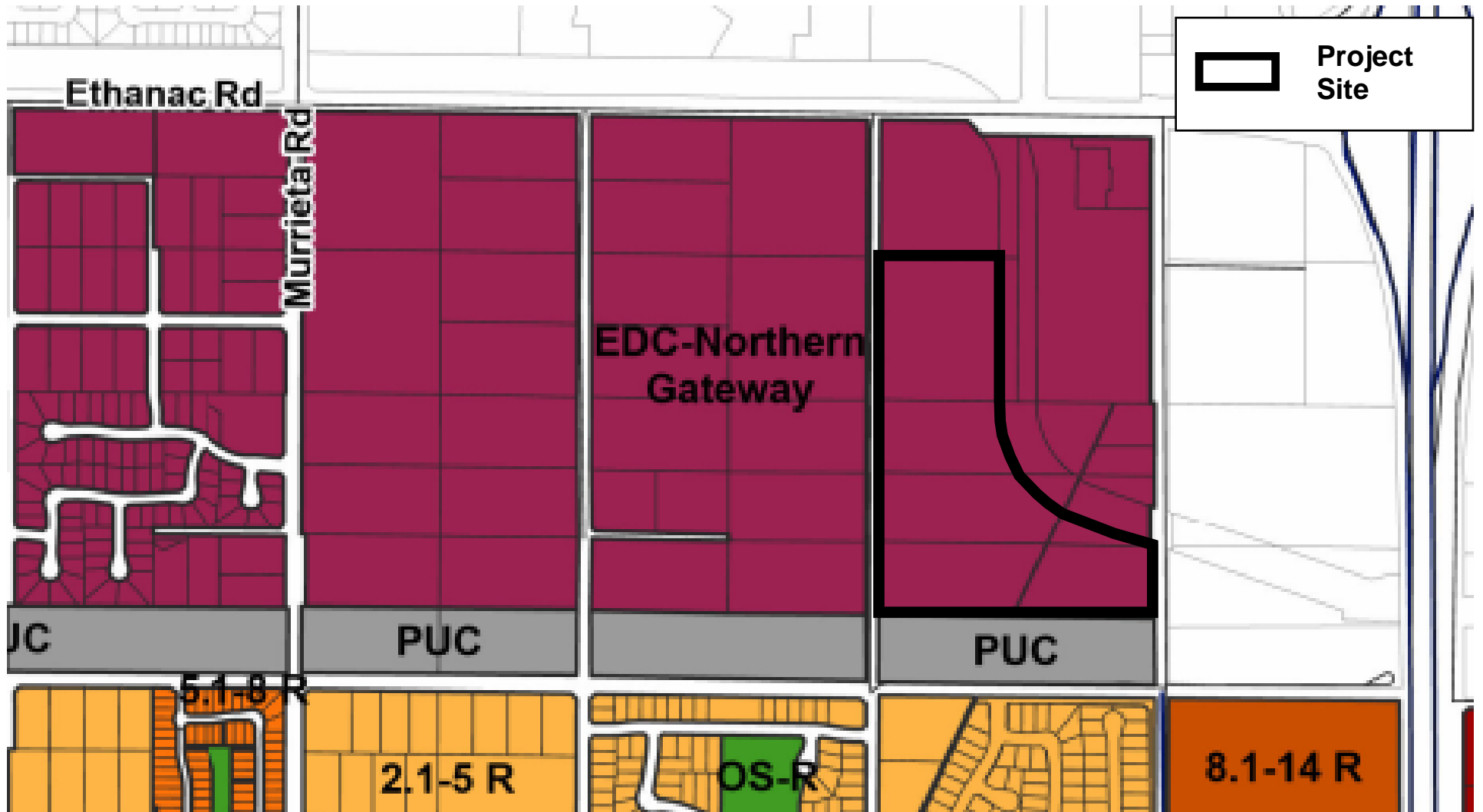
Source: Google Earth Pro

**Exhibit 2-2: Local Vicinity Map**  
City of Menifee  
*Northern Gateway Logistics Center*



Not to Scale

**Kimley»Horn**



 Project Site

<b>GP Land Use Designation</b>	 Rural Residential 1/2 ac min (RR1/2)	 20.1-24 du/ac Residential (20.1-24 R)	 Business Park (BP) 0.25 - 0.60 FAR	 Recreation (OS-R)	 Public Utility Corridor (PUC)
 Rural Mountainous 10 ac min (RM)	 2.1-5 du/ac Residential (2.1-5 R)	 Commercial Retail (CR) 0.20 - 0.35 FAR	 Economic Development Corridor (EDC)	 Water (OS-W)	 Railroad
 Rural Residential 5 ac min (RR5)	 5.1-8 du/ac Residential (5.1-8 R)	 Commercial Office (CO) 0.25 - 1.0 FAR	 Agriculture (AG)	 Public/Quasi Public Facilities (PF)	 Parcels
 Rural Residential 2 ac min (RR2)	 8.1-14 du/ac Residential (8.1-14 R)	 Heavy Industrial (HI) 0.15 - 0.50 FAR	 Conservation (OS-C)	 Specific Plan (SP)	 Freeways
 Rural Residential 1 ac min (RR1)					

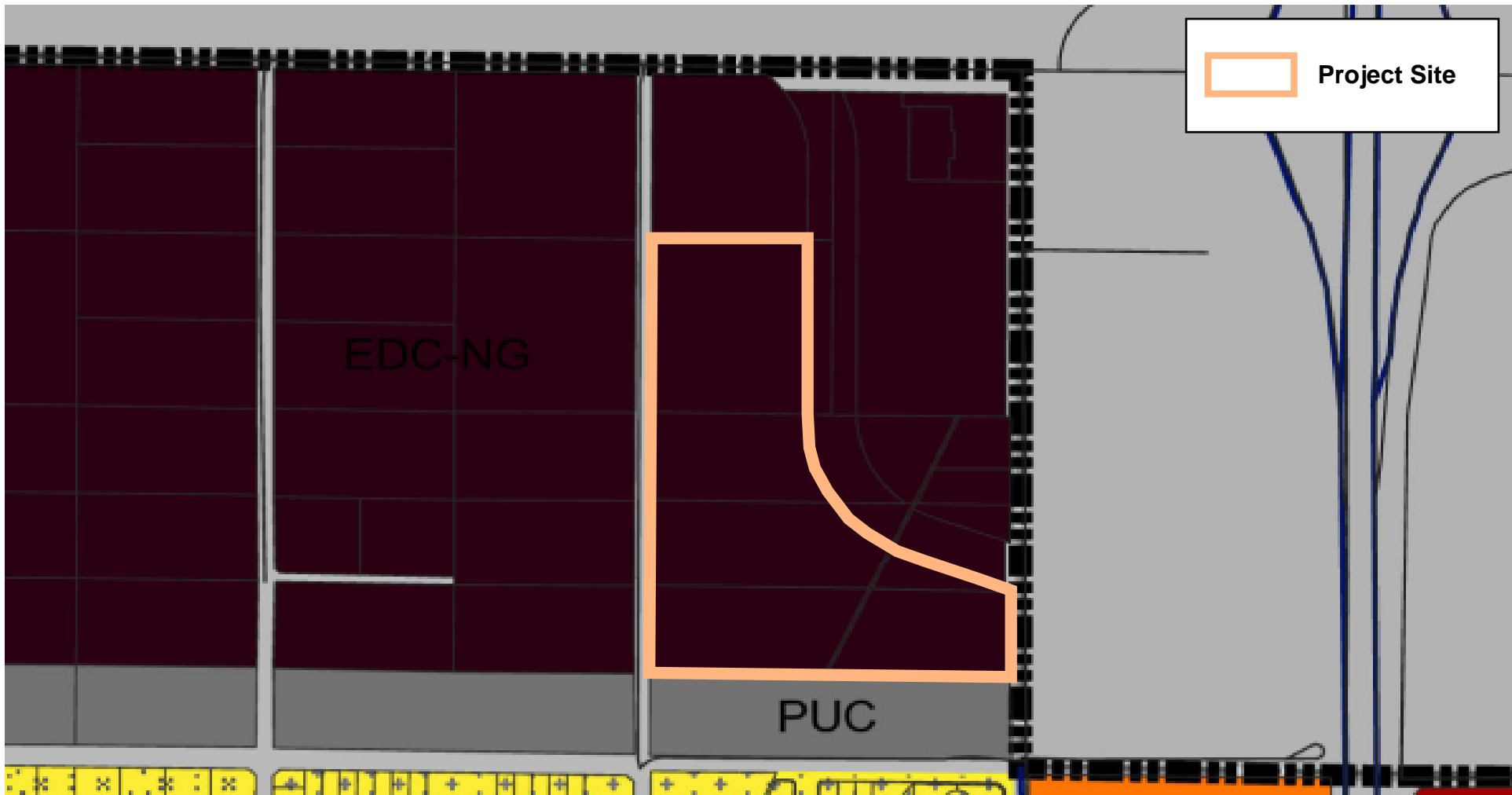
Source: City of Menifee. (2023). General Plan - Land Use Map

**Exhibit 2-3: Existing General Plan Land Use Designation**  
 City of Menifee  
 Northern Gateway Logistics Center



Not to Scale

**Kimley»Horn**



Zoning Designation		Zoning Designation		Zoning Designation	
Agriculture (AG)	Low Medium Density Residential (LMDR)	Economic Development Corridor-McCall Boulevard (EDC-MB)	Public Utility Corridor (PUC)	Legado SP	Rockport Ranch SP
Rural Mountainous (RM)	Medium Density Residential (MDR)	Economic Development Corridor-Community Core (EDC-CC)	Rail (RX)	Menifee Commercial SP	Town Center SP
Rural Residential, 5-acre minimum (RR5)	Medium High Density Residential (MHDR)	Economic Development Corridor-Newport Road (EDC-NR)	Audie Murphy Ranch SP	Menifee East SP	Planned Development Overlay-1 (PDO-1)
Rural Residential, 2-acre minimum (RR2)	High Density Residential (HDR)	Economic Development Corridor-Southern Gateway (EDC-SG)	Cal Neva SP	Menifee North SP	Planned Development Overlay-2 (PDO-2)
Rural Residential, 1-acre minimum (RR1)	Commercial Retail (CR)	Auto Overlay (AO)	Cantalena SP	Menifee Valley Ranch SP	Planned Development Overlay-3 (PDO-3)
Rural Residential, 1/2-acre minimum (RR1/2)	Commercial Office (CO)	Open Space-Conservation (OS-C)	Canyon Cove SP	Menifee Village SP	Planned Development Overlay-4 (PDO-4)
Low Density Residential-1 (LDR-1) [10,000 SF]	Heavy Industrial/Manufacturing (HI)	Open Space-Recreation (OS-R)	Canyon Heights SP	Newport Estates SP	Planned Development Overlay-5 (PDO-5)
Low Density Residential-2 (LDR-2) [7,200 SF]	Business Park/Light Industrial (BP)	Open Space-Water (OS-W)	Cimarron Ridge SP	Newport Hub SP	Planned Development Overlay-6 (PDO-6)
	Economic Development Corridor-Northern Gateway (EDC-NG)	Public/Quasi-Public Facilities (PF)	Countryside SP	Plaza del Sol SP	Planned Development Overlay-7 (PDO-7)

Source: City of Menifee. (2023). Zoning Map

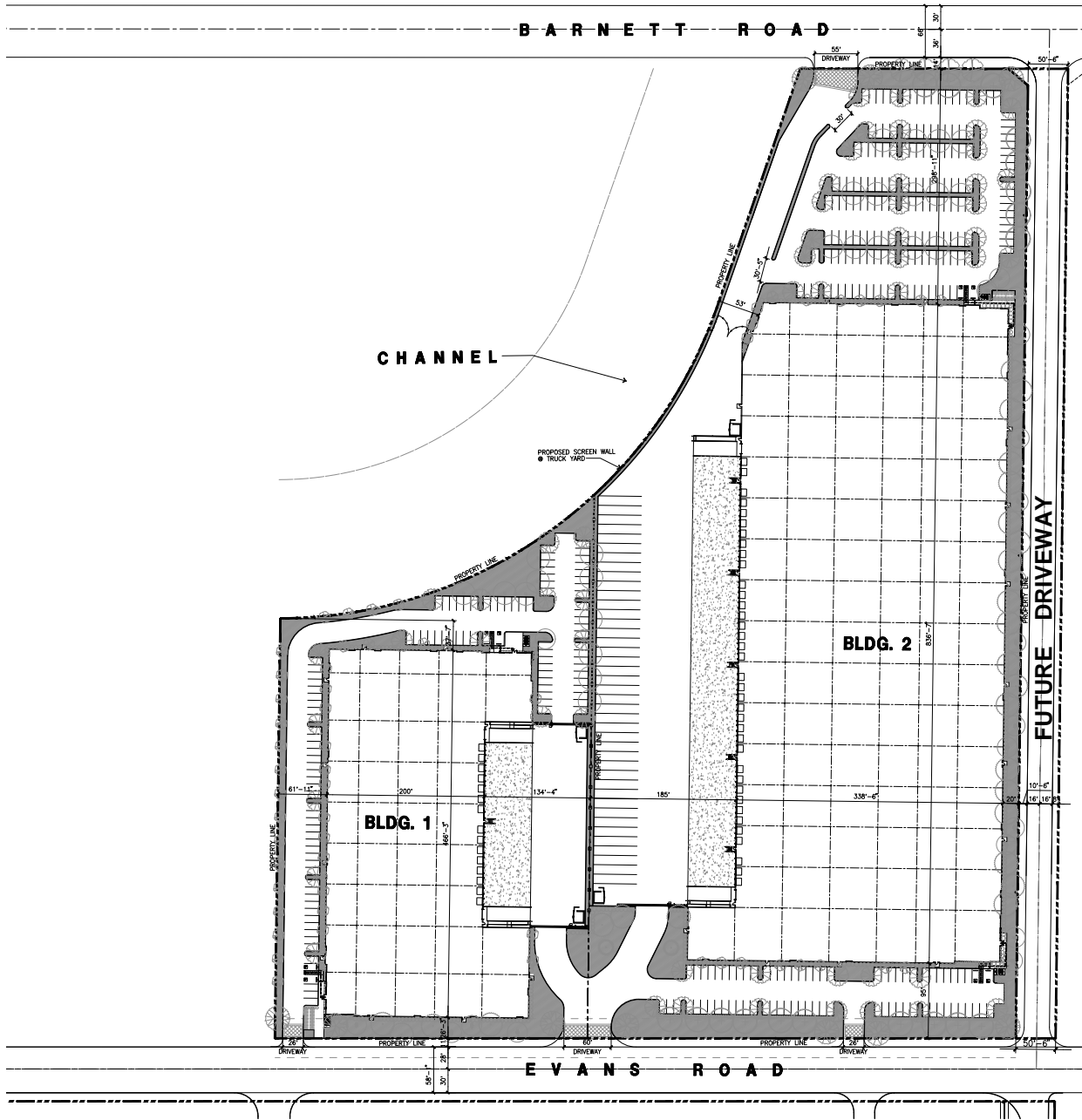
**Exhibit 2-4: Existing Zoning**  
 City of Menifee  
 Northern Gateway Logistics Center



Not to Scale

**Kimley»Horn**





**PROJECT DATA**

	BLDG. 1	BLDG. 2	TOTAL
<b>SITE AREA</b>			
In s.f.	230,885	647,916	878,601 sf
In acres	5.30	14.87	20.17 ac
<b>BUILDING AREA</b>			
Office	6,000	8,000	14,000 sf
Mezzanine	0	7,000	7,000 sf
Warehouse	99,537	277,715	377,252 sf
<b>TOTAL</b>	<b>105,537</b>	<b>292,715</b>	<b>398,252 sf</b>
<b>FLOOR AREA RATIO</b>			
Maximum Allowed	1.00	1.00	1.00
Actual	0.457	0.452	0.453
<b>AUTO PARKING REQUIRED</b>			
Office: 1/300 s.f.	20	50	70 stalls
Whse: 1K to 100K @ 1/1,000 s.f.	100	100	200 stalls
Whse: 100K to 500K @ 1/1,500 s.f.	0	119	119 stalls
5% Reduction for street improvement	6	13	
5% Reduction for lot consolidation	6	13	
<b>TOTAL</b>	<b>108</b>	<b>243</b>	<b>351 stalls</b>
<b>AUTO PARKING PROVIDED</b>			
Standard (9' x 18')	110	244	354 stalls
<b>TRAILER PARKING PROVIDED</b>			
Trailer (10' x 55')		41	41 stalls
<b>LONG TERM BICYCLE PARKING REQUIRED</b>			
PER CALGREEN 5% OF TOTAL PARKING	5	12	17 stalls
<b>LONG TERM BICYCLE PARKING PROVIDED</b>			
	6	12	18 stalls
<b>SHORT TERM BICYCLE PARKING REQUIRED</b>			
PER CALGREEN 5% OF TOTAL PARKING	5	12	17 stalls
<b>LONG TERM BICYCLE PARKING PROVIDED</b>			
	6	12	18 stalls
<b>ZONING ORDINANCE</b>			
Zoning Designation - Economic Development Corridor - Northern Gateway (EDC-NG)			
<b>MAXIMUM BUILDING HEIGHT ALLOWED</b>			
Height - 100'			
<b>LANDSCAPE REQUIREMENT</b>			
Percentage - 10%			
<b>LANDSCAPE PROVIDED</b>			
In s.f.	35,505	69,783	105,288 sf
Percentage	15.4%	10.8%	12.0%
<b>SETBACKS</b>			
Front (Evans Rd) - 25'			
Street side - 15'			
Rear - 10'			
<b>STATEMENT OF OPERATION</b>			
Speculative Development - Occupancy / Operations TBD (Potential Uses: General warehouse, distribution centers and storage; Manufacturing, Light or Medium-Intensity.)			

**SITE LEGEND**

- CONCRETE PAVING  
SEE "C" DRWGS. FOR THICKNESS
- ASPHALT CONCRETE PAVING  
SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- DISABLED PARKING STALL (9' X 18')  
+ 5' W/ ACCESSIBLE AISLE
- DISABLED PARKING (VAN) STALL (12' X 18')  
+ 5' W/ ACCESSIBLE AISLE
- LANDSCAPED AREA
- PATH OF TRAVEL
- 26' FIRE WIDE FIRELANE
- EXISTING PUBLIC FIRE HYDRANT
- PRIVATE FIRE HYDRANT - APPROXIMATE LOCATION

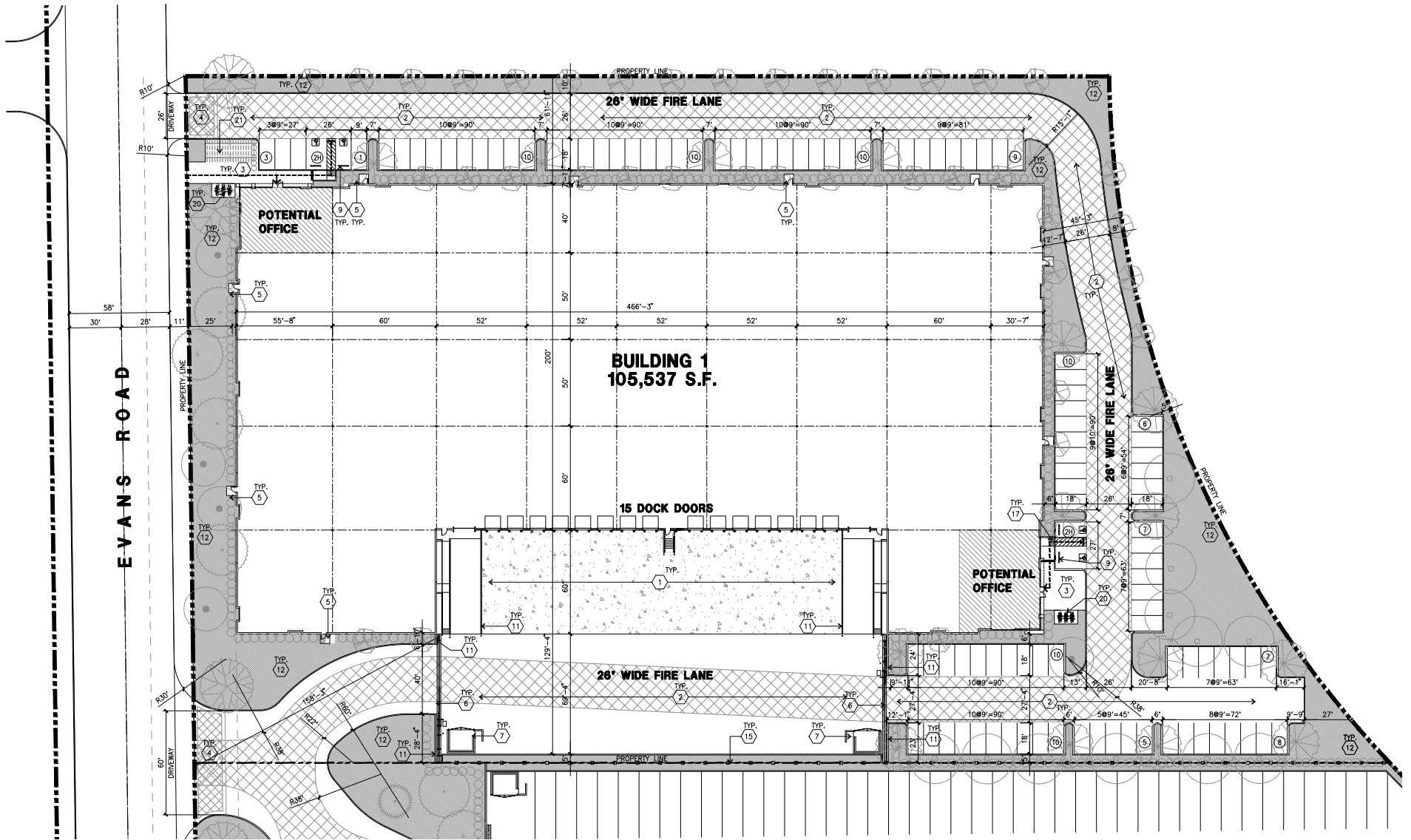
Source: HPA Architecture. (2023). Master Site Plan

**Exhibit 2-5: Overall Site Plan**  
City of Menifee  
Northern Gateway Logistics Center



Not to Scale

**Kimley»Horn**



Source: HPA. (2023). Overall Site Plan

**Exhibit 2-6: Conceptual Site Plan - Building 1**  
 City of Menifee  
 Northern Gateway Logistics Center



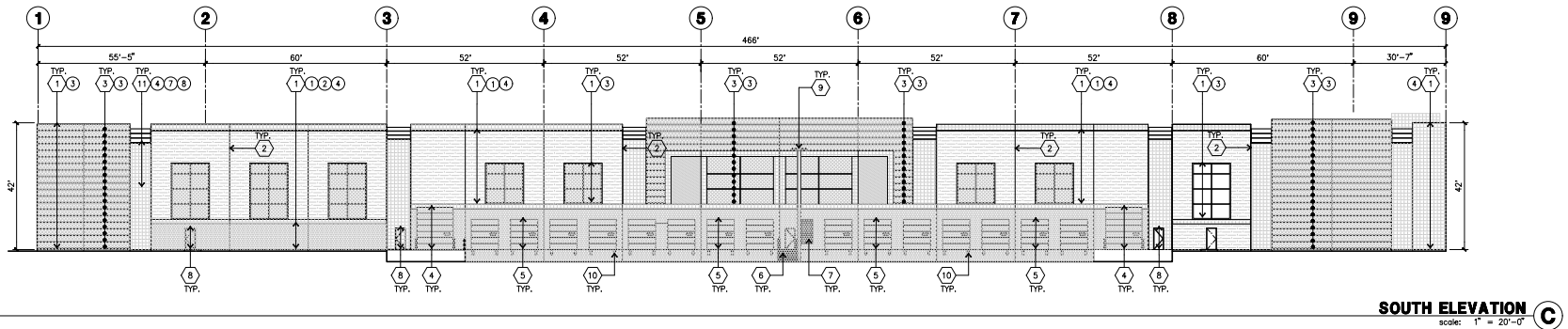
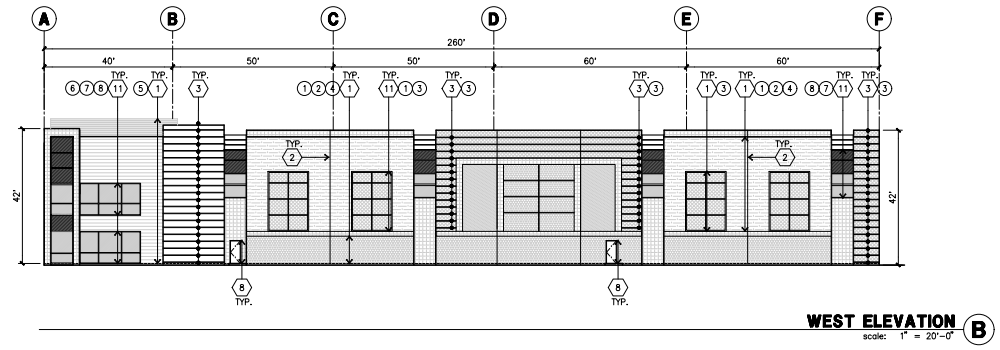
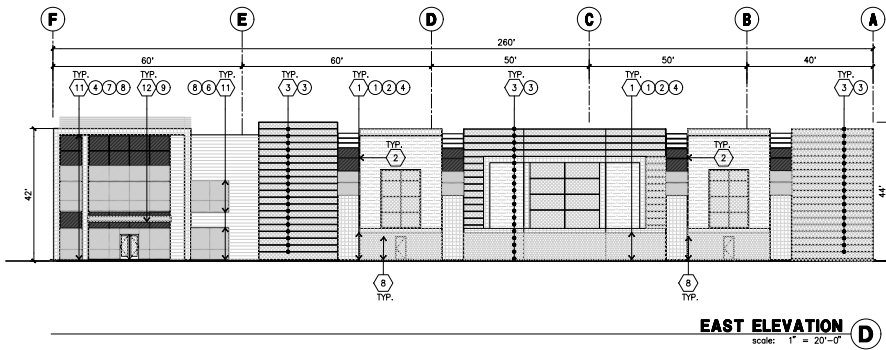
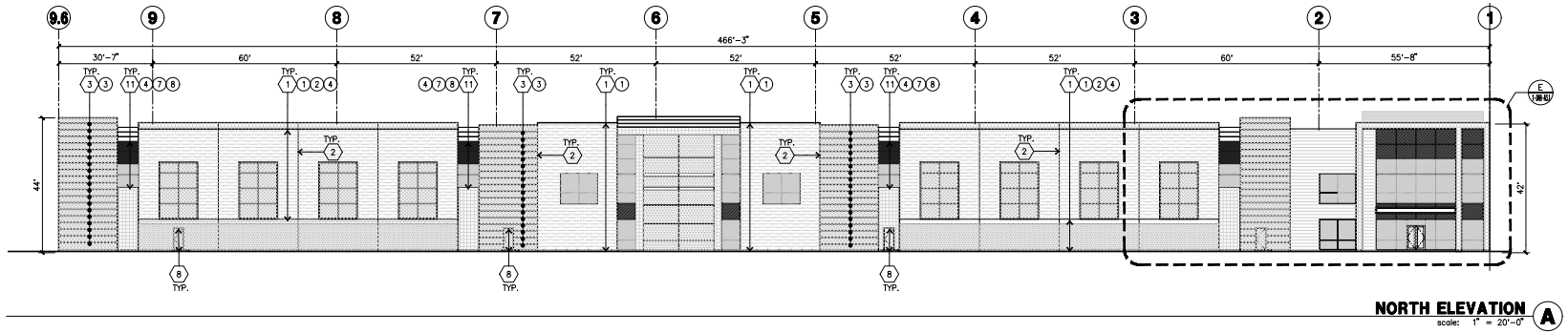
Not to Scale

**Kimley»Horn**





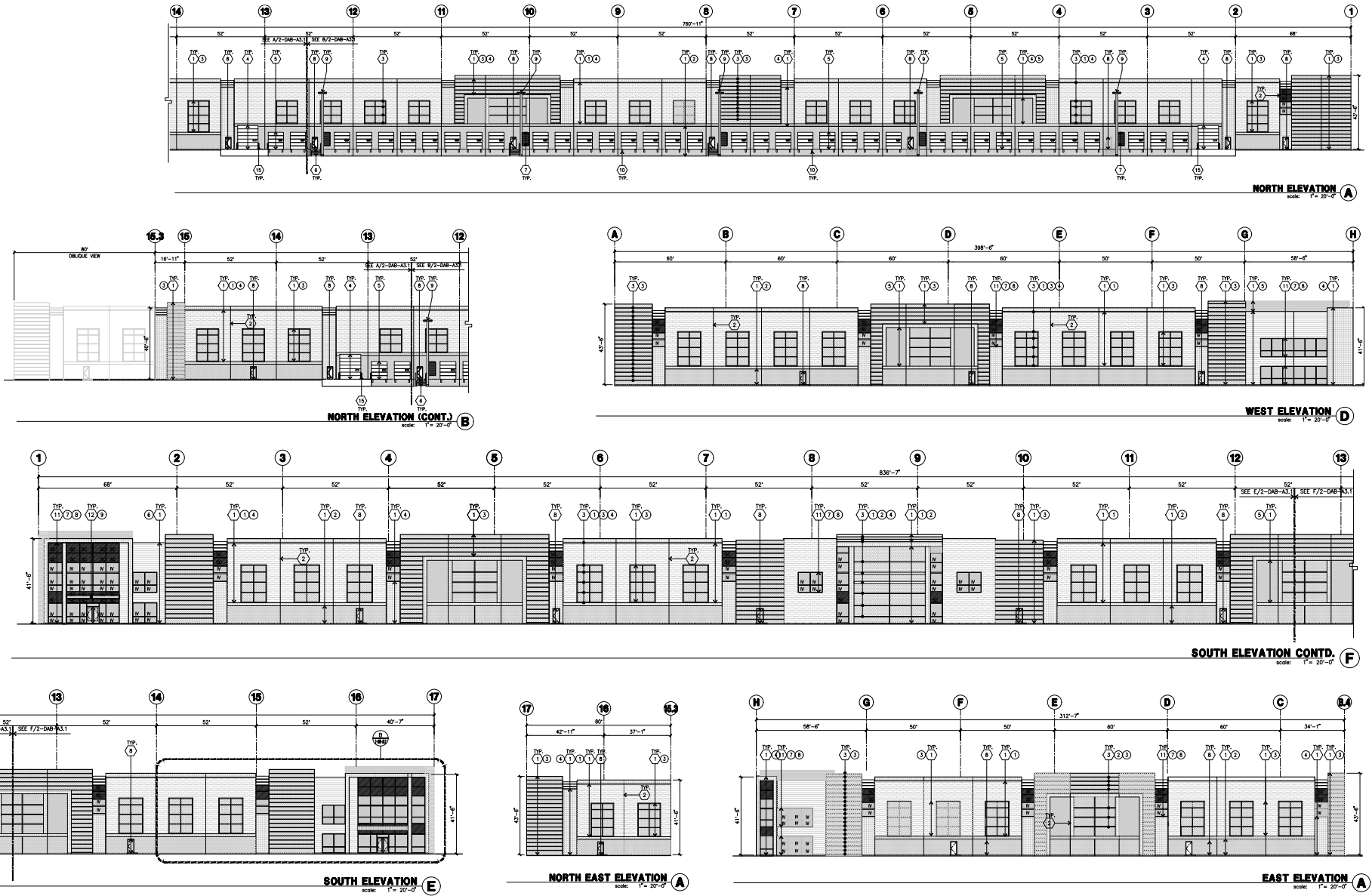




Source: HPA Architecture. (2023). Elevations

**Exhibit 2-9: Conceptual Elevations - Building 1**  
 City of Menifee  
 Northern Gateway Logistics Center





Source: HPA Architecture. (2023). Elevations

**Exhibit 2-10: Conceptual Elevations - Building 2**  
 City of Menifee  
 Northern Gateway Logistics Center

## 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."<sup>1</sup> 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 Northern Gateway Logistics Center Project (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 of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency

---

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

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 Draft EIR includes the use of a list of past, present, and future projects that have been approved but are not yet constructed/occupied, and projects that are in various stages of the application and approval process but have not yet been approved; **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.

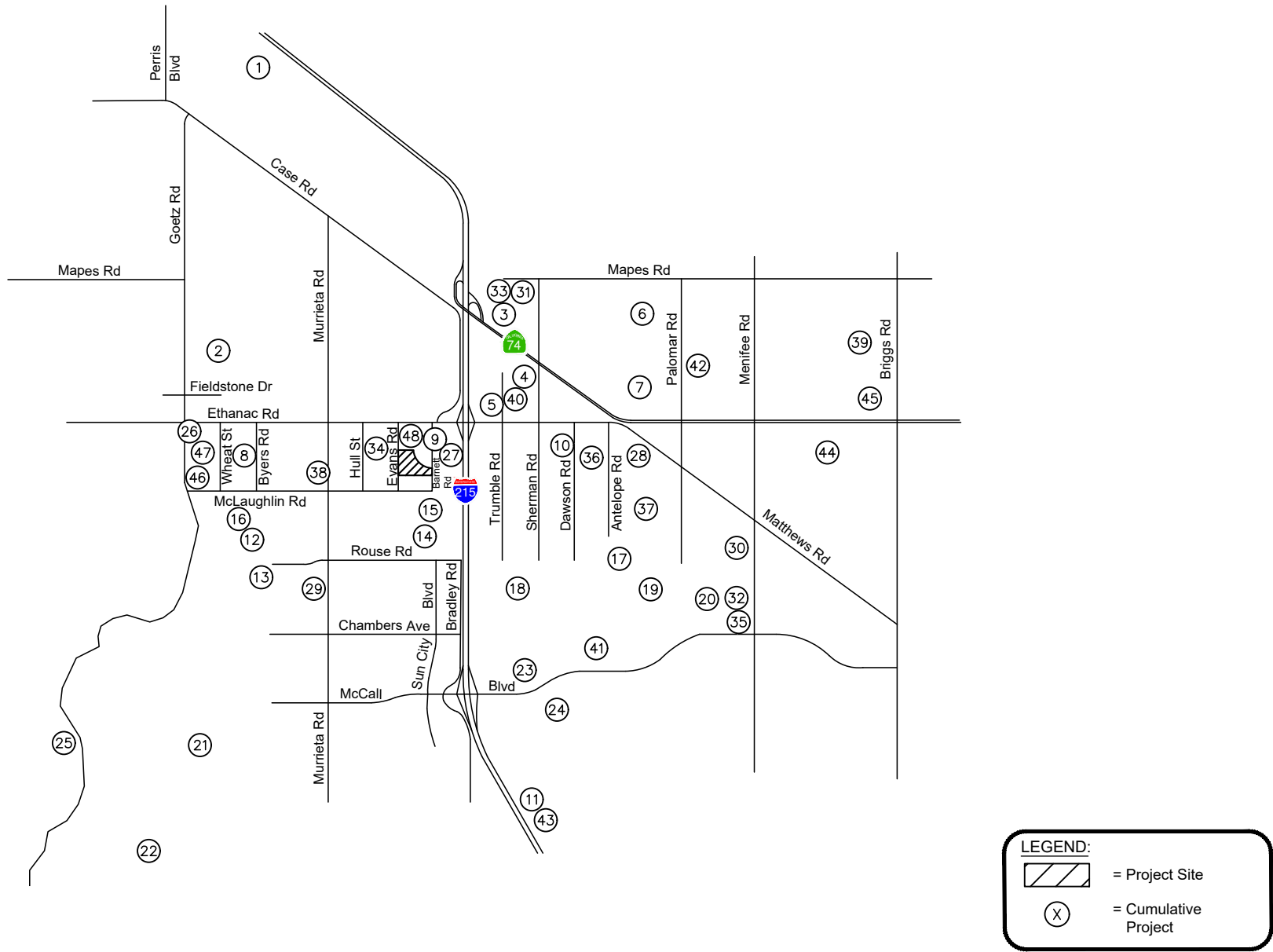
**Table 3-1: List of Cumulative Projects**

Project #	Project Name	Land Use	Units	Quantity (total)
1	Industrial Warehouse Building	Warehousing	KSF	2,300.000
2	Green Valley	Single-Family Detached Housing	DU	623
		Multi-family Housing (Mid-Rise)	DU	842
3	On-Deck	Convenience Market w/ Gasoline Pumps	Fueling Position	6
		Hotel	Room	108
		Quality Restaurant	KSF	5.500
		Fast-Food Restaurant w/o Drive-thru	KSF	3.000
		Automated Car Wash	KSF	4.500
4	Paragon Framing	High-Cube Short-Term Storage	KSF	5.000
		General Office Building	KSF	5.454
5	Perris Travel Center	Gasoline Station w/ Convenience Market	Fueling Position	16
6	MR-27 LLC (Rancon)	Single-Family Detached Housing	DU	172
7	Motte Country Plaza	Shopping Center	KSF	4.888
8	Capstone Warehouse	Warehousing	KSF	700.037
9	Ethanac Square	Automated Car Wash	KSF	2.080
		Convenience Market w/ Gasoline Pumps	Fueling Position	4
10	Menifee Commerce Center	Warehousing	KSF	1,640.130
11	Villago Villas	Multi-Family Housing (Low-Rise)	DU	24
12	Cimarron Ridge	Single-Family Detached Housing	DU	756
13	Valley Blvd Tract Map	Single-Family Detached Housing	DU	68
14	Sagewood (DR Horton)	Single-Family Detached Housing	DU	174
15	McLaughlin Village	Single-Family Detached Housing	DU	126
16	TTM 38128	Single-Family Detached Housing	DU	96
17	Talvera (KB Homes)	Single-Family Detached Housing	DU	173
18	Legado	Single-Family Detached Housing	DU	1,022
19	Underwood (KB Homes)	Single-Family Detached Housing	DU	543
20	Remington/McCall Mesa	Single-Family Detached Housing	DU	264
21	Stonegate (Enclave)	Single-Family Detached Housing	DU	177
22	Skyview (Woodside Homes)	Single-Family Detached Housing	DU	246
23	McCall-Encanto Gas Station	Gasoline Station w/ Convenience Market	Fueling Position	12
24	McCall Plaza	Convenience Market w/ Gasoline Pumps	Fueling Position	2
		Shopping Center	KSF	1
		Quality Restaurant	KSF	3.100
		Fast-Food Restaurant w/o Drive-thru	KSF	3.2
		Automated Car Wash	KSF	2.080
25	Quail Hills	Single-Family Detached Housing	DU	152
26	Goetz/Ethanac Commercial	Convenience Market w/ Gasoline Pumps	Fueling Position	8
		Discount Home Furnishing Superstore	KSF	3
		Shopping Center	KSF	7.040
27	Barnett Warehouse	Warehousing	KSF	251.780
28	Nova Battery Storage	General Light Industrial	Employees	3.10

Project #	Project Name	Land Use	Units	Quantity (total)
29	Vista Ridge Apartments	Multi-Family Housing (Mid-Rise)	DU	30
30	LDW TTM 38346	Multi-Family Housing (Mid-Rise)	DU	162
31	Mapes and Sherman Warehouse	Warehousing	KSF	277.578
32	The Village at Junipero	Multi-Family Housing (Mid-Rise)	DU	240
33	United Carports Warehouse	Warehousing	KSF	58.643
34	Northern Gateway Commerce Center	Warehousing	KSF	251.780
35	McCall Square	Shopping Center	KSF	84.200
		Mini-Warehouse	KSF	150.541
36	Motte Business Center	High-Cube Fulfillment Center – Non-Sort	KSF	1,138.638
37	McLaughlin San Jacinto Warehouses	Warehousing	KSF	491.56787
38	Ares Warehouse on Murrieta	Warehousing	KSF	551.685
39	TR 38133	Single-Family Detached Housing	DU	145
40	Trumble and Watson Warehouse	Warehousing	KSF	327.631
41	Cypress and Sands Apartments	Multifamily Housing (Mid-Rise)	DU	136
42	TR 38132	Multifamily Housing (Mid-Rise)	DU	173
43	Kensington Apartments	Multifamily Housing (Mid-Rise)	DU	221
44	Menifee Valley SP (Brookfield)	Multifamily Housing (Mid-Rise)	DU	1,711
45	Harvest Glen Marketplace	Convenience Market w/ Gasoline Pumps	Fueling Position	16
		Fast-Food Restaurant w/ Drive-thru	KSF	1.102
		Fast-Food Restaurant w/o Drive-thru	KSF	3.268
		Automated Car Wash	KSF	3.000
46	Corisca Business Park	Warehousing	KSF	265.821
47	Wheat Warehouse	Warehousing	KSF	86.676
48	Ethanac and Evans Warehouse	Warehousing	KSF	137.896

DU = Dwelling Unit, KSF = 1,000 square feet

Source: Kimley-Horn and Associates. (2023). *Traffic Study*. Pg. 26 – Table 6. Refer to **Appendix K**.



Source: Kimley-Horn and Associates. (2023). Traffic Study Figure 10

**Exhibit 3-1: Location of Cumulative Projects**  
 City of Menifee  
 Northern Gateway Logistics Center



Not to Scale

**Kimley»Horn**



## 4.0 ENVIRONMENTAL IMPACT ANALYSIS

### 4.0.1 Approach to Environmental Analysis

Organized by environmental resource category, **Section 4.0: Environmental Impact 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 Project. **Section 5.0: Additional CEQA Considerations**, discusses mandatory findings of significance and other required California Environmental Quality Act (CEQA) topics.

### 4.0.2 Environmental Issue Areas Deemed to be Not Significant

The environmental setting, impacts, and mitigation measures related to each environmental impact area are described in **Sections 4.1** through **4.16**. **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

CEQA Guidelines § 15128 states “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.” **Section 7.0: Effects Found Not to be Significant** briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft EIR preparation process. Environmental issues related to agriculture and forestry resources, mineral resources, population and housing, and recreation were found to result in no impacts or less than significant impacts, and were therefore not discussed in further detail in this Draft EIR. See **Section 7.0: Effects Found Not to be Significant** for more information regarding these resources.

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 (City) General Plan (Menifee GP) and City Municipal Code (Menifee MC).
- **“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 a 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 4.7: Greenhouse Gas Emissions**, are numbered

GHG-1, GHG-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.”

## 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 Northern Gateway Logistics 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 Project implementation, 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 (Menifee GP)
- City of Menifee GP Final Environmental Impact Report (Menifee GP Draft EIR)

### 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 may 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 20.17 acres and comprises five parcels. The Project site is undeveloped land with grassland with historic agricultural use. The existing land uses north of the Project site consist of farmland, the Ethanac Wash channel, and Ethanac Road. South of the Project site includes a Southern

California Edison (SCE) utility corridor, McLaughlin Road, and single-family residences. West of the Project site includes Evans Road and vacant land. East of the Project site includes the Ethanac Wash, Barnett Road, and vacant land. Barnett Road and Evans Road are unpaved roads.

Views of the Project site are primarily available to travelers on Ethanac Road. The Project site is also visible from Interstate 215 (I-215). The Project site is bound by Ethanac Road to the north, Barnett Road to the east, Evans Road to the west, and McLaughlin Road to the south. Immediate views from the Project site to the north include vacant land; to the east is vacant undeveloped land and the Ethanac Wash; to the south is vacant undeveloped land; and to the west is Evans Road followed by agriculture land.<sup>1</sup>

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 1,420 feet above mean sea level (MSL) with a gentle topographic gradient located north of the Project site.<sup>2</sup>

### 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.<sup>3</sup>

The Menifee GP does not officially designate any scenic vistas near the Project site. According to the Menifee GPOpen Space and Conservation Element, the steepest slopes and largest cluster of hillsides can be found north of Menifee Lakes, traveling northward across McCall Boulevard. Quail Valley also has several 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. The City's prominent natural hillsides are one of the City's most identifiable features.<sup>4</sup> Exhibit OSC-2 of the Menifee GP illustrates the City's significant slopes.<sup>5</sup> The closest prominent peaks to the Project site are to the southwest, along the western side of Goetz Road.

---

<sup>1</sup> Ramboll. (2023). *Phase I Environmental Site Assessment*. Pg. 16. Refer to Appendix H

<sup>2</sup> USGS. (2022). Romoland Quadrangle 7.5-Minute Series. Retrieved from: [https://pubs.usgs.gov/of/2003/0102/pdf/rom\\_map.pdf](https://pubs.usgs.gov/of/2003/0102/pdf/rom_map.pdf) (accessed October 2023).

<sup>3</sup> City of Menifee. (2013). *Menifee General Plan Draft Environmental Impact Report, Section 5.1: Aesthetics*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-AE?bidId=> (accessed June 2023).

<sup>4</sup> City of Menifee. (2013). *Open Space and Conservation Element OSC-3: Natural Landforms*, par. 1. Available at: <https://www.cityofmenifee.us/874/OSC-3-Natural-Landforms> (accessed June 2023).

<sup>5</sup> City of Menifee. (2012). *Significant Slopes*. Available at [https://www.cityofmenifee.us/DocumentCenter/View/1083/ExhibitOSC-2\\_SignificantSlopes\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1083/ExhibitOSC-2_SignificantSlopes_HD0913?bidId=) (accessed June 2023).

## Scenic Highways

The Menifee GP identifies enhanced landscape corridors and scenic corridors in the City and scenic highways.<sup>6,7</sup> The Project site is not located directly adjacent to any of these resources, but is located near an “Enhanced Landscape Corridor” located along Ethanac Road to the north.

There are no scenic highways officially designated by California Department of Transportation (Caltrans) in or near the City.<sup>8</sup> State Route (SR) 74, is currently eligible for scenic highway designation by Caltrans. The eligible segment of SR 74 extends from I-5 (San Juan Capistrano) to SR 111 in Palm Desert.<sup>9</sup> The nearest segment of the highway is approximately 0.93 miles northeast of the Project. Due to the distance between the Project and SR 74, the Project would not obstruct view from this highway.

## Light and Glare

Generally, there are two types of light intrusion. Light which emanates from the interior of structures and passes through windows and light that projects from exterior sources, such as exterior building parking, street lighting, security lighting, and landscape lighting. “Light spill” is typically defined as the presence of unwanted and/or misdirected light on properties adjacent to the property being illuminated. Glare is the sensation produced by luminance within the visual field that is significantly greater than the luminance to which the eyes are adapted, which causes annoyance, discomfort, or loss in visual performance and visibility.

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 vehicle headlights. There are no streetlights present along roadways adjacent the Project site (Evans Road and Barnett 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. The California Department of Transportation (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.

---

<sup>6</sup> City of Menifee. (2013). *Community Design Element CD-2: Corridors*. Available at [https://www.cityofmenifee.us/DocumentCenter/View/1061/Exhibit\\_CD-2\\_Corridors\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1061/Exhibit_CD-2_Corridors_HD0913?bidId=) (accessed June 2023).

<sup>7</sup> City of Menifee. (2013). *Circulation Element C-8: Scenic Highways*. Available at [https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8-Scenic\\_Highways\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8-Scenic_Highways_HD0913?bidId=) (accessed June 2023).

<sup>8</sup> City of Menifee. (2013). *Menifee General Plan Draft Environmental Impact Report, Section 5.1: Aesthetics*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-AE?bidId=> (accessed June 2023).

<sup>9</sup> Caltrans. (2018). *California State Scenic Highway System Map*. Retrieved from: <https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed June 2023).

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.<sup>10</sup>

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-3.1**        Preserve positive characteristics and unique features of a site during the design and development of a new project; the relationship to scale and character of adjacent uses should be considered.

**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

---

<sup>10</sup> City of Menifee. (2013). *Menifee General Plan Community Design Element*. Available at: <https://www.cityofmenifee.us/882/Community-Design-Element> (accessed June 2023).



placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).

**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-3.12** Utilize differing but complementary forms of architectural styles and designs that incorporate representative characteristics of a given area.

**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.

**Policy CD-6.6** Encourage the incorporation of lighting into signage design when appropriate in order to minimize glare and light spillage while accentuating the design of the signage.

#### 4.1.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning aesthetics. 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:

- 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; or
- 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 May 2023; 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**

##### Construction and Operations

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 southwest, along the western side of Goetz Road. Buildout of the Project site would not obstruct views of the San Jacinto Mountains to the northeast-east along Evans Road and Barnett Road, or the peaks of the Santa Ana Mountains to the southwest.

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 travelers along Ethanac Road and Barnett Road. The Project is anticipated to be constructed in one phase and construction activities are anticipated to last approximately 12 months, beginning in November 2024.

The Project would introduce two new logistics buildings totaling up to 398,252 square feet of building area. Per the Menifee Development Code, the allowed building height under the Economic Development Corridor for Northern Gateway (EDC-NG) zoning category is 100 feet high.<sup>11</sup> Building 1 would be approximately 44 feet in height and Building 2 would be approximately 43 feet 6 inches in height, consistent with and well under the permitted maximum building height for the Project site.

Buildings 1 and 2 would be setback in accordance with the design standards of the Menifee Development Code. The development code requires front, rear, and side setbacks to be 25, 10, and 15 feet, respectively.<sup>12</sup> Along Evans Road, the front setback for both buildings would be 25 feet. The rear setback for is approximately 37 feet for Building 1 and approximately 298 feet for Building 2. Along the future driveway, Building 2 would have a side setback approximately 20 feet from the southern property line. Building 2 would have a side setback from the northern property line at approximately 61 feet. The Project setbacks would exceed the required minimum setbacks for EDC-NG development standards as outlined in the Menifee Development Code.<sup>13</sup> Refer to **Figure 2-6: Conceptual Site Plan – Building 1** and **Figure 2-7: Conceptual Site Plan – Building 2** for more information.

Additional development standards applicable to the Project include landscape requirements. Current standards for development within the EDC-NG zone relating to landscape require that ten percent of the

---

<sup>11</sup> City of Menifee. (2024). *Comprehensive Development Code – Chapter 9.140 Economic Development Corridor Zones*. Article 3, Pg. 9.140-8 – Table 9140.040-2. Available at: <https://online.encodeplus.com/reg/menifee-ca/ereader/devcode/> (accessed February 2024).

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

total lot area, excluding that portion of the lot contained within the required front setback area, is dedicated to landscaped open space.<sup>14</sup> Building 1 site area is 230,685 square feet with a planned landscape area of 36,037 square feet including 9,101 square ft of landscaped shaded parking. Building 2 site area is 647,916 square feet with a planned landscape area of 69,800 square feet and 21,000 square feet of landscaped shaded parking area. The total landscape area would be 105,837 square feet which is 12 percent of the Project site, above the required ten percent under the Menifee Development Code. Landscaping on the Project site is incorporated to enhance the aesthetic character of the site and soften building and screen walls.

Development within all areas of the City would be required to comply with regulations as outlined in the City of Menifee Municipal Code (Menifee MC), policies in the Menifee GP, and other existing City policies that protect scenic vistas. The Menifee GP Draft EIR analyzed aesthetics impacts and concluded that permitted land use development in the EDC-NG zone would be less than significant. As stated above, the Project buildings would adhere to development standards regarding building height and setbacks. Therefore, as outlined in the Menifee GP Draft EIR and in accordance with development standards as part of the Menifee MC, 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.<sup>15</sup> The nearest officially designated state scenic highway is approximately 22 miles east of the Project site (SR 74 from the west boundary of the San Bernardino National Forest to SR 111 in Palm Desert). Due to the distance between the Project and this portion of SR 74 that is officially designated, the Project would not obstruct views from this highway. As previously mentioned, SR 74 is located approximately 0.93 miles northeast of the Project site, and 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.

---

<sup>14</sup> City of Menifee. (2024). *Comprehensive Development Code*. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx#secid-1345>. (accessed July 2023).

<sup>15</sup> Caltrans. (2018). *California State Scenic Highway System Map*. Retrieved from: <https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed June 2023).

**Impact 4.1-3** *Would the Project In nonurbanized 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**

## Construction and Operations

The Project site is located within an urbanized area and is currently zoned EDC-NG which permits a mix of residential, commercial, and industrial land uses. The Project proposes construction and operation of two logistics buildings in addition to associated facilities and related on-site and off-site improvements. As mentioned above, the Project is consistent with development standards relating to building height, setbacks, and landscaping applicable to scenic quality.

The Project would adhere to development standards outlined in the Menifee MC regarding building height, setbacks, and landscaping with respect to scenic quality. Therefore, the Project would not conflict with applicable zoning and other regulations governing scenic quality and less than significant 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**

## Construction

As previously discussed, the Project site is undeveloped. All areas surrounding the plot are undeveloped vacant lots of land. Sources of light and glare exist minimally in the Project's immediate vicinity. Existing lighting sources include vehicle headlights from adjacent and surrounding roadways. Since there are occupied residences 0.20 miles to the southwest of the Project site, construction would be limited to the daytime hours of construction permitted in the Menifee 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."<sup>16</sup> Nighttime lighting would not be required until the site is operational, and would comply with the City MC § 6.01.020 which establishes

---

<sup>16</sup> City of Menifee. (2023). *Menifee Municipal Code*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-1773](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1773) (accessed June 2023).

requirements for nighttime lighting in the City.<sup>17</sup> 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 buildings would use interior lighting, exterior security lighting, and parking lot lighting. Outdoor lighting must adhere to development standards as outlined in the MC relating to lighting requirements. Consistent with Menifee MC Chapter 9.205, Lighting Standards, all Project 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.<sup>18</sup> Additionally, as part of the Comprehensive Development Code update the City established Community Development Design Guidelines for any applicable residential, commercial, and industrial projects. Lighting designs for nonresidential development must be designed in such a way that it avoids direct glare into neighboring properties.<sup>19</sup> Road improvements along Evans Road, Barnett Road, and the future driveway, would include the installation of a total of 16 streetlights. In accordance with the aforementioned development standards outlined in the MC and Development Design Standards, the Project will ensure operational lighting is designed to enhance the aesthetic of the buildings and provide proper lighting along the improved roads in such a way that it mitigates additional glare to surrounding residential communities. Therefore, operational impacts on light and glare on the surrounding area 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 existing land use designation and zoning of the site.

As noted in **Section 2.0, Project Description**, most of the Project site consists of vacant, undeveloped land.

The Project proposes the building of approximately 398,252 sq. feet of warehouse space (including mezzanine and office space) within the two proposed on-site buildings. The Project includes irrigated landscaped areas comprised of 105,288 sq. feet of on-site landscaping. The Project would also incorporate

---

<sup>17</sup> City of Menifee. (2023). *Menifee Municipal Code, Chapter 6.01: Dark Sky; Light Pollution*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-1651](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1651) (accessed December 2023).

<sup>18</sup> City of Menifee. (2023). *Menifee Municipal Code*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-1773](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1773) (accessed October 2023).

<sup>19</sup> City of Menifee. (2024). *Design Guidelines*. Page 69. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/10273/Design-Guidelines\\_FINAL-Feb-2020-Adopted-41520?bidid=](https://www.cityofmenifee.us/DocumentCenter/View/10273/Design-Guidelines_FINAL-Feb-2020-Adopted-41520?bidid=) (accessed October 2023).

road improvements such as curbs, gutters, and sidewalks for Evans Road, Barnett Road, and the future driveway.

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 the southwest peaks along Goetz Road. The City is becoming more urbanized and the contrast of the potential development, in comparison to the surrounding natural environment would be minimal.

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 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 aesthetic impacts were identified.

#### 4.1.8 References

Caltrans. (2018). *California State Scenic Highway System Map*. Retrieved from:

[https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aa-  
caa](https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aa-<br/>caa).

City of Menifee. (2013). *Circulation Element C-8: Scenic Highways*. Available at:

[https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8-  
Scenic Highways HD0913?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8-<br/>Scenic%20Highways%20HD0913?bidId=)

City of Menifee. (2024). *Comprehensive Development Code – Chapter 9.140 Economic Development*

*Corridor Zones*. Available at: [https://online.encodeplus.com/regs/menifee-ca/doc-  
viewer.aspx#secid-1345](https://online.encodeplus.com/regs/menifee-ca/doc-<br/>viewer.aspx#secid-1345).

City of Menifee. (2013). *Menifee General Plan Community Design Element CD-2: Corridors*. Available at:

<https://www.cityofmenifee.us/240/Community-Design-Element>.

City of Menifee. (2013). *Menifee General Plan Draft Environmental Impact Report, Section 5.1:*

*Aesthetics*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-  
AE?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1101/Ch-05-01-<br/>AE?bidId=)

City of Menifee. (2013). *Open Space and Conservation Element OSC-3: Natural Landforms*. Available at:

<https://www.cityofmenifee.us/253/OSC-3-Natural-Landforms>.

City of Menifee. (2023). *Menifee Municipal Code*. Available at:

[https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-1773](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1773).



City of Menifee. (2012). *Significant Slopes*. Available at:

[https://www.cityofmenifee.us/DocumentCenter/View/1083/ExhibitOSC-2\\_SignificantSlopes\\_HD0913?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1083/ExhibitOSC-2_SignificantSlopes_HD0913?bidId=)

Ramboll. (2023). *Phase I Environmental Site Assessment*. Refer to **Appendix H**.

USGS. (2022). *Romoland Quadrangle 7.5-Minute Series*. Retrieved from:

[https://pubs.usgs.gov/of/2003/0102/pdf/rom\\_map.pdf](https://pubs.usgs.gov/of/2003/0102/pdf/rom_map.pdf).

## 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 Northern Gateway Logistics 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, regional, 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 Kimley-Horn and Associates as listed below and included as **Appendix B: Air Quality and Health Risk Assessments** of this Draft EIR.

- Kimley-Horn and Associates, Inc. (2024). *Air Quality Assessment*.
- Kimley-Horn and Associates, Inc. (2024). *Health Risk Assessment*.

### 4.2.2 Environmental Setting

#### Climate and Meteorology

The California Air Resources Board (CARB) divides the State into 15 air basins that share similar meteorological and topographical features. The Project is located within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter.<sup>1</sup> Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

The SCAB is part of a semi-permanent high-pressure zone in the eastern Pacific. As a result, the climate is mild and tempered by cool sea breezes. This usually mild weather pattern is occasionally interrupted by periods of extreme heat, winter storms, and Santa Ana winds. The annual average temperature throughout the 6,645-square-mile SCAB ranges from low 60 to high 80 degrees Fahrenheit with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas.

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.

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

---

<sup>1</sup> South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 1993.

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 on-shore 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.

## **Air Pollutants of Concern**

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by state and federal laws. These regulated air pollutants are known as “criteria air pollutants” and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), coarse particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead are primary air pollutants. Of these, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are criteria pollutants. ROG and NO<sub>x</sub> are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O<sub>3</sub>) is formed by a chemical reaction between ROG and NO<sub>x</sub> in the presence of sunlight. O<sub>3</sub> and nitrogen dioxide (NO<sub>2</sub>) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in **Table 4.2-1: Air Contaminants and Associated Public Health Concerns**.

**Table 4.2-1: Air Contaminants and Associated Public Health Concerns**

Pollutant <sup>1</sup>	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM <sub>10</sub> and PM <sub>2.5</sub> )	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O <sub>3</sub> )	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC) <sup>1</sup> and nitrogen oxides (NO <sub>x</sub> ) in the presence of sunlight. Motor vehicles exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO <sub>2</sub> )	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO <sub>2</sub> )	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O <sub>3</sub> . Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.
<p>Notes:</p> <p>1. Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).</p>		
<p>Source: Source: California Air Resources Board, Common Air Pollutants, <a href="https://ww2.arb.ca.gov/resources/common-air-pollutants">https://ww2.arb.ca.gov/resources/common-air-pollutants</a>, accessed November 2023.</p>		

## Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e., chronic, carcinogenic or cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

## Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the South Coast Air Quality Management District (SCAQMD), the air pollution regulatory agency in the SCAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the SCAB include O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Lake Elsinore-W Flint Street Monitoring Station (located approximately 8.6 miles to the southwest). Local air quality data from 2020 to 2022 are provided in **Table 4.2-2: Ambient Air Quality Data**, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

**Table 4.3-2: Ambient Air Quality Data**

Criteria Pollutant	2020	2021	2022
<b>Ozone (O<sub>3</sub>)<sup>1</sup></b>			
1-hour Maximum Concentration (ppm)	0.130	0.118	0.121
8-hour Maximum Concentration (ppm)	0.100	0.097	0.091
<i>Number of Days Standard Exceeded</i>			
CAAQS 1-hour (>0.09 ppm)	18	18	17
NAAQS 8-hour (>0.070 ppm)	54	44	37
<b>Carbon Monoxide (CO)<sup>2</sup></b>			
1-hour Maximum Concentration (ppm)	1.829	2.022	3.272
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
<b>Nitrogen Dioxide (NO<sub>2</sub>)<sup>2</sup></b>			
1-hour Maximum Concentration (ppm)	0.0436	0.0437	0.0372
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>0.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
<b>Particulate Matter Less Than 10 Microns (PM<sub>10</sub>)<sup>1</sup></b>			
National 24-hour Maximum Concentration	192	90	91.8
State 24-hour Maximum Concentration	—	—	—
State Annual Average Concentration (CAAQS=20	—	—	—
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>150 µg/m <sup>3</sup> )	1	0	0
CAAQS 24-hour (>50 µg/m <sup>3</sup> )	—	—	—
<b>Particulate Matter Less Than 2.5 Microns (PM<sub>2.5</sub>)<sup>2</sup></b>			
National 24-hour Maximum Concentration	—	—	—
State 24-hour Maximum Concentration	41.6	28.8	16.2
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>35 µg/m <sup>3</sup> )	—	—	—
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million. µg/m <sup>3</sup> = micrograms per cubic meter; — = not measured			
Notes: Measurements taken at the Lake Elsinore-W Flint Street Monitoring Station at 506 W Flint Street, Lake Elsinore, California 92530 (CARB# 33158).			
Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database ( <a href="https://www.arb.ca.gov/adam">https://www.arb.ca.gov/adam</a> ) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System ( <a href="https://www.arb.ca.gov/aqmis2/aqdselect.php">https://www.arb.ca.gov/aqmis2/aqdselect.php</a> ).			

## Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The nearest sensitive receptors to the Project site are residential uses to the south and southwest, as well as a park to the southwest. Sensitive land uses nearest to the Project are shown in **Table 4.2-3: Sensitive Receptors**.

**Table 4.2-3: Sensitive Receptors**

Receptor Description	Distance and Direction from the Project <sup>1</sup>	Description
Single-family Residences	405 feet to the south	Along McLaughlin Road
Single-Family Residences	690 feet to the west	Along Corsica Lane
Nova Park	700 feet to the southwest	Along Starr Drive
1. Distance measured from the Project boundary line to the property line of the sensitive receptor.		
Source: Google Earth, 2023.		

### 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 United States Environmental Protection Agency (EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including O<sub>3</sub>, NO<sub>2</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, 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 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 EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations 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 EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in **Table 4.2-4: State and Federal Ambient Air Quality Standards**.

##### *Federal Emissions Standards for On-Road Trucks*

To reduce emissions from on-road, heavy-duty diesel trucks, the U.S. EPA established a series of increasingly strict emission standards for new engines, starting in 1988. The U.S. EPA promulgated the final and cleanest standards with the 2007 Heavy-Duty Highway Rule.<sup>2</sup> The PM emission standard of 0.01 gram per horsepower-hour (g/hp-hr) is required for new vehicles beginning with model year 2007. Also, the NOX and nonmethane hydrocarbon (NMHC) standards of 0.20 g/hp-hr and 0.14 g/hp-hr, respectively, were phased in together between 2007 and 2010 on a percent of sales basis: 50 percent from 2007 to 2009 and 100 percent in 2010.

##### *Emission Standards for Off-Road Diesel Engines*

To reduce emissions from off-road diesel equipment, the U.S. EPA established a series of cleaner emission standards for new off-road diesel engines. Tier 1 standards were phased in from 1996 to 2000 (year of manufacture), depending on the engine horsepower category. Tier 2 standards were phased in from 2001 to 2006. Tier 3 standards were phased in from 2006 to 2008. Tier 4 standards, which generally require add-on emission control equipment to attain them, were phased in from 2008 to 2015.



## 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 **Table 4.2-4**, 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 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 **Table 4.2-4**.

**Table 4.2-4: State and Federal Ambient Air Quality Standards**

Pollutant	Averaging Time	State Standards <sup>1</sup>	Federal Standards <sup>2</sup>
Ozone (O <sub>3</sub> ) <sup>2, 5, 7</sup>	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )
Nitrogen Dioxide (NO <sub>2</sub> )	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	0.10 ppm <sup>11</sup>
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	0.053 ppm (100 µg/m <sup>3</sup> )
Sulfur Dioxide (SO <sub>2</sub> ) <sup>8</sup>	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (365 µg/m <sup>3</sup> )
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	0.075 ppm (196 µg/m <sup>3</sup> )
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m <sup>3</sup> )
Particulate Matter (PM <sub>10</sub> ) <sup>1, 3, 6</sup>	24-Hour	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	NA
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>3, 4, 6, 9</sup>	24-Hour	NA	35 µg/m <sup>3</sup>
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	9 µg/m <sup>3</sup>
Sulfates (SO <sub>4-2</sub> )	24 Hour	25 µg/m <sup>3</sup>	NA
Lead (Pb) <sup>10, 11</sup>	30-Day Average	1.5 µg/m <sup>3</sup>	NA
	Calendar Quarter	NA	1.5 µg/m <sup>3</sup>
	Rolling 3-Month Average	NA	0.15 µg/m <sup>3</sup>
Hydrogen Sulfide (H <sub>2</sub> S)	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	NA
Vinyl Chloride (C <sub>2</sub> H <sub>3</sub> Cl) <sup>10</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	NA

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter; mg/m<sup>3</sup> = milligrams per cubic meter; – = no information available.

Notes:  
1. California standards for O<sub>3</sub>, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM<sub>10</sub>, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM<sub>10</sub> annual standard), then some measurements may be excluded. Measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one-half the national standard and two-thirds the State standard.

2. National standards shown are the "primary standards" designed to protect public health. National standards other than for O<sub>3</sub>, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O<sub>3</sub> standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O<sub>3</sub> standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM<sub>10</sub> standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m<sup>3</sup>. The 24-hour PM<sub>2.5</sub> standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m<sup>3</sup>.
3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM<sub>10</sub> is met if the 3-year average falls below the standard at every site. The annual PM<sub>2.5</sub> standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard. NAAQS are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.
4. On October 1, 2015, the national 8-hour O<sub>3</sub> primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O<sub>3</sub> concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O<sub>3</sub> level in the area.
5. The national 1-hour O<sub>3</sub> standard was revoked by the EPA on June 15, 2005.
6. In June 2002, CARB established new annual standards for PM<sub>2.5</sub> and PM<sub>10</sub>.
7. The 8-hour California O<sub>3</sub> standard was approved by the CARB on April 28, 2005, and became effective on May 17, 2006.
8. On June 2, 2010, the EPA established a new 1-hour SO<sub>2</sub> standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO<sub>2</sub> NAAQS however must continue to be used until one year following EPA initial designations of the new 1-hour SO<sub>2</sub> NAAQS.
9. In February 2024, EPA strengthened the annual PM<sub>2.5</sub> NAAQS from 12.0 to 9.0 µg/m<sup>3</sup>. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels.
10. CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure below which there are no adverse health effects determined.
11. National lead standards, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

Source: South Coast Air Quality Management District, Air Quality Management Plan, 2016; California Air Resources Board, Ambient Air Quality Standards, March 2022 and <https://www.epa.gov/pm-pollution/national-ambient-air-quality-standards-naaqs-pm>.

### ***Diesel Risk Reduction Plan***

The identification of DPM as a TAC in 1998 led CARB to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (DRRP) in October 2000. The DRRP's goals include an 85 percent reduction in DPM by 2020 from the 2000 baseline.<sup>2</sup> CARB estimates that emissions of DPM in 2035 will be less than half those in 2010, further reducing statewide cancer risk and non-cancer health effects.<sup>3</sup> The DRRP includes regulations to establish cleaner new diesel engines, cleaner in-use diesel engines (retrofits), and cleaner diesel fuel.

### ***Truck and Bus Regulation Reducing Emissions from Existing Diesel Vehicles***

On December 12, 2008, CARB approved the Truck and Bus Regulation to significantly reduce particulate matter (PM) and oxides of nitrogen (NO<sub>x</sub>) emissions from existing diesel vehicles operating in California. The regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Heavier trucks must be retrofitted with PM filters beginning January 1, 2012, and older trucks must be replaced starting January 1, 2015. Beginning January 1, 2023, nearly all trucks and buses are required to have 2010 model year engines or equivalent.

The regulation applies to most privately and federally-owned diesel fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating (GVWR) greater than 14,000

<sup>2</sup> California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000.

<sup>3</sup> California Air Resources Board, *Overview: Diesel Exhaust & Health*, available at: <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>, accessed October 2023.

pounds. Small fleets with three or fewer diesel trucks can delay compliance for heavier trucks and there are several extensions for low-mileage construction trucks, early PM filter retrofits, adding cleaner vehicles, and other situations. Privately and publicly owned school buses have different requirements.

### ***Heavy-Duty Vehicle Idling Emission Reduction Program***

The purpose of the CARB ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling is to reduce public exposure to diesel particulate matter and criteria pollutants by limiting the idling of diesel-fueled commercial vehicles. The driver of any vehicle subject to this ATCM is prohibited from idling the vehicle's primary diesel engine for greater than five minutes at any location and is prohibited from idling a diesel-fueled auxiliary power system (APS) for more than five minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if it has a sleeper berth and the truck is located within 100 feet of a restricted area (homes and schools).

CARB Final Regulation Order, Requirements to Reduce Idling Emissions from New and In-Use Trucks, beginning in 2008, requires that new 2008 and subsequent model-year heavy-duty diesel engines be equipped with an engine shutdown system that automatically shuts down the engine after 300 seconds of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.

Section 2485 and Section 2449 of Title 13 of the California Code of Regulations limits diesel-fueled motor vehicle idling to no more than five minutes. Section 2485 limits idling for diesel-fueled commercial motor vehicles with gross vehicle weight ratings of greater than 10,000 pounds that are or must be licensed to operate on publicly maintained highways and streets within California. Section 2449 limits idling for off-road diesel-fueled fleets.

### ***CARB Advanced Clean Truck Regulation***

CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission "last-mile" delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- **Zero-Emission Truck Sales:** Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- **Company and Fleet Reporting:** Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations.

This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

### ***CARB Advanced Clean Fleets Regulation***

CARB approved Advanced Clean Fleets Regulation (ACF) on April 28, 2023, which includes requirements for drayage trucks transporting cargo to and from California’s intermodal seaports and railyards. Drayage trucks will be required to start transitioning to zero-emission technology beginning in 2024, with full implementation by 2035.

### ***Executive Order N-79-20***

Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing volumes” of new zero emission vehicles (ZEVs) “towards the target of 100 percent.” The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

## **Regional**

### ***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<sub>2.5</sub> air quality standard, and to provide an update to the SCAQMD’s

commitments towards meeting the federal 8-hour O<sub>3</sub> standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories.

On October 1, 2015, the EPA strengthened the NAAQS for ground-level O<sub>3</sub>. The 2022 AQMP, adopted by the SCAQMD Governing Board on December 2, 2022, was developed to address the requirements for meeting the 2015 8-hour O<sub>3</sub> standard. The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emissions technologies, when cost-effective and feasible, and low NO<sub>x</sub> technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other FCAA measures to achieve the 2015 8-hour ozone standard. The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including the 2020-2045 RTP/SCS and updated emission inventory methodologies for various source categories.

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 (see discussion of thresholds below). 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 state and federal attainment status designations for the SCAB are summarized in **Table 4.2-5: South Coast Air Basin Attainment Status**. The SCAB is currently designated as a nonattainment area with respect to the State O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> standards, as well as the national 8-hour O<sub>3</sub> and PM<sub>2.5</sub> standards. The SCAB is designated as attainment or unclassified for the remaining state and federal standards.

**Table 4.2-5: State and Federal Ambient Air Quality Standards**

Pollutant	State	Federal
Ozone (O <sub>3</sub> ) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O <sub>3</sub> ) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter (PM <sub>2.5</sub> ) (24 Hour Standard)	–	Non-Attainment (Serious)
Particulate Matter (PM <sub>2.5</sub> ) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM <sub>10</sub> ) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)
Particulate Matter (PM <sub>10</sub> ) (Annual Standard)	Non-Attainment	–
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO <sub>2</sub> ) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO <sub>2</sub> ) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO <sub>2</sub> ) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO <sub>2</sub> ) (24 Hour Standard)	Attainment	–
Lead (Pb) (30 Day Standard)	–	Unclassifiable/Attainment
Lead (Pb) (3 Month Standard)	Attainment	–
Sulfates (SO <sub>4-2</sub> ) (24 Hour Standard)	Attainment	–
Hydrogen Sulfide (H <sub>2</sub> S) (1 Hour Standard)	Unclassified	–

Source: South Coast Air Quality Management District, Air Quality Management Plan, 2016; United States Environmental Protection Agency, Nonattainment Areas for Criteria Pollutants (Green Book), 2021.

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

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

- **Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM<sub>10</sub> emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM<sub>10</sub> suppression techniques are summarized below.
  - a) 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.
  - b) All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
  - c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
  - e) 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.
- **Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.
- **Rule 2305 (WARE Points Compliance Rule)** - Rule 2305 was adopted by the SCAQMD Governing Board on May 7, 2021, to reduce NO<sub>x</sub> and particulate matter emissions associated with warehouses and mobile sources attracted to warehouses. This rule applies to all existing and proposed warehouses over 100,000 square feet located in the SCAQMD. Rule 2305 requires warehouse operators to track annual vehicle miles traveled associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses WAIRE (Warehouse Actions and Investments to Reduce Emissions) Points Compliance Obligation. WAIRE Points are earned based on emission reduction measures and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE charging/fueling infrastructure; install on-site energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation would be required to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.



## Local

### *City of Menifee General Plan*

#### *Open Space & Conservation Element*

The Menifee GP Open Space & Conservation Element provides policy direction for the City'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 the City's residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the City.<sup>4</sup>

Goals and policies from the Open Space & Conservation Element applicable to air quality 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-9.4:** Support the Riverside County Regional Air Quality Task Force, the Southern California Association of Government's Regional Transportation Plan/Sustainable Communities Strategy, and the South Coast Air Quality Management District's Air Quality Management Plan to reduce air pollution at the regional level.

**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 Policies<sup>5</sup>*

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.

---

<sup>4</sup> City of Menifee. (2013). Menifee General Plan Open Space & Conservation Element. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed December 2023).

<sup>5</sup> City of Menifee. (2022). *Industrial Good Neighbor Policies*. Retrieved from: [https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines\\_Amended-March-2-2022?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines_Amended-March-2-2022?bidId=) (accessed August 2023).

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; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

#### SCAQMD Thresholds

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in **Table 4.2-6: South Coast Air Quality Management District Emissions Thresholds**.

**Table 4.2-6: South Coast Air Quality Management District Emissions Thresholds**

Criteria Air Pollutants and Precursors	Maximum Pounds Per Day	
	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO <sub>x</sub> )	100	55
Sulfur Oxides (SO <sub>x</sub> )	150	150
Coarse Particulates (PM <sub>10</sub> )	150	150
Fine Particulates (PM <sub>2.5</sub> )	55	55

Source: South Coast Air Quality Management District, South Coast AQMD Air Quality Significance Thresholds, 2019.

### Local Carbon Monoxide

In addition to the daily thresholds listed above, development associated with the Project would also be subject to the ambient air quality standards. These are addressed through an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the Project site above state and federal CO standards are (the more stringent California standards are 20 ppm for 1-hour and 9 ppm for 8-hour). The SCAB has been designated as attainment under the 1-hour and 8-hour standards.

### Localized Significance Thresholds

In addition to the Carbon Monoxide (CO) hotspot analysis, the SCAQMD developed Local Significance Thresholds (LSTs) for emissions of NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the Project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb 5 acres or less on a single day. The Project site is located within SCAQMD SRA 24 (Perris Valley). The nearest sensitive receptors are located approximately 350 feet to the south from the Project site (approximately 107 meters). **Table 4.2-7: South Coast Air Quality Management District Emissions Thresholds** for Construction/Operations shows the LSTs for a 1-acre, 2-acre, 4-acre (interpolated), and 5-acre project in SRA 24.

**Table 4.2-7: South Coast Air Quality Management District Emissions Thresholds**

Project Size	Maximum Pounds Per Day			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
1 Acre	221/221	1,929/1,929	33/9	9/2
2 Acres	272/272	2,435/2,435	41/11	11/3
4 Acres	348/348	3,263/3,263	51/13	14/4
5 Acres	386/385.70	3,677/3,676.61	62/14.63	17/4.11

NO<sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; PM<sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM<sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less

Source: South Coast Air Quality Management District, Localized Significance Threshold Methodology, July 2008.

LSTs associated with all acreage categories are provided in **Table 4.2-7** for informational purposes. **Table 4.2-7** shows that the LSTs increase as acreages increase. It should be noted that LSTs are screening

thresholds and are therefore conservative. The construction LST acreage is determined based daily acreage disturbed. The operational LST acreage is based on the total area of the Project site. Although the Project site is greater than five acres, the 5-acre operational LSTs are conservatively used to evaluate the Project.

## Health Risk Analysis Thresholds

Project health risks are determined by examining the types and levels of air toxics generated and the associated impacts on factors that affect air quality. While the final determination of significance thresholds is within the purview of the lead agency pursuant to the State CEQA Guidelines, the SCAQMD recommends that the following air pollution thresholds be used by lead agencies in determining whether the impacts from a project are significant. If the lead agency finds that a project has the potential to exceed the air pollution thresholds, then that project should be considered significant. The TAC thresholds are as follows.

- **Cancer Risk:** Emit contaminants that equal or exceed the maximum individual incremental cancer risk of 10 in one million.
- **Non-Cancer Risk:** Emit contaminants that equal or exceed the maximum hazard index of 1.0 (project increment).

Cancer risk is expressed in terms of expected incremental incidence per million population. As noted above, the SCAQMD has established an incremental increase rate of less than 10 in one million as the maximum acceptable incremental cancer risk due to TAC exposure. This risk would be in addition to any cancer risk borne by a person not exposed to these TACs. This threshold serves to determine whether or not a given project has a potentially significant development-specific and cumulative impact. To put this risk in perspective, the existing risk of contracting cancer from all airborne air toxics in the vicinity of the Project site is 288 in a million which is 29 times more than the SCAQMD's threshold of 10 in one million.

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Noncarcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index of less than 1.0 means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures of less than 1.0 are considered less than significant.

## Methodology

### *Air Quality*

This air quality impact analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model version 2022.1 (CalEEMod). CalEEMod is a Statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the SCAQMD.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date (i.e., a conservative estimate of construction activities) and applying off-road, fugitive dust, and on-road emissions factors in CalEEMod.

Project operations would result in emissions of area sources (consumer products, architectural coating, and landscape equipment), mobile sources (motor vehicles from Project generated vehicle trips), and off-road equipment. Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. Emissions from each of these categories are discussed below.

- **Area Sources.** Area source emissions would be generated due to consumer products, on-site equipment, architectural coating, and landscaping that were previously not present on the site. Consumer products are various solvents used in non-industrial applications, which emit VOCs during product use. These typically include cleaning supplies, kitchen aerosols, cosmetics, and toiletries. It should be noted that the default area source VOC emission factor developed for CalEEMod is based on a statewide factor and is not applicable to the Project. The entire Project would not use consumer products as specified by the CalEEMod user guide. The warehouses include office space and may have small kitchen areas and bathrooms that would use cleaning products, however the majority of the square footage for the Project would be used for warehousing/distribution. Negligible quantities of personal care products, home, lawn, and garden products, disinfectants, sanitizers, polishes, cosmetics, and floor finishes would be used. As the CalEEMod consumer product rates are based on a statewide average, ROG emissions are likely overestimated for the proposed warehouse Project and therefore conservative.
- **Energy Sources.** Energy source emissions are typically generated due to electricity and natural gas consumption the use of miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. Energy source emissions were calculated in CalEEMod.
- **Mobile Sources.** Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are all pollutants of regional concern. NO<sub>x</sub> and ROG react with sunlight to form O<sub>3</sub>, known as photochemical smog. Additionally, wind currents readily transport PM<sub>10</sub> and PM<sub>2.5</sub>. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions are conservatively based on trip generation rates for warehousing (ITE Code 150) and are incorporated into CalEEMod as recommended by the SCAQMD. The following Project trip generation utilized in this report is based on the following Institute of Transportation Engineers (ITE) land use categories:

- ITE Land Use 150, Warehousing (398,252 square feet, 681 total daily vehicle trips, which include 184 truck trips).

Warehouse truck mix percentages are based on the SCAQMD Truck Trip Generation Study applied to ITE truck percentages. Mobile source emissions rates in CalEEMod utilize EMFAC2021

emissions rates consistent with the methodology described in the CalEEMod User's Guide. It should be noted that EMFAC2021 emissions rates include CARB SAFE Rule adjustment factors.

- **Off-Road Equipment.** Operational off-road emissions would be generated by off-road cargo handling equipment used during operational activities. For the Project, it was assumed that the warehouse would include approximately eight diesel forklifts and one off-highway diesel truck for loading and unloading goods per the SCAQMD High Cube Warehouse Truck Trip Study White Paper. It should be noted that the Project does not include cold storage. Therefore, this analysis models the proposed warehouse Buildings 1 and 2 as unrefrigerated, and the Project would not include emissions from transport refrigeration units (TRUs).
- **Emergency Backup Generators.** As the Project warehouse Buildings 1 and 2 are speculative, it is unknown whether emergency backup generators would be used. Backup generators would only be used in the event of a power failure and would not be part of the Project's normal daily operations. Nonetheless, emissions associated with this equipment were included to be conservative. Emissions from an emergency backup generator for each warehouse building was calculated separately from CalEEMod. However, CalEEMod default emissions rates were used. If backup generators are required, the end user would be required to obtain a permit from the SCAQMD prior to installation. Emergency backup generators must meet SCAQMD's Best Available Control Technology (BACT) requirements and comply with SCAQMD Rule 1470 (Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines), which would minimize emissions.

As discussed above, the SCAQMD provides significance thresholds for emissions associated with proposed Project construction and operations. The proposed Project's construction and operational emissions are compared to the daily criteria pollutant emissions significance thresholds in order to determine the significance of a Project's impact on regional air quality.

The localized effects from the Project's on-site emissions were evaluated in accordance with the SCAQMD's LST methodology, which uses on-site mass emissions rate look-up tables and Project-specific modeling. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and are developed based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor.

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes area sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. On-site mobile emissions equate to approximately three and half percent of the Project-related new mobile sources. The on-site one-way trip length is conservatively anticipated to be 0.30-mile, which is approximately one percent of the 33.2-mile truck trip length modeled in CalEEMod.

### **Health Risk Assessment**

The Health Risk Assessment (HRA) conducted for this Project evaluated potential health risks associated with the emission of DPM resulting from the implementation of the proposed Project. Construction

equipment and associated heavy-duty truck traffic generate diesel exhaust, which is a known TAC. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors. Operational activities would also include the use of heavy-duty diesel trucks.

### *Construction Sources*

Construction would generate DPM emissions from the use of off-road diesel equipment required for demolition, grading and excavation, paving, and other construction activities. For construction activity, DPM is the primary TAC of concern. Although DPM is a subset of PM<sub>10</sub> exhaust, the analysis conservatively assumes all PM<sub>10</sub> exhaust emissions are DPM. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment were included in the analysis, although they are typically less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site potentially poses a health risk to nearby sensitive receptors.

Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The use of diesel-powered construction equipment would be episodic and would occur throughout the Project site. Construction activities would limit idling to no more than five minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Furthermore, even during the most intense period of construction, emissions of DPM would be generated from different locations on the Project site rather than in a single location because different types of construction activities (e.g., site preparation and building construction) would not occur at the same place at the same time. Construction emissions rates for PM<sub>10</sub> (DPM) were calculated from the CalEEMod construction emissions modeling conducted for the Northern Gateway Logistics Center Air Quality Assessment (Kimley-Horn, 2024) and the Northern Gateway Logistics Center Greenhouse Gas Emissions Assessment (GHG Assessment; Kimley-Horn, 2024). Project construction is anticipated to occur over an approximate 12-month period and would start in November 2024.

### *Operational Sources*

Mobile Sources. The Project is located near existing residential uses. Due to the increased truck traffic from the Project, the resulting emissions could result in pollutant concentrations at existing sensitive receptors. Average daily trips from truck traffic to the Project site were obtained from the Traffic Study for the Northern Gateway Logistics Center Project (Kimley-Horn, 2024). An emission rate for PM<sub>10</sub> (DPM) was calculated using trip data and a CARB 2021 Emission FACTors model (EMFAC) model run for Riverside County. EMFAC generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of vehicle speed and type. The model was run for heavy-duty diesel vehicles traveling along off-site roads, circulating the Project site, and idling at proposed loading docks.

Off-Road Equipment. This analysis assumes the Project would include eight forklifts and one yard truck for loading and unloading goods per the SCAQMD High Cube Warehouse Truck Trip Study White Paper. Mitigation Measure (MM) GHG-2 from the GHG Assessment requires all electrically powered off-road equipment (e.g., yard trucks and forklifts), and therefore, is incorporated into the mitigated scenario in this report. The unmitigated scenario assumes the Project would use diesel off-road cargo handling



equipment; unmitigated off-road equipment emissions were calculated based on the CARB OFFROAD emissions inventory.

Emergency Backup Generators. As the Project warehouses are speculative, it is unknown whether emergency backup generators would be used. Backup generators would only be used in the event of a power failure and would not be part of the Project's normal daily operations. Nonetheless, emissions associated with backup generators were included to be conservative. If backup generators are required, the end user would be required to obtain a permit from the SCAQMD prior to installation. Emergency backup generators must meet SCAQMD's Best Available Control Technology (BACT) requirements and comply with SCAQMD Rule 1470 (Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines), which would minimize emissions.

## 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: Less Than Significant***

### Construction and Operations

As part of its enforcement responsibilities, the 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.

As noted in Section 4.2.2 above, 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 and 2022 AQMPs (AQMPs). The AQMPs establish a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The AQMPs are a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the EPA. The pollutant control strategies in the AQMPs are based on the latest scientific and technical information and planning assumptions, including SCAG's 2020 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 AQMPs.

Criteria for determining consistency with the AQMPs are defined by the following indicators:

- **Consistency Criterion No. 1:** The Project will 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 AQMPs.
- **Consistency Criterion No. 2:** The Project will not exceed the assumptions in the AQMPs or increments based on the years of the Project build-out phase.

According to the SCAQMD's CEQA Air Quality Handbook, the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region's ability to comply with CAAQS and NAAQS.

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As discussed above (and discussed further in Threshold 4.2-2, below), the Project would not exceed construction or operational emissions standards. Therefore, the Project would not contribute to an existing air quality violation. Thus, the Project is consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMPs contain air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project would not result in a change of land use designations reflected in the AQMPs. Therefore, the Project is assumed to be consistent with the AQMPs regional emissions inventory for the SCAB. Thus, the Project is consistent with the second criterion.

It is also noted that future tenant(s) of the Project site would also be required to comply SCAQMD Rule 2305 (refer to South Coast Air Quality Management District under Section 4.2.3: Regulatory Setting) which would directly reduce NO<sub>x</sub> and particulate matter emissions.

As discussed above, the Project would not conflict with or obstruct implementation of the AQMPs or any applicable air quality plan. A less than significant impact would occur in this regard.

### ***Mitigation Measures***

No mitigation is required.

***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: Less Than Significant***

### **Construction Emissions**

Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include O<sub>3</sub>-precursor pollutants (i.e., ROG and NO<sub>x</sub>) and PM<sub>10</sub> and PM<sub>2.5</sub>. 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 of the Project is anticipated to begin in November 2024 and is estimated to be completed within approximately 12 months. Construction-generated emissions associated with the Project were calculated using the CARB-approved CalEEMod computer program (see Appendix A of **Appendix B** of the Draft EIR). Predicted maximum daily construction-generated emissions for the Project are summarized in **Table 4.2-8: Construction-Related Emissions**. It is noted that due to technology improvements for construction equipment, emissions from Project construction activities would likely be lower than those shown in **Table 4.2-8** if construction were to occur in later years.

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions. Rule 1113 provides specifications on painting practices and regulates the ROG content of paint. The Project would be required to comply with SCAQMD rules and regulations, including SCAQMD Rules 402, 403, and 1113. As shown in **Table 4.2-8**, construction emissions would not exceed SCAQMD threshold for all criteria pollutants. Therefore, impacts would be less than significant.

**Table 4.2-8: Construction-Related Emissions**

Construction Year	Emissions (Maximum Pounds Per Day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Unmitigated Emissions</b>						
Year 1 (2024)	7.35	70.70	65.52	0.11	32.46	16.69
Year 2 (2025)	60.67	51.10	63.81	0.11	14.50	6.33
SCAQMD Threshold	75	100	550	150	150	55
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
ROG = Reactive Organic Gases; NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; SO <sub>2</sub> = Sulfur Dioxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less						
Notes: 1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment.						
Source: Kimley-Horn and Associates, Inc. (2024). Air Quality Assessment. p. 23 – Table 9.						

## Operational Emissions

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Project are summarized in **Table 4.2-9: Unmitigated Operational Emissions**. **Table 4.2-9** shows that Project emissions would not exceed SCAQMD thresholds.

**Table 4.2-9: Unmitigated Operational Emissions**

Source	Emissions (Maximum Pounds Per Day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Source Emissions	12.40	0.15	17.30	<0.005	0.03	0.02
Energy Emissions <sup>2</sup>	0.11	2.07	1.74	0.01	0.16	0.16
Mobile	3.49	5.01	43.80	0.11	9.79	2.54
Off-Road – Forklifts	0.88	8.36	12.78	0.02	0.40	0.37
Off-Road – Yard Trucks	0.03	0.10	1.43	0.00	0.00	0.00
Back-up Generators	1.80	5.03	4.59	0.01	0.26	0.26
<b>Total Emissions</b>	<b>18.71</b>	<b>20.72</b>	<b>81.64</b>	<b>0.15</b>	<b>10.64</b>	<b>3.35</b>
<i>SCAQMD Threshold</i>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
ROG = Reactive Organic Gases; NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; SO <sub>2</sub> = Sulfur Dioxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less						
Notes: 1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. 2. Although criteria pollutants do not exceed SCAQMD thresholds, mitigation measure GHG-1 would prohibit the use of natural gas on-site to reduce greenhouse gas emissions. This mitigation measure would reduce daily energy emissions to zero.						
Source: Ibid. p. 23– Table 10.						

As shown in **Table 4.2-9**, and as discussed above, operational (i.e., area, energy, mobile, off-road, and emergency backup generators) emissions would not exceed SCAQMD thresholds for all criteria pollutants. In addition, pursuant to SCAQMD Rule 2305, all warehouses over 100,000 square feet are required to implement various emission reduction measures related to warehouse operations and mobile sources. Compliance with SCAQMD Rule 2305 would further reduce criteria pollutants, specifically NO<sub>x</sub> and particulate matter emissions. Therefore, the Project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation. As a result, operational air quality impacts would be less than significant.

## Laws, Ordinances, and Regulations

Existing requirements based on local, state, or federal regulations or laws are frequently required independently of CEQA review. Typical requirements include compliance with the provisions of the Building Code, CalGreen Code, local municipal code, SCAQMD Rules, etc. Because Laws, Ordinances, and Regulations (LORs) are neither Project specific nor a result of development of the Project, they are not considered to be project design features or Mitigation Measures.

- LOR-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.
- LOR-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.
- LOR-3** Require diesel powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.
- LOR-4** 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).
- LOR-5** 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 additional rooftop solar panels, they will submit plans for solar panels prior to occupancy.
- LOR-6** 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.
- To facilitate future installation of electric vehicle supply equipment (EVSE), nonresidential construction shall comply with Section 5.106.5.3 (nonresidential electric vehicle charging) of the California Green Building Standards Code Part 11.

**LOR-7** The Project tenants shall comply with the SCAQMD Indirect Source Rule (Rule 2305). This rule is expected to reduce NO<sub>x</sub> and PM<sub>10</sub> emissions during construction and operation. Emission reductions resulting from this rule were not included in the Project analysis. Compliance with Rule 2305 is enforced by the SCAQMD through their reporting process and is required for all warehouse projects greater than 100,000 square feet.

**LOR-8** Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years in accordance with section 9.195.040 of the Menifee Municipal Code (Development Code). Trees shall be planted that are capable of meeting this requirement.

### **Mitigation Measures**

No mitigation is required.

**Impact 4.3-3** *Would the Project expose sensitive receptors to substantial pollutant concentrations?*

***Level of Significance: Less Than Significant with Mitigation Incorporated***

### **Localized Construction Significance Analysis**

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.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, **Table 4.2-10: Equipment-**

**Specific Grading Rates** is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate SRA for the localized significance thresholds is the Perris Valley (SRA 24) since this area includes the Project. LSTs apply to NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5 acres in size. Project construction is anticipated to disturb a minimum of 3.5 acres in a single day during the site preparation phase. As the LST guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the site, the LSTs for a 3.5-acre threshold were interpolated and utilized for this analysis.

**Table 4.2-10: Equipment-Specific Grading Rates**

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Site Preparation	Tractors	4	0.5	8	2.0
	Graders	0	0.5	8	0
	Dozers	3	0.5	8	1.5
	Scrapers	0	1	8	0
<b>Total Acres Graded per Day</b>					<b>3.5</b>

Source: Kimley-Horn and Associates, Inc. (2024). *Air Quality Assessment*. p. 27 – Table 11.

The nearest sensitive receptor is a single-family residence located approximately 350 feet (107 meters) to the south of the Project site. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at the interpolated distance of 107 meters were utilized in this analysis consistent with SCAQMD methodology. **Table 4.2-11: Localized Significance of Construction Emissions** presents the results of localized emissions during each construction. **Table 4.2-11** shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors.

**Table 4.2-11: Localized Significance of Construction Emissions**

Construction Activity	Emissions (Maximum Pounds Per Day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation 2024	36.00	32.90	1.60	1.47
Grading 2024	34.30	30.20	1.45	1.33
Grading 2025	29.70	28.30	1.23	1.14
Building Construction 2025	10.40	13.00	0.43	0.40
Paving 2025	7.45	9.98	0.35	0.32
Architectural Coating 2025	0.88	1.14	0.03	0.03
Infrastructure Improvements 2025	2.12	2.46	0.08	0.08
<i>Maximum Emissions</i>	36.00	32.90	1.60	1.47
<i>SCAQMD Localized Screening Threshold (adjusted for 3.5 acres at 107 meters)</i>	329	3,056	51	14
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

NO<sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; PM<sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM<sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less  
Source: Ibid. p. 27 – Table 12.

### Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling



at the site (e.g., warehouse or transfer facilities). Since the Project includes a warehouse, the operational phase LST protocol is conservatively applied to both the area source and a portion of the mobile source emissions for operations.

LSTs thresholds for receptors located at 100 meters in SRA 24 were utilized in this analysis because the closest receptors to the Project site are located approximately 350 feet (107 meters) to the south. Although the Project site is approximately 20 acres, the 5.0-acre LST threshold was conservatively used for the Project, as the LSTs increase with the size of the site.

For a worst-case scenario assessment, the emissions shown in **Table 4.2-12: Localized Significance of Operational Emissions** conservatively include all on-site Project-related stationary source and three percent of mobile sources. **Table 4.2-12** shows that the maximum daily emissions of these pollutants for Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors.

**Table 4.2-12: Localized Significance of Operational Emissions**

Activity	Emissions (Maximum Pounds Per Day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
On-Site, Generators, and Mobile Source Emissions <sup>1</sup>	15.86	39.15	1.14	0.89
<i>SCAQMD Localized Screening Threshold (5.0 acres at 107 meters)</i>	<i>386</i>	<i>3,677</i>	<i>62</i>	<i>17</i>
<b>Exceed SCAQMD Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
NO <sub>x</sub> = Nitrogen Oxides; CO = Carbon Monoxide; PM <sub>10</sub> = Particulate Matter 10 microns in diameter or less; PM <sub>2.5</sub> = Particulate Matter 2.5 microns in diameter or less.				
1. Includes all on-site and three and half percent of warehouse mobile source emissions.				
Source: Ibid. p. 28 – Table 13				

In addition, SCAQMD’s Rule 2305 will require the Project to directly reduce NO<sub>x</sub> and particulate matter emissions or pay SCQMD a mitigation fee to help fund incentive programs for the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

### 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* (2018) 6 Cal.5<sup>th</sup> 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme O<sub>3</sub> 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 Program 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 federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. 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<sub>x</sub> and ROG are precursor emissions that form O<sub>3</sub> 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 O<sub>3</sub> may be formed at a distance downwind from the sources. Breathing ground-level O<sub>3</sub> can result in 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 O<sub>3</sub> 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 O<sub>3</sub> can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According to the SCAQMD AQMPs, O<sub>3</sub>, NO<sub>x</sub>, 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<sub>x</sub> 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<sub>x</sub> emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2022 AQMP demonstrates how the SCAQMD's control strategy to meet the 2015 federal O<sub>3</sub> standard by 2037 and would lead to sufficient NO<sub>x</sub> emission reductions. In addition, since NO<sub>x</sub> emissions also lead to the formation of PM<sub>2.5</sub>, the NO<sub>x</sub> reductions needed to meet the O<sub>3</sub> standards will likewise lead to improvement of PM<sub>2.5</sub> levels and attainment of PM<sub>2.5</sub> standards.

The SCAQMD's air quality modeling demonstrates that NO<sub>x</sub> reductions prove to be much more effective in reducing O<sub>3</sub> levels and will also lead to significant improvement in PM<sub>2.5</sub> concentrations. NO<sub>x</sub>-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The AQMPs identify robust NO<sub>x</sub> reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO<sub>x</sub> emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

There are significant challenges with correlating specific health effects that will occur as a result of a project's significant criteria air pollutant emissions. Generally, models that correlate criteria air pollutant concentrations with specific health effects focus on regulatory decision-making that will apply throughout an entire air basin or region. These models focus on the region-wide health effects of pollutants so that regulators can assess the costs and benefits of adopting a proposed regulation that applies to an entire category of air pollutant sources, rather than the health effects related to emissions from a specific proposed project or source. Because of the scale of these analyses, any one project is likely to have only

very small incremental effects which may be difficult to differentiate from the effects of air pollutant concentrations in an entire air basin. In addition, such modeling efforts are costly, and the value of a project-specific analysis may be modest in relation to that cost. Furthermore, the results, while costly to produce, may not be particularly useful. For regional pollutants, it is difficult to trace a particular project's criteria air pollutant emissions to a specific health effect. Moreover, the modeled results may be misleading because the margin of error in such modeling is large enough that, even if the modeled results report a given health effect, the model is sufficiently imprecise that the actual effect may differ from the reported results; that is, the modeled results suggest precision, when in fact available models cannot be that precise on a project level.

As discussed above, the mass emissions thresholds developed by SCAQMD and used by CEQA lead agencies throughout southern California to determine potential significance of project-related regional changes in the environment are not directly indicative of exceedances of applicable ambient air standards. Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentration and location of O<sub>3</sub> or PM. The effects on ground-level ambient concentrations of pollutants that may be breathed by people are also influenced by the spatial and temporal patterns of the emission sources. In other words, the effect on O<sub>3</sub> and PM concentrations from a given mass of pollutants emitted in one location may vary from the effect if that same mass of pollutants was emitted in an entirely different location in the SCAB. The same effect may be observed when the daily and seasonal variation of emissions is taken into account. Regional-scale photochemical modeling, typically performed only for NAAQS attainment demonstration and rule promulgation, account for these changes in the spatial, temporal, and chemical nature of regional emissions.

Emissions from the construction and operation of the proposed Project would vary by time of day, month, and season, and the majority of Project-related emissions, being generated by mobile sources (cars and trucks) driving to and from the site, would be emitted throughout a wide area defined by the origins and destinations of people traveling to and from the proposed Project. As SCAQMD has stated, "it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region."

Specifically, for extremely large regional projects, the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 pounds per day of NO<sub>x</sub> and 89,180 pounds per day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O<sub>3</sub>. Based on its recent experiences applying regional scale models to relatively small increase in emissions, SCAQMD stated in its Amicus Brief in the Sierra Club v. County of Fresno case: "[A] project emitting only 10 tons per year of NO<sub>x</sub> or VOC is small enough that its regional impact on ambient ozone levels may not be detected in the regional air quality models that are currently used to determine ozone levels." The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in CEQA documents prepared for individual projects. Any attempt to quantify the proposed Project's health risks would be considered unreliable and misleading. Also, the Project does not generate anywhere near 6,620 pounds per day of NO<sub>x</sub> or 89,190 pounds per day of ROG (VOC) emissions, which SCAQMD stated was a large enough emission to quantify O<sub>3</sub>-related health impacts. Therefore, the Project's emissions are not

sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level.

As previously discussed, localized effects of on-site Project emissions on nearby receptors for the Project would be less than significant (refer to **Table 4.2-11** and **Table 4.2-12**). 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 O<sub>3</sub> and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Setting section. Health studies are used by these agencies to set the NAAQS and CAAQS.

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the Project's health risks at a regional level, this analysis provides extensive information concerning the Project's potential health risks. Based on the construction and operational emissions, the Project does not constitute a significant health impact to the population adjacent to the Project and within the SCAB. The reason for this is that the mass daily thresholds are in pounds per day emitted into the air whereas health effects are determined based on the concentration of emissions in the air at particular receptor (e.g., parts per million by volume of air, or micrograms per cubic meter of air).

The NAAQS and CAAQS were developed to protect the most susceptible population groups from adverse health effects and were established in terms of parts per million or micrograms per cubic meter for the applicable emissions. As stated earlier, the mass emission thresholds were established primarily in conjunction with federal permitting "major source" thresholds. If emissions were below these "de minimis" emission rates, then the proposed Project is presumed to conform with the NAAQS. While based on the status of an air basin level of attainment of the health-based NAAQS, emissions in excess of the mass emission thresholds from one project does not mean the air basin would experience measurably higher ground level concentrations, or more frequent occurrences of ground level concentrations in exceedance of standards, or delay timely attainment of a particular NAAQS.

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 O<sub>3</sub> 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. It should also be noted that this analysis identifies health concerns related to particulate matter, CO, O<sub>3</sub>, and NO<sub>2</sub>. Table 4.2-2 includes a list of criteria pollutants and summarizes common sources and effects. Thus, this analysis is reasonable and intended to foster informed decision making. Due to the uncertainty in the relationship between project-level mass emissions and regional ozone formation as well as

limitations with currently available technical tools, the resulting health effects associated with the Project cannot be identified. 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 exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

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 and 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. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD’s CO Hotspot Analysis. As the CO hotspots were not experienced at the Wilshire Boulevard and Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any intersections in the Project vicinity resulting from 681 additional vehicle trips attributable to the Project. Therefore, impacts would be less than significant.

### **Construction and Operational Diesel Particulate Matter**

Project construction would result in the generation of DPM emissions from the use of required off-road diesel equipment required. Operational activities would also include the use of heavy-duty diesel trucks. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The California Office of Environmental Health Hazard Assessment (OEHHA) has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time which would limit the exposure of any proximate individual sensitive receptor to TACs.

Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce DPM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. 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, one of which recommends that construction equipment not in use for more than three minutes be turned off. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Given the temporary and intermittent nature of construction activities likely to occur within specific locations in the Project site (i.e., construction is not likely to occur in any one location for an extended time), the dose of DPM that any one receptor is exposed to would be limited. Therefore, considering the relatively short duration of DPM-emitting construction activity at any one location, and the highly dispersive properties of DPM, sensitive receptors would not be exposed to substantial concentrations of construction-related TAC emissions.

## Health Risk Assessment

A Health Risk Assessment was conducted based on the SCAQMD Health Risk Assessment Guidance for Analyzing Cancer Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from OEHHA.

### *Carcinogenic Risk*

**Table 4.2-13: Carcinogenic Risk Assessment** shows the unmitigated and mitigated health risk for Project construction and operations. Based on OEHHA Risk Assessment Guidelines, the exposure duration for a resident is 30 years, beginning with the third trimester; the exposure duration for workers is 25 years. Operations would commence following construction. As such, construction would not overlap with operations. The analysis calculates risk based on exposure to construction concentrations during the initial 12 months of the exposure duration and operational concentrations for the remainder of the exposure duration. Without the incorporation of mitigation measures, the Project (construction and operations combined) would result in a maximum cancer risk of 30.08 in one million at the nearest residential receptors; 11.74 in one million at the nearest park receptors; and 1.91 in one million at the nearest worker receptors. Therefore, the SCAQMD threshold of 10 in one million would be exceeded at the nearest residential and park receptors.

The Project would be required to comply with **MM GHG-2**, which requires the use of zero emission cargo handling equipment during operations. With implementation of **MM GHG-2**, the Project's cancer risk would be reduced to 1.73 in one million at the nearest residential receptors; 0.54 in one million at the nearest park receptors; and 0.10 in one million at the nearest worker receptors; refer to **Table 4.2-13**. Therefore, impacts associated with carcinogenic risk would be less than significant with implementation of **MM GHG-2**.

**Table 4.2-13: Carcinogenic Risk Assessment**

Exposure Scenario	Cancer Risk Without Mitigation (Risk per Million) <sup>1, 2</sup>	Cancer Risk With Mitigation (Risk per Million) <sup>1, 2, 3</sup>	Significance Threshold (Risk per Million)	Mitigated Risk Exceeds Significance Threshold?
<b>Construction</b>				
Residential Receptors – Approximately 405 feet south of the Project site along McLaughlin Road	1.71	NA	10	No
Park Receptors – Approximately 700 feet southwest of the Project site along McLaughlin Road (Nova Park)	0.53	NA	10	No
Worker Receptors – Approximately 688 feet northwest of the Project site along Evans Road (Sergio Gonzalez Training Center)	0.02	NA	10	No
<b>Operations</b>				
Residential Receptors – Approximately 405 feet south of the Project site along McLaughlin Road	34.58	0.13	10	No
Park Receptors – Approximately 700 feet southwest of the Project site along McLaughlin Road (Nova Park)	13.66	0.07	10	No
Worker Receptors – Approximately 688 feet northwest of the Project site along Evans Road (Sergio Gonzalez Training Center)	1.90	0.08	10	No
<b>Construction and Operations Combined</b>				
Residential Receptors – Approximately 405 feet south of the Project site along McLaughlin Road	30.08	1.73	10	No
Park Receptors – Approximately 700 feet southwest of the Project site along McLaughlin Road (Nova Park)	11.74	0.54	10	No
Worker Receptors – Approximately 688 feet northwest of the Project site along Evans Road (Sergio Gonzalez Training Center)	1.91	0.10	10	No
<sup>1</sup> Refer to Appendix A of <b>Appendix B</b> , Health Risk Assessment. <sup>2</sup> The reported annual pollutant concentration is at the closest maximally exposed individual resident (MEIR) to the Project site. <sup>3</sup> The “Without Mitigation” scenario conservatively assumes that cargo handling equipment (i.e., yard trucks and forklifts) would be diesel powered. <sup>4</sup> The “With Mitigation” exposure scenario shows the risk with the incorporation of MM GHG-2 (zero emission cargo handling equipment). Source: Kimley-Horn and Associates, Inc. (2024). <i>Health Risk Assessment</i> . p. 20 – Table 4.				

**Non-Carcinogenic Hazard**

The significance thresholds for TAC exposure also require an evaluation of non-cancer risk stated in terms of a hazard index. Non-cancer chronic impacts are calculated by dividing the annual average concentration



by the REL for that substance. The REL is defined as the concentration at which no adverse non-cancer health effects are anticipated. RELs are designed to protect sensitive individuals within the population.

Chronic non-carcinogenic impacts are shown in **Table 4.2-14: Chronic Hazard Assessment**. A chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the chronic exposure by the reference exposure level. The chronic hazard was calculated based on the highest annual average concentration at the maximally exposed individual receptor. The highest maximum chronic hazard index associated with unmitigated DPM emissions from the Project would be 0.012. Therefore, even without mitigation, non-carcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would occur. With mitigation the chronic hazard would be reduced to 0.002. Impacts would be less than significant.

**Table 4.2-14: Chronic Hazard Assessment**

Emissions Sources	Concentration ( $\mu\text{g}/\text{m}^3$ ) <sup>1, 2</sup>	Chronic Hazard
Unmitigated	0.058	0.012
Mitigated <sup>3</sup>	0.013	0.002
SCAQMD Threshold	N/A	1.0
<b>Threshold Exceeded?</b>	<b>N/A</b>	<b>No</b>
<sup>1</sup> Refer to Appendix A of <b>Appendix B: Health Risk Assessment</b> . <sup>2</sup> The reported pollutant concentration (annual period) is at the closest receptor (maximally exposed individual receptor). <sup>3</sup> The exposure scenario shows the risk with PDF-1 (Tier 4 Construction Equipment) and PDF-2 (zero emission cargo handling equipment).		
Source: Ibid. p. 21 – Table 5		

### Conclusion

As described above, impacts related to cancer risk would be less than significant with implementation of **MM GHG-2**. Additionally, non-carcinogenic hazards are calculated to be within acceptable limits. It should be noted that the impacts assess the Project’s incremental contribution to health risk impacts, consistent with the SCAQMD guidance and methodology. The SCAQMD has not established separate cumulative thresholds and does not require combining impacts from cumulative projects. The SCAQMD considers projects that do not exceed the project-specific thresholds to generally not be cumulatively significant. Therefore, impacts related to health risk from the Project would be less than significant.

### Mitigation Measures

Refer to **MM GHG-2** in **Section 4.7: Greenhouse Gas Emissions**.

**Impact 4.3-4** *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**

### Construction

Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

*A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.*

During construction, emissions from construction equipment, such as diesel exhaust, and VOCs from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with the Project's construction-related activities would be less than significant.

## Operations

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. Therefore, the Project would not create objectionable odors.

### **Mitigation Measures**

No mitigation is required.

## 4.2.6 Cumulative Impacts

### Cumulative Short-Term Emissions

The SCAB is designated nonattainment for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> for State standards and nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> 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. 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. As shown in **Table 4.2-9** above, Project construction-related emissions would not exceed the SCAQMD significance thresholds for criteria pollutants. Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCCA mandates. The analysis assumed fugitive dust controls would be used 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 SCAB, which would include related cumulative projects. As concluded above, the Project's construction-related impacts would be less than significant. Compliance with SCAQMD rules and regulations would further minimize the proposed Project's construction-related emissions. Therefore, Project-related

construction emissions, in combination with those from other projects in the area, would not substantially deteriorate the local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

### **Cumulative Long-Term 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.

**Table 4.2-9** shows that the Project operational emissions would not exceed the SCAQMD thresholds. As a result, operational emissions associated with the Project would not represent a cumulatively considerable contribution to significant cumulative air quality impacts. Therefore, operational emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. A less than significant impact would occur in this regard.

### **4.2.7 Significant Unavoidable Impacts**

No significant unavoidable energy impacts have been identified.

### **4.2.8 References**

City of Menifee. (2022). Design Guidelines. Available at:

[https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines\\_Amended-March-2-2022?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines_Amended-March-2-2022?bidId=).

City of Menifee. (2013). Menifee General Plan Open Space & Conservation Element. Available at:

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

Kimley-Horn and Associates, Inc. (2024). *Air Quality Assessment*.

Kimley-Horn and Associates, Inc. (2024). *Health Risk Assessment*.

## 4.3 BIOLOGICAL RESOURCES

### 4.3.1 Introduction

This section describes effect on biological resources that may result from implementation of the Northern Gateway Logistics 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 operation of the proposed warehouse buildings and associated infrastructure improvements. In addition, existing laws and regulations relevant to biological resources are described. In some cases, compliance with these existing laws and regulations would serve to reduce or avoid 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 are contained in **Appendix C**:

- ELMT Consulting, Inc. (ELMT). (2023). *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis*. (**Appendix C1**)
- ELMT. (2023). *Burrowing Owl Focused Survey Report*. (**Appendix C2**)
- ELMT. (2023). *Delineation of State and Federal Jurisdictional Waters*. (**Appendix C3**)

A literature review and records search were conducted in conformance with existing and applicable protocols to identify any plant communities, listed plant species, listed wildlife species, and wildlife habitat present on the Project. In addition to the field survey, a literature review was conducted to determine if any recent records of sensitive biological resources have been recorded on or in the vicinity of the site. The natural inventories included resources identified in the California Native Plant Society Electronic Inventory (CNPSEI) database; California Natural Diversity Database (CNDDB) Rarefind 5; CNDDB Biogeographic Information and Observation System (BIOS); U.S. Environmental Protection Agency (EPA) Water Program “My Waters” data layers; Google Earth Pro historic aerial imagery (1985-2021); Stephen’s Kangaroo Rat Habitat Conservation Plan; U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Soil Survey; U.S. Fish and Wildlife Service (USFWS) Critical Habitat designations for Threatened and Endangered Species; USFWS National Wetlands Inventory (NWI); Western Riverside County Regional Conservation Authority (RCA) MSHCP Information Map; and 2006 Burrowing Owl Survey Instructions for the Western Riverside MSHCP Area. Following the literature review, a field survey was conducted by ELMT on March 28, 2023.

### 4.3.2 Environmental Setting

#### Project Site Conditions

The majority of the Project site is undeveloped and has been subject to a variety of anthropogenic disturbances associated with historic agricultural activities, and routine weed abatement.

## Topography and Soils

On-site topography is relatively flat, sloping marginally from southwest to northeast at an approximate elevation of 1,420 to 1,425 feet above mean sea level with no areas of meaningful topographic relief. The Project site is underlain entirely by Exeter sandy loam (0 to 2 percent slopes). Soils on-site have been mechanically disturbed and heavily compacted from historic land uses (i.e., agricultural activities, grading activities, and weed abatement).

## Surrounding Land Uses

The Project site is located in a gradually urbanizing area that includes commercial development to the northeast and residential development to the south beyond McLaughlin Road. Proposed industrial uses (by others) would occur north and west of the Project site. Historically, the area supported agricultural practices. Presently, the Project site is bounded to the north by undeveloped, vacant land; to the east by a flood control channel with undeveloped, vacant land beyond; to the south by a high-voltage transmission easement with McLaughlin Road and residential beyond; and to the west by Evans Road with undeveloped land supporting agricultural land uses beyond.

## Vegetation

Due to historic land uses and ongoing disturbances, no native plant communities occur within the boundaries of the Project site. The Project site supports one land cover type that would be classified as disturbed. The land cover type is described in further detail below.

### *Disturbed*

The entirety of the Project site supports disturbed land that previously supported agricultural land uses. Vegetative cover ranges from dense/complete to barren according to proximity to recent disturbances. The most recent crop grown on-site was alfalfa (*Medicago sativa*), and remnant fragments of alfalfa fields persist throughout the site. Outside of the dense pockets of alfalfa, the site supports primarily non-native weedy/early successional species. Common plant species observed on-site include fiddleneck (*Amsinckia* spp.), redmaids (*Calandrinia menziesii*), shepherds purse (*Capsella bursa-pastoris*), filaree species (*Erodium botrys*, *E. brachycarpum*, *E. cicutarum*), mustard (*Hirschfeldia incana*), barley (*Hordeum murinum*), cheese weed (*Malva parviflora*), stinknet (*Oncosiphon pilulifer*), Mediterranean grass (*Schismus barbatus*), and London rocket (*Sisymbrium irio*). In addition, a small scattering of tree of heaven (*Ailanthus altissima*) is present in the southeast portion of the site.

## Wildlife

Plant communities provide foraging habitat, nesting and denning sites for wildlife species, and shelter from adverse weather or predation. This section provides a discussion of 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 conditions in which the field survey was conducted. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation.

## **Fish**

The MSHCP does not identify any covered or special-status fish species as potentially occurring on the Project site. No fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on 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 limited habitat for a few reptile species adapted to a high degree of human disturbance associated with the on-site weed abatement activities. No reptiles were observed during the field investigation. Common reptilian species that could be expected to occur include western side-blotched lizard (*Uta stansburiana elegans*), Great Basin fence lizard (*Sceloporus occidentalis longipes*), 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**

In accordance with the MSHCP, the Project site is located within the designated survey area for burrowing owl. The Project site provides suitable foraging habitat and limited nesting habitat for bird species adapted to a high degree of human disturbance. Avian species detected during the field survey include American pipit (*Anthus rubescens*), killdeer (*Charadrius vociferans*), red-winged blackbird (*Agelaius phoeniceus*), red-tailed hawk (*Buteo jamaicensis*), Costa's hummingbird (*Calypte costae*), common raven (*Corvus corax*), song sparrow (*Melospiza melodia*), cliff swallow (*Petrochelidon pyrrhonota*), black phoebe (*Sayornis nigricans*), Say's phoebe (*Sayornis saya*), European starling (*Sturnus vulgaris*), Cassin's kingbird (*Tyrannus vociferans*), mourning dove (*Zenaidura macroura*), and white-crowned sparrow (*Zonotrichia leucophrys*).

### **Nesting Birds**

No active nests were directly observed on-site during the field survey, which was conducted during the breeding season. One killdeer was observed exhibiting the broken-wing display in the southeast portion of the site, indicating that an active nest was present. The area that the killdeer had been occupying prior to exhibiting this behavior was avoided to prevent impacts to any active nests.

Although heavily disturbed, the site has the potential to provide nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that are adapted to a

high degree of disturbance. Additionally, the barren areas have the potential to support birds that nest on the open ground such as killdeer.

### **Mammals**

The MSHCP does not identify any covered or special-status mammalian species as potentially occurring on the Project site. The Project site provides limited foraging and denning habitat for mammalian species adapted to degraded conditions and routine anthropogenic disturbance. Mammalian species observed/detected during the field investigation included coyote (*Canis latrans*), California ground squirrel (*Otospermophilus beecheyi*), raccoon (*Procyon lotor*), pocket gopher (*Thomomys bottae*). In addition, freeroaming domestic dog (*Canis familiaris*) and cat (*Felis catus*) were observed in association with neighboring properties to the northwest. Other common mammalian species expected to occur include opossum (*Didelphis virginiana*) and desert cottontail (*Sylvilagus audubonii*). No bat species are expected to occur due to a lack of suitable roosting habitat (i.e., suitable trees, crevices, abandoned structures) within and surrounding the Project site.

### **Special-Status Biological Resources<sup>1</sup>**

A records search was conducted and reported locations of special-status plant and wildlife species as well as natural communities of special concern in the Romoland and Perris USGS 7.5-minute quadrangles. These quadrangles were used due to the proximity of the site to quadrangle boundaries and regional topography. Special-status plant and wildlife species were evaluated for their potential to occur within the Project site based on habitat requirements, availability, and quality of suitable habitat, and known distributions. Twenty-four (24) special status plant species, 77 special-status wildlife species, and two special-status plant communities have been recorded in the Romoland and Perris USGS 7.5-minute quadrangles. Species determined to have the potential to occur within the general vicinity are provided in Appendix C Table C-1 in **Appendix C1**. Refer to Section 4.3.5 below for further information.

### **Vernal Pools and Invertebrates**

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hard pan or clay pan layer (duripan) below the soil surface. Later in the spring when rains decrease and the weather warms, the water evaporates and the pools generally disappear by May. The shallow depressions remain relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures. Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted as well as invertebrate species such as 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. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators

---

<sup>1</sup> "special-status" refers to plant and wildlife species that are federally, State, and MSHCP listed, proposed, or candidates; plant species that have been designated with a California Native Plant Society Rare Plant Rank; wildlife species that are designated by the CDFW as fully protected, species of special concern, or watch list species; and specially protected natural vegetation communities as designated by the CDFW.



of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should consider the length of time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides for a unique environment, which supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

The MSHCP lists two general classes of soils known to be associated with special-status plant species: clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools can occur on the Project site. Exeter sandy loam (0 to 2 percent slopes) and Madera fine sandy loam (0 to 2 percent slopes) are mapped as historically underlying the Project site. In addition, agricultural land uses spanning much of the past century have thoroughly mixed and compacted on-site soils, such that conditions suitable for the formation of vernal pools are no longer present.

A review of recent and historic aerial photographs (1966-2022) of the Project site during wet and dry seasons did not provide visual evidence of an astatic or vernal pool conditions within the Project site. The site supported agricultural land uses for several decades and has been heavily degraded by recent installation of flood control infrastructure and staging and storage activities associated with nearby construction activities, which have resulted in heavy compaction of on-site soils. While surface water was observed in the southeast portion of the site, this was due to a series of storm events that concluded the day prior to the field investigation, and ponding was only observed where recent disturbance had compacted on-site soils. From this review of historic aerial photographs and observations during the field investigations, **Appendix C1** concluded that there is no indication of vernal pools or suitable fairy shrimp habitat occurring within the Project site.

Below is a review of the three listed fairy shrimp species known to occur in western Riverside County and their potential to occur on-site:

### *Riverside fairy shrimp*

Riverside fairy shrimp (*Streptocephalus woottoni*) 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. Basins that support Riverside fairy shrimp are typically dry a portion of the year, but usually are filled by late fall, winter, or spring rains, and may persist through May. Known habitat occur within annual grasslands, which may be interspersed through chaparral or coastal sage scrub vegetation.

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.

No soils that are known to support Riverside fairy shrimp occur on the Project site. While ponding was observed during the field investigation, this was due to recent storm events and heavy soil compaction caused by recent disturbances. Furthermore, no indicators of astatic water conditions were observed during the field investigation, and no ponding was observed on historic aerials during the wet season due to existing activities on-site. Therefore, the site was determined not to provide suitable habitat for Riverside fairy shrimp.

#### *Santa Rosa Plateau fairy shrimp*

Santa Rosa Plateau fairy shrimp (*Linderiella santarosae*) 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. Since the Project site is not located within the known area where Santa Rosa Plateau fairy shrimp have been documented, and no indicators of historic water ponding or astatic water conditions were observed on site, Santa Rosa Plateau fairy shrimp are not expected to occur on-site. Therefore, the site was determined not to provide suitable habitat for Santa Rosa Plateau fairy shrimp.

#### *Vernal pool fairy shrimp*

Vernal pool fairy shrimp (*Branchinecta lynchi*) 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, and no indicators of historic water ponding or astatic water conditions were observed on site. Therefore, the site was determined not to provide suitable habitat for vernal pool fairy shrimp.

### **State and Federal Jurisdictional Areas**

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The United States Army Corps of Engineers (USACE) Regulatory Branch regulates discharge of dredge and/or fill materials into “waters of the United States” pursuant to Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the Regional Water Quality Control Board (RWQCB) regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act, and the California Department of Fish and Wildlife (CDFW) regulates alterations to streambed and associated plant communities pursuant to Section 1602 of the California Fish and Game Code (FGC).

A single drainage feature (Drainage 1, Ethanac Wash) extends along the eastern boundary of the site. Drainage 1 is a mostly earthen flood control channel that receives flows from the east via a box culvert beneath Barnett Road and from the south via a box culvert located in the southern wall of the channel. Flows within Drainage 1 are conveyed northward for approximately 1,600 linear feet before entering a culvert beneath Ethanac Road, where they are further conveyed into an underground storm drain system.

Typically, this drainage only conveys flows during and following storm events. According to historic aerials, this drainage was installed between 2014 and 2016, as part of a large retrofitting of the flood control infrastructure in the vicinity of the site. Drainage 1 did not replace a blueline stream or existing water feature and was wholly created in the uplands. Limited surface water was present within and immediately downstream of the Barnett Road culvert. Evidence of an ordinary high water mark (OHWM) was observed via scour, changes in substrate, shelving, and lack of vegetation.

Refer to Section 4.3.5, for results of the Jurisdictional delineation. (**Appendix C3**).

### 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 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.

### ***Federal Bald and Golden Eagle Protection Act***

The Federal Bald and Golden Eagle Project Act was originally passed in 1940 and provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) (as amended in 1962) by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest or egg, unless allowed by permit. ‘Take’ includes pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. The 1972 amendments increased civil penalties for violating provisions of the Act to a maximum fine of \$5,000 or one-year imprisonment with \$10,000 or not more than two years in prison for a second conviction. Felony convictions carry a maximum fine of \$250,000 or two years of imprisonment. The fine doubles for an organization.

## **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***

FGC Section 3503, 3503.5, 3511, and 3513 are applicable to natural resource management. For example, Section 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 Section 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 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 FGC 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 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 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 MSHCP mitigation fees 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 and other applicable MSHCP requirements, full mitigation in compliance with the CEQA, National Environmental Policy Act (NEPA), California ESA, and Federal ESA will be granted.

Pursuant to Resolution 21-2011 and City of Menifee Municipal Code (Menifee MC) Chapter 8.27, all building permit applicants are required to pay their Western Riverside County MSHCP mitigation fees after receiving an approved Planning Application and have also submitted plans for Building Department review. All fees must be paid prior to issuance of a building permit. The Western Riverside County MSHCP mitigation fee varies according to project size and project description. The fee for the Project (industrial development) is currently \$19,066 per acre (County Ordinance 810.2)<sup>1</sup>. 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 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<sup>2</sup>*

#### *Open Space and Conservation Element*

The City's General Plan (Menifee GP) Open Space and Conservation Element provides policy direction for City 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.

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;

---

<sup>2</sup> City of Menifee. (2013). General Plan. *Open Space and Conservation Element*. Available at: <https://www.cityofmenifee.us/250/Open-Space-and-Conservation-Element> (accessed July 2023).



- 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;
- 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, 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 study; 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 with Mitigation Incorporated***

## Special Status Plants

According to the CNDDDB and CNPS, 24 special-status plant species have been recorded in the Romoland and Perris quadrangles. No special-status plant species were observed on the Project site during the field investigation. The Project site and surrounding area have been subject to decades of anthropogenic disturbances which have removed native plant communities that historically occurred. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the site has a low potential to support paniculate tarplant (*Deinandra paniculata*). However, the paniculate tartplant is neither federally nor state listed as threatened or endangered. It is designated as a CNPS Rare Plant Rank 4.2 and is not listed as a covered species under the MSHCP. The Project site is isolated from known occupied areas and aforementioned observations are scant and widespread. As such, any paniculate tarplant present on-site is not expected to contribute to the long-term conservation of the value for the species, if present. No further surveys related to this species are recommended. Additionally, the Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan determined that the site does not have potential to support any of the other special-status plant species known to occur in the vicinity of the site and all are presumed to be absent.

## Special Status Plant Communities

The CNDDDB lists two special-status habitats as being identified within the Romoland and Perris quadrangles: Southern Coast Live Oak Riparian Forest and Southern Cottonwood Willow Riparian Forest, which do not occur on the Project site. No CDFW special-status plant communities occur within the boundaries of the Project site.

## Special Status Wildlife

According to the CNDDDB, 77 special-status wildlife species have been reported in the Romoland and Perris quadrangles. Two special-status wildlife species were observed during the field investigation, Costa's hummingbird and killdeer, the latter of which was not included in the CNDDDB for the Romoland and Perris quadrangles. 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 high potential to support Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), northern harrier (*Circus hudsonius*), and California horned lark (*Eremophila alpestris actia*); and a low potential to support great egret (*Ardea alba*), great blue heron (*Ardea herodias*), burrowing owl (*Athene cunicularia*), snowy egret (*Egretta thula*), and loggerhead shrike (*Lanius ludovicianus*). **Appendix C1** concluded that the Project site does not have the potential to support any other special-status wildlife species known to occur in the vicinity of the Project site and all are presumed to be absent.

None of the aforementioned species are federally or state listed as threatened or endangered. In addition, Cooper's hawk, sharp-shinned hawk, great blue heron, burrowing owl, northern harrier, California horned lark, and loggerhead shrike are covered species under the MSHCP. Of the aforementioned species, only burrowing owl and California horned lark might be expected to nest on-site. Sharp-shinned hawk are not expected to nest on-site since this species do not nest in the region; and Cooper's hawk, northern harrier, and loggerhead shrike are not expected to nest on-site due to the lack of suitable nesting habitat/opportunities.

To ensure impacts to the aforementioned avian species do not occur from the Project's implementation, Mitigation Measure (MM) **BIO-1** would require that a pre-construction nesting bird clearance survey be conducted prior to ground disturbance.

### **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. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently sloping areas characterized by open vegetation and bare ground. The western burrowing owl (*A.c. hypugaea*), which occurs throughout the western United States including California, rarely digs its own burrows and is instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels, coyotes, and badgers) whose burrows are often used for roosting and nesting. 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 drain pipes, 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.

In accordance with the MHSCP's Burrowing Owl Survey Instructions, Step 1 of the MSHCP habitat assessment for burrowing owl consists of a walking survey to determine if suitable habitat is present on-site. The habitat assessment was conducted on March 28, 2023. A Burrowing Owl Focused Survey (**Appendix C2**) was conducted on July 27, August 8, August 19, and August 31, 2023.

As concluded in **Appendix C2**, despite a systemic search of the Project site, no burrowing owls or sign (pellets, feathers, castings, or whitewash) were observed on or within 500 feet, where accessible, of the Project site during the field investigation. However, based on a review of CDFW's CNDDDB, 22 burrowing owl observations have been recorded within five miles of the Project site in previous years. Portions of the Project site are vegetated with a variety of low-growing plant species that allow for minimal line-of-sight observation favored by burrowing owls. Further, small mammal burrows that have the potential to provide suitable burrowing owl nesting habitat (>4 inches in diameter) were observed throughout the Project site. However, otherwise suitable burrows in the western portion of the site are unlikely to support nesting burrowing owls due to the presence of free roaming dogs and cats associated with neighboring properties to the west, and otherwise suitable burrows in the southern portion of the site are unlikely to support nesting burrowing owls due to the perching opportunities for predators of burrowing owl (i.e., red-tailed hawk) that are present within the adjacent high-voltage transmission easement. Burrows in the northeastern portion of the site and adjacent flood control channel provide suitable roosting and nesting opportunities for burrowing owl.<sup>3</sup> Pursuant to **MM BIO-2**, the Project Applicant would retain a qualified biologist to conduct a 30-day preconstruction survey for burrowing owl. The survey results would be submitted to the City prior to obtaining a grading permit to ensure that burrowing owls are not impacted.

<sup>3</sup> ELMT Consulting, Inc. (2023). *Northern Gateway Logistics -- Burrowing Owl Focused Survey Report*. Pg. 9.

Therefore, with implementation of **MMs BIO-1** and **BIO-2**, the Project's effect on species identified as a candidate, sensitive, or special status species would be reduced to a less than significant level.

### **Mitigation Measures**

#### **MM BIO-1**

If grading or construction activities, including vegetation removal, occurs between February 1 to August 31, 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 Project Applicant shall ensure that impacts to nesting bird species at the Project site and off-site improvement areas are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:

- a. Applicant shall designate a biologist (Designated Biologist) experienced in identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.
- b. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.
- c. If an active nest is confirmed during the preconstruction clearance survey, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such

Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest) or the nest otherwise becomes inactive under natural conditions.<sup>4</sup> The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

**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 shall be submitted to the City prior to obtaining a grading permit. If at any time there is a lapse of Project activities for 30 days or more, another burrowing owl survey shall be conducted and submitted to the City.

If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.

---

<sup>4</sup> Ibid.

**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: Less Than Significant**

As defined under Section 6.1.2 of the MSHCP, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species. Any alteration or loss of riparian/riverine habitat from development of a project will require the preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to ensure the replacement of any lost functions and values of habitats in regard to the listed species. This assessment is independent from considerations given to waters of the United States and waters of the State under the CWA, the California Porter-Cologne Water Quality Control Act, and CDFW jurisdictional streambed under the California Fish and Game Code.

No jurisdictional drainages, riparian/riverine and/or wetland features were observed within the Project site during the field survey. Furthermore, as discussed in Section 4.3.2 above, a jurisdictional delineation was conducted for the Drainage 1/Ethanac Wash located along the eastern portion of the Project site. As part of the Project, a storm drain would be installed from the western bank of Drainage 1, that would include the installation of riprap within the channel bottom. Appendix C3 concluded that no riparian vegetation or wetland obligate plant species were observed within Drainage 1. Further, Drainage 1 does not hold water for long enough to create anaerobic condition, ultimately forming hydric soils. Thus, Drainage 1 did not meet wetland requirements. Therefore, because regulatory approvals from the USACE would not be required since Drainage 1 was created wholly in the uplands and did not replace an existing blue-line stream it does not qualify as waters of the United States. However, the RWQCB and CDFW may assert jurisdiction over the storm drain channel which would require a Report of Waste Discharge and Streambed Alteration Agreement.

Overall, Project development would not result in significant impacts to riparian/riverine habitats and a DBESP would not be required under the MSHCP for the loss of riparian/riverine habitats and DBESP would not be required under the MSHCP for the loss of riparian/riverine habitat. Further, no sensitive habitats were identified within the Project site. Lastly, the Project applicant would obtain a Report of Waste Discharge and Streambed Alteration Agreement prior to Project implementation. Thus, no riparian habitat or sensitive natural communities would be impacted from Project implementation. However due to the impacts to the storm drain channel, impacts would be less than significant.

**Mitigation Measures**

No mitigation measures are required.

**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**

As discussed under Impact 4.3-2 above, no inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the CWA occur within the Project footprint. As a result, implementation of the Project would not result in any impacts or have substantial adverse effect on federally protected wetlands.

**Mitigation Measures**

No mitigation measures are required.

**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: No Impact**

The Project site has not been identified as occurring in a wildlife corridor or linkage. The nearest linkage to the Project site, as identified by the MSHCP, occurs approximately 1.6 miles to the southwest of the Project site in association with the San Jacinto River. The Project would be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife. Therefore, the Project site does not function as a major wildlife movement corridor or linkage. As such, implementation of the Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages or native wildlife nurseries, no mitigation is required. Thus, impacts to wildlife corridors or linkages are not expected to occur.

**Mitigation Measures**

No mitigation measures are required.

**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**

The Project would be constructed in compliance with the Menifee GP Open Space and Conservation Element's goals and policies pertaining to the conservation of biological resources. The Menifee GP's Open Space and Conservation Element 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 Menifee MC contains Chapter 9.200: Tree Preservation, which would require that the Project to, "protect trees, considered to be a valuable community resource...", but there are no trees on the Project site, and



therefore this regulation would not apply. Adherence with the Menifee GP goals and policies pertaining to the protection of biological resources would ensure that impacts are less than significant.

Additionally, there are no local policies or ordinances that pertain to the proposed project. Therefore, impacts to local policies or ordinances are not expected to occur from development of the proposed project, and mitigation is not required.

### **Mitigation Measures**

No mitigation measures are required.

***Impact 4.4-6***      ***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 with Mitigation Incorporated***

### **Western Riverside County Multiple Species Habitat Conservation Plan**

The Project site is located in the Sun City/Menifee Valley Area Plan of the MSHCP, but is not located within any Criteria Cells or designated Criteria Cells or conservation areas. Additionally, the Project site is only located within the MSHCP designated survey area for burrowing owl. Since the City of Menifee is a permittee under the MSHCP and, while the Project is not specifically identified as a Covered Activity under Section 7.1, Covered Activities Outside Criteria Area and PQP Lands, of the MSHCP, public and private development that are outside of Criteria Areas and Public/Quasi-Public (P/QP) Lands are permitted under the MSHCP, subject to consistency with MSHCP policies that apply to the area 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;
- The Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4; and
- The requirements for conducting additional surveys as set forth in Section 6.3.2

### ***Riparian/Riverine Areas and Vernal Pools***

As discussed in Impact 4.3-2, no jurisdictional drainages, riparian/riverine and/or wetland features were observed within the Project site during the field investigation. Development of the Project would not result in impacts to riparian/riverine habitats and a DBESP would not be required for the loss of riparian/riverine habitat from development of the Project. Additionally, as discussed in Section 4.3.2, Environmental Setting and Impact 4.3-3, there is no indication of vernal pools or suitable fairy shrimp habitat occurring within the Project site. Therefore, the Project is consistent with Section 6.1.2 of the MSHCP.

### ***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 RCA MSHCP Information Map query and review of the MSHCP, it was determined that the Project site is not located within any designated survey area for Narrow Endemic Plant Species. Further, based on the results of the field investigation, the Project site does not provide suitable habitat for MSHCP listed Narrow Endemic Plant Species.

### *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 in close proximity of any Criteria Cells or designated conservation areas. Therefore, the Project would not need to comply with the Urban/Wildlands Interface Guidelines.

### *Additional MSHCP Considerations*

In accordance with Section 6.3.2 of the MSHCP, Additional Survey Needs and Procedures, additional surveys may be needed for certain species in order to achieve coverage for these species. The query of the RCA MSHCP Information Map and review of the MSHCP 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. No other special-status wildlife species surveys were identified.

As discussed in Impact 4.3-1, a focused burrowing owl survey was conducted by ELMT on July 27, August 8, August 19, and August 31, 2023, within suitable habitat on the Project site including off-site improvement areas, and within the designated buffer, and no burrowing owls or signs of their presence were observed. Out of an abundance of caution, and to ensure burrowing owls remain absent from the Project site and off-site improvement areas, a pre-construction burrowing owl clearance survey would be conducted pursuant to **MM BIO-2**.

Although no active nests or birds displaying nesting behavior were observed during the field survey, portions of the Project site are vegetated with a variety of low-growing plant species that allow for minimal line-of-sight observation favored by burrowing owls. Further, small mammal burrows that have the potential to provide suitable burrowing owl nesting habitat (>4 inches in diameter) were observed throughout the Project site. However, otherwise suitable burrows in the western portion of the site are unlikely to support nesting burrowing owls due to the presence of free roaming dogs and cats associated with neighboring properties to the west, and otherwise suitable burrows in the southern portion of the site are unlikely to support nesting burrowing owls due to the perching opportunities for predators of burrowing owl (i.e., red-tailed hawk) that are present within the adjacent high-voltage transmission easement. Burrows in the northeastern portion of the site and adjacent flood control channel provide suitable roosting and nesting opportunities for the burrowing owl. These birds would be potentially impacted during the Project's development. Nesting birds are protected pursuant to the MBTA and California FGC (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of

birds, their nests, or eggs). **MM BIO-1** would be implemented to ensure that impacts to migratory bird species are minimized.

### *Stephen's Kangaroo Rat Habitat Conservation Plan*

Separate from the consistency review against the policies of the MSHCP, Riverside County established a boundary in 1996 for protecting the Stephens' kangaroo rat (SKR; *Dipodomys stephensi*), a federally endangered and state threatened species. The Stephens' kangaroo rat is protected under the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP; County Ordinance No. 663.10; SKR HCP). As described in the MSHCP Implementation Agreement, a Section 10(a) Permit, and California FGC Section 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 but is not located within or adjacent to any of the Core Reserve Areas. Since the Project site is not located within or adjacent to any of the Core Reserve Areas, no focused SKR surveys or on-site mitigation would be required. On-site mitigation is only recommended in Ordinance 663.10 when a site is located within or adjacent to a Core Reserve Area. As a result, the applicant would only be required to pay the SKR HCP Mitigation Fee prior to development of the Project site.

As concluded above, the Project would not conflict with the provisions of MSHCP, and thus, a less than significant impact occur.

### **Mitigation Measures**

Refer to Impact 4.3-1 for **MMs BIO-1** and **BIO-2**.

### **4.3.6 Cumulative Impacts**

As concluded above, there were no special-status plant or animal species observed on the Project site and off-site improvement areas 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 a low potential to occur on the Project site and off-site improvement areas. In addition, the Project and off-site improvement areas would not impact jurisdictional waters of the U.S. or State, including wetlands. Therefore, all impacts related 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 **MMs BIO-1** and **BIO-2**. Similarly, all cumulative projects would be required to implement MMs, and comply with mandatory federal, State, and local laws and regulations,

including the MSHCP. As a result, the Project and off-site improvement areas, in conjunction with all past, present, and reasonably foreseeable projects, would not result in a cumulatively considerable impact on biological resources.

### 4.3.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

### 4.3.8 References

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

ELMT. (2023). *Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis*. (**Appendix C1**).

ELMT. (2023). *Burrowing Owl Focused Survey Report*. (**Appendix C2**).

ELMT. (2023). *Delineation of State and Federal Jurisdictional Waters*. (**Appendix C3**).

## 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 the implementation of the Northern Gateway Logistics Center (Project), and as necessary, recommend mitigation to avoid or reduce the significance of impacts.

Information in this section is based primarily on the following source:

- BCR Consulting LLC. (2023). *Cultural Resources Assessment (CRA)*, Northern Gateway LogisticsCenter Project, City of Menifee, Riverside County, California (**Appendix D**)

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

**Archaeological 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. Archaeological 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 archaeological resources with value to a California Native American Tribe per CEQA Statutes § 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 Archaeological 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

### Project Site

#### *Natural Setting*

The Project site is situated in the Perris Valley, which occupies a portion of California's Peninsular Range geologic province that encompasses western Riverside County. Crystalline rocks in the area include gabbro and granodiorite of the southern California batholith. These resistant rocks weather to form dark or light colored, boulder-covered conical buttes and hills. They are granitic and have intruded and metamorphosed to locally form gneissic and schistose rocks. The crystalline rocks in the area are covered by Older Pleistocene alluvium that, in turn, is covered by a thin horizon of Holocene soils and recent stream sediments in channels. Pedogenic carbonate (caliche or hardpan) is a depositional product associated with the Holocene soils and invades the Pleistocene sediments. The southern tip of the Northern Peninsular Range has a number of igneous rocks utilized by Native Americans for food (particularly seed) processing. These include granodiorites, quartz monzonites, and breccias, which are found locally. Metamorphosed sedimentary rocks, such as metamorphosed quartzite, are also found near the Project site. Olivine basalt and andesite containing phenocrysts have also been locally utilized for the prehistoric manufacture of chipped stone tools.<sup>1</sup>

### Cultural Setting

See **Section 4.14, Tribal Cultural Resources** for the ethnographic setting and **Appendix D** for prehistoric context.<sup>2</sup>

#### *History*<sup>3</sup>

In southern California, the historic era is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

---

<sup>1</sup> BCR Consulting. (2023). *CRA*, page 3. City of Menifee, Riverside County, California. (See **Appendix D**).

<sup>2</sup> *Ibid.* Pages 6 to 7.

<sup>3</sup> *Ibid.* Pages 8 -10



**Spanish Period.** The Spanish period (1769-1821) is represented by exploration of the region; establishment of the San Diego Presidio and missions at San Gabriel and San Luis Rey; and the introduction of livestock, agricultural goods, and European architecture and construction techniques. Spanish influence continued to some extent after 1821 due to the continued implementation of the mission system.

**Mexican Period.** The Mexican period (1821-1848) began with Mexican independence from Spain and continued until the end of the Mexican-American War. The Secularization Act of 1834 resulted in the transfer, through land grants (called ranchos) of large mission tracts to politically prominent individuals. Sixteen ranchos were granted in Riverside County. At that time, cattle ranching was a more substantial business than agricultural activities, and trade in hides and tallow increased during the early portion of this period. Until the Gold Rush of 1849, livestock and horticulture dominated California's economy.

**American Period.** The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19<sup>th</sup> century, set the stage for diversified economic pursuits of the 20<sup>th</sup> century.

Economic and ethnic diversification and growth have resulted in California's most visible 20<sup>th</sup> century hallmarks. Prior to World War II agriculture, oil, tourism, railroad, and film industries all flourished, and while the Great Depression of the 1930s slowed (and in many cases stopped) growth, these all remained important throughout the century. The wartime economy helped alleviate many causes of the Great Depression, and the subsequent years saw further diversification in which the aerospace and electronics industries emerged. During World War II, many people had relocated to California in support of the military industrial complex, and a large number remained post-war in search of employment and to start families. The subsequent population boom coincided with the greatest economic growth in the history of the state, and accompanied large-scale land subdivision, construction of bedroom communities, and development of a comprehensive freeway system and a state system of higher education. These factors have all helped reshape California's landscape, economy, and material culture.

**Menifee.** In 1880, Kentucky-born gold miner Luther Menifee Wilson discovered a substantial gold and quartz deposit eight miles south of Perris in what was then northern San Diego County, along present-day Murrieta Road. The discovery became widely known as the Menifee Quartz Lode, and it attracted many people to settle in the relatively barren region. The Menifee Mining District developed around the lode and subsequently included half a dozen mines. Wilson sold the mine to the Allen Gold Mining Company in 1889. A small, sparsely populated settlement associated with the mine became known as Menifee. By 1893, Menifee was made up of scattered farmsteads, a one-room schoolhouse, a general store that doubled as a post office, and a blacksmith shop. That same year, Menifee was also seriously considered

to become the county seat of the newly formed Riverside County, receiving 459 votes among County delegates.

A nearby 3,000-acre property was purchased by Charles Cooper and investors from the Los Angeles Farmers and Merchants Bank in 1891, which for several years thereafter was used as a game hunting reserve named Quail Valley. Mining activity soon died down in the area as it proved to be unprofitable and grain farming became the predominant industry. The City remained highly rural in character through the remainder of the 19<sup>th</sup> century and first decades of the 20<sup>th</sup> century, with a few local families owning vast acreages for ranches and dry farming. In the 1920s the Quail Valley property was sold to investors who developed the Lake Elsinore Lodge, an enclave of recreational and residential facilities that included a clubhouse, tennis courts, equestrian stables, a restaurant, a small store, and a gas station.

A catalyst for urban development arrived in the early 1960s, when Del Webb, a contractor and developer from Arizona, planned for a retirement residential community in the City area called Sun City. After initially purchasing 14,000 acres of former ranch and farmlands for the development, Sun City was built on 1,200 acres with the remainder eventually being sold to future developers. The Sun City community was built as a four square-mile enclave complete with residences, retail stores, two golf courses, and two recreation centers. Soon after its completion and occupancy, it became its own Census Designated Place, separate from the unincorporated community of the City. Quail Valley, whose country club amenities were largely abandoned by the 1970s, was repurposed as a residential community adjacent to the City with many new residences and its own schools.

Local development picked up more steam in the 1980s and 1990s. In 1989, a real estate development firm, the Lusk Company, constructed a nearly 2,000-acre residential community around a 45-acre artificial lake and golf course called Menifee Lakes. The development, which also featured country club facilities, drew more middle-class families to settle in the City area. Accompanying the development of Menifee Lakes was the construction of new parks, schools, and commercial areas. The establishment of the Menifee Valley Campus of Mt. San Jacinto College in 1990 further bolstered commercial activity and residency in the area. By 2005, the formerly rural farming settlement of the City had been transformed into a suburban bedroom community of more than 27,000 people.

As the local population grew, a movement for cityhood gained traction and the annexation of Sun City, Quail Valley, Romoland (a nearby ranching community developed in 1924), and other smaller communities on the peripheries of the City was contemplated. In June 2008, the City's residents voted with the local Chamber of Commerce to incorporate as Riverside County's 26<sup>th</sup> city. By October, the City was formally established, and the surrounding communities had been incorporated into the City's limits, bringing its total area to exceed fifty square miles and 70,000 residents. The population increased to approximately 102,527 residents according to the 2020 Census.

## **Project Cultural Resources Inventory**

Prior to fieldwork, a records search request was submitted to the Eastern Information Center (EIC). This included a review of all prerecorded historic-period and prehistoric cultural resources, as well as a review of known cultural resources surveys and excavation reports generated from projects located within one

half-mile of the Project site. In addition, a review was conducted of the NRHP, the CRHR, and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of NRHP Properties, and the Inventory of Historic Structures.

An intensive-level cultural resources field survey of the Project site was conducted on March 17, 2023. The survey was conducted by walking parallel transects spaced approximately 10-15 meters apart across 100 percent of the accessible Project site. Digital photographs were taken at various points within the Project and off-site areas, and all soil exposures were carefully examined for evidence of cultural resources.

## Results

### Records Search

The records search request revealed that 43 cultural resource studies have taken place resulting in the recording of one cultural resource located within one half-mile of the Project area. Portions of the Project site have been subject to three previous cultural resources assessments, and no cultural resources have been previously identified within its boundaries. **Table 4.4-1: Cultural Resources Studies Summary** and **Table 4.4-2: Cultural Resources Summary** summarize the disposition of previous studies and cultural resources. Please note that the records search results include some cultural resources assessment reports that are outside the half-mile radius.

**Table 4.4-1: Cultural Resources Studies Summary**

USGS 7.5-Minute Quad	Previous Studies
<i>Romoland, California</i> (1979)	RI-205, 527, 592, 759, 760, 933, 1237*, 2468, 2803, 2804, 2805, 3189, 3259, 4222, 4223, 4375, 4404, 4894, 4903, 4974, 5241, 5254, 5406, 6018*, 6470, 6473, 6581, 6582, 6888*, 7119, 7395, 7633, 8065, 8101, 8176, 8396, 9093, 9247, 9929, 10297, 10387, 10656, 10665
Note: *Previously assessed a portion of the Project site for cultural resources Source: BCR Consulting LLC. (2023). <i>Cultural Resources Assessment</i> . page 12 – Table A. Northern Gateway Logistics Center Project, City of Menifee, Riverside County, California	

**Table 4.4-2: Cultural Resources Summary**

Primary No.	Period	Approximate Distance from Project Site/Description
P-33-24206	Prehistoric	½ Mile North of Project Site/Isolated Artifact
Source: BCR Consulting LLC. (2023). <i>Cultural Resources Assessment</i> . page 12 – Table B Northern Gateway Logistics Center Project, City of Menifee, Riverside County, California		

### Additional Land Use Research

The Project site is located south of Ethanac Road between Evans Road and Barnett Road in the City. It is currently vacant but historic aerial photos indicate that a building was built on the southeastern portion of the Project next to Barnett Road sometime between 1978 and 1985 before it was demolished between 2005 and 2009. Evidence of cultivation is visible in aerial photographs from 1978 and 1985 but was gone by 1997. Evidence of discing activity can be seen throughout the historic aerials.

A search of the Sacred Lands File (SLF) for the Project site was completed by the Native American Heritage Commission (NAHC), and the search had negative results. BCR Consulting sent letters to local tribes listed by the NAHC to discern whether tribes were aware of resources within the Project site boundaries. The City conducted tribal consultation in compliance with Assembly Bill (AB) 52 and has received responses from the Rincon Band of Luiseño Indians and Pachanga Band of Indians. Copies of all tribal responses and AB 52 consultation letters can be found in **Appendix D** and are discussed further in **Section 4.14: Tribal Cultural Resources**.

### *Field Survey*

During the field survey, archaeologists carefully inspected the Project site for evidence of cultural resources, using the methods described above. Access was limited in about five percent of the total Project area, due to a small section of the eastern portion having been flooded. Ground visibility varied from approximately 70 percent within the northern half of the Project site to zero percent throughout much of the southern half of the Project area due to dense vegetation including seasonal grasses and mustard plants. Sediments comprised of dark brown silty sand with less than 15 percent granitic cobbles present. The Project site has been subject to mechanical clearing and discing for weed abatement, as well as being habitat for burrowing animals. Some modern irrigation equipment was identified in the form of two risers on the western extent of the Project area. No historic-period or prehistoric archaeological resources or historic-period built environment resources were identified within the Project site.

## **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” archaeological sites must be mitigated for, while “not significant” archaeological 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 archaeological 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.

### *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...”.

## **State**

AB 52 is 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 archaeological 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***

CEQA Guidelines 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 (§7050.5, 7051, and 7054)***

California Health and Safety Code (HSC) §§ 7050.5, 7051, and 7054 of the collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the CEQA Statutes), 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***

CEQA applies to all discretionary projects undertaken or subject to approval by the state’s public agencies (CCR 14(3), § 15002(i)). Under CEQA, “A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (CCR tit. 14(3), § 15064.5(b)). State CEQA Guidelines § 15064.5(a) defines a “historical resource” as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the CRHR
- Listed in a local register of historical resources (as defined at CCR Code § 5020.1(k))
- Identified as significant in a historical resource survey meeting the requirements of §5024.1(g) of the Cal. PRC
- Determined to be a historical resource by a project's lead agency (CCR tit. 14(3), § 15064.5(a))

A historical resource consists of “Any object, building, structure, site, area, place, record, or manuscript 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...Generally, a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing in the California Register of Historical Resources” (CCR tit. 14(3), § 15064.5(a)(3)).

The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the CRHR. If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (State CEQA Guidelines § 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource.

Section 5024.1 of the Cal. PRC established the CRHR. Generally, a resource is considered by the lead agency to be “historically significant” if the resource meets the criteria for listing in the CRHR (CCR tit. 14(3), §15064.5(a)(3)). The eligibility criteria for the CRHR are similar to those of the NRHP and a resource that meets one or more of the eligibility criteria of the NRHP will be eligible for the CRHR.

The CRHR program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. Criteria for Designation:

1. 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.
2. Associated with the lives of persons important to local, California or national history.
3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time has passed since a resource’s period of significance to “obtain a scholarly perspective on the events or individuals associated with the resources.” (CEQA Guidelines § 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remain valid for a minimum of five years after the date of this report, all resources older than 45 years (i.e., resources from the “historic-period”) will be evaluated for CRHR listing eligibility, or CEQA significance. The CRHR also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

## Local

### *City of Menifee General Plan*

#### *Open Space & Conservation Element*

The Menifee GP Open Space & Conservation Element provides policy direction for the City'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 City residents have enjoyed



for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the city.<sup>4</sup>

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

---

<sup>4</sup> City of Menifee. (2013). *Menifee General Plan, Open Space & Conservation Element*. Available at: <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed July 2023).

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 BCR Consulting LLC; 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?*

**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**

#### Construction and Operations

As previously discussed in **Section 4.4.2, Environmental Setting**, the records search revealed that 43 cultural resource studies have taken place in the records search radius resulting in the recording of one cultural resource (an isolated prehistoric artifact) located approximately 0.5-mile to the north of the Project site which would not be impacted during the Project’s construction activities. Portions of the Project site have been subject to three previous cultural resources assessments, and no cultural resources have been previously identified within its boundaries. The field survey also did not identify any cultural resources (including architectural historical resources, prehistoric archaeological resources, or historic archaeological resources) within the Project site boundaries. The Project site has been subject to severe disturbances associated with mechanical clearing and discing as well as flooding. These factors confer low sensitivity for significant buried resources within the Project site boundaries.

While the CRA has not indicated sensitivity for unknown cultural resources within the Project boundaries, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface.

A significant impact would occur if ground-disturbance activities during the Project’s construction phase would result in a substantial adverse change in the significance of a cultural resource with historic significance. Conservatively, it is assumed that any as-yet unidentified historical and archaeological resources at the Project site would be impacted in the Project’s construction phase. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;

- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks;
- human remains;
- historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements.

Monitoring of future earth-disturbing activities would be conducted according to Standard Conditions of Approval (COA) COA CUL-1 through COA CUL-6. Lastly, 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 a cultural resource are determined to be less than significant.

## Standard Conditions of Approval

- COA-CUL-1      **Inadvertent Archaeological 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 archaeologist 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-2

**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-3

**Archaeologist 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 archaeologist 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-4**      **Native American Monitoring (Soboba).** 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 Luiseño 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-5**      **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 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-6**      **Archaeology 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 Archaeologist 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).

### **Mitigation Measures**

No mitigation is necessary.

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

**Level of Significance: Less than Significant**

### **Construction and Operations**

There are no cemeteries on or near the Project site. Most Native American remains are found within areas associated with prehistoric or historic archaeological sites. Since the CRA concluded that prehistoric or historic cultural materials could be encountered during ground-disturbing activities, human remains could also be encountered. Therefore, the Project would adhere to COA CUL-7 and COA CUL-8 in the event that human remains are uncovered during ground disturbing activities.

COA CUL-7 would require construction activity to halt 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. Furthermore, pursuant to PRC § 5097.98(b) remains would 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.

### **Standard Conditions of Approval**

COA-CUL-7      **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-8      **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).

**Mitigation Measures**

No mitigation is necessary.

**4.4.6      Cumulative Impacts**

As concluded above, the potential, although very low, exists for undiscovered historical and archaeological resources to be adversely impacted during Project construction. With compliance with COA CUL-1 through COA CUL-8, the Project would not cause an adverse change in the significance of a historical resource pursuant to State CEQA Guidelines § 15064.5.

Additionally, in conjunction 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 historical or 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

BCR Consulting LLC. (2023). *Cultural Resources Assessment (CRA)*, Northern Gateway Logistics Center Project, City of Menifee, Riverside County, California (**Appendix D**)

City of Menifee. (2013). *Menifee General Plan, Open Space & Conservation Element*. Available at: <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed July 2023).

## 4.5 ENERGY

### 4.5.1 Introduction

According to California Environmental Quality Act (CEQA) Guidelines Section 15126.2(b), Section 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 purpose of this section is to describe the existing setting as it relates to energy conservation, identifies associated regulatory conditions and requirements, and presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Northern Gateway Logistics Center (Project).

The purpose of this section is to describe the existing setting as it relates to energy conservation, identifies associated regulatory conditions and requirements, and presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project.

The following energy calculations for the Project are included as **Appendix E** to this Draft EIR:

- Kimley-Horn and Associates. (2023). *Energy Calculations*.

### 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 electricity. 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.

Electrical services are provided to the area by Southern California Edison (SCE). SCE provides electricity to approximately 15 million people, 180 incorporated cities, 15 counties, 5,000 large businesses, and 280,000

small businesses throughout its 50,000-square-mile service area.<sup>1</sup> SCE produces and purchases their energy from a mix of conventional and renewable generating sources. **Table 4.5-1: Energy Resources Used to Generate Electricity for SCE (2022)** shows the SCE electric power mix in 2022 compared to the statewide 2022 power mix. In 2022, electricity use attributable to the County of Riverside was approximately 17,781 GWh from residential and non-residential sectors.<sup>2</sup>

**Table 4.5-1: Energy Resources Used to Generate Electricity for SCE (2022)**

Energy Resources	2022 SCE Power Mix	2022 CA Power Mix
Eligible Renewable:	<b>33.2%:</b>	<b>35.8%:</b>
Biomass and Biowaste	0.1%	2.1%
Geothermal	5.7%	4.7%
Eligible Hydroelectric	0.5%	1.1%
Solar	17.0%	17.0%
Wind	9.8%	10.8%
Coal	<b>0%</b>	<b>2.7%</b>
Large Hydroelectric	<b>3.4%</b>	<b>9.2%</b>
Natural Gas	<b>24.7%</b>	<b>36.4%</b>
Nuclear	<b>8.3%</b>	<b>9.2%</b>
Other	<b>0.1%</b>	<b>0.1%</b>
Unspecified Sources of Power <sup>1</sup>	<b>30.3%</b>	<b>7.1%</b>
<b>Total</b>	<b>100%</b>	<b>100%</b>
Electricity from transactions that are not traceable to specific generation sources. Source: SCE. (2023). <i>2022 Power Content Label, Southern California Edison</i> . Retrieved from: <a href="https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf">https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf</a> . Accessed March 2024.		

### Natural Gas

The Southern California Gas Company (SoCalGas), the service provider for Project area, services approximately 21 million people in a 20,000-square mile service territory. 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 5,026.46 million therms in 2022.<sup>3</sup>

SoCalGas projects that total demand for natural gas will decline at an annual rate of 0.67 percent from 2022 to 2035.<sup>4</sup> The decline in demand is due to modest economic growth, California Public Utilities Commission (CPUC) mandated energy efficiency standards and programs, tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure.

<sup>1</sup> SCE. (2023). *Who We Serve & How We Do It*. Retrieved from SCE Website: Available at: <https://www.sce.com/about-us/who-we-are#:~:text=As%20one%20of%20the%20nation's,Angeles%20and%20some%20other%20cities> (accessed November 2023).

<sup>2</sup> California Energy Commission (CEC). (2022). *Electricity Consumption by County*. Retrieved from: <http://www.ecdms.energy.ca.gov/electbycounty.aspx> (accessed November 2023).

<sup>3</sup> CEC. (2022). *Gas Consumption by Southern California Gas*. Retrieved from: <http://ecdms.energy.ca.gov/gasbyutil.aspx> (accessed November 2023).

<sup>4</sup> SoCalGas. (2022). *2022 California Gas Report*. Retrieved from: [https://www.socalgas.com/sites/default/files/Joint\\_Utility\\_Biennial\\_Comprehensive\\_California\\_Gas\\_Report\\_2022.pdf](https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf) (accessed November 2023).

## Energy Use

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,359 trillion BTU in 2021<sup>5</sup> (the most recent year for which this specific data is available), which equates to an average of approximately 189 million BTU per capita. Of California's total energy use, the breakdown by sector is approximately 34 percent transportation, 24 percent industrial, 20 percent commercial, and 22 percent residential. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use. In 2022, taxable gasoline sales (including aviation gasoline) in California accounted for 13,629,998,406 gallons of gasoline.<sup>6</sup>

### 4.5.3 Regulatory Setting

#### Federal

##### *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage. Under the EISA, the Renewable Fuel Standard (RFS) program (RFS2) was expanded in several keyways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required the U.S. Environmental Protection Agency (EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

---

<sup>5</sup> U.S. Energy Information Administration (2021). *California Energy Consumption Estimates*. Retrieved from: <https://www.eia.gov/state/print.php?sid=CA> (accessed March 2024).

<sup>6</sup> California Department of Tax and Fee Administration (CDTFA). (2023). *Net Taxable Gasoline Gallons*. Retrieved from CDTFA Website: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm> (accessed March 2024).

## State

### *Assembly Bill 32 and Senate Bill 32*

California's major initiative for reducing 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 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires the California Air Resources Board (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 percent 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 GHG reduction goal of reducing Statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent 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 percent, 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.

### *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 Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)*

The Code California Energy Code (Title 24, Part 6) was created as part of the California Building Standards Code (Title 24 of the California Code of Regulations) by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. In general, Title 24 energy code is designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. The CEC updates the Title 24 Energy Efficiency Standards every

three years to allow consideration and possible incorporation of new energy efficiency technologies and methods. The Title 24 Energy Efficiency Standards conserve nonrenewable resources, such as natural gas, and ensure renewable resources are extended as far as possible to reduce the need for constructing new power plants.

On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic (PV) and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

The Title 24 Energy Efficiency Standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards. These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-Fired Equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors
- Joints and Other Building Structure Openings (Envelope)
- Insulation and Cool Roofs
- Lighting Control Devices
- Solar PV Systems

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. The standards require solar PV systems for new homes. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or

motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, water heating and lighting system design requirements. These requirements vary depending on the building's location in the state's 16 climate zones.

### ***California Green Building Standards***

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The CEC approved the 2022 California Green Building Standards Code and went into effect January 1, 2023.

### ***2008 California Energy Action Plan Update***

The 2008 Energy Action Plan Update provides a status update to the 2005 Energy Action Plan II, which is the State of California's principal energy planning and policy document (CPUC and CEC, 2008). The plan continues the goals of the original Energy Action Plan, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

### ***2006 Appliance Efficiency Regulations***

The CEC adopted Appliance Efficiency Regulations (Title 20, California Code of Regulations Section 1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as



“business-as-usual,” they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

***Renewable Portfolio Standard: Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X***

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State’s Renewable Portfolio Standard (RPS) to 33 percent renewable power by 2020.

In September 2009, then-Governor Schwarzenegger continued California’s commitment to the RPS by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the state meet its RPS goal of 33 percent renewable energy by 2020. In addition, CARB is to design emissions reduction measures, adopt regulations requiring the reporting and verification of GHG emissions, including accounting for GHG emissions from all electricity consumed in the state, and develop emissions reduction measures, including limits on emissions of GHGs applied to electricity and natural gas providers serving customers in California.

On April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard, which required California energy providers to buy 33 percent of their energy from clean, renewable energy sources by 2020.

***Executive Order B-30-15, Senate Bill 350, and Senate Bill 100***

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the CPUC to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

***Appendix F to CEQA Guidelines***

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Section 15126.4 require Environmental Impact Reports (EIRs) to describe, where relevant, the wasteful, inefficient, and unnecessary use of energy caused by a project. 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 Section 21100(b)(3) to require EIRs to consider

the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, CEQA Guidelines Section 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 Section 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 General Plan (Menifee GP) 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 that City residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the City.<sup>7</sup>

---

<sup>7</sup> City of Menifee. (2013). *Menifee General Plan Open Space & Conservation Element*. Available at: <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed July 2023).

Goals and policies applicable to the Project include the following:

**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 contains the Environmental Checklist Form, which includes questions concerning energy. 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:

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

#### **Methodology and Assumptions**

In determining whether implementation of the Project would result in the inefficient, wasteful or unnecessary use of fuel or energy, this analysis considers the recommendations of State CEQA Guidelines Appendix F. State CEQA Guidelines Appendix F does not prescribe a threshold for the determination of significance. Rather, Appendix F focuses on reducing and minimizing inefficient, wasteful, and unnecessary consumption of energy.

This section analyzes energy use on three sources of energy that are relevant to the Project, including electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for Project construction. The analysis of the Project’s electricity and natural gas use is based on the California Emissions Estimator Model version 2022.1 (CalEEMod), which quantifies energy use for occupancy. The results of CalEEMod are included in **Appendix B** (Air Quality Assessment) and **Appendix G** (Greenhouse Gas Assessment) of this Draft EIR. Modeling related to Project energy use was based primarily on the default settings in CalEEMod. The amount of operational fuel use was estimated using CalEEMod outputs for the Project and CARB Emissions Factor (EMFAC) 2021 computer program for typical daily fuel use in Riverside County. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

#### 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**

## Construction

The Project is anticipated to be constructed in one phase. Construction of the Project is anticipated to begin in November 2024 and is estimated to be completed within approximately 12 months. 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. The methodology for each category is discussed below. This analysis relies on the construction equipment list and operational characteristics, as stated in **Section 4.2: Air Quality** and **Section 4.7: Greenhouse Gas Emissions**. Quantifications of construction energy are provided for the Project below; see **Table 4.5-2: Energy Use During Construction**.

**Table 4.5-2: Energy Use During Construction**

Project Source	Total Construction Energy	Riverside County Annual Energy	Percentage Increase Countywide
<b>Electricity Use</b>		<b>GWh</b>	
Water Use <sup>1</sup>	0.0069	17,781	0.00004%
<b>Diesel Use</b>		<b>Gallons</b>	
On-Road Construction Trips <sup>2</sup>	18,667	258,583,055	0.0072%
Off-Road Construction Equipment <sup>3</sup>	49,309		0.0191%
Construction Diesel Total	67,976		0.0263%
<b>Gasoline</b>		<b>Gallons</b>	
On-Road Construction Trips	5,610	705,460,316	0.0008%
Notes:			
1. Construction water use based on acres disturbed per day per construction sequencing and estimated water use per acre.			
2. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2021 in Riverside County for 2024.			
3. Construction fuel use was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.			
Source: Refer to energy calculations in <b>Appendix E</b> .			

### Electricity

**Water for Construction Dust Control.** Electricity use associated with water use for construction dust control is calculated based on total water use and the energy intensity for supply, distribution, and treatment of water. The total number of gallons of water used is calculated based on acreage disturbed during grading and site preparation, as well as the daily watering rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix C of the CalEEMod User’s Guide.
- The water application rate of 3,020 gallons per acre per day is from the Air and Waste Management Association’s Air Pollution Engineering Manual (1992).

The energy intensity value is based on the CalEEMod default energy intensity per gallon of water for the South Coast Hydrologic Region. As summarized in **Table 4.5-2**, the total electricity demand associated with water use for Project construction dust control would be approximately 0.0069 GWh over the duration of construction.

## **Petroleum Fuel**

**On-Road Diesel Construction Trips.** The diesel fuel associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon (MPG). VMT for the entire construction period is calculated based on the number of trips multiplied by the trip lengths for each phase shown in CalEEMod. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. Total diesel fuel consumption associated with on-road construction trips for the Project would be approximately 18,667 gallons (**Table 4.5-2**).

**Off-Road Diesel Construction Equipment.** Similarly, the construction diesel fuel associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. The total diesel fuel associated with Project off-road construction equipment is approximately 49,309 gallons (see **Table 4.5-2**). Combined diesel usage from on-road and off-road construction sources is 67,976 gallons.

**On-Road Gasoline Construction Trips.** The gasoline fuel associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default gasoline fleet percentage, and vehicle fuel efficiency in MPG using the same methodology as the construction on-road trip diesel fuel calculation discussed above. The total gasoline fuel associated with Project on-road construction trips would be approximately 5,610 gallons (see **Table 4.5-2**).

## **Construction Energy Use Analysis**

As indicated in **Table 4.5-2**, Project construction electricity use would represent approximately 0.00004 percent of the current electricity use in Riverside County. In 2024, Californians are anticipated to use approximately 14,071,323,791 gallons of gasoline and approximately 3,195,349,324 gallons of diesel fuel.<sup>8</sup> Riverside County annual gasoline fuel use in 2024 is anticipated to be 705,460,316 gallons and diesel use would be approximately 258,583,055 gallons. Total Project construction gasoline fuel would represent approximately 0.0008 percent of annual gasoline used in the County, and total Project construction diesel fuel would represent approximately 0.0263 percent of annual diesel used in the County. Total Project construction gasoline and diesel fuel would also represent less than one percent of the State's fuel use. Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet demand until 2050.<sup>9</sup> As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's temporary construction demand. Based on the total Project's relatively low construction fuel use proportional to annual County use, the Project would not substantially affect existing energy fuel supplies or resources per State CEQA Guidelines Appendix F (II)(C)(2). New capacity or additional sources of construction fuel are not anticipated to be required.

<sup>8</sup> CARB. (2021). *Emissions Inventory*. Retrieved from: <https://arb.ca.gov/emfac/emissions-inventory/d5188d165d4d351564673b9a0a47a376c7a3c31b> (accessed November 2023).

<sup>9</sup> U.S. Energy Information Administration (2020). *California Energy Consumption Estimates*. Retrieved from: <https://www.eia.gov/state/print.php?sid=CA> (accessed November 2023).

SCE's total energy sales are projected to be 95,663 GWh of electricity in 2024 (the first year of Project construction).<sup>10</sup> The Project's construction-related net annual electricity consumption of 0.0069 GWh would represent approximately 0.000007 percent of SCE's projected sales. Therefore, it is anticipated that SCE's existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand and would not affect existing energy supplies or require additional capacity per State CEQA Guidelines Appendix F guidelines.

Furthermore, there are no unusual characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or state. In addition, some energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. 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, one of which recommends that construction equipment not in use for more than three minutes be turned off. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards where feasible. These engines use highly efficient combustion engines to minimize unnecessary fuel use.

The Project would include construction activities that would use energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Contractors would be required to monitor air quality emissions of construction activities using applicable regulatory guidance such as from South Coast Air Quality Management District CEQA Guidelines. Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce diesel PM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced from the monitoring and the efficient use of equipment and materials, energy use is reduced. There are no aspects of the Project that would foreseeably result in the inefficient, wasteful, or unnecessary use of energy during construction activities.

Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary use of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive and that there is a significant cost-savings potential in green building practices. Substantial reduction in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials. The Project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete,

---

<sup>10</sup> CEC. (2023). *CEC 2022 LSE and BA planning Forecast Tables*. Retrieved from: <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update-2> (accessed November 2023).

steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the costs of business.

As described above, the Project's fuel consumption and energy usage from the entire construction period would increase fuel use in the County by less than one percent. It should be noted that the State CEQA Guideline Appendix G and Appendix F criteria require the Project's effects on local and regional energy supplies and on the requirements for additional capacity to be addressed. A less than one percent increase in temporary demand is not anticipated to trigger the need for additional capacity. Project construction would have a nominal effect on the local and regional energy supplies. Additionally, use of construction fuel would be temporary and would cease once the Project is fully developed. As such, Project construction would have a nominal effect on the local and regional energy supplies.

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. 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

The energy consumption associated with Project operations would occur from building energy (electricity) use, water use, and transportation-related fuel use. Annual energy use during operations is shown in **Table 4.5-3: Unmitigated Annual Energy Use During Operations**. It is noted that the Project's unmitigated energy consumption estimates are provided in **Table 4.5-3** to provide a conservative impact analysis. As indicated in **Section 4.7: Greenhouse Gas Emissions**, Mitigation Measure (MM) **GHG-1** would prohibit the use of natural gas on-site in order to reduce GHG emissions.



**Table 4.5-3: Unmitigated Annual Energy Use During Operations**

	Annual Unmitigated Operational Energy	Riverside County Annual Energy	Percentage Increase Countywide
<b>Electricity Use</b>		<b>GWh</b>	
Total Electricity (Electricity Demand + Water Conveyance) <sup>1</sup>	3.53	17,781	0.020%
<b>Natural Gas Use</b>		<b>Therms</b>	
Area <sup>1,2</sup>	77,224	431,052,392	0.018%
<b>Diesel Use</b>			
Mobile <sup>3</sup>	421,496	259,549,258	0.162%
<b>Gasoline Use</b>			
Mobile <sup>2</sup>	114,479	692,307,874	0.016%
Notes:			
1 The electricity, natural gas, and water usage are based on Project-specific estimates and CalEEMod defaults.			
2 Mitigation measure GHG-1 prohibits the use of natural gas on site, therefore mitigated natural gas usage would be 0.			
3 Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2025.			
Source: Refer to energy calculations in <b>Appendix E</b> .			

### **Petroleum Fuel**

The gasoline and diesel fuel associated with on-road vehicular trips is calculated based on total VMT calculated for the analyses within **Section 4.2: Air Quality** and **Section 4.7: Greenhouse Gas Emissions**, and average fuel efficiency from the EMFAC model. The EMFAC fuel efficiency data incorporates the Pavley Clean Car Standards and the Advanced Clean Cars Program.<sup>11</sup> As summarized in **Table 4.5-3**, the total gasoline and diesel fuel associated with on-road trips would be approximately 114,479 gallons per year and 421,496 gallons per year, respectively.

### **Electricity**

The electricity use during Project operations is based on CalEEMod defaults. The Project would use approximately 3.53 GWh of electricity per year (see **Table 4.5-3**). The electricity associated with operational water use is estimated based on the annual water use and the energy intensity factor is the CalEEMod default energy intensity per gallon of water for Riverside County. Project area water use is based on the CalEEMod default rates. The Project would use approximately 91 million gallons of water annually which would require approximately 1.19 GWh per year for conveyance and treatment. However, unmitigated Project electricity consumption would only increase countywide electricity use by 0.020 percent; see **Table 4.5-3**. It is also noted that Project’s annual operational electricity consumption would represent approximately 0.004 percent of SCE’s projected sales. Therefore, it is anticipated that SCE’s existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project’s operational electricity demand.

### **Natural Gas**

<sup>11</sup> The CARB EMFAC 2017 Technical Documentation from March 2018 notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO2 emissions from EMFAC’s tailpipe emission estimates.



The methodology used to calculate the natural gas use associated with the Project is based on CalEEMod default rates. As shown in **Table 4.5-3**, unmitigated natural gas consumption from the Project would represent only a 0.018 percent increase over countywide natural gas usage. However, as noted previously **MM GHG-1** would prohibit natural gas on site in order to reduce GHG emissions and conserve a nonrenewable resource, as a result, natural gas consumption would be zero.

### **Operational Energy Use Analysis**

Californians used 287,826.11 GWh of electricity in 2022, of which Riverside County used 17,780 GWh.<sup>12</sup> The Project's unmitigated operational electricity use would represent a nominal portion of electricity used in the State and Riverside County. Regarding natural gas, Californians used 11.7 billion therms of natural gas and 431 million therms of natural gas in Riverside County in 2022. The Project's unmitigated operational natural gas use would contribute to only 0.0066 percent natural gas use in the State and 0.0179 percent in the County. However, **MM GHG-1** would prohibit natural gas on-site, therefore natural gas consumption would be zero.

Riverside County annual gasoline fuel use in 2025 is anticipated to be 692,307,874 gallons and diesel fuel is anticipated to be 259,549,258 gallons. Expected Project operational gasoline and diesel consumption would represent approximately 0.016 percent of gasoline use and 0.162 percent of diesel use in the County.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, the global supply of crude oil, other liquid hydrocarbons, and biofuels is expected to be adequate to meet the world's demand for liquid fuels through 2050.<sup>13</sup>

The Project's unmitigated energy consumption represents less than one percent of energy consumption within the County. Project operations would not substantially affect existing energy or fuel supplies or resources. The Project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant.

### **Compliance With Energy Efficiency Measures**

As discussed above, California's Energy Efficiency Standards for Residential and Non-Residential Buildings create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. 2022 Title 24 standards for new residential and nonresidential buildings focus on encouraging electric heat pump technology and use, promote electric-ready buildings to get owners to use cleaner electric heating, cooking, and vehicle charging, expanding solar PV systems and battery storage systems to reduce reliance on fossil fuel power plants.

---

<sup>12</sup> CEC. (2021). *California Energy Consumption Database*. Retrieved from: <http://www.ecdms.energy.ca.gov/Default.aspx> (accessed November 2023).

<sup>13</sup> U.S. Energy Information Administration. (2021). *International Energy Outlook 2021 IEO2021: Schedule, Focus, and Publication*. Retrieved from: [https://www.eia.gov/outlooks/ieo/pdf/IEO2021\\_Narrative.pdf](https://www.eia.gov/outlooks/ieo/pdf/IEO2021_Narrative.pdf) (accessed November 2023).

Regarding water energy conservation, the Project would incorporate drought-tolerant landscaping throughout portions of the site. Water-efficient irrigation controls would also be used in landscape areas. Comprehensive water conservation strategies would be developed to each respective land use as part of the Project plan development. Buildings would incorporate water-efficient fixtures and appliances, to comply with Title 24.

It should also be noted that SCE is subject to California's RPS. The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase total procurement from eligible renewable energy resources to 33 percent by 2020 and 50 percent by 2030. SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045. 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.

As discussed above, California's Energy Efficiency Standards create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use.

None of the Project energy uses exceed one percent of the corresponding uses within the County. Project operations would not substantially affect existing energy or fuel supplies or resources. All Project buildings would comply with energy and fuel efficiency laws and regulations; thus, the Project would not be wasteful or inefficient.

### **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***

As discussed in **Impact 4.5-1** above, the energy conservation policies and plans relevant to the Project include the California Title 24 energy standards and the CALGreen Building Code. The Project would be required to comply with these existing energy standards. Compliance with state and local energy efficiency standards would ensure that the Project meets all applicable energy conservation policies and regulations. As such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal, adopted in September 2020, integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. The Project would not conflict with the stated goals of the Connect SoCal. Potential impacts are considered not significant.

### **Mitigation Measures**

No mitigation is necessary.

## **4.5.6 Cumulative Impacts**

Potential cumulative impacts to energy would result if the Project, in combination with past, present, and future projects, would result in the wasteful or inefficient use of energy. This could result from development that would not incorporate sufficient building energy efficiency features, would not achieve building energy efficiency standards, or would result in the unnecessary use of energy during construction and/or operation.

The cumulative projects within the areas serviced by the energy service providers would be applicable to this analysis. All projects listed in **Table 3-1: List of Cumulative Projects** are within the service area of SCE and SoCalGas and therefore are applicable to this cumulative analysis. Projects that include development of large buildings or other structures that would have the potential to consume energy in an inefficient manner would have the potential to contribute to a cumulative impact.

Construction and operations associated with implementation of the Project would be less than significant and would not result in inefficient or wasteful energy consumption. The use of energy would not be substantial in comparison to statewide electricity, natural gas, gasoline, and diesel demand, and therefore would not be cumulatively significant; refer to **Tables 4.5-2** and **4.5-3**. The electricity used for construction would be less than that required during operation of the Project, would be temporary and would have a minimal contribution to the Project's overall energy consumption. Construction of the Project would not typically involve the consumption of natural gas. The Project's construction electricity consumption would be negligible relative to SCE's generated electricity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand.

SCE will review the Project's estimated electricity consumption in order to ensure that the estimated power requirement would be part of the total load growth forecast for their service area and accounted for in the planned growth of the power system. It should be noted that the planning projections of SCE and SoCalGas consider planned development for their service areas and are in and of themselves providing for cumulative growth. Therefore, it is likely that the cumulative growth associated with the related projects is already accounted for in the planning of future supplies to cover projected demand.

SCE and SoCalGas have policies, programs, and projects in place to provide continued, adequate energy to their users, including the Project. Substantial reductions to the cumulative demand for energy can result from an increased reliance on renewable energy systems (as required by the State's RPS) and the construction of energy-efficient buildings. Cumulative projects would be subject to applicable Title 24 and CALGreen requirements similar to the Project, which includes energy efficiency standards to minimize the wasteful and inefficient use of energy.

Furthermore, transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet worldwide consumption demand until 2050. As such, it

is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's construction and operational demand. New capacity or supplies of energy resources would not be required. Additionally, the Project would be subject to compliance with all federal, state, and local requirements for energy efficiency. State regulations, including the Low Carbon Fuel Standard, Pavley Clean Car Standards, and Low Emission Vehicle Program, would serve to reduce the transportation fuel demand of cumulative projects.

In consideration of cumulative energy use, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Additionally, as discussed above, the Project would increase overall electricity demand but would not require additional facilities other than local connections to, or undergrounding of, existing facilities in the Project vicinity. Therefore, the Project's incremental demand for electricity and natural gas facilities would not be cumulatively considerable. Thus, the Project would not contribute to a cumulative impact to the wasteful or inefficient use of energy. A less than significant cumulative impact would occur.

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 energy impacts have been identified.

#### **4.5.8 References**

CARB. (2021). *Emissions Inventory*. Retrieved from: <https://arb.ca.gov/emfac/emissions-inventory/d5188d165d4d351564673b9a0a47a376c7a3c31b>.

CDTFA. (2023). *Net Taxable Gasoline Gallons*. Retrieved from CDTFA Website: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>.

CEC. (2023). *CED 2022 LSE and BA planning Forecast Tables*. Retrieved from: <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update-2>.

CEC. (2022). *Electricity Consumption by County*. Retrieved from: <http://www.ecdms.energy.ca.gov/elecbycounty.aspx>.

CEC. (2022). *Gas Consumption by Southern California Gas*. Retrieved from: <http://ecdms.energy.ca.gov/gasbyutil.aspx>.

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

Kimley-Horn and Associates, Inc. (2023). *Energy Calculations*. Refer to **Appendix E**.

SCE. (2022). *2021 Power Content Label, Southern California Edison*. Retrieved from:  
<https://www.sce.com/sites/default/files/custom-files/Web%20files/2021%20Power%20Content%20Label.pdf>.

SCE. (2023). *Who We Serve & How We Do It*. Retrieved from SCE Website: Available at:  
<https://www.sce.com/about-us/who-we-are#:~:text=As%20one%20of%20the%20nation's,Angeles%20and%20some%20other%20cities>.

SoCalGas. (2022). *2022 California Gas Report*. Retrieved from:  
[https://www.socalgas.com/sites/default/files/Joint Utility Biennial Comprehensive California Gas Report 2022.pdf](https://www.socalgas.com/sites/default/files/Joint%20Utility%20Biennial%20Comprehensive%20California%20Gas%20Report%202022.pdf).

U.S. Energy Information Administration (2021). *California Energy Consumption Estimates*. Retrieved from:  
<https://www.eia.gov/state/print.php?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 Northern Gateway Logistics Center Project (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 (Menifee 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:

- LGC Geotechnical, Inc. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California*. July 2022. See **Appendix F**.

### 4.6.2 Environmental Setting

#### Regional Geologic Setting

According to the Menifee GP Draft EIR, 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 one 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.

### Local Geologic Setting<sup>1</sup>

Subsurface exploration on the Project site consisted of the excavation of 14 hollow-stem auger borings (8 borings for field percolation testing) and eight field percolation tests. The borings were excavated to depths ranging from approximately 12 to 50 feet below existing grade. The eight field percolation tests were performed to depths of 12 to 14 feet below existing grades. A description of field procedures and logs of the explorations are presented in Appendices B and C of **Appendix F** of this Draft EIR.

#### *Subsurface Soil and Groundwater Conditions*

The Project site is underlain by undocumented agricultural fill, young alluvial fan deposits, and old alluvial fan deposits.<sup>2</sup> It is anticipated that the agricultural fill consists of the same material as the other near-surface soils encountered in the borings, and it is anticipated that the agricultural fill is dry and loose. Quaternary old alluvial fan deposits were encountered to the maximum explored depth of approximately 51.5 feet below the ground surface.<sup>3</sup> The upper approximately 2 to 4 feet of the quaternary old alluvial fan deposits were found to be porous, with root hairs.<sup>4</sup> In general, the old alluvial fan deposits were found to consist mostly of silty sand to sandy silt that was dry to moist and medium dense to very dense or stiff to hard in-place.<sup>5</sup> Scattered discontinuous beds of sandy clay and clayey sand, along with lenses of poorly graded sand were encountered.<sup>6</sup>

Groundwater was not encountered during the subsurface field evaluation to the maximum explored depth of approximately 50 feet below existing ground surface. Groundwater is anticipated to be greater than 50 feet below existing grade.<sup>7</sup> Seasonal fluctuations of groundwater elevations should be expected over time.<sup>8</sup> In general, groundwater levels fluctuate with the seasons and local zones of perched groundwater may be present within the near surface deposits due to local seepage or during rainy

---

<sup>1</sup> LGC Geotechnical, Inc. (2022). *Preliminary Geotechnical Evaluation for Proposed Industrial Development*, Evans Road, Menifee, California. Page 1.

<sup>2</sup> Ibid, Page 4.

<sup>3</sup> Ibid, Page 5.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.



seasons.<sup>9</sup> Groundwater conditions below the site may be variable, depending on numerous factors including seasonal rainfall, local irrigation and groundwater pumping, among others.<sup>10</sup>

### ***Landslides<sup>11</sup>***

According to the Geotechnical Evaluation, the Project site is nearly flat. Research and field observations do not indicate the presence of landslides on the Project site or in the immediate vicinity. Review of regional geologic maps of the area do not indicate the presence of known or suspected landslides at the site or in the vicinity of the site.

### ***Faulting and Seismicity***

The Project site is in a seismically active area of southern California and is likely to be subjected to strong ground shaking due to earthquakes on nearby faults. 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. The proposed structures should, however, be designed to resist structural collapse in accordance with the latest California Building Code criteria to provide reasonable protection from serious injury, catastrophic property damage, and loss of life.

### ***Ground Rupture<sup>12</sup>***

According to the Geotechnical Evaluation, the Project site is not located within a State of California Fault Rupture Hazard Zone or a Riverside County Fault Zone. The nearest Holocene-active faults to the Project site are faults in the Elsinore Fault Zone, located approximately 10 miles southwest of the Project site, and faults in the San Jacinto Fault Zone, located approximately 11 miles northeast of the Project site. The faults in both of these fault zones trend northwest-southeast, oblique to the site, and do not trend toward the site. Therefore, the possibility of damage due to ground rupture, as a result of faulting, is considered very low since active faults are not known to cross the site.

## **Geologic Hazards**

### ***Liquefaction, Dynamic Settlement, and Lateral Spreading<sup>13</sup>***

Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction occurs when three general conditions coexist: 1) shallow groundwater; 2) low density non-cohesive (granular) soils; and 3) high-intensity ground motion. Studies indicate that saturated, loose near surface cohesionless soils exhibit the highest liquefaction potential, while dry, dense, cohesionless soils and cohesive soils exhibit low to negligible liquefaction potential. In general, cohesive soils are not considered susceptible to liquefaction, depending on their plasticity and moisture content. Effects of liquefaction on level ground include settlement, sand boils, and

---

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid, Page 6.

<sup>13</sup> Ibid, Page 7.



bearing capacity failures below structures. Dynamic settlement of dry loose sands can occur as the sand particles tend to settle and densify as a result of a seismic event.

According to the Geotechnical Evaluation, the Project site is located in a zone of “Low” potential for liquefaction. Due to the depth of groundwater greater than 50 feet, the generally dense nature of the underlying soils, and the presence of cohesive soils, the potential for liquefaction and liquefaction-induced settlement is considered very low. The proposed development would primarily consist of compacted fill over dense alluvial fan deposits. These soils are not considered susceptible to dynamic settlement.

Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move down-slope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements and such movement typically damages pipelines, utilities, bridges, and structures. Due to the very low potential for liquefaction, the potential for lateral spreading is also considered very low.

### ***Expansive Soils***

Expansive soils are characterized as soils with significant amount of clay particles that can shrink or swell resulting in instability for overlying structures. The Geotechnical Evaluation report analyzed the expansion potential of the on-site soils in accordance with American Society for Testing and Materials (ASTM) D-4829. Laboratory testing performed on representative samples of the near surface soils indicates that those materials possess very low to low expansion potentials.

### ***Shrinkage and Subsidence<sup>14</sup>***

Allowance in the earthwork volumes budget should be made for an estimated five percent reduction in volume of near-surface (upper approximate 5 feet) soils. It should be stressed that these values are only estimates and that an actual shrinkage factor would be extremely difficult to predetermine. Subsidence, due to earthwork operations, is expected to be on the order of 0.1-foot. These values are estimates only and exclude losses due to removal of any vegetation or debris. The effective shrinkage of on-site soils will depend primarily on the type of compaction equipment and method of compaction used on-site by the contractor and accuracy of the topographic survey.

## **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

---

<sup>14</sup> Ibid, Page 16.

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 Section 3603(a) of the California Code of Regulations (CEQA Guidelines), 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 Section 3603(a) of the CEQA Guidelines. 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 Section 3603(d) of the CEQA Guidelines.

### ***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 (CGS) 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 or enforce 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 CEQA Guidelines. 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 2022 CBC took effect on January 1, 2023. Requirements for Geotechnical Investigations Requirements for geotechnical investigations are included in CBC Appendix J, Grading, Section 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) Section 17953 to Section 17955 and in CBC Section 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 Section 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 an 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, Sections 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*

The Menifee GP Safety 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.<sup>15</sup>

Goals and policies from the Safety Element applicable to the Project include:

**Goal S-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.

**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.**

**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

---

<sup>15</sup> City of Menifee. (2013). *Menifee General Plan Safety Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL\\_Safety-Element-6723\\_complete\\_reduced-size-for-webpage?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL_Safety-Element-6723_complete_reduced-size-for-webpage?bidId=) (accessed July 2023).

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**

### Construction and Operations

According to the Geotechnical Evaluation 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 Holocene-active faults to the Project site are faults in the Elsinore Fault Zone, located approximately 10 miles southwest of the Project site, and faults in the San Jacinto Fault Zone, located approximately 11 miles northeast of the Project site. The faults in both of these fault zones trend northwest-southeast, oblique to the site, and do not trend toward the site. Therefore, the possibility of damage due to ground rupture, as a result of faulting, is considered very low since active faults are not known to cross the site. 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.

**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**

### Construction and Operation

Refer to Impact 4.6-1, above. Southern California is considered a seismically active region and regional vicinity of the areas being evaluated contains a number of known earthquake faults; however, the Project site is not within an Alquist-Priolo Earthquake Fault Zone and there are no Alquist-Priolo fault zones within the Project area. The Project site is not subject to surface rupture of a known active fault, and therefore, the possibility of significant fault rupture on the Project site is considered to be low.

Nevertheless, all Project components would be constructed to the current CBC Seismic Design Parameters. Structures for human occupancy must be designed to meet or exceed CBC standards for earthquake resistance. All grading and fill placement activities would be completed in accordance with the CBC requirements and the City of Menifee Municipal Code (Menifee MC)'s Grading Ordinance

(Chapter 7.90 Grading Regulations).<sup>16</sup> Following these requirements, the proposed structure would be designed to resist strong seismic ground shaking and thereby provide reasonable protection from serious injury, and reduce catastrophic property damage and loss of life to less than significant levels.

### **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***

## **Construction and Operations**

### ***Liquefaction***

Soil liquefaction is a phenomenon in which saturated cohesionless soils undergo a temporary loss of strength during severe ground shaking and acquire a degree of mobility sufficient to permit ground deformation. In extreme cases, the soil particles can become suspended in groundwater, resulting in the soil deposit becoming mobile and fluid-like. Liquefaction is generally considered to occur primarily in loose to medium dense deposits of saturated soils. Thus, three conditions are required for liquefaction to occur: (1) a cohesionless soil of loose to medium density; (2) a saturated condition; and (3) rapid large strain, cyclic loading, normally provided by earthquake motions. Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move down-slope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements and such movement typically damages pipelines, utilities, bridges, and structures.

According to the Geotechnical Evaluation, the Project site is located in a zone of “Low” potential for liquefaction. Due to the depth of groundwater greater than 50 feet, the generally dense nature of the underlying soils, and the presence of cohesive soils, the potential for liquefaction and liquefaction-induced settlement is considered very low. The proposed development would primarily consist of compacted fill over dense alluvial fan deposits. These soils are not considered susceptible to dynamic settlement. Due to the very low potential for liquefaction, the potential for lateral spreading is also considered very low. Impacts in relation to these hazards for the Project site would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

---

<sup>16</sup> City of Menifee. (2023). *Menifee Municipal Code. Article 6 – Chapter 7.90 Grading Regulations*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-30418](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-30418) (accessed February 2024).



**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: No Impact**

## Construction and Operations

According to the Geotechnical Evaluation, the Project site is nearly flat. Research and field observations do not indicate the presence of landslides on the Project site or in the immediate vicinity. Review of regional geologic maps of the area do not indicate the presence of known or suspected landslides at the site or in the vicinity of the site. According to the City's Liquefaction and Landslides map the Project site and the immediate area are not within a zone of generalized landslide susceptibility.<sup>17</sup> The Project area is also outside of the hazard zone for rockfall/debris-flow. The relatively flat topography of each site along with its location outside of identified landslide susceptibility and rockfall/debris-flow hazard areas would lead to no impact 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**

## Construction

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 commence, 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 Menifee MC Title 8, Chapter 8.26 – Grading Regulations.<sup>18</sup> Erosion-control BMPs are designed

<sup>17</sup> City of Menifee. (2012). Menifee General Plan. *Exhibit S-3, Liquefaction and Landslides Map*. Retrieved from: [https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3\\_LiquefactionandLandslides\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3_LiquefactionandLandslides_HD0913?bidId=). (accessed July 2023).

<sup>18</sup> City of Menifee. (2022). *Menifee Municipal Code Title 8, Chapter 8.26 – Grading Regulations*. Retrieved from: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-28503#JD\\_Chapter8.26](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-28503#JD_Chapter8.26) (accessed July 2023).



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 Project are less than significant.

## Operations

Operation of the Project site 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 and loss of on-site soils post-construction. This would 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***

## Construction and Operations

As discussed under Impact 4.6-3 and 4.6-4 above, liquefaction and landslides are not considered to be a design concern for the Project, and potential for lateral spreading and dynamic settlement would be low. The City's Local Hazard Mitigation Plan<sup>19</sup> lists the types of geologic hazards known to occur in the City regarding slope instability, leading to possible mudflow, liquefaction, and collapsible or expansive soils. The Project site is not located in an area identified as susceptible to slope instability, landslides, or liquefaction.<sup>20</sup> Soil liquefaction is not likely to occur at this site primarily because the groundwater level is deep (in excess of 50 feet).<sup>21</sup> The Project site is relatively flat and is not located adjacent to any potentially unstable topographical feature, such as a hillside or riverbank. Therefore, impacts associated with these hazards would be less than significant.

### ***Mitigation Measures***

No mitigation is necessary.

<sup>19</sup> City of Menifee. (2022). *Local Hazard Mitigation Plan*. Retrieved from: [https://www.cityofmenifee.us/525/Emergency-Management#:~:text=Local%20Hazard%20Mitigation%20Plan%20\(LHMP,from%20natural%20and%20man%2Dmade](https://www.cityofmenifee.us/525/Emergency-Management#:~:text=Local%20Hazard%20Mitigation%20Plan%20(LHMP,from%20natural%20and%20man%2Dmade) (accessed July 2023).

<sup>20</sup> City of Menifee. (2012). Menifee General Plan. *Exhibit S-3, Liquefaction and Landslides*. Retrieved from: [https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3\\_LiquefactionandLandslides\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1030/S-3_LiquefactionandLandslides_HD0913?bidId=) (accessed July 2023).

<sup>21</sup> LGC Geotechnical, Inc. (2022). Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California. Page 7.

**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 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 Evaluation consisted mostly of silty sand to sandy silt that was dry to moist and medium dense to very dense or stiff to hard in-place and scattered discontinuous beds of sandy clay and clayey sand, along with lenses of poorly graded sand. These Project site soils are anticipated to be of Very Low to Low expansion potential. However, **MM GEO-1** would be implemented, ensuring that special care be given to proper moisture conditioning to slab subgrade to 100 percent of optimum moisture content to a minimum depth of 12 inches prior to trenching. 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. Therefore, implementation of **MM GEO-1**, would ensure that the on-site soils would not be liable to significant expansion and a less than significant impact would occur.

#### **Mitigation Measures**

**MM GEO-1** During construction activity, special care shall be given to moisture conditioning of all slab subgrade to 100 percent of optimum moisture content to a minimum depth of 12 inches prior to trenching.

**Impact 4.6-8** *Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**Level of Significance: No Impact**

### **Construction and Operations**

No septic tanks or other alternative wastewater disposal systems are proposed for the Project site. Impacts in this regard for the Project site would not occur. Therefore, no impact concerning soils adequately supporting the use of septic tanks or alternative waste disposal systems would occur. Water and wastewater systems and their development are further discussed in **Section 4.15: Utilities and Service Systems** of this EIR.

#### **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 with Mitigation Incorporated***

## **Construction and Operations**

CEQA provides guidance relative to significant impacts on paleontological resources, indicating that a project would have a significant impact on paleontological resources if it disturbs or destroys a unique paleontological resource or site, or unique geologic feature. A paleontological overview was completed for the Project site. The geologic units underlying the Project area are mapped primarily as old alluvial sand and gravel from the Pleistocene epoch. The Pleistocene alluvial deposits are considered to be highly paleontologically sensitive. Any fossil specimens recovered from the Project site would be scientifically significant. Excavation activity associated with the development of the Project area would impact the paleontologically sensitive Pleistocene alluvial units, and it is the recommendation of the Western Science Center (WSC) that a paleontological resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils from the Project area.

The geologic units underlying the Project area are mapped primarily as old alluvial sand and gravel, dating to the Pleistocene epoch, which is considered to be of high paleontological sensitivity. Based on these results, **MM GEO-2** will be implemented. With implementation of **MM GEO-2**, impacts would be reduced to less than significant levels.

### **Mitigation Measures**

**MM GEO-2** Prior to issuance of grading permits, the Applicant/Developer 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 for review and approval prior to issuance of a grading permit. Information contained in the PRIMP shall 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 cataloged and curated into the permanent collections of a scientific institution.
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**

Geology and soil-related impacts are generally site-specific and are determined by a particular site's soil characteristics, topography, and proposed land uses. Development projects are analyzed on an individual basis and must comply with established requirements of the applicable jurisdiction's development requirements and the California Building Standards Commission as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Cumulative effects related to geology resulting from the implementation of future development of the Project site, as well as surrounding areas, could expose more persons and property to potential impacts due to seismic activity. Long-term impacts related to geology include the exposure of people to the potential for seismically induced ground shaking. Implementation of other cumulative projects would incrementally increase the number of people and structures subject to a seismic event. Seismic and geologic significance is considered on a project-by-project basis through the preparation of design-level geotechnical studies. The potential for any project to be affected by or any project to exacerbate an existing geotechnical hazard would be minimized or not occur through strict engineering guidelines as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Development of the Project site, as well as all past, present, and future projects would be required to be constructed in accordance with the latest edition of the CBC and to adhere to all current earthquake construction standards, including those relating to soil characteristics. Therefore, no elements of this Project would contribute to any cumulatively considerable geologic and/or soils impacts. Therefore, cumulative effects of increased seismic risk would be less than significant.

#### **4.6.7 Significant Unavoidable Impacts**

No significant unavoidable impacts were identified.

## 4.6.8 References

City of Menifee. (2022). *Local Hazard Mitigation Plan*. Retrieved from:

[https://www.cityofmenifee.us/525/Emergency-Management#:~:text=Local%20Hazard%20Mitigation%20Plan%20\(LHMP,from%20natural%20and%20man%2Dmade](https://www.cityofmenifee.us/525/Emergency-Management#:~:text=Local%20Hazard%20Mitigation%20Plan%20(LHMP,from%20natural%20and%20man%2Dmade)

City of Menifee. (2013). *Menifee General Plan Safety Element*. Available at:

[https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL\\_Safety-Element-6723\\_complete\\_reduced-size-for-webpage?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL_Safety-Element-6723_complete_reduced-size-for-webpage?bidId=)

City of Menifee. (2012). *Menifee General Plan. Exhibit S-3, Liquefaction and Landslides*. Retrieved from:

[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. (2023). *Menifee Municipal Code. Article 6 – Chapter 7.90 Grading Regulations*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-30418](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-30418)

City of Menifee. (2023). *Menifee Municipal Code Title 8, Chapter 8.26 – Grading Regulations*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-28503#JD\\_Chapter8.26](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-28503#JD_Chapter8.26)

LGC Geotechnical, Inc. 2022. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California. Appendix F*

## 4.7 GREENHOUSE GAS EMISSIONS

### 4.7.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses potential greenhouse gas (GHG) emission impacts associated with development and implementation of the Northern Gateway Logistics 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 G** to this EIR:

- Kimley-Horn and Associates, Inc. (2024). *Greenhouse Gas Emissions Assessment*.

### 4.7.2 Environmental Setting

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>), and nitrogen trifluoride (NF<sub>3</sub>); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

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 CO<sub>2</sub> is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO<sub>2</sub> emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the

last 50 years, whereas the remaining 45 percent of human-caused CO<sub>2</sub> emissions remains stored in the atmosphere. **Table 4.7-1: Description of Greenhouse Gases** describes the primary GHGs attributed to global climate change, including their physical properties.

**Table 4.7-1: Description of Greenhouse Gases**

Greenhouse Gas	Description
Carbon Dioxide (CO <sub>2</sub> )	CO <sub>2</sub> is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO <sub>2</sub> emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO <sub>2</sub> is variable because it is readily exchanged in the atmosphere. CO <sub>2</sub> is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N <sub>2</sub> O)	N <sub>2</sub> O is largely attributable to agricultural practices and soil management. Primary human-related sources of N <sub>2</sub> O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N <sub>2</sub> O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N <sub>2</sub> O is approximately 120 years. The Global Warming Potential of N <sub>2</sub> O is 298.
Methane (CH <sub>4</sub> )	CH <sub>4</sub> , a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH <sub>4</sub> include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH <sub>4</sub> is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF <sub>6</sub> )	SF <sub>6</sub> is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF <sub>6</sub> is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF <sub>3</sub> )	NF <sub>3</sub> was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
Source: Kimley-Horn and Associates, Inc. (2024). <i>Greenhouse Gas Emissions Assessment</i> . Page 7.	



### 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.

#### *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

#### *U.S. Environmental Protection Agency Endangerment Finding*

The U.S. Environmental Protection Agency (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

#### *Federal Vehicle Standards*

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction,

clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO<sub>2</sub> in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 miles per gallon [mpg]), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO<sub>2</sub> emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program applies to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards lower CO<sub>2</sub> emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to two billion barrels over the lifetime of the vehicles sold under the program.<sup>1</sup>

On September 27, 2019, the U.S. EPA and the NHTSA published the “Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program.” (84 Fed. Reg. 51,310 (Sept. 27, 2019).)<sup>2</sup> The SAFE Rule (Part One) revoked California’s authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO<sub>2</sub> emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026. The current U.S. EPA administration repealed SAFE Rule Part One, effective January 28, 2022, and is reconsidering Part Two.

In December 2021, the U.S. EPA finalized federal GHG emissions standards for passenger cars and light trucks for Model Years 2023 through 2026. These standards are the strongest vehicle emissions standards ever established for the light-duty vehicle sector and are based on sound science and grounded in a rigorous assessment of current and future technologies. The updated standards will result in avoiding more than three billion tons of GHG emissions through 2050.<sup>3</sup>

---

<sup>1</sup> Ibid. Page 9.  
<sup>2</sup> Ibid. Page 9.  
<sup>3</sup> Ibid. Page 10.

## State of California

### *California Air Resources Board*

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO<sub>2</sub> equivalents (CO<sub>2</sub>e) in the world and produced 459 million gross metric tons of CO<sub>2</sub>e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

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, California Global Warming Solutions Act of 2006, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance 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 (California Global Warming Solutions Act of 2006)*

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

### *California Air Resource Board Scoping Plan*

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual").<sup>4</sup> The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program.<sup>5</sup> Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.

---

<sup>4</sup> Ibid. Page 10.

<sup>5</sup> Ibid. Page 11.

- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California’s GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California’s clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California’s long-term commitment to AB 32 implementation.
- The California Sustainable Freight Action Plan was developed in 2016 and provides a vision for California’s transition to a more efficient, more economically competitive, and less polluting freight transport system. This transition of California’s freight transport system is essential to supporting the State’s economic development in coming decades while reducing pollution.
- CARB’s Mobile Source Strategy demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The mobile Source Strategy includes increasing zero emission vehicles (ZEV) buses and trucks.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO<sub>2</sub>e (MMTCo<sub>2</sub>e) to 545 MMTCo<sub>2</sub>e. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32’s goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. By 2016, California had reduced GHG emissions below 1990 levels, achieving AB 32’s 2020 goal four years ahead of schedule.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which

provides additional direction for developing the Scoping Plan. On December 14, 2017, CARB adopted a second update to the Scoping Plan.<sup>6</sup> The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other Federal actions.

Adopted December 15, 2022, CARB's 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. To achieve the targets of AB 1279, the 2022 Scoping Plan relies on existing and emerging fossil fuel alternatives and clean technologies, as well as carbon capture and storage. Specifically, the 2022 Scoping Plan focuses on zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high Global Warming Potential (GWP); providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen. The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (i.e., Climate Action Plan) consistent with CEQA Guidelines section 15183.5.

The key elements of the 2022 CARB Scoping Plan focus on transportation. Specifically, the 2022 Scoping Plan aims to rapidly move towards zero-emission transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The regulations that impact the transportation sector are adopted and enforced by CARB on vehicle manufacturers and are outside the jurisdiction and control of local governments. The 2022 Scoping Plan accelerates development of new regulations as well as amendments to strengthen regulations and programs already in place.

Included in the 2022 Scoping Plan is a set of Local Actions (2022 Scoping Plan Appendix D) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, CARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on Residential and Mixed-Use projects.<sup>7</sup> CARB specifically states that Appendix D does not address other land uses (e.g., industrial) as contemplated by the Project.<sup>8</sup> However, CARB plans to explore new approaches for other land use types in the future.<sup>9</sup>

As such, it would be inappropriate to apply the requirements contained in Appendix D of the 2022 Scoping Plan to any land use types other than residential or mixed-use residential development.

---

<sup>6</sup> Ibid. Page 12.

<sup>7</sup> Ibid. Page 12.

<sup>8</sup> Ibid. Page 13.

<sup>9</sup> Ibid. Page 13.

### ***Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)***

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

### ***SB 375 (The Sustainable Communities and Climate Protection Act of 2008)***

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

### ***AB 1493 (Pavley Regulations and Fuel Efficiency Standards)***

AB 1493, enacted on July 22, 2002, 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 EPA's denial of an implementation waiver. The 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 regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO<sub>2</sub>e emissions and 75 percent fewer smog-forming emissions.

### ***SB 1368 (Emission Performance Standards)***

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO<sub>2</sub> per megawatt-hour.

### ***SB 1078, SB 107, and SBX1-2 (Renewable Electricity Standards)***

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 (2006) changed the due date to 2010 instead of 2017. On November 17, 2008, then-Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard (RPS) target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020.

CARB approved the Renewable Electricity Standard on September 23, 2010, by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

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

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

### ***AB 398 (Market-Based Compliance Mechanisms)***

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb TACs and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

### ***SB 150 (Regional Transportation Plans)***

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

### ***SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)***

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

### ***AB 1346 (Air Pollution: Small Off-Road Engines)***

Signed into Law in October 2021, AB 1346 requires CARB, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, consistent with federal law, by July 1, 2022. The bill requires CARB to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations.



### ***AB 1279 (The California Climate Crisis Act)***

AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO<sub>2</sub> removal solutions and carbon capture, utilization, and storage technologies.

### ***SB 1020 (100 Percent Clean Electric Grid)***

Signed on September 16, 2022, SB 1020 provides additional goals for the path to the 2045 goal of 100 percent clean electricity retail sales. It creates a target of 90 percent clean electricity retail sales by 2035 and 95 percent clean electricity retail sales by 2040.

### ***SB 905 (Carbon Sequestration Program)***

Signed on September 16, 2022, SB 905 establishes regulatory framework and policies that involve carbon removal, carbon capture, utilization, and sequestration. It also prohibits the injecting of concentrated carbon dioxide fluid into a Class II injection well for the purpose of enhanced oil recovery.

### ***AB 1757 (Nature-Based Solutions)***

Signed on September 16, 2022, AB 1757 requires state agencies to develop a range of targets for natural carbon sequestration and nature-based climate solutions that reduce GHG emissions to meet the 2030, 2038, and 2045 goals which would be integrated into a scoping plan addressing natural and working lands.

### ***Executive Orders Related to GHG Emissions***

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

**Executive Order S-3-05.** Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

By 2010, reduce GHG emissions to 2000 levels.

By 2020, reduce GHG emissions to 1990 levels.

By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will 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.** Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission (CEC), CARB, the University of California, and other agencies to develop and propose protocols for

measuring the “life-cycle carbon intensity” of transportation fuels. CARB adopted the LCFS on April 23, 2009.

**Executive Order S-13-08.** Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. 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 S-14-08.** Issued on November 17, 2008, Executive Order S-14-08 expands the State’s Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly owned electricity retailers.

**Executive Order S-21-09.** Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California’s RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

**Executive Order B-30-15.** Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of MMTCO<sub>2e</sub>. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive 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. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

**Executive Order B-55-18.** Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

**Executive Order N-79-20.** Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing

volumes” of new ZEVs “towards the target of 100 percent.” The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division, and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

### ***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 Appliance Efficiency Regulations.** The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

**Title 24 Building Energy Efficiency Standards.** California’s Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) 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 CEC adopted the 2022 Energy Code on August 11, 2021, which was subsequently approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption across California. For example, the 2022 Title 24 standards will require efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards.

**Title 24 California Green Building Standards Code.** The California Green Building Standards Code (CCR Title 24, Part 11) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect on January 1, 2023 (2022 CALGreen). The 2022 CALGreen standards continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

**CARB Advanced Clean Truck Regulation.** CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission

trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission “last-mile” delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- Zero-Emission Truck Sales: Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- Company and Fleet Reporting: Large employers including retailers, manufacturers, brokers, and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

## Regional

### *South Coast Air Quality Management District Rule 2305 (Warehouse Indirect Source Rule)*

Rule 2305 was adopted by the South Coast Air Quality Management District (SCAQMD) Governing Board on May 7, 2021, to reduce NO<sub>x</sub> and particulate matter emissions associated with warehouses and mobile sources attracted to warehouses. However, Rule 2305 would also reduce GHG emissions. This rule applies to all existing and proposed warehouses over 100,000 square feet located in the SCAQMD. Rule 2305 requires warehouse operators to track annual vehicle miles traveled associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses Warehouse Actions and Investments to Reduce Emissions (WAIRE) Points Compliance Obligation. WAIRE Points are earned based on emission reduction measures and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE charging/fueling infrastructure; install on-site energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation would be required to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

### *South Coast Air Quality Management District Thresholds*

The SCAQMD formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. This working group was formed to assist SCAQMD’s efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research, CARB, the Attorney General’s Office, a variety of city and county planning

departments in the SCAB, various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The Working Group has proposed a tiered approach to evaluating GHG emissions for development projects where SCAQMD is not the lead agency, wherein projects are evaluated sequentially through a series of “tiers” to determine whether the project is likely to result in a potentially significant impact due to GHG emissions.

With the tiered approach, a project is compared against 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 CO<sub>2</sub>e (MTCO<sub>2</sub>e) per year for industrial projects and a 3,000 MTCO<sub>2</sub>e threshold was proposed for non-industrial projects but has not been adopted. During Working Group Meeting #7 it was explained that this threshold was derived using a 90 percent capture rate of a large sampling of industrial facilities. During Meeting #8, 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 MTCO<sub>2</sub>e 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.

Tier 4 consists of three options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 MTCO<sub>2</sub>e per service population per year. Tier 5 would exclude projects that implement off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

### *Tier 3 Screening Thresholds*

When the tiered approach is applied to a proposed project, and the project is found not to comply with Tier 1 or Tier 2, the project’s emissions are compared against a screening threshold, as described above, for Tier 3. The screening threshold formally adopted by SCAQMD is an “interim” screening threshold for stationary source industrial projects where the SCAQMD is the lead agency under CEQA. The threshold was termed “interim” because, at the time, SCAQMD anticipated that CARB would be adopting a statewide significance threshold that would inform and provide guidance to SCAQMD in its adoption of a final threshold. However, no statewide threshold was ever adopted, and the interim threshold remains in effect.

For projects for which SCAQMD is not a lead agency, no screening thresholds have been formally adopted. However, the SCAQMD Working Group has recommended a threshold of 10,000 MTCO<sub>2</sub>e/year for industrial projects and 3,000 MTCO<sub>2</sub>e/year for residential and commercial projects. SCAQMD determined

that these thresholds would “capture” 90 percent of GHG emissions from these sectors, “capture” meaning that 90 percent of total emissions from all new projects would be subject to some type of CEQA analysis (i.e., found potentially significant).<sup>10</sup>

### *Southern California Association of Governments*

On September 3, 2020, SCAG’s Regional Council adopted Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]) or Connect SoCal. The Connect SoCal charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The Connect SoCal is a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions.

## **Local**

### *City of Menifee General Plan*

#### *Open Space and Conservation Element*

The City of Menifee General Plan (Menifee GP) 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 that City residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the City.<sup>11</sup>

Goals and policies applicable to the Project include the following:

- |                       |   |
|-----------------------|---|
| <b>Goal OSC-9</b>     | <b>Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.</b>  |
| <b>Policy OCS-9.1</b> | Meet State and federal clean air standards by minimizing particulate matter emissions from construction activities.   |
| <b>Policy OCS-9.2</b> | 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. |
| <b>Policy OCS-9.3</b> | Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.   |

<sup>10</sup> Ibid. Page 20

<sup>11</sup> City of Menifee. (2013). *Menifee General Plan Open Space & Conservation Element*. Available at: <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed December 2023).

- Policy OCS-9.4** Support Riverside County Regional Air Quality Task Force, Southern California Association of Government’s Regional Transportation Plan/Sustainable Communities Strategy, and SCAQMD’s Air Quality Management Plan to reduce air pollution at the regional level.
- 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.
- Goal OSC-10** **An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.**
- Policy OCS-10.1** Align the City's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.
- Policy OCS-10.2** Align the City's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.
- Policy OCS-10.3** Participate in regional greenhouse gas emission reduction initiatives.
- Policy OCS-10.4** Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

### *Circulation Element*

The Menifee GP 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.<sup>12</sup>

Goals and policies applicable to the Project include the following:

- 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.

### *City of Menifee Design Guidelines – Appendix A: Industrial Good Neighbor Policies<sup>13</sup>*

According to the City’s Design Guidelines, the purpose of the Good Neighbor 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 Good Neighbor 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. Sensitive

<sup>12</sup> City of Menifee. (2013). *Menifee General Plan Circulation Element*. Available at: <https://www.cityofmenifee.us/863/Circulation-Element> (accessed December 2023).

<sup>13</sup> City of Menifee. (2022). *Design Guidelines*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines-Amended-March-2-2022?bidId=> (accessed December 2023).



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'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; and
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

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 adopted for the purpose of reducing the emissions of greenhouse gases.

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" a project's GHG emissions.<sup>14</sup>

### GHG Thresholds

On December 5, 2008, the SCAQMD Governing Board adopted a 10,000 MTCO<sub>2</sub>e industrial threshold for projects where SCAQMD is the lead agency. The SCAQMD GHG CEQA Significance Threshold Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.) during Meeting #8. Additionally, the SCAQMD GHG Significance Threshold Stakeholder Working Group has specified that a warehouse is considered to be an industrial project. During the GHG CEQA Significance Threshold Working Group Meeting #15, the SCAQMD

---

<sup>14</sup> Ibid. Page 23.

noted that it was considering extending the industrial GHG significance threshold for use by all lead agencies.

Furthermore, the Working Group indicated that the 10,000 MTCO<sub>2</sub>e per year threshold applies to both emissions from construction and operational phases plus indirect emissions (electricity, water use, etc.). The SCAQMD has not announced when staff is expecting to present GHG thresholds for land use projects where the SCAQMD is not the lead agency to the governing board.

The City has not adopted project-specific significance thresholds, and instead relies on SCAQMD's recommended Tier 3 screening thresholds to determine the significance of a project's GHG emissions. The SCAQMD's adopted numerical threshold of 10,000 MTCO<sub>2</sub>e/year for industrial stationary source emissions is typically selected as the significance criterion. However, the City has determined that the SCAQMD's draft threshold of 3,000 MTCO<sub>2</sub>e/year is more conservative and appropriate for industrial and warehouse land use development projects. The 3,000 MTCO<sub>2</sub>e/year threshold is based on the SCAQMD staff's proposed GHG screening threshold for stationary source emissions for non-industrial projects, as described in the SCAQMD Interim Thresholds, and is based on capture of approximately 90 percent of emissions from future development. The SCAQMD Interim Threshold identifies a screening threshold to determine whether additional analysis is required.

## Methodology

Global climate change is, by definition, a cumulative impact of GHG emissions. Therefore, there is no project-level analysis. The baseline against which to compare potential impacts of the project includes the natural and anthropogenic drivers of global climate change, including world-wide GHG emissions from human activities which almost doubled between 1970 and 2010 from approximately 27 gigatonnes (Gt) of CO<sub>2</sub>/year to nearly 49 GtCO<sub>2</sub>/year.<sup>15</sup> As such, the geographic extent of climate change and GHG emissions cumulative impact discussion is worldwide.

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2022.1 (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 construction is anticipated to occur over a duration of approximately 12 months, beginning in November 2024.

The Project's operational GHG emissions would be generated by vehicular traffic including passenger automobiles and trucks, off-road equipment, area sources (e.g., landscaping maintenance, consumer products), electrical generation, water supply and wastewater treatment, and solid waste. These emissions categories are discussed further in **Appendix G**.

---

<sup>15</sup> Ibid. Page 24.

## 4.7.5 Impacts and Mitigation Measures

**Impact 4.7-1** *Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

### Construction Emissions

The Project would result in direct emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during the construction of the Project are shown in **Table 4.7-2: Construction-Related Greenhouse Gas Emissions**.

**Table 4.7-2: Construction-Related Greenhouse Gas Emissions**

Category	MTCO <sub>2</sub> e
Construction Year 1 (2024)	182
Construction Year 2 (2025)	896
Total Construction Emissions	1,078
<b>30-Year Amortized Construction Emissions</b>	<b>36</b>
Source: Ibid. Page 27 – Table3	

As shown, the Project would result in the generation of approximately 1,078 MTCO<sub>2</sub>e throughout the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period and then added to the operational emissions.<sup>16</sup> The Project’s amortized construction emissions would be 36 MTCO<sub>2</sub>e per year. Once construction is complete, the generation of these GHG emissions would cease.

It is also noted that 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, one of which recommends that construction equipment not in use for more than three minutes be turned off.

### Operational Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project generated vehicular traffic including passenger automobiles and trucks, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and

<sup>16</sup> Ibid. Page 27.

wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

GHG emissions associated with the Project are summarized in **Table 4.7-3: Project Greenhouse Gas Emissions**. As shown in **Table 4.7-3**, the Project’s unmitigated emissions would be approximately 3,378 MTCO<sub>2</sub>e annually from both construction and operations and would exceed the SCAQMD 3,000 MTCO<sub>2</sub>e per year threshold. The majority of the GHG emissions (approximately 54 percent unmitigated and 63 percent mitigated) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and neither the Project applicant nor the City has control over these standards.

**Table 4.7-3: Project Greenhouse Gas Emissions**

Emissions Source	MTCO <sub>2</sub> e per Year	
	Unmitigated	Mitigated <sup>1,2</sup>
<b>Area and Indirect Sources</b>		
Construction Amortized Over 30 Years	36	36
Area Source	8	8
Energy – Electricity	372	372
Energy – Natural Gas	411	0
Off-road – Yard Trucks	39	10
Off-Road – Forklifts	311	69
Emergency Backup Generator	21	21
Waste	117	117
Water and Wastewater	223	223
<b>Mobile Sources</b>		
Trucks	816	816
Passenger Cars	1,024	1,024
<b>Total</b>	<b>3,378</b>	<b>2,696</b>
<i>Threshold</i>	<i>3,000</i>	<i>3,000</i>
<b>Exceeds Threshold?</b>	<b>Yes</b>	<b>No</b>
1. <b>MM GHG-1</b> prohibits the use of natural gas 2. <b>MM GHG-2</b> requires all off-road equipment (such as yard trucks and forklifts) to be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse building shall include the necessary charging stations for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements. The project shall use electric equipment for off-road equipment. 3. Off-road equipment electricity emissions are incorporated into the energy-electricity category.		
Source: Ibid. Page 26 – Table 4		

The Project would be required to comply with several Laws, Ordinances, and Regulations (LORs) and mitigation measures to reduce operational GHG emissions. LOR-4 through LOR-6 require water efficient irrigation systems, and compliance with Title 24 Energy Efficiency Standards and the CALGreen Code. The Project also includes **MMs GHG-1** and **GHG-2** to further reduce emissions, which are summarized below:

- **MM GHG-1** prohibits the use of natural gas on the Project site; and

- **MM GHG-2** requires all off-road equipment (i.e., yard trucks and forklifts) to be zero emission.

In addition, the Project would be required to comply with SCAQMD Rule 2305 (refer to LOR-7) which would directly reduce emissions or to otherwise facilitate emissions reductions. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby. Although Rule 2305 focuses on air quality pollutant emissions, the rule would facilitate cleaner vehicles and supporting infrastructure that would also result in GHG benefits.

Warehouse owners and operators are required to earn WAIRE Points each year. WAIRE points are a menu-based system earned by emission reduction measures. Warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE points can be earned by completing actions from a menu that can include acquiring and using natural gas, Near-Zero Emissions and/or Zero-Emissions on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options. Conservatively, this analysis and the GHG emissions results presented in **Table 4.7-3** do not take credit for these potential reductions. Compliance with Rule 2305 would likely reduce emissions below what is currently analyzed.

As shown in **Table 4.7-3**, mitigation measures would reduce Project GHG emissions by approximately 14 percent and total mitigated emissions (2,696 MTCO<sub>2e</sub> per year) would not exceed the SCAQMD threshold of 3,000 MTCO<sub>2e</sub> per year. Therefore, GHG emissions associated with the Project would be less than significant with implementation of **MMs GHG-1** and **GHG-2**.

### *Laws, Ordinances, and Regulations*

Existing requirements based on local, state, or federal regulations or laws are frequently required independently of CEQA review. Typical requirements include compliance with the provisions of the Building Code, CalGreen Code, local municipal code, SCAQMD Rules, etc. Because LORs are neither Project specific nor a result of development of the Project, they are not considered to be project design features or Mitigation Measures.

**LOR-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.

**LOR-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.

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

**LOR-4** 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).

**LOR-5** The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and 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.

**LOR-6** 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.

- To facilitate future installation of electric vehicle supply equipment (EVSE), nonresidential construction shall comply with Section 5.106.5.3 (nonresidential electric vehicle charging) of the California Green Building Standards Code Part 11.

**LOR-7** The Project tenants shall comply with the SCAQMD Indirect Source Rule (Rule 2305). This rule is expected to reduce NO<sub>x</sub> and PM<sub>10</sub> emissions during construction and operation. Emission reductions resulting from this rule were not included in the Project analysis. Compliance with Rule 2305 is enforced by the SCAQMD through their reporting process and is required for all warehouse projects greater than 100,000 square feet.

**LOR-8** Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years in accordance with section 9.195.040.M.4 of the City's Development Code. Trees shall be planted that are capable of meeting this requirement.

### **Mitigation Measures**

**MM GHG-1** Prior to the issuance of a building permit or tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include conveyance of natural gas utility lines. The purpose of this mitigation measure is to reduce GHG emissions from natural gas.

**MM GHG-2** All outdoor cargo handling equipment (such as yard trucks, hostlers, yard goats, pallet jacks, and forklifts) shall be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse buildings shall include the necessary charging stations for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements.

**Impact 4.7-2** *Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

### **City of Menifee General Plan Consistency**

The Menifee GP Open Space and Conservation Element establishes goals to have efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations as well as an environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions. Policies to meet these goals include:

**OSC-10.1:** Align the city's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.

Project Consistency: The Project would not conflict with the GHG reduction measures associated with AB 32. Thus, the Project would not conflict with General Plan Policy OSC-10.1

**OSC-10.2:** Align the city's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.

Project Consistency: The Project would not conflict with the state's implementation of S-03-05. Thus, the Project would not conflict with General Plan Policy OSC-10.2.

**OSC-10.3:** Participate in regional greenhouse gas emission reduction initiatives.

Project Consistency: At the time the NOP for the Project was released (June 2023), there were no additional regional GHG emission reduction activities that applied to the Project. Thus, the Project would not conflict with General Plan Policy OSC-10.3.

**OSC-10.4:** Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

Project Consistency: The Project has considered impacts to climate change as a factor in the evaluation of the Project, as demonstrated throughout Sections 5.1 and 5.2. Furthermore, the Project incorporates mitigation measures that would serve to reduce climate change-related impacts. Thus, the Project would not conflict with General Plan Policy OSC-10.4.

**OSC-9.5:** Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and the Title 24 Part 6 Building Energy Efficiency Standards.

Project Consistency: The Project would be conditioned to implement the applicable elements of the California Energy Code, Title 24, Part 6 Building Energy Efficiency Standards and Part 11 CalGreen Standards. The Project would be consistent with OSC-9.5.

### **SCAG Connect SoCal Consistency**

SCAG's Connect SoCal establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders S-03-05 and B-30-15. The Connect SoCal contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The Connect SoCal is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The Connect SoCal is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the Connect SoCal is an appropriate indicator of whether the Project would inhibit the



post-2020 GHG reduction goals promulgated by the state. The Project’s consistency with the Connect SoCal’s goals is analyzed in detail in **Table 4.7-4: SCAG’s Connect SoCal Consistency**.

**Table 4.7-4: SCAG’s Connect SoCal Consistency**

SCAG Goals	Compliance
GOAL 1: Encourage regional economic prosperity and global competitiveness.	N/A: This is not a project-specific policy and is therefore not applicable. However, the Project is located on a vacant site and development of the site would contribute to regional economic prosperity.
GOAL 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent: The Project would include construction of a future driveway that would connect Barnett Road and Evans Road and would pay its fair share for roadway improvement projects in the City.
GOAL 3: Enhance the preservation, security, and resilience of the regional transportation system.	Consistent: Ethanac Road is the regional access roadway for Project-generated traffic and is classified as an expressway in the General Plan. Once fully built out, this expressway will help improve the movement of goods, services, and people through the regional transportation system.
GOAL 4: Increase person and goods movement and travel choices within the transportation system.	Consistent: The Project includes warehouse uses that would support goods movement and improve travel choices by paving roadways.
GOAL 5: Reduce greenhouse gas emissions and improve air quality.	Consistent: The Project is located near existing truck routes and the I-215 located 1,130 feet east of the Project site, which would help reduce GHG/air quality emissions.
GOAL 6: Support healthy and equitable communities	Consistent: As discussed in the Project Air Quality Assessment, the Project would not exceed regional thresholds for criteria pollutants. The Project would also not exceed localized criteria pollutant thresholds. Based on the Friant Ranch decision, projects that do not exceed the SCAQMD’s LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and result in no criteria pollutant health impacts.
GOAL 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	N/A: The Project involves development of two warehouses and does not include housing.
GOAL 10: Promote conservation of natural and agricultural lands and restoration of habitats.	N/A: This Project is not located on agricultural lands.
Source: Ibid. Page 33 – Table 5	

The goals stated in the Connect SoCal were used to determine consistency with the planning efforts previously stated. As shown in **Table 4.7-4**, the Project would be consistent with the stated goals of the

Connect SoCal. Therefore, the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

### ***Consistency with the 2022 CARB Scoping Plan***

As previously noted, the 2022 Scoping Plan sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. The transportation, electricity, and industrial sectors are the largest GHG contributors in the State. The 2022 Scoping Plan plans to achieve the AB 1279 targets primarily through zero-emission transportation (e.g., electrifying cars, buses, trains, and trucks). Additional GHG reductions are achieved through decarbonizing the electricity and industrial sectors.

Statewide strategies to reduce GHG emissions in the latest 2022 Scoping Plan include implementing SB 100, which would achieve 100 percent clean electricity by 2045; achieving 100 percent zero emission vehicle sales in 2035 through Advanced Clean Cars II; and implementing the Advanced Clean Fleets regulation to deploy zero-electric vehicle buses and trucks. Additional transportation policies include the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, and Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation. The 2022 Scoping Plan would continue to implement SB 375. GHGs would be further reduced through the Cap-and-Trade Program carbon pricing and SB 905. SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate carbon dioxide removal projects and technology.

As indicated in **Table 4.7-3**, approximately 63 percent of the Project's mitigated GHG emissions are from mobile sources which would be further reduced by the 2022 Scoping Plan measures described above. It should be noted that the City has no control over vehicle. However, these emissions would decline in the future due to Statewide measures discussed above, as well as cleaner technology and fleet turnover. Several of the State's plans and policies would contribute to a reduction in mobile source emissions from the Project. These include the following:

- **CARB's Advanced Clean Truck Regulation:** Adopted in June 2020, CARB's Advanced Clean Truck Regulation requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8.
- **Executive Order N-79-20:** Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be zero-emission by 2045. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new ZEVs "towards the target of 100 percent."
- **CARB's Mobile Source Strategy:** CARB's Mobile Source Strategy takes an integrated planning approach to identify the level of transition to cleaner mobile source technologies needed to achieve all of California's targets by increasing the adoption of ZEV buses and trucks.

- **CARB’s Sustainable Freight Action Plan:** The Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the Project site and may include existing trucks or new trucks that are part of the statewide goods movement sector.
- **CARB’s Emissions Reduction Plan for Ports and Goods Movement:** CARB’s Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories.

While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted. The Project would not obstruct or interfere with efforts to increase ZEVs or state efforts to improve system efficiency, nor conflict with the State’s progress towards carbon neutrality under the 2022 Scoping Plan. The Project would also not convert any Natural and Working Lands and/or decrease the urban forest carbon stock in the State, which are areas of emphasis in the 2022 Scoping Plan.

In conclusion, the Project does not conflict with the applicable plans that are discussed above with implementation of **MM GHG-1** and **GHG-2** and adherence with LORs -1 through -8. Therefore, with respect to this particular threshold, impacts would be reduced to a less than significant levels..

#### **Mitigation Measures**

Refer to **MMs GHG-1** and **GHG-2** above.

### **4.7.6 Cumulative Impacts**

#### **Cumulative Setting**

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and 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 much longer atmospheric lifetimes of one year to several thousand years that allow them to be dispersed around the globe.

#### **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. As discussed above, the Project-related GHG emissions would not exceed the 3,000 MTCO<sub>2e</sub> threshold of significance with implementation of **MMs GHG-1** and **GHG-2**. As such, the Project would not result in a significant impact.

### **4.7.7 Significant Unavoidable Impacts**

No significant unavoidable impacts concerning greenhouse gas emissions were identified.

## 4.7.8 References

Kimley-Horn and Associates, Inc. (2024). Greenhouse Gas Emissions Assessment. (**Appendix G**)

## 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 Northern Gateway Logistics 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 City of Menifee General Plan (Menifee 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 investigation and documents the conditions of the site regarding hazards and hazardous materials. The analysis in this section is based, in part, upon the following source found in **Appendix H Phase I ESA Report**:

- Ramboll US Consulting, Inc. 2023. *Phase I Environmental Site Assessment (ESA)*.

### 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:

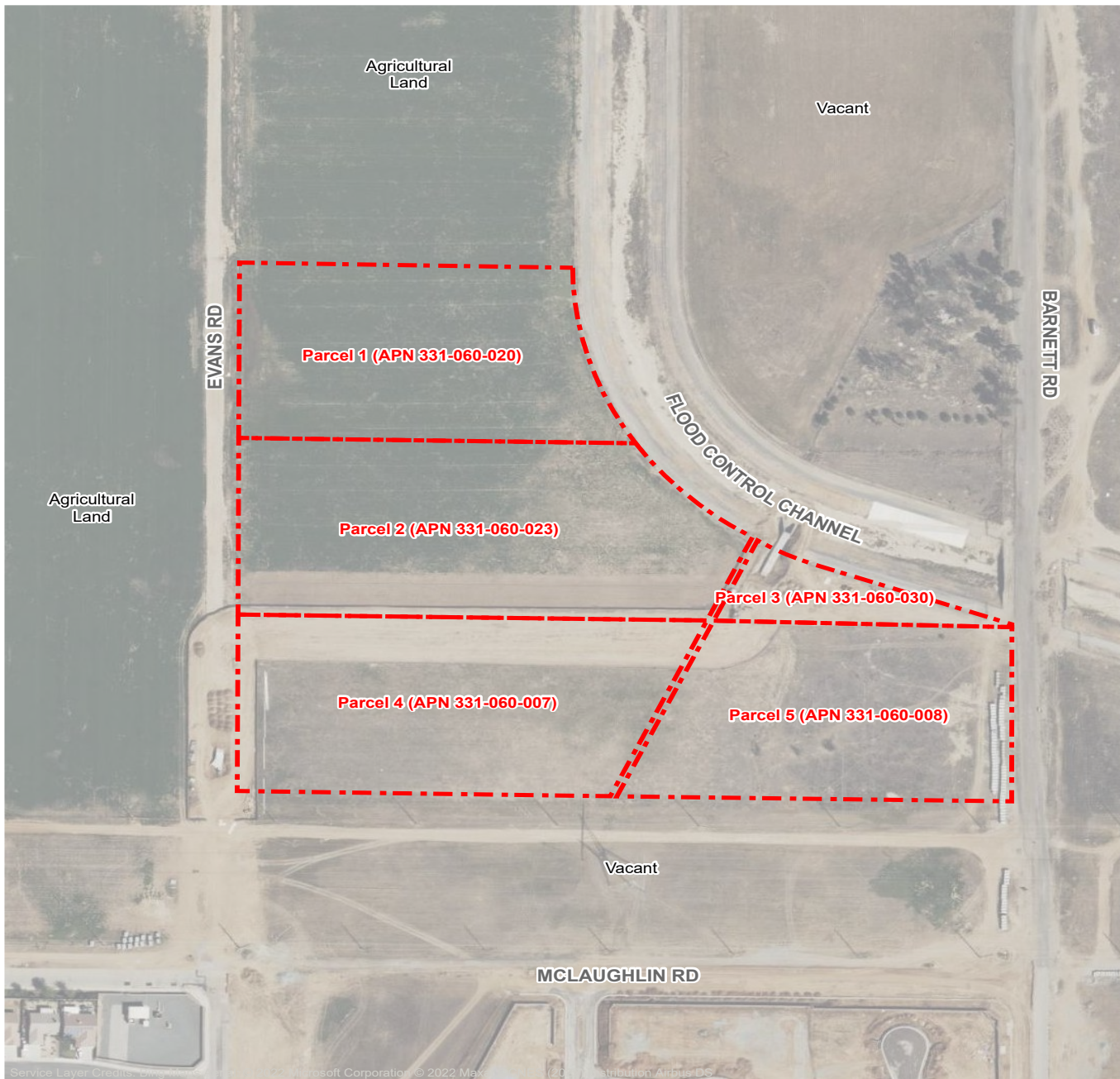
#### *Current Uses of Property<sup>1</sup>*

A Phase I ESA was performed for the Project site. As shown in **Exhibit 4.8-1: Project APNs**, the five-parcel Project site is made up of a mix of vacant, vegetation, and irrigation uses including the following:

- Parcel 1 (APN: 331-060-020), an approximately 4.41-acre parcel, is currently vacant and is located in the northern portion of the site. Parcel 1 is covered with natural vegetation and is equipped with irrigation systems (pipes and sprinklers).
- Parcel 2 (APN: 331-060-023), an approximately 5.8-acre parcel, is currently vacant and is located in the central portion of the site. Parcel 2 covered with natural vegetation and is equipped with irrigation systems (pipes and sprinklers).
- Parcel 3 (APN: 331-060-030), an approximately 0.82-acre parcel, is currently vacant and is located in the eastern portion of the site and east of the Parcel 2. Parcel 3 is vacant and covered with natural vegetation.
- Parcel 4 (APN: 331-060-007), an approximately 5.25-acre parcel, is currently vacant and is located in the southwestern portion of the site and south of Parcel 2. Parcel 4 is covered with natural vegetation.
- Parcel 5 (APN: 331-060-008), an approximately 4.21-acre parcel, is currently vacant and is located in the southeastern portion of the site and east of Parcel 4. Parcel 5 is covered with natural vegetation.

---

<sup>1</sup> Ramboll US Consulting, Inc. (2023). *Phase I Environmental Site Assessment*. Pg. 6.



Source: Ramboll (2023). Phase 1 ESA Figure 2

**Exhibit 4.8-1: Project APNs**  
 City of Menifee  
 Northern Gateway Logistics Center



**Kimley»Horn**



Vehicular access is possible from Barnett Road and Evans Road (both via Ethanac Road) along the eastern side of Parcels 3 and 5 and the western side of Parcels 1, 2 and 4, respectively. There are also several service roads located on both sides of the flood control channel, which is located adjacent to Parcels 1, 2, and 3. Pedestrian access is also provided along the flood control channel, which is located adjacent to the north, northeast, and east of Parcels 3, 2, and 1. There are no on-site surface water bodies.

### *Historical Uses of Property<sup>2</sup>*

According to available historical sources, the Project site was formerly agricultural land dating back to circa 1938 until present. Parcel 5 was vacant and/or used for agricultural purposes between at least the late 1930s and the mid-1980s and was used for agricultural and residential purposes (with apparent dwellings and associated outbuildings) between the late 1980s and the late 1990s/early 2000s, when the residential structures were demolished. Parcel 5 remained vacant between the mid-2000s until present. There are no addresses associated with Parcels 1 through 4; however, Parcel 5 is referred to with the address 26401 Barnett Road, Menifee, California. Additionally, based on Ramboll's review of the past uses of the site, it is unlikely that chlorinated solvents and per-/polyfluoroalkyl substances (PFAS) were previously used, stored, or handled at the site. The following key information obtained by Ramboll from a review of available historical resources and information obtained from local government agencies and regulatory bodies includes the following: The site appears as vacant and/or agricultural land (1938-1978); Parcels 1 through 4 appear as vacant and/or agricultural land, while a residential structure is depicted in the southeastern portion of Parcel 5 (1985); Parcels 1 through 4 remain unchanged (1989-1978). Parcel 5 is further developed with roads, landscaped areas, and other small structures; Parcels 1 through 4 remain unchanged. The residential dwellings and associated small structures are no longer visible on Parcel 5; only the landscaped areas and roads are depicted (2002-2006); the site appears as vacant and/or agricultural land (2009-2021). Overall, aerial photographs during this period were taken between 1938 and 2016 and satellite imagery was taken between 1985 and 2001. Additionally, no development was depicted through satellite imagery for over a century (1901-2018). Lastly, an unnamed tributary is depicted on Parcels 4 and 5, oriented in the north-south direction, in the 1942, 1943, and 1947 maps. No significant environmental concerns were identified in association with the current or former use of the Project site.

### *Solid Waste Disposal<sup>3</sup>*

No on-site waste disposal or placement of fill material was observed or reported at the Project site. However, a number of concrete conduits were observed along the eastern portion of Parcel 5 and several polyvinyl chloride (PVC) pipes were observed along the western portion of Parcel 4. Additionally, there was no observation of any staining on the soil in the vicinity of the concrete and PVC pipes. Solid waste is also not generated at the other parcels at this time. According to site representatives and based on observations, operations at the site do not result in the generation of hazardous waste. Additionally, there was no observed evidence of a contamination concern associated with waste storage and management at the site, as the site did not appear to present a significant environmental concern.

---

<sup>2</sup> Ibid. Pg. 9.  
<sup>3</sup> Ibid. Pg. 13.

### *Sewage Discharge and Disposal<sup>4</sup>*

The site is not served by the municipal sewer system. According to the County Building Department records, a 1,000-gallon sewage tank was formerly present in the central portion of Parcel 5 that was used to collect sanitary wastewater from the mobile home. No further information regarding the status of the sewage tank (whether it has been removed or closed in place) is available in the records.

### *Surface Water Drainage*

Storm water is removed from the Project site primarily by percolating into the ground surface at unpaved areas, which encompasses the entire site. During reconnaissance, an area of approximately 4 feet by 2 feet of shallow standing water was observed in the western portion of Parcel 1. The standing surface water could have resulted from excessive irrigation. However, no evidence of a contamination concern associated with stormwater management was observed at the site<sup>5</sup>.

According to the wetlands information provided by the National Wetland Inventory (NWI) (as obtained from the EDR database report), there are no on-site federally designated wetlands<sup>6</sup>; refer to **Section 4.3: Biological Resources**, for additional information. No ponds, pits, or lagoons are located on the Project site. Fourteen federally registered wells were observed within one mile of the site.<sup>7</sup>

### *Source of Heating and Cooling<sup>8</sup>*

Heating and cooling systems are not present at the Project site, as the site is vacant. Additionally, site representatives reported that natural gas is not provided to the site, nor is there municipal water service currently at the site.

### *Wells and Cisterns<sup>9</sup>*

According to well database information provided in the EDR report, 14 federally registered wells are present within one mile of the site; none are identified as public supply wells. In addition, approximately 31 private or municipal wells identified in the state database which may be used for water supply are located within one mile of the site.

### *Wastewater<sup>10</sup>*

Process wastewater is not currently generated at the Project site.

### *Septic Systems*

According to the County Building Department records, a 1,000-gallon sewage tank was present in the central portion of Parcel 5 that was used to collect sanitary wastewater from the mobile home. No further

---

<sup>4</sup> Ibid. Pg. 13.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid. Pg. 14.

<sup>7</sup> Ibid. Pg. 13.

<sup>8</sup> Ibid. Pg. 12.

<sup>9</sup> Ibid. Pg. 7.

<sup>10</sup> Ibid. Pg. 13.



information regarding the status of the sewage tank (whether it has been removed or closed in place) is available in the records.<sup>11</sup>

A former septic system and associated leach field were used to collect sanitary wastewater from the mobile home, which was located in Parcel 5. According to the records, only sanitary waste was permitted to be discharged to the system. Further, the system serviced a mobile home that has not historically included manufacturing operations and no known discharges of hazardous materials to the system have occurred. Because of the nature of the reported discharge and the absence of known past releases to the system, it is unlikely to represent a threat to human health or the environment.<sup>12</sup>

### ***Additional Site Observations<sup>13</sup>***

As mentioned above, Parcel 5 was previously used for agricultural and residential purposes from the 1980s until the late 1990s/early 2000s. During this time period, a few scattered residences and associated outbuildings were present on the site. No information was available concerning the possible past use and storage of chemicals and petroleum products at the site associated with these past uses. While it is possible that small-scale spills or releases of chemicals or petroleum products may have occurred in the past, because a site review did not identify documentation of a release, a suspected release, or a potentially material threat of a release of a hazardous substance or petroleum product related to this matter, it is not considered a Recognized Environmental Condition (REC). It was determined that this matter is unlikely to result in regulatory scrutiny, assuming no changes to site use.

### ***Hazardous Substances and Petroleum Products Used or Stored at the Project Site***

Significant site-specific assumptions included site-specific field measurements or other detailed hydrogeological information for the site were not publicly available or reasonably ascertainable. In the absence of such data, it has been assumed that the flow direction of shallow groundwater beneath the site and in the local vicinity generally mimics surface topography and is affected by nearby surface water bodies. Therefore, in evaluating potential on-site impacts from off-site sources, those off-site facilities not located adjacent to or upgradient of the site are not considered to represent a significant contamination concern to the site. This interpretation is based on the assumption that a hazardous material released to the subsurface generally does not migrate laterally within the unsaturated soil for a significant distance, although a hazardous material can migrate in the groundwater in a generally downgradient direction.<sup>14</sup>

The site is comprised of undeveloped vacant land covered with natural vegetation. There are no chemicals or raw materials stored or utilized at the site. During the reconnaissance, a number of concrete conduits (reinforced concrete pipes) were stored along the eastern portion of Parcel 5. In addition, several PVC pipes were observed along the western portion of Parcel 4. Additionally, according to site representatives, no chlorinated solvents or PFAS are currently used at the site, and the use of such chemicals would not be expected since the site is vacant.<sup>15</sup>

---

<sup>11</sup> Ibid. Pg. 13.

<sup>12</sup> Ibid. Pg. 19.

<sup>13</sup> Ibid. Pg. 2.

<sup>14</sup> Ibid. Pg. 4-5.

<sup>15</sup> Ibid. Pg. 8.

### ***Above-ground Storage Tanks (ASTs) and Underground Storage Tanks (USTs)<sup>16</sup>***

According to site representatives, there are no current or former Underground Storage Tanks (USTs) at the site, and there is no visual evidence of such (e.g., vent pipes, fill ports, or dispensing equipment) that were identified during reconnaissance or in the review of records pertaining to the site.

Site representatives reported there are currently no Aboveground Storage Tanks (ASTs) at the site, and there was no visual evidence of such (e.g., vent pipes, fill ports, dispensing equipment, concrete pads, or tank cradles) during the site visit or in the Project site records review. Additionally, there are no chemicals or raw materials stored and/or utilized at the Project site, as it is currently vacant.

As part of the Phase I ESA for the Project site records were requested from the Environmental Health Department for information regarding soil or groundwater investigations, underground storage tanks (USTs), Leaking USTs (LUSTs), hazardous materials inspections, or violations/permits for the site. The Environmental Health Department reported no records on file for the site.<sup>17</sup>

No additional items of environmental concern were identified on the adjacent properties during the site assessment including USTs, evidence of releases, PCBs, strong or noxious odors, pools of liquids, sumps or clarifiers, pits or lagoons, stressed vegetation, landfills, or other potential environmental hazards.

### ***Evidence of Releases***

The following is a list of encounters Ramboll observed during the Phase I ESA investigation:

- As noted above Parcel 5 was previously used for agricultural and residential purposes from the 1980s until the 1990s/early 2000s. A few scattered residences and associated outbuildings were present on the site, but no information was available concerning the possible past use and storage of chemicals and petroleum products associated with past site uses. It is possible that small-scale spills or releases of chemicals or petroleum products may have occurred in the past, but Ramboll's review did not identify evidence of a release and the matter is unlikely to result in regulatory scrutiny, assuming no changes to site use.<sup>18</sup>
- Additionally, as discussed above Parcel 5 previously was used for a septic system and associated leach field, only sanitary waste was permitted to be discharged into the system. No known discharges of hazardous materials to the system have occurred and it is unlikely to represent a threat to human health or the environment.<sup>19</sup>

The American Society for Testing and Materials (ASTM) Standard defines a data gap as “a lack of or inability to obtain information required by the practice despite good faith efforts by the environmental professional to gather such information.” Limiting conditions and deviations to the ASTM Standard for the assessment are discussed below.

- Site representatives did not have current contact information for representatives of former site owners/occupants. Ramboll made reasonable attempts to obtain such information, but it was not otherwise readily available. Thus, Ramboll was unable to interview former owners/occupants

---

<sup>16</sup> Ibid. Pg. 12.

<sup>17</sup> Ibid. Pg. 10.

<sup>18</sup> Ibid. Pg. 19.

<sup>19</sup> Ibid.

about historical operations and site conditions. However, Ramboll conducted an interview with the current site owner with tenure at the site dating back to 2006 and reviewed other historical sources regarding former uses of the site.

- During the site visit, certain portions of the site were not accessible due to the presence of dense vegetation. These areas were observed from perimeter areas.
- Ramboll has requested site-related information from the Environmental Health Department, County Building Department, Fire Department, and City Building Department for the five parcels' however, reportedly no record search can be made without a physical address. As such, only records associated with Parcel 5 was obtained.
- As it is a user requirement, Ramboll did not conduct a review of records to identify whether any environmental liens or activity and use limitations (AULs) have been imposed on the site.<sup>20</sup>

### ***Polychlorinated Biphenyl (PCB)-Containing Exterior Electrical Transformers<sup>21</sup>***

No potential PCB-containing equipment (transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the Project site during reconnaissance.

### ***Strong, Pungent or Noxious Odors<sup>22</sup>***

No strong, pungent or noxious odors were evident in the interior or exterior areas of the site during the reconnaissance.

### ***Drains, Sumps, and Clarifiers***

There are no sub-grade structures at the site (e.g., below-grade pits, below-grade oil/water separators, or trenches).<sup>23</sup> No drains, sumps, or clarifiers, other than those associated with storm water removal, were observed on the Project site during the site reconnaissance.

### ***Pits, Ponds, and Lagoons<sup>24</sup>***

No pits, ponds, or lagoons were observed on the Project site.

### ***Stressed Vegetation<sup>25</sup>***

No stressed vegetation was observed on the Project site.

### ***Additional Potential Environmental Hazards***

No additional environmental hazards, including landfill activities or radiological hazards, were observed.

---

<sup>20</sup> Ibid. Pg. 20.

<sup>21</sup> Ibid. Pg. 12.

<sup>22</sup> Ibid. Pg. 14.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid. Pg. 13.

<sup>25</sup> Ibid.

### ***Asbestos-Containing Materials (ACMs)***

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The Occupational Safety and Health Administration (OSHA) regulation 29 Code of Federal Regulations (CFR) 1926.1101 requires certain construction materials to be presumed to contain asbestos, for purposes of this regulation. All thermal system insulation (TSI), surfacing material, and asphalt/vinyl flooring that are present in a building that have not been appropriately tested are “presumed asbestos-containing material” (PACM). The Project site is primarily vacant land. No suspect building materials or construction debris piles containing suspect items such as drywall, flooring materials, ceiling panels, etc., were observed at the Project site.<sup>26</sup>

### ***Lead-Based Paint (LBP)***

Lead is a highly toxic metal that affects virtually every system of the body. LBP is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm<sup>2</sup> (or 5,000 ug/g or 0.5 percent by weight) or more of lead. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as “Title X,” to protect families from exposure to lead from paint, dust, and soil. Under Section 1017 of Title X, intact LBP on most walls and ceilings is not considered a “hazard,” although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated. Further, Section 1018 of this law directed the U.S. Department of Housing and Urban Development (HUD) and the U.S. Environmental Protection Agency (EPA) to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978.

Lead was a major ingredient in paint pigment prior to and through the 1940s.<sup>27</sup> While other pigments were used in the 1950s, the use of lead in paint continued until the early 1970s.<sup>28</sup> In 1978, the Consumer Products Safety Commission banned paint and other surfacing coating materials that are “lead-containing paint.”<sup>29</sup> Based on the current condition of the site, which is vacant and no structures are present, it is unlikely that lead-based paint is present at the site.<sup>30</sup>

### ***Radon<sup>31</sup>***

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The U.S. EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. However, according to site representatives, no radon surveys have been completed at the site. According to the U.S. EPA’s radon zone information for the site (as obtained from the EDR database report), the site is located in an area categorized as Zone 2, which has average indoor basement radon levels from 2 to 4 pCi/L. California tested radon levels at 6 properties in the zip code in which the site is located (i.e., 92585), and found that none of the sites surveyed found radon levels greater than 4 pCi/L. A U.S. EPA survey conducted in the Riverside County found that the average radon level of a first floor

---

<sup>26</sup> Ibid. Pg. 2.  
<sup>27</sup> Ibid. Pg. 14.  
<sup>28</sup> Ibid.  
<sup>29</sup> Ibid.  
<sup>30</sup> Ibid.  
<sup>31</sup> Ibid.

room at 12 sites was 0.117 pCi/L. The U.S. EPA's continuous exposure limit for radon, which is the limit at which further testing or remedial action is suggested, is 4.0 pCi/L. This U.S. EPA continuous exposure limit applies to residential, not commercial, properties. The risk of exposure to radon is limited by the fact that, according to site representatives, there are no living quarters at the site. Based upon the radon zone classification, radon is not considered to be a significant environmental concern for future structures.

### *Adjacent Property Reconnaissance*

The adjacent property reconnaissance consisted of an environmental database search report. There were no properties identified that would represent a potential contamination concern to the Project site.<sup>32</sup>

### *Findings*

A REC refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. RECs were not identified during the Phase I ESA.

### *De Minimis Conditions*<sup>33</sup>

De minimis conditions are those that do not represent a material risk of harm to public health or the environment and that generally would not be the subject of enforcement action if brought to the attention of appropriate governmental agencies. The following de minimis conditions were found related to the site:

- **Septic System and Leach Field.** A former septic system and associated leach field were used to collect sanitary wastewater from the mobile home, which was located in Parcel 5. According to the records, only sanitary waste was permitted to be discharged to the system. Further, the system serviced a mobile home that has not historically included manufacturing operations and no known discharges of hazardous materials to the system have occurred. Because of the nature of the reported discharge and the absence of known past releases to the system, it is unlikely to represent a threat to human health or the environment.
- **Historical Agricultural Use of the Site.** Based on the Phase I ESA prepared for the Project site, the Project Site may historically have been used for agricultural purposes from at least the late 1930s until present. Ramboll was not provided with any specific information regarding historical agricultural chemical use, but pesticides or other agricultural chemicals may have been applied on the site. It is possible that residual concentrations of agricultural chemicals may be present in soil and potentially groundwater. If residual concentrations of these chemicals are present, it is unlikely that they would be the subject of regulatory scrutiny in the context of a non-residential land use scenario. As such, this finding is characterized as a de minimis condition, provided the future site use will be industrial/commercial and the site is not re-zoned for residential use.

---

<sup>32</sup> Ibid. Pg. 18.

<sup>33</sup> Ibid. Pg. 19.

### **Adjoining Property Observations**

The site is adjacent to agricultural/residential land use areas. The nearest residence to the site is located approximately 200 feet northwest of the site. The properties in the vicinity of the Project site have primarily been used for agricultural purposes and/or have been vacant (north, east, south, and west) since as early as the 1930s. Ramboll did not observe obvious indications of environmental concern on the historical sources reviewed.

Additionally, all areas adjoining the site are vacant and/or agricultural since the 1930s until present. Current and past uses of the adjoining properties are listed below:

- **North:** Land uses include farmland, the Ethanac Wash channel, Ethanac Road, and vacant land within the City of Perris Zoned for multi-family residential.
- **East:** Land uses include the Ethanac Wash, Barnett Road, and vacant land.
- **South:** Land uses include the SCE utility corridor, McLaughlin Road, and single-family residences.
- **West:** Land uses include Evans Road and vacant land.

The surrounding properties of the Project site (e.g., north, east, south, and west) were not observed to have current conditions on or identify past uses of the adjacent properties that represent a potential contamination concern to the site.<sup>34</sup>

### **Nearby Airports or Airstrips**

The nearest airstrips are the Perris Valley Airport (located roughly 2.1 miles to the northwest) and the March Air Reserve Base (located roughly 10.1 miles to the northwest).

### **Wildland Fire Hazards**

According to the City of Menifee General Plan (Menifee GP) Exhibit S-6: High Fire Hazard Areas, the Project site is not located within a Fire Hazard Severity Zone (FHSZ).<sup>35</sup> Also, according to CAL FIRE, the Project site is located in a Local Responsibility Area (LRA).<sup>36</sup>

### **Evacuation Routes**

According to the Western Riverside Council of Governments (WRCOG)/San Bernardino County Transportation Authority (SBCTA) Sustainability Toolkit Evacuation Routes viewer, WRCOG Area Evacuation Routes in the Project area include I-215, Case Road, Ethanac Road, Murrieta Road, and Goetz Road.<sup>37</sup>

---

<sup>34</sup> Ibid. Pg. 16.

<sup>35</sup> City of Menifee. 2013. *Exhibit S-6: High Fire Hazard Areas*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/14707/FINAL\\_Safety-Element-11222\\_complete](https://www.cityofmenifee.us/DocumentCenter/View/14707/FINAL_Safety-Element-11222_complete) (accessed October 2023).

<sup>36</sup> CAL FIRE. ND. *FHSZ Viewer*. Retrieved from: <https://egis.fire.ca.gov/FHSZ/> (accessed October 2023).

<sup>37</sup> WRCOG. ND. *WRCOG/SBCTA Sustainability Toolkit Evacuation Routes*. Available at: <https://www.arcgis.com/apps/webappviewer/index.html?id=4168a1efbdca40f889ea9dba43e04b4e&extent=-13138981.0556%2C4022288.1589%2C-12669351.9538%2C4239369.3193%2C102100> (accessed October 2023).

## **Schools**

The nearest schools to the Project area are Railway Elementary School located at 555 Alpine Drive, Perris California 92570 approximately 2.4 miles to the northwest and Romoland Elementary School located at 25890 Antelope Road, Romoland, California 92585 approximately 1.4 miles to the northeast.

### **4.8.3 Regulatory Setting**

#### **Federal**

##### ***Resource Conservation and Recovery Act (RCRA)***

The RCRA of 1976 (42 United States Code [USC] Section 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, 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 Section 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 Sections 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 Section 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 Section 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. Section 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 Section 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 Section 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.<sup>38</sup>

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; and
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the U.S.; and

---

<sup>38</sup> California Water Boards. 2021. *Santa Ana Region*. Available at: [https://www.waterboards.ca.gov/santaana/about\\_us/regional\\_boundaries\\_map.html](https://www.waterboards.ca.gov/santaana/about_us/regional_boundaries_map.html), (accessed October 2022).

- 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.

#### ***Title 40, Code of Federal Regulations, Section 61 Subpart M***

Title 40 CFR Section 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 29, Code of Federal Regulations, Section 1926.62***

Title 29 CFR Section 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. DOT, 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 (CARB), 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) Section 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 (Sections 25500 to 25520) and Article 2 – Hazardous Materials Management (Sections 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 Sections 2729.2 to 2729.7; (2) emergency response plans and procedures in accordance with Section 2731; and (3) training program information in accordance with Section 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 Section 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 Section 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 Section 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); 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.<sup>39</sup>

### **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.”

### **California Fire Code**

CCR Title 24, Part 9 (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 2022 (effective January 1, 2023). 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

---

<sup>39</sup> Riverside County, Department of Environmental Health. 2021. *The Riverside County Department of Environmental Health Hazardous Materials Branch*. Available at: <https://www.rivcoeh.org/OurServices/HazardousMaterials>. (accessed October 2022).

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 Section 1529 (pertaining to ACM) and Section 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 Sections 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, Sections 17920.10 and 105255***

Lead must be contained during demolition activities.

### ***8 CCR Sections 1529 and 1532.1: Worker Safety Standards: Asbestos and Lead***

CCR Title 8 Section 1529 sets forth worker safety standards for lead exposure for employees conducting demolition, construction, and renovation work, including painting, and decorating.

CCR Title 8 Section 1532.1 sets forth worker safety standards for employees in work including construction, demolition, renovation, and maintenance.



## 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.<sup>40</sup>

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 Very High Fire Hazard Zone (VHFHZ) will comply with the CFC and CBC. All new development within the LRA VHFHZ will comply with Chapter 49 of the CFC and Chapter 7A of the CBC.

**Policy S-4.4**                Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

**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.

**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.<sup>41</sup>

---

<sup>40</sup> City of Menifee. 2013. *Menifee General Plan Safety Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL\\_Safety-Element-6723\\_complete\\_reduced-size-for-webpage?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL_Safety-Element-6723_complete_reduced-size-for-webpage?bidId=) (accessed December 2023).

<sup>41</sup> City of Menifee. 2013. *Menifee General Plan Land Use Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL\\_Land-Use-Element\\_11823?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL_Land-Use-Element_11823?bidId=) (accessed December 2023).

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 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 Section 403.12, 503, 510.2, and 1103.2 are adopted, 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 Section 4904 and the revision related to Government Code Section 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.<sup>42</sup>

---

<sup>42</sup> City of Menifee. *2021 Local Hazard Mitigation Plan*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/17212/LHMP-Resolution-Signed?bidId=>. (accessed October 2023).

City Council adopted the 2022 City of Menifee LHMP on March 1, 2023. The City of Menifee LHMP is a 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;
- 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 Incorporated***

##### 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.

The Project site parcels were historically used for agricultural and residential purposes. There is no concern of possible past use and storage of chemicals and petroleum products at the site associated with these past uses. While it is possible that small-scale spills or releases of chemicals or petroleum products may have occurred in the past, because Ramboll’s review did not identify documentation of a release, a suspected release, or a potentially material threat of a release of a hazardous substance or petroleum product related to this matter, it is not considered a REC. Based on these reasons, the Phase I ESA notes that this matter is unlikely to result in regulatory scrutiny, assuming no changes to site use.<sup>43</sup> Additionally, the Phase I ESA indicated that the site may historically have been used for agricultural purposes from at least the late 1930s until present. Ramboll was not provided with any specific information regarding historical agricultural chemical use, but pesticides or other agricultural chemicals may have been applied on the site. It is possible that residual concentrations of agricultural chemicals may be present in soil and

---

<sup>43</sup> Lovett Industrial, LLC. (2023). *Phase I Environmental Site Assessment*. Pg. 19.

potentially groundwater. If residual concentrations of these chemicals are present, it is unlikely that they would be the subject of regulatory scrutiny in the context of a non-residential land use scenario. As such, Ramboll characterizes this finding as a de minimis condition (i.e., De minimis conditions are those that do not represent a material risk of harm to public health or the environment and that generally would not be the subject of enforcement action if brought to the attention of appropriate governmental agencies), provided the future site use will be industrial/commercial and the site is not re-zoned for residential use. Implementation of Mitigation Measure (**MM HAZ-1**)<sup>44</sup> would ensure proper handling of contaminated soils and substances which may be encountered during construction activities. Additionally, 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. Miscellaneous non-hazardous debris was observed on the Project site. This debris would be appropriately disposed of prior to construction activities pursuant to **MM HAZ-1**. Therefore, impacts would be less than significant.

### **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. DOT, 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. While the operation of the Project site is not anticipated to generate significant impacts, mitigation proposed for the Project's construction phase would be necessary to reduce potential impacts to less than significant levels. Therefore, hazards to the

---

<sup>44</sup> City of Menifee. (ND). Mitigation Monitoring and Reporting Program. Pg. 5. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/9991/Mitigation-Monitoring-and-Reporting-Program>. (Accessed September 2023).

public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project operations would be less than significant.

### **Mitigation Measures**

The following measure shall apply to all Project grading and construction activities:

**MM HAZ-1**      **Soil Management Plan (SMP).** Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, or Site Developer shall retain a qualified environmental professional to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The purpose of the SMP is to outline protocol for ensuring the proper handling and/or disposal of impacted soil and/or subsurface features of concern that may be encountered during site development. The SMP shall be submitted to the City's (Engineering Department) for review and approval prior to commencement of trenching or subsurface excavation for utilities or roadway infrastructure.

The SMP shall include, but not be limited to:

- Land use history, including description and locations of known contamination;
- The nature and extent of previous investigations and remediation at the site;
- Identified areas of concern at the site, in relation to proposed activities;
- A listing and description of institutional controls, such as applicable City ordinances and other local, state, and federal regulations and laws that would apply to the project;
- Names and positions of individuals involved with soils management and their specific role;
- An earthwork schedule;
- Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should address the possibility of encountering subsurface hazards including hazardous waste contamination and include procedures to protect workers and the public;
- Hazardous waste determination and disposal procedures for known and previously unidentified contamination, including those associated with any soil export activities, if applicable;
- Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run on and run-off controls, waste disposal procedures, etc.; and
- Copies of relevant permits or closures from regulatory agencies.

**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**

## **Construction**

As described in Impact 4.8-1 above, Project construction activities would include the use of materials such as fuels, lubricants, and greases in construction equipment and coatings used in 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. Additionally, the Project site itself is not on the Cortese List, and the Project site has not been cited or issued violation notices by any environmental regulatory agency for improper use or disposal of hazardous materials.<sup>45</sup>

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 cleanup 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

---

<sup>45</sup> DTSC. 2022. *EnviroStor Hazardous Waste and Substances Site List (Cortese)*. Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/> (accessed October 2023).



release of hazardous materials into the environment. Therefore, the Project would not 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.

### **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**

## **Construction and Operations**

No existing or proposed schools are located within one-quarter mile of the Project site. The closest schools to the Project site are Railway Elementary School located approximately 2.4 miles to the northwest and Romoland Elementary School located approximately 1.4 miles to the northeast. Therefore, 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.

### **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: No Impact**

## **Construction and Operations**

According to the DTSC EnviroStor, the Project site is not included on the Waste and Substances Site List (Cortese List).<sup>46</sup> Additionally, the Phase I ESA (2023) prepared for the Project site did not identify any environmental concerns for the Project site, thus no impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

---

<sup>46</sup> DTSC. 2022. *EnviroStor Hazardous Waste and Substances Site List (Cortese List)*. Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/> (accessed October 2023).

**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**

## Construction and Operations

Portions of the City are in the Airport Influence Area (AIA) of the March Air Reserve Base (MARB) and the Perris Valley Airport governed by the Riverside County Airport Land Use Commission (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 the northwestern part of the City. Part of the City is in the Airport Compatibility Zone E in the Airport Land Use Plan for Perris Valley Airport issued by the RCALUC.<sup>47</sup> Economic Development Corridor (EDC) land uses, and residential land uses are within the AIA and would be affected. The entire Project site is located within Compatibility Zone E of the March Air Reserve Base.<sup>48</sup> The risk level for safety and airspace protection factors is low. Only 10 to 15 percent of near-airport accidents take place in Zone E. There are risk concerns only with uses for which potential consequences are severe, such as very-high intensity activities in a confined area.

The Project site is located within Compatibility Zone E of the MARB.<sup>49</sup> Within Compatibility Zone 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 – 4 noise impacts are low to moderate and risk of accidents is low.<sup>50</sup> Airspace protection is the major concern in that aircraft pass over these areas while flying to, from, or around the MARB.<sup>51</sup>

All new development would be in accordance with the Compatibility Zone E and all state, county, and local goals, policies, and regulations. Furthermore, the Project does not require review by ALUC because the City is consistent with the Perris Valley and MARB airport land use compatibility plan (ALUCP). To be consistent with the requirements of Zone E, COA HAZ-1 has been included, and therefore the Project would not result in a significant impact.

### **Mitigation Measures**

No mitigation is necessary.

**COA-HAZ-1** The below notice shall be provided to all prospective purchasers of the property and tenants of the building:

---

<sup>47</sup> Riverside County ALUC. 2011. *Perris Valley Airport Compatibility Plan*. Available at: <https://rcaluc.org/sites/g/files/aldnop421/files/migrated/Portals-13-19-20--20Vol.-201-20Perris-20Valley-20Final-Mar.2011-.pdf>, (accessed October 2023).

<sup>48</sup> City of Menifee. 2013. *Exhibit LU-5B, March Air Reserve Base Land Use Compatibility Plan*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/14676/Exhibit-LU-5a-c>, (accessed October 2023).

<sup>49</sup> Ibid.

<sup>50</sup> County of Riverside. 2014. *Riverside County Airport Land Use Compatibility Plan*. Available at: <https://rcaluc.org/sites/g/files/aldnop421/files/migrated/Portals-13-42-20--20Vol.-202-20March-20Air-20Reserve-20Base-20Final.pdf> (accessed October 2023).

<sup>51</sup> City of Perris. ND. *March Air Reserve Base and the Perris Valley Airport Overlay Zone*. Available at: <https://www.cityofperris.org/home/showpublisheddocument/1835/637209993691700000>, (accessed October 2023).

“NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)(13)(A)”

**Impact 4.9-6** *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**

## Construction and Operations

When construction occurs on the Project site, with the exception of worker vehicle trips and transportation of construction materials, the majority of the proposed work would occur within the boundaries of the Project site and would not impede access to nearby roadways. The City does not designate any roads as emergency evacuation routes and any future construction activities on the Project Site would not affect any evacuation route and would not interfere with the City’s emergency management program. Additionally, construction activities may require the transport of heavy equipment and materials to and from the site. These activities may temporarily impede traffic flows; however, these impediments would be localized and short-term in nature. Impacts in this regard would be less than significant.

The City has adopted an Emergency Operations Plan to identify hazard situations, phases of emergency management, and communication and warning systems available to effectively deal with emergency situations. Construction of the Project site would not require revisions to the adopted Emergency Operations Plan. The closest fire station to the Project site is Sun City Fire Station 7 located at 27860 Bradley Road, Menifee, CA 92586, approximately 1.5 miles to the southeast. Should a response from Sun City Fire Station 7 or other fire stations to the site be required, response times would not be impacted because primary access to all major roads would be maintained during construction.

Additionally, the City does not have any designated emergency evacuation routes, but I-215 may be considered an emergency route as it traverses the City and provides access to other main thoroughfares. As previously discussed, WRCOG Area Evacuation Routes in the Project area include I-215, Case Road, Ethanac Road, Murrieta Road, and Goetz Road.<sup>52</sup> Furthermore, design of any needed roadway improvements and subsequent construction due to increased traffic volumes on local roadways would comply with the applicable federal, state, and local requirements related to emergency access and evacuation plans. The proposed design and construction plan for any future construction and roadway improvements, including potential mitigation (road widening or intersection improvements) to

---

<sup>52</sup> WRCOG. ND. WRCOG/SBCTA Sustainability Toolkit Evacuation Routes. Available at: <https://www.arcgis.com/apps/webappviewer/index.html?id=4168a1efbdca40f889ea9dba43e04b4e&extent=-13138981.0556%2C4022288.1589%2C-12669351.9538%2C4239369.3193%2C102100>, (accessed October 2023).

accommodate any future increase in traffic volume would be reviewed and approved by the City engineering department and fire marshal (if needed) during the plan review and prior to Project approval.

Construction or operation of the Project site would not disrupt or interfere with emergency access or impede access to nearby roadways or interfere with the City's emergency operations plan. The Project would comply with design standards for emergency services and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant in this regard and mitigation is not necessary.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.9-7** *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**

## **Construction and Operations**

The Project site is not located within a State Responsibility Area or a Very High Fire Hazard Severity Zone.<sup>53</sup> Additionally, according to the City's High Fire Hazard Areas Map, neither the California Department of Forestry and Fire Protection (CAL FIRE) nor the City identify the Project site within an area susceptible to wildland fires.<sup>54</sup> See **Section 7.0 Effects Found Not to be Significant** for additional information regarding wildfire impacts. 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 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 previously described. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

The areas considered for cumulative airport-related hazardous impacts are the AIAs of the MARB and the Perris Valley Airport. Other projects may be proposed within the safety compatibility zones of the MARB

<sup>53</sup> Cal Fire. 2022. *FHSZ Viewer Map*. Retrieved from: <https://egis.fire.ca.gov/FHSZ/> (accessed October 2023).

<sup>54</sup> City of Menifee. 2012. *High Fire Hazard Areas Map*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6\\_HighFireHazardAreas\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=), (accessed October 2023).

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 MARB 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

CAL FIRE. ND. *FHSZ Viewer*. Retrieved from: <https://egis.fire.ca.gov/FHSZ/> (accessed October 2023).

California Water Boards. 2021. *Santa Ana Region*. Retrieved from: Available at: [https://www.waterboards.ca.gov/santaana/about\\_us/regional\\_boundaries\\_map.html](https://www.waterboards.ca.gov/santaana/about_us/regional_boundaries_map.html).

City of Menifee. 2013. Exhibit LU-5B, March Air Reserve Base Land Use Compatibility Plan. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/14676/Exhibit-LU-5a-c>.

City of Menifee. 2013. *Exhibit S-6: High Fire Hazard Areas*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/14707/FINAL\\_Safety-Element-11222\\_complete](https://www.cityofmenifee.us/DocumentCenter/View/14707/FINAL_Safety-Element-11222_complete).

City of Menifee. 2012. *High Fire Hazard Areas Map*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6\\_HighFireHazardAreas\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=).

City of Menifee. 2021 Local Hazard Mitigation Plan. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/17212/LHMP-Resolution-Signed?bidId=>.

City of Menifee. 2013. *Menifee General Plan Land Use Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL\\_Land-Use-Element\\_11823?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/17714/FINAL_Land-Use-Element_11823?bidId=).

City of Menifee. 2013. *Menifee General Plan Safety Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL\\_Safety-Element-6723\\_complete\\_reduced-size-for-webpage?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/18261/FINAL_Safety-Element-6723_complete_reduced-size-for-webpage?bidId=).

City of Perris. ND. *March Air Reserve Base and the Perris Valley Airport Overlay Zone*. Available at: <https://www.cityofperris.org/home/showpublisheddocument/1835/637209993691700000>.

County of Riverside. 2014. *Riverside County Airport Land Use Compatibility Plan*. Available at: <https://rcaluc.org/sites/g/files/aldnop421/files/migrated/Portals-13-42-20--20Vol.-202-20March-20Air-20Reserve-20Base-20Final.pdf>.

DTSC. 2022. *EnviroStor Hazardous Waste and Substances Site List (Cortese)*. Retrieved from:  
<https://dtsc.ca.gov/dtscs-cortese-list/>.

Lovett Industrial, LLC. (2023). *Phase I Environmental Site Assessment*. **Appendix H**

Riverside County ALUC. 2011. *Perris Valley Airport Compatibility Plan*. Available at:  
<https://rcaluc.org/sites/g/files/aldnop421/files/migrated/Portals-13-19-20--20Vol.-201-20Perris-20Valley-20-Final-Mar.2011-.pdf>.

Riverside County, Department of Environmental Health. 2021. *The Riverside County Department of Environmental Health Hazardous Materials Branch*. Available at:  
<https://www.rivcoeh.org/OurServices/HazardousMaterials>.

WRCOG. ND. *WRCOG/SBCTA Sustainability Toolkit Evacuation Routes*. Available at:  
<https://www.arcgis.com/apps/webappviewer/index.html?id=4168a1efbdca40f889ea9dba43e04b4e&extent=-13138981.0556%2C4022288.1589%2C-12669351.9538%2C4239369.3193%2C102100>.

## 4.9 HYDROLOGY AND WATER QUALITY

### 4.9.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to hydrology and water quality in the vicinity of the Northern Gateway Logistics Center Project (Project). This section identifies potential impacts that could result from the Project including construction and operation of the warehouses, including associated office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements. The changes to existing hydrological conditions and water quality that would occur upon implementation of the Project, and as necessary, recommends mitigation measures to avoid and/or reduce the significance of impacts. Hydrology deals with the distribution and circulation of water, both on land and underground. Water quality deals with the quality of surface water and groundwater. Surface water includes lakes, rivers, streams, and creeks; groundwater is under the earth's surface.

This section and environmental discussion use information from the following sources:

- City of Menifee General Plan (Menifee GP)
- City of Menifee GP Final Environmental Impact Report (EIR)
- LGC Geotechnical, Inc. 2022. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California* (**Appendix F**).
- Thienes Engineering, Inc. 2023. *Preliminary Water Quality Management Plan* (**Appendix I1**).
- Thienes Engineering, Inc. 2023. *Preliminary Hydrology Calculations* (**Appendix I2**).

### 4.9.2 Environmental Setting

#### 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 portion 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.<sup>1</sup>

---

<sup>1</sup> 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 July 31, 2023).



## Local Drainage<sup>2</sup>

### *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 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 of Menifee and the City of 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 and the adjacent Ethanac Wash channel (Master Drainage Plan [MDP] Line A), which also runs along the Project's eastern border; north of a 300-foot-wide Southern California Edison (SCE) utility corridor with McLaughlin Road beyond; east of Evans Road; and west of Barnett Road. Land uses surrounding the Project site include farmland, the Ethanac Wash channel,

---

<sup>2</sup> 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 July 31, 2023).

and Ethanac Road to the north. South of the Project site includes the SCE utility corridor, McLaughlin Road, and single-family residences. East of the Project site includes the Ethanac Wash, Barnett Road, and vacant land. West of the Project site includes Evans Road and vacant land. Due to ongoing disturbances, the vegetation occurring on-site is characteristic of the disturbed land cover. Vegetative cover ranges from dense/complete to barren according to proximity to recent disturbances.

Currently, the Project site is undeveloped agricultural land and relatively flat. Existing topography indicates that the northerly portion and southerly portion all drain westerly to Evans Road. The 100-year peak flow rate for these two areas are 6.0 cubic-feet per second (cfs) and 17.4 cfs, respectively. The total 100-year peak flow rate for the site is approximately 23.4 cfs.<sup>3</sup> According to the Preliminary Hydrology Calculations, the MDP channel was designed to convey the 100-year peak flow rate for the ultimate commercial build-out of the site, so on-site detention will not be required.

According to the Preliminary Hydrology Calculations and the WQMP prepared for the Project by Thienes Engineering, Inc., the Ethanac Wash is a large open channel facility adjacent to the easterly property line of the Project site. Line A originates to the southeast of the Project site and generally flows in a westerly direction. After the facility crosses I-215, the channel turns north near the Project site. The channel then crosses Ethanac Road and turns west immediately adjacent to the north side of Ethanac Road. The channel continues in a generally west and northwest direction to the San Jacinto River. North of the Project site, the MDP 100-year flow rate in Line A is 3,673 cfs.

The MDP map does not show specific drainage areas. Based on the MDP map, it is not clear whether the site was intended to drain directly to the Ethanac Wash channel or to Line A-8 or via a proposed storm drain in Evans Road. Based on the Preliminary Hydrology Calculations, it does not appear that detention would be necessary since the existing County facilities are designed for the 100-year storm event

### **Local Groundwater**

According to the State Water Resources Control Board (SWRCB) GeoTracker tool,<sup>4</sup> 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.

---

<sup>3</sup> Thienes Engineering, Inc. 2023. *Preliminary Hydrology Calculations*.

<sup>4</sup> State Water Resources Control Board. 2023. *GeoTracker*. Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=33.739428%2C+-117.195392>. (accessed July 31, 2023).

According to the Project geotechnical report, during investigation, groundwater was not encountered at any of the boring locations within the Project site.<sup>5</sup> 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 50 feet below existing site grades, at the time of the subsurface investigation. In general, groundwater levels fluctuate with the seasons and local zones of perched groundwater may be present within the near-surface deposits due to local seepage or during rainy seasons. Groundwater conditions below the site may be variable, depending on numerous factors including seasonal rainfall, local irrigation, and groundwater pumping, among others.

The majority of the Eastern Municipal Water District's (EMWD) 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 20 percent of EMWD's potable water demand is supplied by EMWD groundwater wells.<sup>6</sup> 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.

### **Project Groundwater**

Subsurface exploration on the Project site consisted of the excavation of 14 hollow-stem auger borings (8 borings for field percolation testing) and eight field percolation tests. The borings were excavated to depths ranging from approximately 12 to 50 feet below existing grade. According to the Project's Geotechnical Investigation (**Appendix F**) prepared by LGC Geotechnical, a groundwater investigation concluded that no groundwater was encountered during the drilling at all boring locations. Based on the lack of any water within the borings conducted during the subsurface exploration, and moisture contents of the recovered soil samples identified from laboratory testing, the static groundwater table is considered to exist at a depth in excess of 50 feet.

Recent water level data was obtained from the California Department of Water Resources (DWR) Water Data Library website, <http://wdl.water.ca.gov/>. The nearest monitoring well on record is located approximately 340 feet south of the Project site. Water level readings within this monitoring well indicate a groundwater level of 142.6 feet below the ground surface in October 2022.

### **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).<sup>7</sup>

---

<sup>5</sup> LGC Geotechnical, Inc. 2022. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California*, Page 5.

<sup>6</sup> EMWD. ND. *Groundwater*. Available at: <https://www.emwd.org/post/groundwater>. (accessed July 31, 2023).

<sup>7</sup> 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 July 31, 2023).

FEMA Flood Insurance Rate Map (FIRM) shows the Project site being covered by one map panel: 06065C2055H (effective 8/18/2014).<sup>8</sup> According to this FIRM, the westerly portion of the Project site is within Flood Zone X (shaded) under the Letter of Map Revision (LOMR) 21-09-0711P (effective 1/24/2022) and the easterly portion of the Project site is within Flood Zone X (unshaded). Flood Zone X (shaded) characterize areas of moderate flood hazard and is defined as areas of 0.2-percent annual chance (500-year) flood; areas of 1-percent annual chance (100-year) flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1-percent annual chance (100-year) flood. Flood Zone X (unshaded) is defined as areas of minimal flood hazard.<sup>9</sup> See **Exhibit 4.9-1: National Flood Hazard Layer FIRMette**.

### *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. The Project lies within the dam breach inundation area for the Lake Perris Main Dam, which lies approximately seven miles to the north of the Project site.<sup>10</sup> The downstream hazard within this inundation area is considered to be extremely high. The downstream hazard is based on potential downstream impacts to life and property should the dam fail when operating with a full reservoir. Therefore, the likelihood exists for induced flooding due to a dam failure or a seiche overcoming the dam's freeboard.

### *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.<sup>11</sup> No landslides are known to exist, or have been mapped, in the vicinity of the site.

<sup>8</sup> FEMA. 2022. *Flood Insurance Rate Map*. Available at: <https://msc.fema.gov/portal/home>. (accessed on July 31, 2023).

<sup>9</sup> FEMA. 2020. *Flood Zones*. Available at: <https://www.fema.gov/glossary/flood-zones>. (accessed July 31, 2023).

<sup>10</sup> California Department of Water Resources. 2019. *Inundation Map for Sunny-day Hypothetical Failure Maximum Depth (ft)*. Available at [https://fmds.water.ca.gov/webgis/?appid=dam\\_prototype\\_v2](https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2). (accessed March, 2024).

<sup>11</sup> LGC Geotechnical, Inc. 2022. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California*, Page 5.





### 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 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, or the statewide General Construction Permit, that is administered by SWRCB. 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 most recent GCASP was adopted in 2022 (Order Number [No.] 2022-057-DWQ, NPDES No. CAS000002) and became effective on September 1, 2023. The most recent GIASP (Order No. 2014-0057-DWQ, NPDES No. CAS000001) was adopted in April 2014 and amended in 2015 and 2018 for an effective date of July 1, 2020. For industrial uses, the current GIASP 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. In addition, this NPDES program requires certain industrial land uses 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 the 2015-amended GIASP, which is more stringent than the former Industrial General Permit. 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 (Order No. 2014-0057-DWQ, NPDES No. CAS000001).

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 to the SWRCB to indicate that construction is completed.

### ***Sustainable Groundwater Management Act***

The California DWR’s 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in “high”- and “medium”-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. The DWR categorizes the priority of groundwater basins. GSPs are detailed road maps for how groundwater basins will reach long term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA’s requirement to prepare a GSP. The Project is located in the San Jacinto groundwater basin, a high

priority basin.<sup>12</sup> The GSP for the San Jacinto groundwater basin was prepared for EMWD in September 2021 in compliance to the requirements of California Code of Regulations, Title 23 Section 354.12.<sup>13</sup>

### ***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.

## **Local**

### ***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 RWQCB 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.

---

<sup>12</sup> Department of Water Resources. ND. *SGMA Basin Prioritization Dashboard*. Available at: <https://gis.water.ca.gov/app/bp-dashboard/final/> (accessed July 31, 2023).

<sup>13</sup> EMWD. 2021. *Groundwater Sustainability Plan 8-005 San Jacinto*. Available at: <https://sgma.water.ca.gov/portal/gsp/preview/71> (accessed July 31, 2023).

Accordingly, these efforts led to development of a Water Quality Management Plan (County WQMP) that was approved in October of 2012.<sup>14</sup> 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 County WQMP 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.

The Project site is part of the RCFCWCD Romoland Master Drainage Plan – Zone 4. The MDP was completed in April 1988 and Revision No. 1 was completed in March 2006.<sup>15</sup> The Project site was designated as Light Industrial in the corresponding hydrologic calculations.

---

<sup>14</sup> Santa Ana Regional Water Quality Control Board. 2012. *Water Quality Management Plan*. Available at: [https://content.rcflood.org/downloads/NPDES/Documents/SA\\_WQMP/SantaAnaWQMPGuidance.pdf](https://content.rcflood.org/downloads/NPDES/Documents/SA_WQMP/SantaAnaWQMPGuidance.pdf). (accessed July 31, 2023).

<sup>15</sup> County of Riverside. 2014. *Homeland/Romoland Area Drainage Plan*. Available at: [https://content.rcflood.org/Downloads/Area%20Drainage%20Plans/Updated/Reports/Homeland-Romoland%20ADP.pdf?Mon%20Jul%2031%202023%2011:01:11%20GMT-0700%20\(Pacific%20Daylight%20Time\)](https://content.rcflood.org/Downloads/Area%20Drainage%20Plans/Updated/Reports/Homeland-Romoland%20ADP.pdf?Mon%20Jul%2031%202023%2011:01:11%20GMT-0700%20(Pacific%20Daylight%20Time)) (accessed July 31, 2023).

### ***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.

### ***City of Menifee General Plan***

#### ***Open Space & Conservation Element***

The Menifee GP Open Space & Conservation Element provides policy direction for the City'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 City residents have enjoyed for generations, while also preserving and protecting the numerous nonrenewable and unique cultural and historic resources located within the City.

Goals and policies from the Open Space and 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.

### ***City of Menifee Municipal Code***

The City of Menifee Municipal Code (Menifee MC) contains several provisions that are expressly designed to ensure the health, safety, and general welfare of the residents of the City by prescribing regulations to effectively prohibit non-stormwater discharges into the City's stormwater drainage system. Specifically, the following provisions of the Menifee MC regulate impacts related water quality throughout all areas of the City.

Menifee MC Chapter 8.26: Grading Regulations establishes standards regulating the design and construction of building sites and the development of property by grading. These include regulations to:

protect adjacent properties from damage caused by blockage or diversion of natural runoff waters; requirements to provide engineering analysis of certain soil conditions; and to establish administrative procedures for the issuance of Grading Permits, the approval of plans and the inspection of grading construction.

Menifee MC Chapter 15.01: Storm Water/Urban Runoff includes 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 SWRCB in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, SWRCB Order Number 2009-0009-DWQ. The City may notify the SWRCB of any person performing construction work that has a non-compliant construction site per the General Permit.

#### 4.9.4 Impact Thresholds and Significant Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hydrology and water quality. 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:

- 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;
  - 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; or
- Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan.

### 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 hydrology and water quality. 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 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 was the basis for the hydrology analyses. The 100-year existing and proposed condition rational method results are included in the Preliminary Hydrology Calculations in **Appendix I2**.

### 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 2-year, 24-hour detention volume.

## 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 ground water quality?*

**Level of Significance: Less than Significant 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, applicable Menifee GPe 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. Potential 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 Ordinance<sup>16</sup>, the City's Grading Ordinance<sup>17</sup>, 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.

The off-site circulation improvements for Evans Road and Barnett Road, as well as construction of a two-lane driveway, 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

---

<sup>16</sup> City of Menifee. 2023. *Municipal Code Chapter 15.01, Stormwater/Urban runoff Ordinance*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-2967](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-2967). (accessed on July 31, 2023).

<sup>17</sup> City of Menifee. 2023. *Municipal Code. Chapter 7.90.060 Erosion Control Plan*. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-28708#JD\\_8.26.060](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-28708#JD_8.26.060). (accessed on July 31, 2023).

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.

## **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; and
- Fluids from vehicles (motor oil, transmission fluid, antifreeze, brank fluid, gasoline, etc.) spilled onto paved areas.

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 I1**) 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 National Pollutant Discharge Elimination System (NPDES) General Construction Permit, which shall be obtained from the Regional Water Quality Control Board (RWQCB). 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 Notice of Intent, Risk Assessment, Post-Construction Calculations, a Site Map, the Stormwater Pollution

Prevention Plan (SWPPP), a signed certification statement by the Legally Responsible Person, and the first annual fee.

The required 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 operations and maintenance (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 Best Management Practices (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 impede sustainable groundwater management of the basin?*

**Level of Significance: Less than Significant**

## Construction and Operations

The Project site overlies the San Jacinto Groundwater Basin and is 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 EMWD. 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, a Will Serve Letter prepared by the EMWD (**Appendix L**) determined that EMWD will be able to provide water services to the Project site via the closest EMWD water system. Accordingly, the Project would include water system improvements that are constructed in accordance to EMWD's standards, specifications, and master plan (see **Section 4.15: Utilities and Service Systems**). Since the Project would not directly draw water from the groundwater basin, 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 projected 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.

Per the geotechnical investigation, infiltration testing disclosed generally unfavorable infiltration rates across the Project site (predominantly between 0.3 and 1.4 inches per hour); refer to **Appendix I2**. Based on poor infiltration rates, infiltration is not considered feasible. Therefore, under existing conditions, the potential for groundwater recharge within the Project site is considered low due to the low ability of soils to absorb and transmit surface water. Instead, the Project proposes to use underground detention

systems and proprietary biotreatment units to treat runoff produced by the 85<sup>th</sup> percentile storm rainfall depth. In addition, catch basin filters would be provided in order to pre-treat runoff prior to entering the water quality features.

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 WQMP. 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. A less than 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?***

***i) Result in substantial erosion or siltation on- or off-site?***

***Level of Significance: Less than Significant with Mitigation Incorporated***

### **Construction and Operations**

Currently, runoff within the Project site flows westerly towards Evans Road. 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. With implementation of the Project, the northerly portion of Building 1 and the northerly drive aisle would drain to catch basins located in the northerly drive aisle. A proposed on-site storm drain system would capture and convey flows southerly around the proposed building to the southerly drive aisle. Flows from the Building 1 truck yard would confluence in the proposed system in the easterly drive aisle. Flows continue southerly to the proposed 10 foot by 6 foot reinforced concrete box structure that ultimately discharges in the MDP channel.

The northerly portion of Building 2, northerly truck yard, and northerly driveway would drain to catch basins located in the northerly truck yard. A separate on-site storm drain system conveys flows northerly to the proposed reinforced concrete box structure and discharges at the same location as the flows from the north.

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 I1**) 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 Setting discussion. Overall area 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 of existing regulations, and with implementation of **MM HYD 1** and **MM HYD-2**, a less than significant impact is 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?*

- ii) Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?*
- iii) 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?*
- iv) Impede or redirect flood flows?*

***Level of Significance: Less than Significant with Mitigation Incorporated***

### **Construction and Operations**

Off-site improvements for stormwater and drainage include a proposed storm drain line running from an existing channel heading north on Evans 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.

As previously discussed, 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 conducted preliminary hydrology calculations for the Project site (refer to **Appendix I2**). The Project's drainage systems would be designed to provide on-site underground detention systems and proprietary biotreatment units, combined with comprehensive storm drainage. Additionally, an NPDES Construction Stormwater Permit would 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 WQMPs (**Appendix I1**), would also be implemented during construction and operation of the site to minimize erosion and sedimentation.

Additionally, the WQMP and Preliminary Hydrology Calculations reports concluded that proposed drainage improvements would adequately convey flows to the proposed basins. In addition to the Project's proposed drainage improvements, the rate or amount of surface water has been accounted for within the MDP. Therefore, the Project would not significantly increase the rate or amount of surface runoff in a manner that would result in flooding, and run-off water would not exceed the capacity of existing or planned stormwater drainage systems. Finally, the Project Applicant would be required to submit all final grading plans, erosion control plans, and drainage plans prior issuance of grading permit. All plans would be reviewed by the City to ensure that the Project would not increase flows on- or off-site or substantially exceed the existing drainage facilities (see **MM HYD-2**).

With implementation of the proposed drainage improvements, **MMs HYD-1** and **HYD-2**, and compliance with applicable City regulations (including Menifee MC Chapter 8.26: Grading Regulations), 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. Impacts would be less than significant with mitigation incorporated.

### **Mitigation Measures**

Refer to **MM HYD-1** and **MM HYD-2** above.

**Impact 4.9-5**      *Would the Project in flood hazard, tsunami, or seiche zones, risk release of 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. However, the Project site lies within the dam breach inundation area for the Lake Perris Main Dam. In 2005, DWR determined that there were potential seismic safety concerns with the Lake Perris dam's foundation if a magnitude 7.5 or larger earthquake struck the area. As a result, the DWR has commenced the Perris Dam Modernization Project that includes the Perris Dam Remediation Project, the Outlet Tower Improvements Project, and the Emergency Release Facility Project. The Perris Dam Remediation Project was completed in April 2018 and included several seismic retrofit upgrades such as strengthening the dam's foundation and embankment. The Outlet Tower Improvements Project, part of the Perris Dam seismic retrofit projects, is planned for completion by 2026 and would ensure safe and reliable release of water during normal and emergency operations. Finally, the Emergency Release Facility Project is planned for construction between 2024 and 2026 and would safely route the flow of water in an emergency that requires the rapid lowering of Lake Perris. At project completion, flows would be directed by levees into a channel that would ultimately flow into the Perris Valley Storm Drain.<sup>18</sup> The dam inundation map for Lake Perris may require revisions after completion of these repair projects that would ultimately reduce the risk of dam failure due to earthquakes. Upon completion of the Perris Dam

---

<sup>18</sup> California Department of Water Resources. ND. *Perris Dam Modernization Project*. Available at: <https://water.ca.gov/Programs/Engineering-And-Construction/Perris-Dam-Remediation>. (accessed October 16, 2023).



Modernization Project, risk of Project inundation would be minimized, and the risk of released pollutants due to dam inundation would be less than significant.

A review of the FEMA FIRMs was conducted to determine whether the Project site is located within an area of moderate to minimal flood hazard. As shown in **Exhibit 4.9-1**, the westerly portion of the Project site is located within Flood Zone X (shaded), which indicates that this portion of the Project site has an annual flood risk that is between a 1-percent annual chance (100-year) flood event and a 0.2-percent annual chance (500-year) food event. The easterly portion of the Project site is located within Flood Zone X (unshaded), which indicates that this portion of the Project site is within an area of minimal flood hazard. BMPs have been incorporated into the site design to fully address all Drainage Management Areas (DMAs). As noted in the Preliminary Water Calculations report, with the implementation of the proposed DMAs, runoff will be conveyed to the corresponding detention basins which have been designed 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** and **MM HYD-2**), 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** and **MM HYD-2** apply.

**Impact 4.9-6:** *Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater 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, for which EMWD is the designated Groundwater Sustainability Agency (GSA). The GSP for the San Jacinto groundwater basin was prepared for EMWD in September 2021 and submitted to the DWR on January 31, 2022. 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; see *Impact 4.9-2*. Thus, the Project would not conflict with the Hemet/San Jacinto Groundwater Management Plan or the West Jacinto Groundwater Basin Management Plan. Therefore, impacts would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

## 4.9.6 Cumulative Impacts

For purposes of hydrology and water quality 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 hydrology and water quality impacts, several factors must be considered. The context in which the Project is being viewed would also influence the potential significance of a cumulative hydrology and water quality impact. Although the Project would result in a change to the existing hydrological conditions of the site, the Project is consistent with the proposed land use designation and zoning classification of the site.

As noted in **Section 2.0, Project Description**, most of the Project site consists of vacant, undeveloped land.

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, consistent 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 WQMPs 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 impacts 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 impacts were identified.

## 4.9.8 References

California Department of Water Resources. 2019. Inundation Map for Sunny-day Hypothetical Failure Maximum Depth (ft). Available at:

[https://fmds.water.ca.gov/webgis/?appid=dam\\_prototype\\_v2](https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2).

California Department of Water Resources. ND. Perris Dam Modernization Project. Available at:

<https://water.ca.gov/Programs/Engineering-And-Construction/Perris-Dam-Remediation>.

- City of Menifee. 2013. *City of Menifee General Plan Draft EIR; Section 5.9, Hydrology and Water Quality*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId=>.
- City of Menifee. 2023. Municipal Code Chapter 15.01, Stormwater/Urban runoff Ordinance. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-2967](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-2967).
- City of Menifee. 2023. Municipal Code. Chapter 7.90.060 Erosion Control Plan. Available at: [https://codelibrary.amlegal.com/codes/menifee/latest/menifee\\_ca/0-0-0-28708#JD\\_8.26.060](https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-28708#JD_8.26.060).
- County of Riverside. 2014. *Homeland/Romoland Area Drainage Plan*. Available at: [https://content.rcflood.org/Downloads/Area%20Drainage%20Plans/Updated/Reports/Homeland-Romoland%20ADP.pdf?Mon%20Jul%2031%202023%2011:01:11%20GMT-0700%20\(Pacific%20Daylight%20Time\)](https://content.rcflood.org/Downloads/Area%20Drainage%20Plans/Updated/Reports/Homeland-Romoland%20ADP.pdf?Mon%20Jul%2031%202023%2011:01:11%20GMT-0700%20(Pacific%20Daylight%20Time)).
- Department of Water Resources. ND. *SGMA Basin Prioritization Dashboard*. Available at: <https://gis.water.ca.gov/app/bp-dashboard/final/>
- EMWD. 2021. Groundwater Sustainability Plan 8-005 San Jacinto. Available at: <https://sgma.water.ca.gov/portal/gsp/preview/71>
- EMWD. ND. *Groundwater*. Available at: <https://www.emwd.org/post/groundwater>.
- FEMA. 2020. *Flood Insurance Rate Map*. Available at: <https://msc.fema.gov/portal/home>.
- FEMA. 2020. *Flood Zones*. Available at: <https://www.fema.gov/glossary/flood-zones>.
- LGC Geotechnical, Inc. 2022. *Preliminary Geotechnical Evaluation for Proposed Industrial Development, Evans Road, Menifee, California*.
- Santa Ana Regional Water Quality Control Board. 2012. *Water Quality Management Plan*. Available at: [https://content.rcflood.org/downloads/NPDES/Documents/SA\\_WQMP/SantaAnaWQMPGuidance.pdf](https://content.rcflood.org/downloads/NPDES/Documents/SA_WQMP/SantaAnaWQMPGuidance.pdf).
- State Water Resources Control Board. 2023. *GeoTracker*. Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=33.739428%2C+117.195392>.
- Thienes Engineering, Inc. 2023. *Preliminary Hydrology Calculations*.
- Thienes Engineering, Inc. 2023. *Project Specific Preliminary Water Quality Management Plan*.

## 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 in the City of Menifee (City) associated with the implementation of the Northern Gateway Logistics Center (Project). The existing land uses of the Project site and surrounding areas along with the applicable regional and local regulations will be described to contextualize the Project’s potential to result in land use impacts. If a potentially significant environmental impact is identified, mitigation measures would be proposed in order to reduce impacts to less the significant levels.

### 4.10.2 Environmental Setting

#### Existing and Surrounding Land Uses

The Project is composed of five parcels totaling 20.17 acres within the northwestern portion of the City; refer to **Table 4.10-1: Assessor Parcel Numbers**.

**Table 4.10-1: Assessor’s Parcel Numbers**

Parcel	APN
1	331060020
2	331060023
3	331060030
4	331060007
5	331060008

Source: Riverside County. ND. Map My County. Available at: <https://rcitgis-countyofriverside.hub.arcgis.com/> (accessed December 2023).

Much of the Project site is vacant and undeveloped land with grassland/agriculture. There are existing single-family residences located southeast of the Project site across McLaughlin Road. The Project site is generally located approximately 1,133 feet (0.24 mile) southwest of the Interstate (I-) 215/Ethanac Road interchange. The Project site is located south of Ethanac Road and the adjacent Ethanac Wash channel; north of a 300-foot-wide Southern California Edison (SCE) utility corridor with McLaughlin Road beyond; east of Evans Road; and west of Barnett Road; refer to **Exhibit 2-2: Local Vicinity Map**. Ethanac Road is the jurisdictional boundary between the cities of Menifee and Perris.

Existing land uses north of the Project site includes farmland, the Ethanac Wash Channel, Ethanac Road, and vacant land within the City of Perris zoned for multi-family residential. South of the Project site includes the SCE utility corridor, McLaughlin Road, and single-family residences. East of the Project site includes the Ethanac Wash, Barnett Road, and vacant land. West of the Project site includes Evans Road, and vacant land. Refer to **Table 4.10-2: Existing and Surrounding Land Uses** for existing and surrounding land uses, City of Menifee General Plan (Menifee GP) land use designations, and zoning.

**Table 4.10-2: Existing and Surrounding Land Uses**

Location	Existing Land Use	General Plan Land Use Designation	Zoning Classification
Project Site	Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)
North	Agricultural Land; Ethanac Wash Channel; Vacant Land	Economic Development Corridor (EDC) – Northern Gateway; Green Valley Specific Plan	Economic Development Corridor – Northern Gateway (EDC-NG); Green Valley Specific Plan Multi-Family (GV-SP MF)
East	Ethanac Wash Channel; Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)
South	SCE Utility Corridor; Single Family Residential Homes	Public Utility Corridor (PUC); 2.1-5 du/ac Residential (2.1-5 R)	Public Utility Corridor (PUC); Low Density Residential-2 (LDR-2)
West	Vacant land	Economic Development Corridor (EDC) – Northern Gateway	Economic Development Corridor – Northern Gateway (EDC-NG)

Sources:

City of Menifee. (2023). *General Plan Land Use Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2023?bidId=> (accessed December 2023).

City of Menifee. (2023). *Zoning Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---March-2023> (accessed December 2023).

City of Perris. (2023). *Green Valley Specific Plan – Conceptual Land Use Plan*. Available at: <https://www.cityofperris.org/home/showpublisheddocument/16412/638182768144670000> (accessed December 2023).

City of Perris. (2023). *Interactive Zoning Map*. Available at: <https://cityofperris.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=4076972ddb234f298d342f8c167d3752&locale=en> (accessed December 2023).

## General Plan Land Use Designations and Zoning Classifications

The Menifee GP Land Use Map was amended March 2023.<sup>1</sup> The site’s existing land use designation, as of the date previously stated is Economic Development Corridor (EDC) - Northern Gateway (see **Exhibit 2-3: Existing General Plan Land Use Designations**). The City’s Zoning Map was amended March 2023.<sup>2</sup> The site’s existing zoning classification is Economic Development Corridor – Northern Gateway (EDC-NG) (see **Exhibit 2-4: Existing Zoning Classifications**).

### 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

<sup>1</sup> City of Menifee. (2023). *General Plan Land Use Map*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2023?bidId=> (accessed October 2023).

<sup>2</sup> City of Menifee. (2023). *Zoning Map*. Available at <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---March-2023> (accessed October 2023).

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 (RTP/SCS).

### ***2020-2045 Regional Transportation Plan/Sustainable Communities Strategies***

SCAG's 2020-2045 RTP/SCS referred to as the Connect SoCal provides the long-range vision of the SCAG region. The Connect SoCal expands land use and transportation strategies established from previous cycles to increase mobility options and achieve a more sustainable growth pattern. The Connect SoCal contains plans and projections for the region's future, from 2020 through the horizon year of 2045. Like other Connect SoCal publications, the Connect SoCal 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 Connect SoCal 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: Consistency with the City's General Plan**.

The Menifee GP can be found here: <https://www.cityofmenifee.us/221/General-Plan>.

### ***City of Menifee Municipal Code***

The City of Menifee Municipal Code (Menifee MC) Title 9: Planning and Zoning is the City of Menifee Development Code (Menifee Development Code). The Menifee Development Code assists the Menifee

GP by providing driving policies that reinforce the goals set by the Menifee 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 Menifee MC can be found here: <https://www.cityofmenifee.us/318/Municipal-Code>.

Menifee MC Title 9, also referred to as the Development Code can be found here:  
<https://online.encodeplus.com/regs/menifee-ca/index.aspx>

### ***City of Menifee Design Guidelines Industrial Good Neighbor Policies***

The purpose of the Good Neighbor 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 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). These Policies apply in addition to the provisions of the Menifee Development Code, and act as a supplement to the City-wide Design Guidelines adopted by the City on April 15, 2020.

The Industrial Good Neighbor Policies that the Project would adhere to can be found here:  
<https://www.cityofmenifee.us/DocumentCenter/View/16937/Industrial-Good-Neighbor-Policies?bidId=>

## **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 May 2023; 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 site’s land use designation and zoning classification of EDC-NG allows for the development of a wide range manufacturing and warehouse uses, among others.<sup>3</sup> The Project involves the development of two concrete tilt up warehouses on 20.17 acres of land. . Building 1 is proposed to be 105,537 square feet (sq. ft.) consisting of 6,000 sq. ft. of office space and 99,537 sq. ft. of warehouse space and is located on the north side of the site. Building 2 is on the southern end of the site and is proposed to be 292,715 sq. ft. consisting of 8,000 sq. ft of office space, 7,000 sq. ft. of mezzanine, and 277,715 sq. ft. of warehouse area. Buildings 1 and 2 would consist of 14,000 sq. ft. of office area, 7,000 sq. ft. of mezzanine, and 377,252 sq ft. of warehousing for a combined total of 398,252 sq. ft. Associated facilities and improvements of the Project site includes loading dock doors, on-site landscaping, and related on-site and off-site improvements (including relocation of an underground flood channel).

Once constructed, the Project during operations could include receiving, storing, and distribution of manufactured goods, pursuant to the City of Menifee Development Code (Menifee Development Code)’s definition for Warehousing, logistics, and distribution facilities.<sup>4</sup> The Project would not physically divide an established community because the Project site is largely undeveloped land with grassland/agriculture. Additionally, the Project’s would be designed in accordance with all applicable development standards correlated to industrial developments. Since the Project’s proposed uses would be consistent with the Menifee GP Goals and Policies envisioned for the EDC–NG and applicable Menifee MC provisions and specific development standards, the Project would not physically divide an established community. Therefore, no impact would occur.

<sup>3</sup> City of Menifee. (2023). *Comprehensive Development Code, Table 9.145.030-1: EDC Zones Allowed Uses and Approval Requirements*. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1450#secid-1344> (accessed October 2023).

<sup>4</sup> City of Menifee. (2024). *Menifee Development Code. Section 9.300.240 “W” Definitions*. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1972&keywords=warehouse%27s%2Cwarehoused%2Cwarehouses%27%2Cwarehousing%2Cwarehouse#secid-1972> (accessed February 2024).

**Mitigation Measures**

No mitigation is necessary.

**Impact 4.10-2** *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**

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 to promote the efficient, sustainable growth projected in the long-term planning documents. At a regional level, the Project has been designed to be compatible with the strategies in SCAG’s Connect SoCal. Locally, the Project should comply with the Menifee GP and MC, and any airport land use compatibility plans (ALUCPs). The Project’s consistency with these applicable goals and policies are described below.

**Consistency with SCAG’s Connect SoCal**

SCAG’s Connect SoCal 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 Connect SoCal 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 Connect SoCal 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 Connect SoCal would promote the sustainable and beneficial growth of the region. **Table 4.10-3: Project Compatibility with SCAG’s Connect SoCal Strategies** below describes the Project’s compatibility with the land use strategies proposed in SCAG’s Connect SoCal.

**Table 4.10-3: Project Compatibility with SCAG’s Connect SoCal Strategies**

SCAG Connect SoCal Strategies	Consistency
<b>Goal 1:</b> Encourage regional economic prosperity and global competitiveness.	<b>Consistent:</b> The Project would involve the development of a warehouse facility 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.
<b>Goal 2:</b> Improve mobility, accessibility, reliability, and travel safety for people and goods.	<b>Consistent:</b> The Project is not a transportation project. However, the Project would include both on-site and off-site roadway improvements that would improve mobility, accessibility, and travel safety for people and goods in the area. The proposed improvements to the City’s roadways would not increase roadway/travel hazards. For additional details regarding the Project’s potential transportation-related impacts, see <b>Section 4.13: Transportation</b> of this Draft EIR.
<b>Goal 3:</b> Enhance the preservation, security, and resilience of the regional transportation system.	<b>Consistent:</b> The Project would provide roadway improvements in support of the preservation, security, and resilience of the City’s roadway system. This includes roadway improvements to Evans Road and Barnett Road and would construct a driveway along the southern Project boundary. Refer to <b>Section 4.13: Transportation</b> .

SCAG Connect SoCal Strategies	Consistency
<b>Goal 4:</b> Increase person and goods movement and travel choices within the transportation system.	<b>Consistent:</b> The Project proposes a development with two warehouse buildings and associated infrastructure that would directly increase and facilitate the movement of persons and goods while being strategically located along the I-215 and existing trucking and transportation routes.
<b>Goal 5:</b> Reduce greenhouse gas emissions and improve air quality.	<b>Consistent:</b> Development of the Project site would be consistent with current building codes and state and Federal requirements including Green Building Standards. Additionally, the Project includes analysis of the Project’s potential greenhouse gas emissions, climate effects, and air quality impacts in <b>Section 4.2, Air Quality</b> and <b>Section 4.7, Greenhouse Gas Emissions</b> of this Draft EIR. The Project is located within a suburban area in proximity to existing truck routes and freeways. This would reduce trip lengths from warehouses further away, which would reduce GHG and air quality emissions. The Project would implement mitigation measures and comply with standard conditions and laws, ordinances, and regulations to further reduce air quality and greenhouse gas emissions, refer to <b>Sections 4.2</b> and <b>4.7</b> for additional details.
<b>Goal 6:</b> Support healthy and equitable communities.	<b>Consistent:</b> The Project would be constructed to current building codes and state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents. The Project would also provide the City’s residents with job opportunities, off-site roadway and utility infrastructure improvements, and additional income for the City which would ultimately support healthy and equitable communities. The Project would adhere to the policies outlined in the Menifee GP and specific development standards outlined in the Menifee MC.
<b>Goal 7:</b> Adapt to a changing climate and support an integrated regional development pattern and transportation network.	<b>Not Applicable:</b> This is not a project-specific policy and is therefore not applicable. However, the Project’s roadway improvements would be developed in accordance with applicable Menifee GP Circulation Element goals and policies.
<b>Goal 8:</b> Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	<b>Not applicable:</b> This is not project-specific policy and is therefore not applicable.
<b>Goal 9:</b> Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<b>Not applicable:</b> The Project proposes the development of two warehouse buildings and does not include proposed housing.
<b>Goal 10:</b> Promote conservation of natural and agricultural lands and restoration of habitats.	<b>Not Applicable:</b> The Project is not located on land designated or zoned for agriculture or habitat restoration.
Source: Southern California Association of Governments. (2020). <i>Connect SoCal</i> . Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176">https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176</a> (accessed October 2023).	

### Consistency with the City of Menifee General Plan

The Menifee GP is the City’s long-term planning document that contains goals and policies to assist the future buildout of the City. A summary of the Project’s consistency with applicable goals and policies of Menifee GP is provided in **Table 4.10-4: Consistency with the City of Menifee General Plan**.

**Table 4.10-4: Consistency with the City of Menifee General Plan**

Policy	Consistency
<b>Circulation Element</b>	
<b>Goal C-1: A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.</b>	
<p><b>Policy C-1.1:</b> Require roadways to:</p> <ul style="list-style-type: none"> <li>• Comply with federal, state, and local design and safety standards.</li> <li>• Meet the needs of multiple transportation modes and users.</li> <li>• Be compatible with the streetscape and surrounding land uses.</li> <li>• Be maintained in accordance with best practices.</li> </ul>	<p><b>Consistent:</b> The Project is designed so that all internal and external roadways would comply with all applicable federal, state, and local design and safety standards.</p>
<p><b>Policy C-1.2:</b> 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.</p>	<p><b>Consistent:</b> As discussed in <b>Section 4.13: Transportation</b>, LOS is no longer a component of CEQA traffic analysis. (CEQA Guidelines § 15064.3). A Traffic Study was conducted for the Project, which evaluated LOS (see <b>Appendix K1</b>) to address compliance with this policy. 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 implementation of the recommended improvements within the Traffic study acceptable LOS would be achieved.</p>
<p><b>Policy C-1.5:</b> Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.</p>	<p><b>Consistent:</b> Refer to Impact 4.13-2 that discusses the Project impacts on VMT. It is not anticipated that the Project would create a significant impact on VMT as the baseline project VMT per service population and the 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.</p>
<b>Goal C-2: A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.</b>	
<p><b>Policy C-2.1:</b> Require on- and off-street pathways to:</p> <ul style="list-style-type: none"> <li>• Comply with federal, state, and local design and safety standards.</li> <li>• Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.</li> <li>• Be compatible with the streetscape and surrounding land uses.</li> </ul>	<p><b>Consistent:</b> The Project is designed to enhance pedestrian access and circulation. The Project would provide sidewalks along the Project site perimeters. The proposed pedestrian facilities would meet the needs of multiple types of uses, be Americans with Disabilities Act (ADA) compliant, and connect uses to the north and south of the Project site.</p>

Policy	Consistency
<ul style="list-style-type: none"> <li>Be maintained in accordance with best practices.</li> </ul>	
<p><b>Policy C-2.2:</b> 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><b>Policy C-2.3:</b> Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.</p>	
<b>Community Design Element</b>	
<p><b>Goal CD-5 Economic Development Corridors that are visually distinctive and vibrant and combine commercial, industrial, residential, civic, cultural, and recreational uses.</b></p>	
<p><b>Policy CD-5.4:</b> Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity in the EDC areas where appropriate.</p>	<p><b>Consistent:</b> The Project would be designed in compliance with this policy as the Project would provide and extend pedestrian facilities throughout the site. These pedestrian facilities would also encourage bicycle transportation.</p>
<p><b>Policy CD-5.8:</b> Encourage adjacent commercial and industrial buildings to share open, landscaped, and/or hardscaped areas for visual relief, access, and outdoor employee gathering places.</p>	<p><b>Consistent:</b> The Project would be designed in compliance with this policy as the Project proposes to include approximately 105,288 sq. ft. of on-site and perimeter landscaping.</p>
<b>Land Use Element</b>	
<p><b>Goal LU-1: Land uses and building types that result in a community where residents at all stages of life, employers, workers, and visitors have a diversity of options of where they can live, work, shop, and recreate within Menifee.</b></p>	
<p><b>Policy LU-1.4:</b> Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and adjoining areas.</p>	<p><b>Consistent:</b> The Project would include, but not be limited to, landscape screening and setbacks to screen the proposed buildings from nearby single-family residences and residential neighborhoods. For additional information regarding the Project’s aesthetic related impacts see <b>Section 4.1: Aesthetics</b>.</p>
<p><b>Policy LU-1.6:</b> Coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance</p>	<p><b>Consistent:</b> The Project would provide new jobs consistent with the rate of population/housing growth in support of the City’s job to housing ratio.</p>
<p><b>Goal LU-3: A full range of public utilities and related services that provide for the immediate and long-term needs of the community.</b></p>	
<p><b>Policy LU-3.3:</b> Coordinate public infrastructure improvements through the City’s Capital Improvement Program.</p>	<p><b>Consistent:</b> The Project’s proposed on- and off-site utility infrastructure improvements would be developed in accordance with the City’s Capital Improvement Program.</p>
<p><b>Policy LU-3.4:</b> Require that approval of new development be contingent upon the project’s ability to secure appropriate infrastructure services.</p>	<p><b>Consistent:</b> As discussed in <b>Section 4.15: Utilities and Service Systems</b>, the Project would be adequately served by existing utilities and service systems.</p>

Policy	Consistency
<p><b>Policy LU-3.5:</b> Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.</p>	<p><b>Consistent:</b> The Project would comply with the Menifee GP goals and policies listed in <b>Section 4.1.3</b> as they pertain to aesthetics and scenic quality.</p>
<p><b>Goal LU-4: Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.</b></p>	
<p><b>Policy LU-4.2:</b> 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.</p>	<p><b>Consistent:</b> 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 Zone E of the March Air Reserve Base and the Perris Valley Airport. Within Compatibility Zone 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 E and all state, county, and local goals, policies, and regulations. Furthermore, the Project would be subject to COA-HAZ-1 as noted in Section 4.8: Hazards, Threshold 4.8-5 which ensures that future development would be compatible with the Perris Valley and MARB ALUCP.</p>
<p style="text-align: center;"><b>Noise Element</b></p>	
<p><b>Goal N-1: Noise-sensitive land uses are protected from excessive noise and vibration exposure.</b></p>	
<p><b>Policy N-1.1:</b> Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.</p>	<p><b>Consistent:</b> The Project’s noise-related impacts were evaluated in <b>Section 4.11: Noise</b>. Impacts were determined to be less than significant without the implementation of mitigation measures.</p>
<p><b>Policy N-1.2:</b> 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.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b>. The Project would comply with this policy. 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. 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. 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</p>

Policy	Consistency
	<p>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 Menifee GP and the MC.</p>
<p><b>Policy N-1.7:</b> 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 <b>Section 4.11: Noise</b>.</p>	<p><b>Consistent:</b> The Project would be required to adhere to the stationary source noise standards set within this policy.</p>
<p><b>Policy N-1.8:</b> 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><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b> and <b>Appendix J</b>. The Project would comply with this policy. 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. Construction would occur during days and times prescribed by 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, the Project’s construction-related noise impacts would be less than significant, following compliance with the Menifee GP and MC. Although sensitive uses may be exposed to elevated noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Construction noise would therefore have a less than significant impact.</p>
<p><b>Policy N-1.9:</b> 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><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b>. The nearest noise-sensitive receptors are single-family residences located 405 feet to the south of the Project site across Mclaughlin Road. Although sensitive uses may be exposed to elevated noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Construction noise would therefore have a less than significant impact.</p>



Policy	Consistency
<p><b>Policy N-1.13:</b> Require new development to minimize vibration impacts to adjacent uses during demolition and construction.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b>. This section describes that at 405 feet the vibration velocities from construction equipment would not exceed 0.0012 in/sec PPV, which is below the FTA’s 0.20 in/sec PPV threshold for building damage and below the 0.4 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.</p>
<p><b>Policy N-1.15:</b> 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.</p>	<p><b>Consistent:</b> The Project would be required to adhere to the stationary source noise standards set within this policy.</p>
<p><b>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.</b></p>	
<p><b>Policy N-2.1:</b> 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.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b>. The nearest noise-sensitive receptors are single-family residences located 405 feet to the south of the Project site along Mclaughlin Road. Although sensitive uses may be exposed to elevated noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Construction noise would therefore have a less than significant impact.</p>
<p><b>Policy N-2.2:</b> 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.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.11: Noise</b>. All construction activities and haul truck deliveries shall adhere to Menifee MC Section 9.09.030(B), which prohibits construction activities that make loud noise from occurring between 6:00 p.m. and 6:00 a.m. during the months of June through September, and between 6:00 p.m. and 7:00 a.m. during the months of October through May, and on Sundays and Federal holidays. Compliance with Menifee MC Section 9.09.030 would reduce construction-related noise impacts.</p>
<p style="text-align: center;"><b>Open Space &amp; Conservation Element</b></p>	
<p><b>Goal OSC-5: Archaeological, historical, and cultural resources are protected and integrated into the City's built environment.</b></p>	
<p><b>Policy OCS-5.1:</b> Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and</p>	<p><b>Consistent:</b> The Project’s impacts on cultural resources are analyzed within <b>Section 4.4: Cultural Resource</b>. A Phase I Cultural Resource Assessment was conducted for the Project by BCR Consulting LLC, in May 2023. It was</p>

Policy	Consistency
<p>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.</p>	<p>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 Standard Conditions of Approval recommended. Additionally, Project development would be subject to compliance with the established federal, state, and local regulatory framework concerning the protection of cultural resources.</p>
<p><b>Policy OCS-5.4:</b> 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.</p>	<p><b>Consistent:</b> Refer to response to Goal OSC-5-1 above. For additional information see <b>Section 4.4: Cultural Resources</b>. As discussed above, with compliance with Standard Conditions of Approval <b>COA-1</b> through <b>COA-6</b> impacts to any potential cultural resources would be less than significant.</p>
<p><b>Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.</b></p>	
<p><b>Policy OCS-7.1:</b> 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><b>Consistent:</b> The Project would receive potable water from EMWD, and <b>Section 4.15: Utilities and Service Systems</b> determined that EMWD would have adequate supply to support the Project’s water demand in conjunction with cumulative development. Refer to <b>Section 4.15: Utilities and Service Systems</b> for more information.</p>
<p><b>Policy OCS-7.5:</b> Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.</p>	<p><b>Consistent:</b> The Project includes wastewater, water, and sewer infrastructure improvements and connections.</p>
<p><b>Policy OCS-7.8:</b> Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.</p>	<p><b>Consistent:</b> The Project would connect to the City’s sewer system.</p>
<p><b>Goal OSC-8: Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.</b></p>	
<p><b>Policy OCS-8.2:</b> Support local and regional efforts to evaluate, acquire, and protect natural habitats for sensitive, threatened, and endangered species occurring in and around the city.</p>	<p><b>Consistent:</b> The Project’s impacts to biological resources were evaluated in <b>Section 4.3: Biological Resources</b> of this Draft EIR. 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><b>Policy OCS-8.4:</b> Identify and inventory existing natural resources in the City of Menifee.</p>	
<p><b>Policy OCS-8.5:</b> Recognize the impacts new development will have on the city’s natural resources and identify ways to reduce these impacts.</p>	
<p><b>Goal OSC-9: Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.</b></p>	
<p><b>Policy OCS-9.1:</b> Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.</p>	<p><b>Consistent:</b> The Project’s impacts to air quality were evaluated in <b>Section 4.2: Air Quality</b> of this EIR. Where necessary, mitigation measures are implemented to reduce impacts to less than significant levels.</p>

Policy	Consistency
<p><b>Policy OCS-9.2:</b> 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><b>Consistent:</b> Refer to response to Goal OSC-9.1 above. Sensitive land uses surrounding the Project consist mostly of residential uses. The nearest receptor is single-family residences located 405 feet to the south of the Project site along McLaughlin Road. Localized effects of on-site Project emissions on nearby receptors were found to be less than. 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: <a href="http://www.capcoa.org/health-effects/">http://www.capcoa.org/health-effects/</a>.</p>
<p><b>Policy OCS-9.3:</b> Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.</p>	<p><b>Consistent:</b> 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 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><b>Policy OCS-9.5:</b> 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><b>Consistent:</b> Refer to response to Goal OSC-9.1 above, and refer to <b>Section 4.2: Air Quality</b>, <b>Section 4.5: Energy</b>, and <b>Section 4.7: Greenhouse Gas Emissions</b> for how the Project is compliant with the mandatory requirements of Title 24. The 2022 version of Title 24 was adopted by the California Energy Commission (CEC) and became effective on January 1, 2023. It should be noted that the analysis herein assumes compliance with the 2022 Title</p>

Policy	Consistency
	<p>24 Standards. It should be noted that the CEC anticipates that nonresidential buildings would use approximately 30 percent 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 Senate Bill 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 2022 California Green Building Code Standards that became effective January 1, 2023.</p>
<b>Safety Element</b>	
<p><b>Goal S-1: A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.</b></p>	
<p><b>Policy S-1.1:</b> 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><b>Consistent:</b> 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 <b>Section 4.6: Geology and Soils</b> for more information.</p>
<p><b>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.</b></p>	
<p><b>Policy S-2.1:</b> Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.</p>	<p><b>Consistent: Section 4.6: Geology and Soils</b>, analyzed existing seismic shaking and other geologic hazards and the Project’s effects on them. Project design features and <b>MM GEO-1</b> would be implemented in compliance to applicable federal, state, regional, and local regulations. <b>MM GEO-1</b> would ensure that Project site soils would not be liable to significant expansion and a less than significant impact would occur. Refer to <b>Section 4.6</b>, for more information.</p>
<p><b>Policy S-2.2:</b> 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><b>Consistent:</b> Refer to <b>Section 4.6: Geology and Soils</b>, for more information. A Geotechnical Investigation (July 2022) was prepared by LGC Geotechnical, Inc. (July 2022). 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</p>

Policy	Consistency
	<p>liquefaction susceptibility. In addition, according to the Geotechnical Investigation the Project site is located in a zone of “Low” potential for liquefaction. 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 reasons, no significant cumulative geotechnical impacts would occur for the Project.</p>
<p><b>Policy S-2.3:</b> Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.6: Geology and Soils</b>, for more information. No major grading or excavation would be needed given that the Project site is relatively flat. 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.</p>
<p><b>Goal S-3: A community that is minimally disrupted by flooding and inundation hazards.</b></p>	
<p><b>Policy S-3.1:</b> Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.</p>	<p><b>Consistent:</b> The Project would develop a stormwater management protection plan (SWPPP) which would include Best Management Practices (BMPs) that would help minimize impacts from flooding hazards.</p>
<p><b>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.</b></p>	
<p><b>Policy S-4.1:</b> 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.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.12: Public Services</b>. 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.</p>
<p><b>Policy S-4.4:</b> Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.12: Public Services</b>. Station 7 is approximately 2.0 miles south of the Project site and Station 54 is approximately 4.0 miles east of 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</p>

Policy	Consistency
	<p>hazard risk rating. Fire protection apparatus ingress and egress would be available via two driveways, a shared 60-foot wide driveway off Evans Road and one shared 55-foot driveway off of Barnett Road. 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 the warehouse buildings. 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, 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.</p>
<p><b>Goal S-5: A community that has reduced the potential for hazardous materials contamination.</b></p>	
<p><b>Policy S-5.1:</b> 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.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.8: Hazards and Hazardous Materials</b>, 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.</p>
<p><b>Policy S-5.4:</b> Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.</p>	<p><b>Consistent:</b> Refer to <b>Section 4.8: Hazards and Hazardous Materials</b>. 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, Occupational Safety and Health Administration [OSHA], Construction Safety Orders § 1529 (pertaining to asbestos containing material [ACM]) and § 1532.1 (pertaining to lead based paint [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</p>

Policy	Consistency
	<p>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 with laws and regulations, would ensure that operational impacts would be less than significant.</p>
<p><b>Policy S-5.5:</b> Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.</p>	<p><b>Consistent:</b> Refer to response above and <b>Section 4.8: Hazards and Hazardous Materials.</b> During the reconnaissance for the Phase I ESA prepared for the Project site ACMs, Polychlorinated biphenyl (PCBs), and LBPs were not observed on the site. If these hazardous materials are encountered during Project construction, the removal of these hazardous materials, 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. Mitigation Measure (<b>MM HAZ-1</b>) requires that a Soil Management Plan (SMP) be prepared prior to the issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure. The SMP would outline protocol for ensuring the proper handling and/or disposal of impacted soil and/or subsurface features of concern that may be encountered during site development. With implementation of <b>MM HAZ-1</b>, impacts would be less than significant in this regard.</p>
<p>Source: City of Menifee. 2013. City of Menifee General Plan. <a href="https://www.cityofmenifee.us/221/General-Plan">https://www.cityofmenifee.us/221/General-Plan</a> (accessed December 2023).</p>	



## Consistency with the City of Menifee Zoning Code

As discussed above in Section 4.10.2, the Project's existing land use designation is EDC-NG and the Project's existing zoning is EDC-NG. The Project's proposed land use would be consistent with the EDC-NG land use designation and zoning. Therefore, the Project would be compliant with the City's Zoning Code. Additionally, the Project would also be designed to comply with all applicable planning policies and design standards set within the Menifee MC and the Citywide Design Guidelines which include the Industrial Good Neighbor Policies.<sup>5</sup>

## Consistency with the City of Menifee Good Neighbor Policies

The intent of the 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; and 3. Protect neighborhood character of adjacent communities. In addition to compliance with the provisions of the Menifee Development Code, the Project would adhere to the supplemental general performance standards concerning site design, access, layout, and signage. The Project would also comply with environmental considerations policies pertaining to air quality, greenhouse gas emissions (GHGs), noise, and traffic. The Project's environmental impacts associated with the aforementioned environmental topics have been analyzed in their appropriate section in this EIR. Applicable mitigation measures, laws, ordinances, and regulations, and payment of fees have been implemented to reduce impacts. Therefore, the Project would not conflict with the City's Good Neighbor Policies.

## Consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plans

Portions of the City are in Airport Influence Area (AIA)s of the March Air Reserve Base (MARB) and the Perris Valley Airport governed by the Riverside County Airport Land Use Commission (RCALUC). As discussed in **Section 4.8: Hazards and Hazardous Materials**, the Project is located within Compatibility Zone E of the MARB.<sup>6</sup> Within Compatibility Zone 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 – 4 noise impacts are low to moderate and risk of accidents is low.<sup>7</sup> Airspace protection is the major concern in that aircraft pass over these areas while flying to, from, or around the MARB.<sup>8</sup>

All new development would be in accordance with the Compatibility Zone E and all state, county, and local goals, policies, and regulations. Furthermore, the Project does not require review by ALUC because

---

<sup>5</sup> City of Menifee. (2020). *Design Guidelines*. Retrieved from: [https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines\\_Amended-March-2-2022?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines_Amended-March-2-2022?bidId=) (accessed October 2023).

<sup>6</sup> Ibid.

<sup>7</sup> County of Riverside. 2014. *Riverside County Airport Land Use Compatibility Plan*. Available at: <https://rcaluc.org/sites/g/files/aldnop421/files/migrated/Portals-13-42-20--20Vol.-202-20March-20Air-20Reserve-20Base-20Final.pdf> (accessed October 2023).

<sup>8</sup> City of Perris. ND. *March Air Reserve Base and the Perris Valley Airport Overlay Zone*. Available at: <https://www.cityofperris.org/home/showpublisheddocument/1835/637209993691700000> (accessed October 2023).

the City is consistent with the Perris Valley and MARB airport land use compatibility plan (ALUCP). To be consistent with the requirements of Zone E, the Project would be subject to COA-HAZ-1

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. For Zone E, other development conditions include disclosure only<sup>6</sup>

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**

For purposes of cumulative land use and planning impact analysis, cumulative impacts are considered for cumulative development according to the related projects; see **Table 3-1: List of Cumulative Projects** in **Section 3.0: Basis of Cumulative Analysis** of this Draft EIR. The projects described in **Table 3-1** represent past, present, and potential future projects that could lead to cumulative impacts once combined with this Project. The geographic context for the land use and planning cumulative impact analysis includes the jurisdiction of local and regional agencies including the City of Menifee, City of Perris, Riverside County, and SCAG.

Implementation of the Project, when considered in conjunction with other existing and planned developments listed in **Table 3-1**, would result in the development of a warehouse use and associated infrastructure and off-site improvements. The Project would be compatible with existing land use and zoning designations and would not conflict with applicable plans or policies. Future cumulative development, like the Project, would be required to be reviewed for consistency with adopted planning documents and policies associated with the previously listed agencies, in accordance with the requirements of CEQA, the California Zoning and Planning Law, and the California Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. Overall, the cumulative impact of the Project with respect to future development would not be cumulatively considerable and is, therefore, 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*. Available at:

<https://www.cityofmenifee.us/221/General-Plan>.

City of Menifee. (2023). *Comprehensive Development Code, Table 9.145.030-1: EDC Zones Allowed Uses and Approval Requirements*. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1450#secid-1344>.

City of Menifee. (2023). *General Plan Land Use Map*. Available at:

<https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2023?bidId=>.

City of Menifee 2022. *Zoning Map*. Available at:

<https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---March-2023?bidId=>.

City of Perris. (2023). *Green Valley Specific Plan – Conceptual Land Use Plan*. Available at:

<https://www.cityofperris.org/home/showpublisheddocument/16412/638182768144670000>.

City of Perris. (2023). *Interactive Zoning Map*. Available at:

<https://cityofperris.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=4076972ddb234f298d342f8c167d3752&locale=en>.

Riverside County. ND. *Map My County*. Available at:

[https://gis1.countyofriverside.us/Html5Viewer/?viewer=MMC\\_Public](https://gis1.countyofriverside.us/Html5Viewer/?viewer=MMC_Public).

Southern California Association of Governments. 2020. *Connect SoCal*. Available at:

[https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan\\_0.pdf?1606001176](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176).

## 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 Northern Gateway Logistics Center (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 as **Appendix J** to this EIR.

- Kimley-Horn and Associates, Inc. (2023). *Acoustical Assessment*.

### 4.11.2 Environmental Setting

Refer to **Appendix J** for a detailed description of noise and vibration terms.<sup>1</sup> In addition, refer to the following **Table 4.11-1: Definitions of Acoustical Terms** that includes a brief definition to each applicable acoustical term discussed in this section.

**Table 4.11-1: Definitions of Acoustical Terms**

Term	Definitions
Decibel (dB)	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in $\mu\text{Pa}$ (or 20 microneutons per square meter), where 1 pascal is the pressure resulting from a force of 1 newton exerted over an area of 1 square meter. The sound pressure level is expressed in dB as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 $\mu\text{Pa}$ ). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level (dBA)	The sound pressure level in dB as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level ( $L_{eq}$ )	The average acoustic energy content of noise for a stated period of time. Thus, the $L_{eq}$ of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.
Maximum Noise Level ( $L_{max}$ ) Minimum Noise Level ( $L_{min}$ )	The maximum and minimum dBA during the measurement period.
Exceeded Noise Levels ( $L_{01}$ , $L_{10}$ , $L_{50}$ , $L_{90}$ )	The dBA values that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Day-Night Noise Level ( $L_{dn}$ )	A 24-hour average $L_{eq}$ with a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity at nighttime. The logarithmic effect of these additions is that a 60 dBA 24-hour $L_{eq}$ would result in a measurement of 66.4 dBA $L_{dn}$ .
Community Noise Equivalent Level (CNEL)	A 24-hour average $L_{eq}$ with a 5 dBA weighting during the hours of 7:00 a.m. to 10:00 a.m. and a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account

<sup>1</sup> Kimley-Horn and Associates, Inc. (2024). *Acoustical Assessment*. Pages 7 – 11.

Term	Definitions
	for noise sensitivity in the evening and nighttime, respectively. The logarithmic effect of these additions is that a 60 dBA 24-hour $L_{eq}$ would result in a measurement of 66.7 dBA CNEL.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends on its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.
Source: Ibid. Page 7 – Table 3	

## Existing Noise Sources

The City is impacted by various noise sources. Mobile sources of noise, especially cars, trucks, and trains are the most common and significant sources of noise. Other noise sources are the various land uses (i.e., residential, commercial, institutional, and recreational and parks activities) throughout the City that generate stationary-source noise.

### Mobile Sources

Existing roadway noise levels were calculated for the roadway segments in the Project vicinity. This task was accomplished using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the Project Traffic Study (**Appendix K1**). The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels.

The average daily noise levels along roadway segments in proximity to the Project site are included in **Table 4.11-2: Existing Traffic Noise Levels**. **Table 4.11-2** shows the existing traffic-generated noise level on Project-vicinity roadways currently ranges from 40.6 dBA CNEL to 72.3 dBA CNEL 100 feet from the centerline. As previously described, CNEL is 24-hour average noise level with a 5 dBA “weighting” during the hours of 7:00 p.m. to 10:00 p.m. and a 10 dBA “weighting” added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

**Table 4.11-2: Existing Traffic Noise Levels**

Roadway Segment		ADT	dBA CNEL 100 Feet from Roadway Centerline
Ethanac Road	Evans Road to Case Road	16,845	70.4
	Case Road to I-215 SB Ramps	24,114	72.3
	I-215 SB Ramps to I-215 NB Ramps	19,929	69.4
Evans Road	Ethanac Road to McLaughlin Road	30	40.6
Barnett Road	Ethanac Road to McLaughlin Road	2,950	59.9
ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level			
Source: Ibid. Page 16 – Table 7			

### Stationary Sources

The nearest sources of stationary noise in the Project vicinity are generated by the following existing uses: commercial uses to the northeast; single-family residential properties to the south and west; industrial

uses to the west; and agricultural uses to the northwest. Noise sources from residential and agricultural uses typically include mechanical equipment such as heating, ventilation, and air conditioning (HVAC), automobile related noise such as cars starting and doors slamming, and landscaping equipment. Noise sources from commercial and industrial uses typically include mechanical equipment (e.g., HVAC and mechanical tools) truck idling, and truck maneuvering. The noise associated with these sources may represent a single-event noise occurrence or short-term noise.

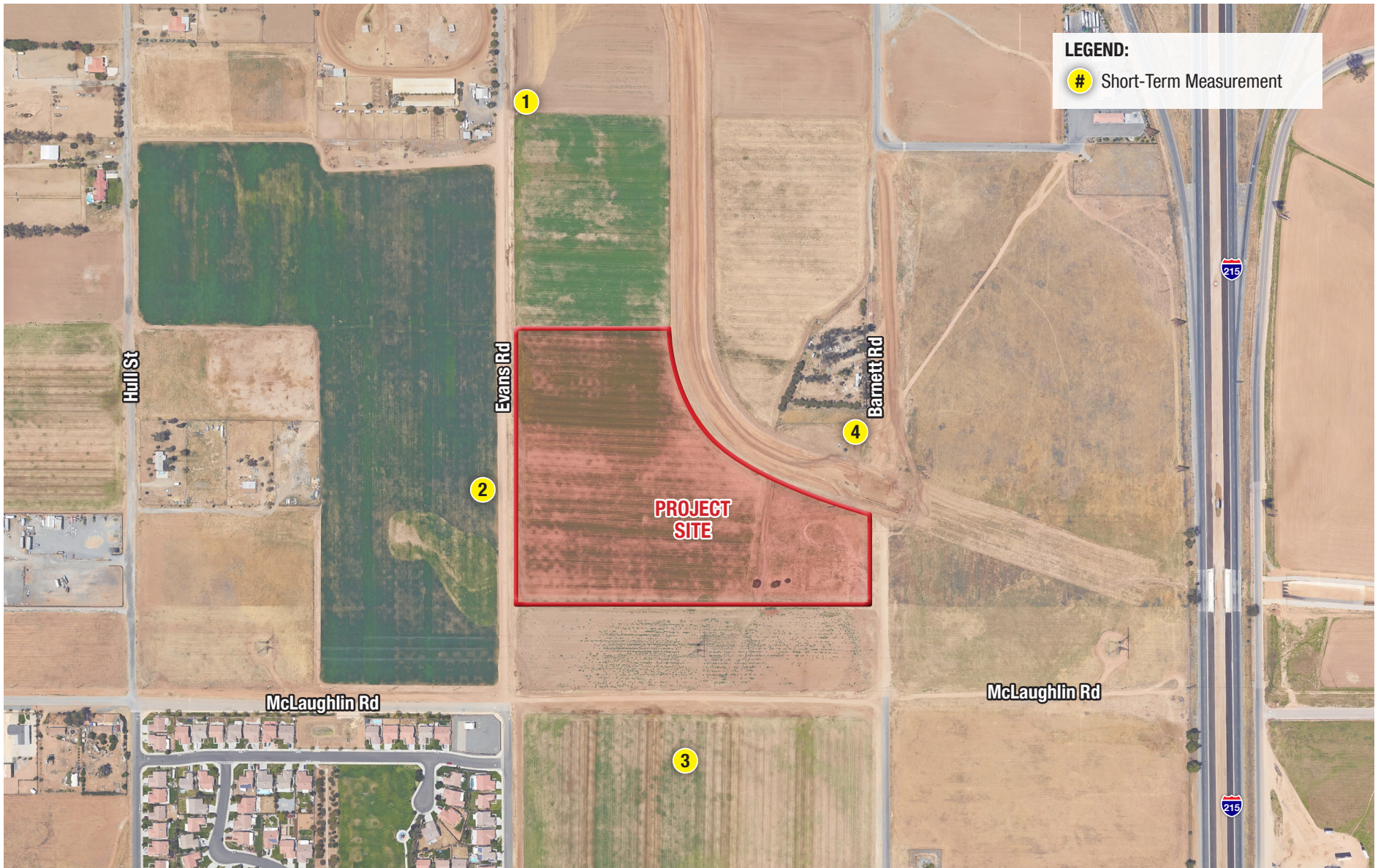
## Noise Measurements

To quantify existing ambient noise levels in the Project area, Kimley-Horn conducted four short-term noise measurements on November 8, 2023. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 12:01 p.m. and 1:10 p.m. Measurements of  $L_{eq}$  are considered representative of the noise levels throughout the day. The average noise levels and sources of noise measured at each location are listed in **Table 4.11-3: Existing Noise Measurements** and shown on **Exhibit 4.11-1: Noise Measurement Locations**.

**Table 4.11-3: Existing Noise Measurements**

Site	Location	Measurement Period	Duration	$L_{eq}$ (dBA)
ST-1	Along Evans Road, approximately 533 feet from Ethanac Road	1:00 – 1:10 p.m.	10 Minutes	59.0
ST-2	Along Evans Road, approximately 750 feet from McLaughlin Road	12:40 – 12:50 p.m.	10 Minutes	50.0
ST-3	Northeast corner of Sagewood Way and Pearl Blossom Way	12:21 – 12:31 p.m.	10 Minutes	56.2
ST-4	Along Barnett Road, approximately 945 feet from McLaughlin Road	12:01 – 12:11 p.m.	10 Minutes	60.0
Source: Ibid. Page 17 -Table 8				





Source: Kimley-Horn and Associates. (2023). Acoustical Assessment Figure 4

**Exhibit 4.11-1: Noise Measurement Locations**  
 City of Menifee  
 Northern Gateway Logistics Center



**Kimley»Horn**



## Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise sensitive uses typically include residences, hospitals, schools, childcare facilities, and places of assembly. Vibration sensitive receivers are generally similar to noise sensitive receivers but may also include businesses, such as research facilities and laboratories that use vibration-sensitive equipment. The nearest sensitive receptors to the Project site are residential uses to the south and west, as well as a park to the southwest. Sensitive land uses nearest to the Project are shown in **Table 4.11-4: Sensitive Receptors**.

**Table 4.11-4: Sensitive Receptors**

Receptor Description	Distance and Direction from the Project <sup>1</sup>	Description
Single-family Residences	405 feet to the south	Along McLaughlin Road, City of Menifee
Single-family Residences	690 feet to the west	Along Corsica Lane, City of Menifee
Nova Park	700 feet to the southwest	Along Starr Drive, City of Menifee
1. Distance measured from the Project boundary line to the property line of the sensitive receptor.		
Source: Page 17 – Table 9		

### 4.11.3 Regulatory Setting

To limit population exposure to physically or psychologically damaging as well as intrusive noise levels, the Federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise.

#### 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 Section 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 Governor’s Office of Planning and Research’s *General Plan Guidelines and Technical Advisories, Appendix D*.<sup>2</sup> The guidelines rank noise land use compatibility in terms of “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and

<sup>2</sup> General Plan Guidelines – Appendix D, Noise Element Guidelines [https://opr.ca.gov/docs/OPR\\_Appendix\\_D\\_final.pdf](https://opr.ca.gov/docs/OPR_Appendix_D_final.pdf).

“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.

### ***Title 24 - California Building Code***

The State’s noise insulation standards are codified in the California Code of Regulations, 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, hotel rooms, 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. For new multi-family residential buildings and habitable rooms (including hotels), the acceptable interior noise limit for new construction is 45 dBA CNEL.

## **Local**

### ***City of Menifee General Plan***

#### ***Noise Element***

The Menifee GP 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 Menifee GP Noise Element is directly related to both the land use and circulation elements.<sup>3</sup>

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

- |                     |   |
|---------------------|---|
| <b>Goal N-1</b>     | <b>Noise-sensitive land uses are protected from excessive noise and vibration exposure.</b>   |
| <b>Policy N-1.1</b> | Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.  |
| <b>Policy N-1.2</b> | 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. |
| <b>Policy N-1.7</b> | Mitigate exterior and interior noises to the levels listed in the table below to the extent feasible, for stationary sources adjacent to sensitive receptors (refer to the following <b>Table 4.11-5: City of Menifee Stationary Source Noise Standards</b> )                                       |

---

<sup>3</sup> City of Menifee. (2013). *Menifee General Plan Noise Element*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1008/HDNE\\_NoiseBackgroundDocument?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1008/HDNE_NoiseBackgroundDocument?bidId=) (accessed December 2023)

**Table 4.11-5: City of Menifee Stationary Source Noise Standards**

Land Use (Residential)	Interior Standards	Exterior Standards
10 p.m. – 7 a.m.	40 L <sub>eq</sub> (10 minute)	45 L <sub>eq</sub> (10 minute)
7 a.m. – 10 p.m.	55 L <sub>eq</sub> (10 minute)	65 L <sub>eq</sub> (10 minute)

Source: Kimley-Horn and Associates, Inc. (2023). Acoustical Assessment. Page 15 – Table 6

- 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-1.10** Guide noise-tolerant land uses into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors adjacent to the I-215 or within the projected noise contours of any adjacent airports.
- Policy N-1.11** Discourage the siting of noise-sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation.
- Policy N-1.12** Minimize potential noise impacts associated with the development of mixed-use projects (vertical or horizontal mixed-use) where residential units are located above or adjacent to noise-generating uses.
- 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.

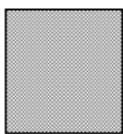
**City of Menifee Land Use Compatibility**

The noise criteria identified in the Menifee GP Noise Element are guidelines to evaluate the land use compatibility of transportation related noise. The compatibility criteria, shown on **Table 4.11-6: Land Use Compatibility for Community Noise Environments**, provides the City with a planning tool to gauge the compatibility of land uses relative to existing and future exterior noise levels. The Land Use Compatibility

for Community Noise Exposure matrix describes categories of compatibility and not specific noise standards.

**Table 4.11-6: Land Use Compatibility for Community Noise Environments**

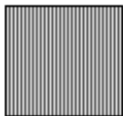
Land Uses	CNEL (dBA)					
	55	60	65	70	75	80
Residential-Low Density Single Family, Duplex, Mobile Homes	Normally Acceptable	Conditionally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential- Multiple Family	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Transient Lodging, Motels, Hotels	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Auditoriums, Concert Halls, Amphitheaters	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Sports Arena, Outdoor Spectator Sports	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Playgrounds, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable
Office Buildings, Businesses, Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Utilities, Agricultural	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable



**Normally Acceptable:**  
Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.



**Normally Unacceptable:**  
New construction or development should generally be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.



**Conditionally Acceptable:**  
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and the needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.



**Clearly Unacceptable:**  
New construction or development generally should not be undertaken.

Source: California Office of Noise Control. Guidelines for the Preparation and Content of Noise Elements of the General Plan. February 1976. Adapted from the US EPA Office of Noise Abatement Control, Washington D.C. Community Noise. Prepared by Wyle Laboratories. December 1971.

Source: Ibid. Page 14 – Table 5

### ***City of Menifee Municipal Code***

The City of Menifee Municipal Code (Menifee MC) provides noise standards; relevant portions are detailed below.<sup>4</sup> Menifee MC Title 9: Zoning is also referred to as the Menifee Development Code. The Menifee Development Code assists the Menifee GP by providing driving policies that reinforce the goals set by the GP.

- All construction activities shall adhere to Menifee Section 9.210.060(C), which requires projects within the City located within one-quarter of a mile from an occupied residence to operate Monday through Saturday, except nationally recognized holidays, from 6:30 a.m. to 7:00 p.m. and prohibits construction from occurring on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer. Compliance with Menifee MC Section 9.210.060(C) would reduce construction-related noise impacts.
- Menifee MC Section 9.09 (Noise Ordinance) provides exemptions for noise from certain sources. According to Section 9.09.020 – General Exemptions, exemptions relevant to the Project include:
  - Property maintenance including lawnmowers, leaf blowers, etc., provided such maintenance occurs between the hours of 7:00 a.m. and 8:00 p.m.
  - Motor vehicles, other than off-highway vehicles.
  - Heating and air conditioning equipment in proper repair.
- All construction activities and haul truck deliveries shall adhere to Menifee MC Section 9.09.030(B), which prohibits construction activities that make loud noise from occurring between 6:00 p.m. and 6:00 a.m. during the months of June through September, and between 6:00 p.m. and 7:00 a.m. during the months of October through May, and on Sundays and Federal holidays. Compliance with Menifee MC Section 9.09.030 would reduce construction-related noise impacts.
- Menifee MC Section 9.09.050(A) discusses the noise standards for stationary noise sources and states the following: No person shall create any sound, or allow the creation of any sound, on any property that causes the exterior and interior sound level on any other occupied property to exceed the sound level standards set forth in Table 4.11-5.
- Menifee MC Section 9.210.060 establishes citywide standards regulating noise. The general sound level standards set forth in Section 9.210.060.E apply to sound emanating from all sources, including the following special sound sources, and the person creating, or allowing the creation of, the sound is subject to the requirements of that section.

The Menifee MC in its entirety can be found here:

<https://codelibrary.amlegal.com/codes/menifee/latest/overview>.

Menifee MC Title 9, also referred to as the Development Code can be found here:

<https://www.cityofmenifee.us/494/MunicipalDevelopment-Code-and-Design-Gui>

---

<sup>4</sup> City of Menifee. (2023). *City of Menifee Municipal Code*. Available at: <https://codelibrary.amlegal.com/codes/menifee/latest/overview> (accessed December 2023).

### ***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. The following noise-related guidelines are applicable to the 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 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.

#### **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.

### **Noise Thresholds**

#### ***Construction Noise***

The City of Menifee does not establish quantitative construction noise standards and only limits the construction activities timeframe; therefore, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour Leq) for residential uses and 90 dBA (8-hour Leq) for non-residential uses to evaluate construction noise impacts.<sup>5</sup>

---

<sup>5</sup> Kimley-Horn and Associates, Inc. (2023). Acoustical Assessment. Page 19.

## **Operational Noise**

Operational noise is evaluated based on the standards within the Menifee MC and GP. Menifee MC Section 9.210.060(D) identifies a daytime (7:00 a.m. – 10:00 p.m.) standard of 55 dBA (interior) and 65 dBA (exterior) for residential receptors and a nighttime (10:00 p.m. – 7:00 a.m.) standard of 40 dBA (interior) and 45 dBA (exterior); refer to **Table 4.11-5**.

The City provides noise and land use compatibility standards (i.e., noise standards using a 24-hour metric such as  $L_{dn}$  or CNEL and with Normally Acceptable, Conditionally Acceptable, Normally Unacceptable, and Clearly Unacceptable designations) in the City of Menifee General Plan Noise Background Document and Definitions document. A potentially significant impact would occur if the Project would cause ambient noise levels to increase by 3 dBA CNEL or more and the resulting noise falls on a noise-sensitive land use that exceeds the noise and land use compatibility standards (i.e., causing the noise level of a noise sensitive land use within an area to be categorized as either “Normally Unacceptable” or “Clearly Unacceptable”). Note that noise level changes less than 3 dBA are not detectable by the human ear.

Noise levels up to 60 dBA CNEL are considered Normally Acceptable and noise levels up to 70 dBA CNEL are considered Conditionally Acceptable for single-family residential uses. Meeting the conditionally acceptable standards are appropriate as long as the 45 dBA interior noise standard can be met. Therefore, the proposed Project would result in a potentially significant traffic noise impact if Project traffic would increase the baseline traffic noise level by 3 dBA CNEL and exceed the applicable land use compatibility standard. The environmental baseline is the Without Project condition.

## **Vibration**

The City currently does not have a significance threshold to assess vibration impacts. The FTA and Caltrans identify the vibration threshold for human annoyance, vibrations levels of 0.4 in/sec PPV is when vibrations are considered severe by people subjected to continuous vibrations and levels of 0.2 in/sec is used for building damage.

## **Methodology and Assumptions**

### **Construction**

Construction noise levels were based on typical noise levels generated by construction equipment published by the FTA and the FHWA. Construction noise is assessed in dBA  $L_{eq}$ . This unit is appropriate because  $L_{eq}$  can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

Construction noise modeling was conducting using the FHWA Roadway Construction Noise Model (RCNM). 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. The City of Menifee does not establish quantitative construction noise standards. As noted above, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour  $L_{eq}$ ) for residential uses and 90 dBA (8-hour  $L_{eq}$ ) for non-residential uses to evaluate construction noise impacts.

### **Operations**

The analysis of the Without Project and With Project noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the Project operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities are used to estimate noise levels expected with the Project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. On-site operational noise levels from the proposed Project were evaluated using SoundPLAN. SoundPLAN computes noise levels at noise sensitive areas through a series of adjustments to reference sound levels. SoundPLAN also accounts for topography, groundcover type, and intervening structures. Reference noise levels are used to estimate the Project's operational noise impacts from stationary sources. Operational noise is evaluated based on the standards within the Menifee MC and GP.

An analysis was conducted of the Project's effect on traffic noise conditions at off-site land uses. Without Project traffic noise levels were compared to With Project traffic noise levels. The environmental baseline is the Without Project condition. The Without Project and With Project traffic noise levels in the Project vicinity were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108). 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. In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable.

### **Vibration**

Ground-borne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical ground-borne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential ground-borne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria.

For a structure built traditionally, without assistance from qualified engineers, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any vibration damage. FTA guidelines show that modern engineered buildings built with reinforced-concrete, steel or timber can withstand vibration levels up to 0.50 in/sec and not experience vibration damage. The Caltrans 2020 Transportation and Construction Vibration Guidance Manual identifies a vibration threshold of 0.4 in/sec PPV (which is considered severe by people subjected to continuous vibrations) for human annoyance. Vibrations thresholds of 0.4 in/sec PPV is used for human annoyance and a threshold of 0.2 in/sec is used for building damage.

### 4.11.5 Impacts and Mitigation Measures

**Impact 4.11-1** *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**

#### Construction

On-Site Construction Noise. Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods near the construction site. However, it is acknowledged that construction activities would occur throughout the Project site and would not be concentrated at a single point near sensitive receptors.

Construction activities would include site preparation, grading, infrastructure improvements, building construction, paving, and architectural coating. Such activities could require dozers and tractors during site preparation; excavators, graders, dozers, tractors, and scrapers during grading; tractors and pavers during infrastructure improvements; cranes, generators, tractors, forklifts, and welders during building construction; pavers, rollers, and a pavement scarifiers during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Typical noise levels associated with individual construction equipment are listed in **Table 4.11-7: Typical Construction Noise Levels.**

**Table 4.11-7: Typical Construction Noise Levels**

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 100 feet from Source <sup>1</sup>
Air Compressor	80	74
Backhoe	80	74
Compactor	82	76
Concrete Mixer	85	79
Concrete Pump	82	76
Concrete Vibrator	76	70
Crane, Mobile	83	77
Dozer	85	79
Generator	82	76
Grader	85	79
Impact Wrench	85	79
Jack Hammer	88	82
Loader	80	74
Paver	85	79
Pneumatic Tool	85	79
Pump	77	71

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 100 feet from Source <sup>1</sup>
Roller	85	79
Saw	76	70
Scraper	85	79
Shovel	82	76
Truck	84	78

Notes:  
1. Calculated using the inverse square law formula for sound attenuation:  $dBA_2 = dBA_1 + 20 \log(d_1/d_2)$   
Where:  $dBA_2$  = estimated noise level at receptor;  $dBA_1$  = reference noise level;  $d_1$  = reference distance;  $d_2$  = receptor location distance  
Source: Ibid. Page 22 – Table 10

The Menifee MC does not establish quantitative exterior construction noise standards however, Section 9.210.060 states that construction activities within one-quarter mile of an occupied residence can only occur Monday through Saturday, except nationally recognized holidays, from 6:30 a.m. to 7:00 p.m. While the Menifee MC does not establish quantitative construction noise standards, this analysis conservatively uses the FTA’s threshold of 80 dBA (8-hour  $L_{eq}$ ) for residential uses to evaluate construction noise impacts.<sup>6</sup>

### Project Construction Noise Levels

The noise levels calculated in **Table 4.11-8: Project Construction Noise Levels**, show the exterior construction noise for the Project conservatively without accounting for attenuation from existing physical barriers and improvements in the technology of construction equipment, which today generate less noise. Construction noise has been calculated with FHWA’s Roadway Construction Noise Model (RCNM). The nearest noise-sensitive receptors are residential uses located approximately 405 feet to the south and 690 feet to the west of the Project site. Construction equipment was assumed to operate simultaneously to represent a worst-case noise scenario as construction activities would routinely be spread throughout the construction site and would operate at different intervals.

**Table 4.11-8: Project Construction Noise Levels**

Construction Phase	Land Use	Direction	Distance (feet) <sup>1</sup>	Worst Case Modeled Exterior Noise Level (dBA $L_{eq}$ ) <sup>2</sup>	Noise Threshold (dBA $L_{eq}$ ) <sup>3</sup>	Exceeded?
Site Preparation	Residential	South	823	63.3	80	No
	Residential	West	1,142	60.5	80	No
Grading	Residential	South	823	63.9	80	No
	Residential	West	1,142	61.0	80	No
Infrastructure Improvements	Residential	South	823	57.4	80	No
	Residential	West	1,142	54.5	80	No
Building Construction	Residential	South	823	65.0	80	No
	Residential	West	1,142	62.2	80	No
Paving	Residential	South	823	62.2	80	No
	Residential	West	1,142	59.3	80	No
Architectural Coating	Residential	South	823	49.4	80	No
	Residential	West	1,142	46.5	80	No
<b>Overlapping Phases</b>						
Site Preparation and Grading	Residential	South	823	66.6	80	No
	Residential	West	1,142	63.8	80	No
Grading, Building Construction, and Paving	Residential	South	823	68.6	80	No
	Residential	West	1,142	65.8	80	No

<sup>6</sup> Ibid. page 22

Construction Phase	Land Use	Direction	Distance (feet) <sup>1</sup>	Worst Case Modeled Exterior Noise Level (dBA L <sub>eq</sub> ) <sup>2</sup>	Noise Threshold (dBA L <sub>eq</sub> ) <sup>3</sup>	Exceeded?
Building Construction, Paving, Infrastructure Improvements, and Architectural Coating	Residential	South	823	67.4	80	No
	Residential	West	1,142	64.5	80	No
Notes:						
<ol style="list-style-type: none"> <li>Following FTA methodology, all equipment is assumed to operate at the center of the Project site because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was approximately 823 feet and 1,142 feet to the nearest sensitive receptors to the south and west of the construction zone, respectively.</li> <li>Modeled noise levels conservatively assume the simultaneous operation of all pieces of equipment.</li> <li>Federal Transit Administration noise threshold is 80 dBA L<sub>eq</sub> for residential uses.</li> </ol>						
Source: Ibid. Page 24 – Table 11.						

FTA’s construction threshold is an 8-hour L<sub>eq</sub>, which accounts for the percentage of time each individual piece of equipment operates under full power in that period. Additionally, construction equipment would move throughout the site during that period. Following FTA methodology, when calculating construction noise, all construction equipment is assumed to operate simultaneously at the center of the active construction zone to represent an average distance throughout the day. During construction, equipment would operate throughout the site and not all the equipment would be operating at the point closest to the sensitive receptors and considering the distance between the center of the Project site and the sensitive receptors is a reasonable assumption.

**Table 4.11-8** shows that the construction noise levels would not exceed the applicable FTA construction threshold. The highest exterior noise level at residential receptors would occur during the overlap of the grading, building construction, and paving phases and would be 68.6 dBA which is below the FTA’s 80 dBA threshold. Construction equipment would operate throughout the Project site and the associated noise levels would not occur at a fixed location for extended periods of time. Although sensitive uses may be exposed to elevated noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Construction noise would therefore have a less than significant impact.

## Operations

Implementation of the proposed Project would create new sources of noise in the Project vicinity. The major noise sources associated with the Project would include:

- Mechanical equipment (i.e., trash compactors, air conditioners);
- Slow moving trucks on the Project site, approaching and leaving the loading areas;
- Activities at the loading areas (i.e., maneuvering and idling trucks, equipment noise);
- Parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and
- Off-site traffic noise.

Each noise source is discussed in more detail below.

## ***On-Site Operational Noise Sources***

### ***Mechanical Equipment***

The nearest sensitive receptors are residential uses located south of the Project site along McLaughlin Road. Potential stationary noise sources related to long-term operation of the Project would include mechanical equipment such as rooftop heating, ventilation, and air conditioning (HVAC) units. HVAC mechanical equipment generates noise levels of approximately 52 dBA at 50 feet.<sup>7</sup> HVAC units were modeled as point sources on the rooftop of the warehouse buildings in SoundPLAN. A total of twenty-one HVAC units were modeled, including six on Building 1 and fifteen on Building 2. This equipment would run continuously to regulate the temperature of the building.

### ***On-Site Traffic***

On-site Project traffic would consist of trucks in the truck court areas and access driveways to the east and west of the warehouse buildings. On-site vehicle movements from heavy trucks were modeled as a roadway noise source using daily trip generation data from the Project Traffic Study (prepared by Kimley-Horn, 2023). The Traffic Study indicated the Project would generate 184 daily truck trips. Heavy truck traffic traveling at 15 miles per hour generates an hourly noise level of approximately 64.3 dBA  $L_{eq(h)}$  at a distance of 50 feet.<sup>8</sup> Truck deliveries are anticipated to occur during normal daytime hours (between 7:00 am and 10:00 pm) and during nighttime hours (between 10:00 p.m. and 7:00 a.m.). Noise from truck delivery movements on the proposed site were modeled in SoundPLAN.

### ***Parking Areas***

The Project would provide approximately 354 automobile parking stalls and 41 truck trailer parking stalls in total. Automobile parking stalls would be located throughout the Project site, while truck trailer parking stalls would be located in the center of the Project site. The Project Traffic Study indicated a volume of 72 peak hour passenger vehicles at the Project site. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are usually based on a time-averaged scale such as the CNEL or  $L_{eq}$  scale (e.g., Menifee MC Section 9.210.060(D) utilizes a 10-minute  $L_{eq}$  scale). The maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA<sup>9</sup> and may be an annoyance to adjacent noise-sensitive receptors. However, parking noise events would be instantaneous and short-term in duration. Parking, driveway, and noise from on-site vehicle circulation would be consistent with existing noise in the site vicinity and would be partially masked by background traffic noise from motor vehicles traveling along the surrounding roadways. Noise from on-site parking lot movements were modeled as parking lot sources in SoundPLAN.

### ***Combined On-Site Noise Levels***

The noise levels associated with mechanical equipment, on-site vehicle circulation, and parking lot noise were modeled with the SoundPLAN software. SoundPLAN allows computer simulations of noise situations, and creates noise contour maps using reference noise levels, topography, point and area noise sources, mobile noise sources, and intervening structures. Inputs to the SoundPLAN model included ground topography and ground type, existing and proposed intervening structures, noise source locations

---

<sup>7</sup> Ibid. Page 25.

<sup>8</sup> Ibid. Page 25.

<sup>9</sup> Ibid. Page 26

and heights, receiver locations, and sound power level data. The SoundPLAN run for Project operations conservatively assumes the simultaneous operation of all on-site noise sources by time period.

Utilizing the reference noise level data described above, SoundPLAN was used to calculate noise levels at the nearest sensitive receptors surrounding the Project site. It should be noted that predicted noise levels are conservative estimates since it was assumed that all equipment and operational activity at the Project site would occur in a constant, simultaneous manner during the daytime and nighttime hours. In reality, it is anticipated that most of these noise sources would occur intermittently throughout the day and night (except for rooftop HVAC which would operate in a steady-state manner). The modeled Project noise levels are provided in **Table 4.11-9: Project Operational Noise Levels**.

Section 9.210.060(D) of the Menifee MC establishes an exterior daytime limit of 65 dBA  $L_{eq}$  and an exterior nighttime limit of 45 dBA  $L_{eq}$  for noise sources. As shown in **Table 4.11-9**, Project-generated noise levels at the nearest off-site properties would range from 29.2 dBA  $L_{eq}$  to 46.7 dBA  $L_{eq}$  during the daytime and would not exceed the Menifee MC noise limit of 65 dBA  $L_{eq}$ . Similarly, Project-generated noise levels during the nighttime would range from 28.9 dBA  $L_{dn}$  to 43.4 dBA  $L_{eq}$  and would not exceed the Menifee MC noise limit of 45 dBA  $L_{eq}$ . As such, Project noise impacts from on-site operations would be less than significant.

**Table 4.11-9: Project Operational Noise Levels**

Receptor No.	Land Use	Direction from Project Site	Daytime			Nighttime		
			Modeled Noise Level, dBA $L_{eq}$	City Noise Standard, dBA $L_{eq}$	Exceeds Standard?	Modeled Noise Level, dBA $L_{eq}$	City Noise Standard, dBA $L_{eq}$	Exceeds Standard?
1	Residential	Southwest	35.2	65	No	34.8	45	No
2	Residential	Southwest	36.1	65	No	35.7	45	No
3	Residential	Southwest	37.4	65	No	36.7	45	No
4	Residential	Southwest	37.7	65	No	37.2	45	No
5	Residential	Southwest	36.8	65	No	36.4	45	No
6	Residential	Southwest	36.0	65	No	35.6	45	No
7	Residential	Southwest	33.9	65	No	33.5	45	No
8	Residential	Southwest	33.2	65	No	32.8	45	No
9	Residential	Southwest	32.5	65	No	32.2	45	No
10	Residential	Southwest	31.8	65	No	31.5	45	No
11	Residential	West	38.1	65	No	36.6	45	No
12	Residential	West	36.0	65	No	34.8	45	No
13	Residential	West	33.5	65	No	32.6	45	No
14	Residential	South	39.1	65	No	39.1	45	No
15	Residential	South	39.3	65	No	39.3	45	No
16	Residential	South	38.9	65	No	38.9	45	No
17	Residential	South	38.2	65	No	38.2	45	No
18	Residential	South	37.2	65	No	37.2	45	No
19	Residential	South	37.4	65	No	37.4	45	No
20	Residential	South	36.1	65	No	36.0	45	No
21	Residential	South	34.9	65	No	34.7	45	No
22	Residential	Northwest	30.5	65	No	30.1	45	No
23	Residential	Northwest	29.2	65	No	28.9	45	No
24	Residential	Northwest	29.8	65	No	29.5	45	No
25	Residential	East	46.7	65	No	43.4	45	No
26	Residential	Southeast	36.4	65	No	36.4	45	No
27	Residential	Southeast	35.6	65	No	35.6	45	No
28	Residential	Southeast	34.5	65	No	34.5	45	No

Receptor No.	Land Use	Direction from Project Site	Daytime			Nighttime		
			Modeled Noise Level, dBA $L_{eq}$	City Noise Standard, dBA $L_{eq}$	Exceeds Standard?	Modeled Noise Level, dBA $L_{eq}$	City Noise Standard, dBA $L_{eq}$	Exceeds Standard?
29	Residential	Southeast	33.4	65	No	33.3	45	No
30	Residential	Southeast	32.3	65	No	32.3	45	No
31	Residential	Southeast	31.3	65	No	31.2	45	No
32	Residential	Southeast	35.6	65	No	35.6	45	No
33	Residential	Southeast	34.8	65	No	34.8	45	No
34	Residential	Southeast	34.0	65	No	34.0	45	No

Source: Ibid. Page 27 – Table 12

### Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. Based on the Traffic Study, the proposed Project would result in approximately 681 daily trips. The Opening Year “Opening Year Without Project” and “Opening Year With Project” scenarios are compared in **Table 4.11-10: Project Traffic Noise Levels**. **Table 4.11-10** shows roadway noise levels without the Project would range from 58.9 dBA CNEL to 74.9 dBA CNEL and between 61.2 dBA CNEL and 75.1 dBA CNEL with the Project.

In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. Potential impacts occur when the Project change exceeds 3 dBA and the Normally Acceptable land use compatibility standard is exceeded (i.e., both must occur). As depicted in **Table 4.11-10**, although the “Opening Year With Project” scenario traffic noise levels would exceed the Normally Acceptable Standard along Ethanac Road, noise levels would not exceed the 3.0 dBA increase significance threshold along any of the surrounding roadways. As a result, the Project would not result in a perceptible increase in traffic noise levels and impacts would be less than significant.

**Table 4.11-10: Project Traffic Noise Levels**

Roadway Segment		Opening Year Without Project		Opening Year With Project		Change	Change Threshold	Normally Acceptable Standard (dBA CNEL) <sup>2</sup>	Significant Impact <sup>3</sup>
		ADT	dBA CNEL <sup>1</sup>	ADT	dBA CNEL <sup>1</sup>				
Ethanac Road	Evans Road to Case Road	36,867	73.8	37,319	73.9	0.1	3.0	70	No
	Case Road to I-215 SB Ramps	44,427	74.9	45,239	75.1	0.1	3.0	70	No
	I-215 SB Ramps to I-215 NB Ramps	34,226	71.8	34,657	71.9	0.2	3.0	70	No
Evans Road	Ethanac Road to McLaughlin Road	2,008	58.9	2,609	61.2	2.4	3.0	75	No
Barnett Road	Ethanac Road to McLaughlin Road	6,108	63.1	6,468	61.4	-1.7	3.0	70	No

ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level.

Notes:

- Traffic noise levels are at 100 feet from the roadway centerline. 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, barriers, and topography.
- The lowest Normally Acceptable land use compatibility noise standard for developed uses along each roadway segment is conservatively used to analyze impacts.
- Potential impacts occur when the Project change exceeds 3 dBA and the Normally Acceptable land use compatibility standard is exceeded (i.e., both must occur).

Source: Ibid. Page 28 – Table 13



**Mitigation Measures**

No mitigation is required.

**Impact 4.11-2      *Generation of excessive groundborne vibration or groundborne noise levels?***

***Level of Significance: Less than Significant***

**Construction**

Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Construction on the Project site would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

**Table 4.11-11: Typical Construction Equipment Vibration Levels** lists vibration levels at 25 feet for typical construction equipment. Vibration levels at 435 feet, the distance from the Project boundary to the nearest existing structure is also included in **Table 4.11-11**. Ground-borne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in **Table 4.11-11**, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from less than 0.0001 to 0.0012 in/sec PPV at 435 feet from the source of activity.

**Table 4.11-11: Typical Construction Equipment Vibration Levels**

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 435 Feet (in/sec) <sup>1</sup>
Large Bulldozer	0.089	0.0012
Loaded Trucks	0.076	0.0010
Jackhammer	0.035	0.0005
Small Bulldozer/Tractors	0.003	<0.0001
Notes:		
1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$ , where: $PPV_{equip}$ = the peak particle velocity in in/sec of the equipment adjusted for the distance; $PPV_{ref}$ = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , 2018; D = the distance from the equipment to the receiver.		
Source: Ibid. Page 29 – Table 14		

As noted above, the nearest structure to the Project construction site is approximately 435 feet away. **Table 4.11-11** shows that at 435 feet the vibration velocities from construction equipment would not exceed 0.0012 in/sec PPV, which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.4 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

## Operations

The Project would include truck movement activity at the Project site. These movements would generally be low-speed (i.e., less than 15 miles per hour) and would occur over new, smooth surfaces. For perspective, Caltrans has studied the effects of propagation of vehicle vibration on sensitive land uses and notes that "heavy trucks, and quite frequently buses, generate the highest earthborn vibrations of normal traffic." Caltrans further notes that the highest traffic-generated vibrations are along freeways and state routes. Their study finds that "vibrations measured on freeway shoulders (five meters from the centerline of the nearest lane) have never exceeded 0.08 inches per second, with the worst combinations of heavy trucks and poor roadway conditions (while such trucks were moving at freeway speeds). This level coincides with the maximum recommended safe level for ruins and ancient monuments (and historic buildings).<sup>10</sup> Since the Project's truck movements would be at low speed (not at freeway speeds) and would be over smooth surfaces (not under poor roadway conditions), Project-related vibration associated with truck activity would not result in excessive ground-borne vibrations; no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial ground-borne vibration associated with the Project, such as rail or subways. The Project would not create or cause any vibration impacts due to operations and therefore, a less than significant would occur.

### ***Mitigation Measures***

No mitigation is required.

***Impact 4.11-3*** *For or a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

***Level of Significance: Less Than Significant***

## Construction and Operations

The public airport nearest to the Project site is the Perris Valley Airport, located approximately 1.7 miles to the northwest. According to the *Riverside County Airport Land Use Compatibility Plan Policy Document*, the Project site is not located within the Perris Valley Airport 65 CNEL noise contour.<sup>11</sup> As such, Perris Valley Airport noise levels would not exceed the City's normally acceptable noise standard (75 dBA CNEL) for industrial uses; refer to **Table 4.11-6**. Additionally, the Project site is not located within the

---

<sup>10</sup> Ibid. Page 30.

<sup>11</sup> Ibid. Page 30.

vicinity of a private airstrip. Thus, the Project would not expose substantial numbers of people to excessive noise levels from airports and impacts would be less than significant.

### **Mitigation Measures**

No mitigation is required.

## **4.11.6 Cumulative Impacts**

### **Cumulative Construction Noise**

The Project's construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise would be periodic and 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.

Construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise and would take place during daytime hours on the days permitted by the Menifee MC, and projects requiring discretionary City approvals would require the City to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Based on the fact that noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed, and impacts in this regard are not cumulatively considerable.

### **Cumulative Operational Noise**

#### ***Cumulative Off-Site Traffic Noise***

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Opening Year Without Project scenarios to the Opening Year Plus Project scenario. The traffic analysis considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- ***Combined Effect.*** The cumulative with Project noise level ("Opening Year With Project") would cause a significant cumulative impact if a 3.0 dB increase over "Existing" conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an

incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.

- **Incremental Effects.** The “Opening Year With Project” causes a 1.0 dBA increase in noise over the “Opening Year Without Project” noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility noise standard. Noise, by definition, is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

**Table 4.11-12: Cumulative Off-Site Traffic Noise Levels** identifies the traffic noise effects along roadway segments in the Project vicinity for “Existing,” “Opening Year Without Project,” and “Opening Year With Project,” conditions, including incremental and net cumulative impacts. **Table 4.11-12** shows the combined and incremental effect criterion would be exceeded along Evans Road from Ethanac Road to McLaughlin Road. However, as indicated in **Table 4.11-12**, the Opening Year With Project noise levels along this roadway segment would not exceed the Normally Acceptable land use compatibility standard. As discussed above, a cumulative traffic noise impact would occur if both the combined and incremental effects criteria are exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility standard. Therefore, cumulative traffic impacts from the proposed Project would be less than significant.

**Table 4.11-12: Cumulative Off-Site Traffic Noise Levels**

Roadway Segment		Existing <sup>1</sup>	Opening Year Without Project <sup>1</sup>	Opening Year With Project <sup>1</sup>	Combined Effects	Incremental Effects	Normally Acceptable Standard (dBA CNEL) <sup>2</sup>	Cumulatively Significant Impact? <sup>3</sup>
					Difference In dBA Between Existing and Opening Year With Project	Difference In dBA Between Opening Year Without Project and Opening Year With Project		
Ethanac Road	Evans Road to Case Road	70.4	73.8	73.9	3.5	0.1	70	No
	Case Road to I-215 SB Ramps	72.3	74.9	75.1	2.8	0.1	70	No
	I-215 SB Ramps to I-215 NB Ramps	69.4	71.8	71.9	2.5	0.2	70	No
Evans Road	Ethanac Road to McLaughlin Road	40.6	58.9	61.2	20.6	2.4	75 <sup>4</sup>	No
Barnett Road	Ethanac Road to McLaughlin Road	59.9	63.1	61.4	1.4	-1.7	70	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL = Community Noise Equivalent Level

Notes:

1. Traffic noise levels are at 100 feet from the roadway centerline. 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, barriers, and topography.
2. The lowest Normally Acceptable land use compatibility noise standard for developed uses along each roadway segment is conservatively used to analyze impacts.
3. A significant impact would result only if both the combined and incremental effects criteria have been exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility standard.
4. The Normally Acceptable Standard is reflective of the agricultural use located along Evans Road. However, a residential use is located approximately 645 feet from the centerline of Evans Road. Therefore, traffic noise levels were calculated at a distance of 645 feet from the roadway centerline to ensure roadway noise levels would not be exceeded at the residential use. Refer to [Appendix B](#).

Source: Ibid. Page 32 – Table 15

### *Cumulative Stationary Noise*

The stationary noise sources of the proposed Project would not result in an incremental increase in non-transportation noise sources in the Project vicinity. Furthermore, as discussed above, operational noise caused by the proposed Project would be less than significant. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there is a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact, and even if there was such a significant cumulative impact, the Project would not make a cumulatively considerable contribution to significant cumulative operational noises.

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 site and 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 and unavoidable impacts concerning noise were identified.

#### **4.11.8 References**

City of Menifee. (2013). *Menifee General Plan Noise Element*. Available at:

[https://www.cityofmenifee.us/DocumentCenter/View/1008/HDNE\\_NoiseBackgroundDocument?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1008/HDNE_NoiseBackgroundDocument?bidId=)

City of Menifee. (2023). *Menifee Municipal Code*. Available at:

[https://codelibrary.amlegal.com/codes/menifee/latest/overview.](https://codelibrary.amlegal.com/codes/menifee/latest/overview)

Kimley-Horn and Associates, Inc. (2023). *Acoustical Assessment*. (**Appendix J**).

## 4.12 PUBLIC SERVICES

### 4.12.1 Introduction

This section evaluates potential Northern Gateway Logistics 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 public services. This section identifies potential impacts that could result from implementation of the Project, which includes construction and operation of the two concrete tilt up 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 Project implementation 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 (Menifee GP)
- City of Menifee Municipal Code (Menifee MC)

### 4.12.2 Environmental Setting

#### Fire Protection

The City 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.<sup>1</sup> There are four fire stations in the City. Station 68 is located at 26020 Wickerd Road, approximately 6.4 miles south of the Project site; Station 76 is located at 29950 Menifee Road, approximately 4.3 miles southeast of the Project site. Station 5 is located at 28971 Goetz Road in Menifee, approximately 3.8 miles southwest of the Project site. Also nearby is Station 7 located at 28349 Bradley Road, Sun City, and is approximately 2.0 miles south of the Project site. Lastly, Station 54 located at 25730 Sultans Road, Homeland, is approximately 4 miles east of the Project site.<sup>2</sup>

#### 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

<sup>1</sup> City of Menifee. ND. *Fire Department*. Available at: <https://www.cityofmenifee.us/103/Fire-Department> (accessed June 2023).

<sup>2</sup> Riverside County Fire Department. ND. *Fire Stations*. Available at: <https://www.rvcfire.org/resources/fire-stations-map> (accessed June 2023).

Enforcement, and Records Bureau).<sup>3</sup> The MPD station is located at 29714 Haun Road, approximately 3.6 miles to the southeast of the Project site.

## Schools

The Project site is within the boundaries of the Romoland School District and Perris Union High School District (PUHSD).<sup>4,5</sup> Schools closest to the Project site that are within the Romoland School District include Romoland Elementary located at 25890 Antelope Road, located approximately 1.4 miles northeast and Boulder Ridge Elementary School located at 27327 Junipero Rd, located 2.3 miles southeast of the Project site. The Project site is specifically within the Heritage High School boundaries which is located approximately 3.4 miles from the Project Site.

## Parks and Recreation

Available public parks and recreational facilities in the City are 21 City-owned parks and 22 Valley-wide owned parks.<sup>6</sup> The closest park is Nova Park approximately 0.22 mile from the Project site, located at 25444 Nova Lane. Other nearby parks include Eller Park (located at State Route [SR] 74 and Antelope Road) approximately 1.5-miles east of the Project site, Ramona park located at 28050 Encanto Dr, approximately 1.8 mile southeast of the Project Site, and Talavera Park located 1.5 miles east of the Project site.<sup>7</sup>

## Other Public Facilities

Other public facilities present in the City include the Lazy Creek Recreation Center (26480 Lazy Creek Road), located approximately 3.3 miles south of the Project site; Kay Cenicerros Senior Center (29995 Evans Road), located approximately 3.6 miles south of the Project site; Sun City Library (26982 Cherry Hills Road), located 1.8 miles southeast of the Project site; Menifee Library (28798 La Piedra Road), located 4.8 miles southeast of the Project site; and Marion Ashley Community Center (25625 Briggs Road) located approximately 3.4 miles northeast of the Project Site.

### 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

<sup>3</sup> City of Menifee. (2023). *Menifee Police Department - Operations*. Available at: <https://menifeepolice.org/operations/> (accessed June 2023).

<sup>4</sup> Romoland School District. (2017). *2016-2017 Elementary School Boundaries*. Available at: [https://www.romoland.net/cms/lib/CA01902709/Centricity/Domain/19/documents/BoundaryMap\\_4-11-2017.pdf](https://www.romoland.net/cms/lib/CA01902709/Centricity/Domain/19/documents/BoundaryMap_4-11-2017.pdf) (accessed June 2023).

<sup>5</sup> Perris Union High School District. (2023). *School Boundaries and Transfers*. Available at: <https://www.puhsd.org/Content2/school-boundaries-and-transfers> (accessed July 2023).

<sup>6</sup> City of Menifee. ND. *Parks*. Available at: <https://www.cityofmenifee.us/285/Parks> (accessed June 2023).

<sup>7</sup> Ibid.



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.

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 (sq. ft) of assessable space.
- In the case of any commercial or industrial construction, thirty-one cents (\$0.31) per sq. ft of chargeable covered and enclosed space. (CGC § 65995, subd. (b)).

According to CGC § 65995(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.

### ***2022 California Building Code<sup>8</sup>***

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 2019 CBC is based on the 2021 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. The 2022 CBC took effect on January 1, 2023. Project applications submitted after January 1, 2023, are subject to adherence with the 2022 CBC.

### ***2022 California Fire Code<sup>9</sup>***

The 2022 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 2022 and adopted in 2023. The 2022 California Fire Code has been enforced as of January 1, 2023. Project applications submitted after January 1, 2023, are subject to adherence with the 2022 CFC.

### ***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 EMAA, 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 Menifee GP 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

---

<sup>8</sup> California Building Standards Commission. (2022). *California Building Standards Codes*. Available at: <https://www.dgs.ca.gov/BSC/Codes> (accessed June 2023).

<sup>9</sup> Ibid.

and geological issues; flood hazards; fire hazards; hazardous materials; wind hazards; and disaster preparedness, response, and recovery.<sup>10</sup>

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 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-4.11**            When feasible, the City will minimize all new residential, commercial, and industrial development in the VHFHSZ.

**Policy S-4.14**            All new parcel maps and tentative maps in the LRA, SRA, and VHFHSZ shall provide two points of access to the project in conformance with the California Building Code and California Fire Code and CA GC 65302 (g)(5). Approval of parcel maps and tentative maps in LRA's, SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.).

**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 Menifee GP'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,

---

<sup>10</sup> City of Menifee. (2013). *Menifee General Plan Safety Element*. Available at: <https://www.cityofmenifee.us/893/Safety-Element> (accessed June 2023).

business owners, and residents as they provide direction to implement new projects in Menifee and is intended to stimulate design creativity in the City.<sup>11</sup>

A goal and policy from the Community Design Element applicable to the Project includes:

**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 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

---

<sup>11</sup> City of Menifee. (2013). *Menifee General Plan Community Design Element*. Available at: <https://www.cityofmenifee.us/882/Community-Design-Element> (accessed June 2023).

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.

## 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.

### ***1) Fire protection?***

#### ***Level of Significance: Less Than Significant***

The City 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 primarily served by Station 7 located at 28349 Bradley Road, Sun City, CA 92586, Station 54 located at 25730 Sultanas Road, Homeland, CA 92548. Station 7 is approximately two miles south of the Project site and would have an approximate 4.5 minute response time. Station 7 is equipped with one Type One Engine, and a patrol and medic squad. Station 7 responded to 7,193 calls for service in 2022. Station 54 is approximately 4 miles east of the Project site and would have an approximate 6.5-minute response time. Station 54 is equipped with one three-person fire engine and received approximately 2,000 calls in 2022.<sup>12</sup>

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, which requires a fee payment that the City applies to the

<sup>12</sup> Rivera-Bu, Sonya. MFD. Personal Communication (email)

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 (CFC), 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.

Additionally, the Project would be designed in accordance with Menifee MC's fire safety and fire suppression features, including type of building construction, fire sprinklers, a fire hydrant system, and paved access. The proposed building 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 four 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 the building. There are currently no fire hydrants present on adjacent Project roadways. 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. 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 would be designed in compliance with all applicable fire protection and prevention requirements and pay DIF's (\$0.32 per square foot) toward the construction of new fire facilities. CAL FIRE, Station 7 and 54, which would service the Project site, do not currently meet the Menifee GP's four minute adequate response time goal. Station 7 is the busiest fire station with no ability to expand or add additional resources. However, payment of DIF constitutes adequate mitigation because through implementation of the DIF program, the City collects DIF from development projects and is mandated to use the DIF funds to construct new fire and emergency service facilities. In addition, the Project's fire safety and fire suppression features pursuant to the Menifee MC, and the Project applicant's compliance with all required design regulations, will further minimize the demand for fire protection and emergency public services impacts. Further, 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. Because the Project site is not residential, although some calls for service are anticipated, the increase for fire and emergency services would not be significantly impacted due to construction and operation of the Project warehouse. Additionally, development of the site would increase property tax revenues to provide a source of funding to offset any increases in demands for public services generated by the Project. Lastly, the Project would be consistent with planned industrial uses per the Economic Development Corridor – Northern Gateway. When it is determined that a new fire station would be required, the City would determine if that Project would be subject to the California Environmental Quality Act (CEQA). CAL FIRE has indicated that an additional fire station located in the northeast quadrant

of the City would be an ideal location for a future fire station. No such plans exist for the construction of the station at this time. Therefore, the Project's impacts on fire protection services is considered to be a less than significant.

## ***II) Police protection?***

### ***Level of Significance: Less Than Significant***

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 1<sup>st</sup>, 2020. The MPD operates out of its headquarters at 29714 Haun Road, which is approximately 3.6 miles southeast 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 120 full-time employees of which 93 are sworn officers and 27 are not sworn (professional staff members). Currently they are operating with 85 sworn officers and 26 professional staff.<sup>13</sup> According to the Demographic Marketing Report for the City, the January 2022 population was 111,061.<sup>14</sup> This represents a service ratio of 0.85 sworn officers per 1,000 residents.

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. In 2022 there were a total of 70,437 calls for service and the response time of patrol to the Priority One calls was 8:09 minutes and 16:59 for Priority Two calls. The targeted numbers for 2023 are 80,000 total calls and a response time to Priority One calls of 8:00 minutes, based on continued development within the Project area. This goal can be achieved through such measures as a False Alarm Ordinance.<sup>15</sup>

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. The MPD currently has a development impact fee of \$0.17 per sq. ft. of development.<sup>16</sup> The Project site would be adequately served by existing MPD facilities, equipment, and personnel such that new facilities would not be required. Since the Project site is not residential and minimal calls for service are anticipated, police

---

<sup>13</sup> Gutierrez, David. MPD. June 22, 2023. Personal Communication (email).

<sup>14</sup> Derrigo Studies. 2022. *City of Menifee Demographic Marketing Report*. Retrieved from: <https://www.menifeebusiness.com/wp-content/uploads/2022/03/CityofMenifee2022DerrigoFinalDemoMarketingReport1-2022.pdf> (accessed June 2023).

<sup>15</sup> Gutierrez, David. MPD. June 22, 2023. Personal communication (email).

<sup>16</sup> City of Menifee. (2023). *Development Impact Fees Schedule July 1, 2023 – June 30, 2024*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/18413/Development-Fee-Memo---July-1-2023-to-June-30-2024> (accessed February 2024).



protection 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 demands for public services generated by the Project. Overall, impacts would be less than significant.

### **III) Schools?**

#### **Level of Significance: Less Than Significant**

The Project site is within the boundaries of Romoland School and Perris Union Highschool Districts. Schools closest to the Project site include Romoland Elementary and Boulder Ridge Elementary that are within the Romoland School District, and Heritage High School which is in the Perris Union High School District.

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 would not 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 would not 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 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 would be determined at time of payment.

Developer fees for industrial development located within the Romoland School District and Perris Union High School District is currently \$0.56 per sq. ft and \$0.18 per sq. ft, respectively.<sup>17,18</sup>

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.

---

<sup>17</sup> Romoland School District. *Developer Fees General Information*. Available at: <https://www.romoland.net/Page/2593> (accessed June 2023).

<sup>18</sup> Perris Union High School District. 2023. *Developer School Fees*. Available at: <https://www.puhisd.org/Content2/developer-school-and-fees> (accessed July 2023).

#### ***IV) Parks?***

##### ***Level of Significance: Less Than Significant***

The closest park to the Project site is Nova Park, at approximately 1,000 ft away. 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 two 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. Therefore, the Project would not indirectly generate population growth requiring park facilities. Because the Project would not directly generate population growth and would not 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.

#### ***V) Other public facilities?***

##### ***Level of Significance: Less Than Significant***

Other public facilities located in the greater Project area include the Lazy Creek Recreation Center, Kay Cenicerros Senior Center, Sun City Library, Menifee Library, and Marion Ashley Community Center.

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 would not 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 would not 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.

## **4.12.5 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.

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.

## **4.12.6 Significant Unavoidable Impacts**

No significant unavoidable impacts were identified.

## **4.12.7 References**

California Building Standards Commission. (2022). *California Building Standards Codes*. Available at: <https://www.dgs.ca.gov/BSC/Codes> (accessed June 2023).

City of Menifee. ND. *Fire Department*. Available at: <https://www.cityofmenifee.us/103/Fire-Department> (accessed June 2023).

City of Menifee. ND. *Parks*. Available at: <https://www.cityofmenifee.us/285/Parks> (accessed June 2023).

City of Menifee. 2013. *Menifee General Plan Community Design Element*. Available at: <https://www.cityofmenifee.us/882/Community-Design-Element> (accessed June 2023).

City of Menifee. 2013. *Menifee General Plan Safety Element*. Available at: <https://www.cityofmenifee.us/893/Safety-Element> (accessed June 2023).

City of Menifee. *Menifee Police Department – Operations*. Available at: <https://menifeepolice.org/operations/> (accessed June 2023).

Derrigo Studies. 2022. *City of Menifee Demographic Marketing Report*. <https://www.menifeebusiness.com/wp-content/uploads/2022/03/CityofMenifee2022DerrigoFinalDemoMarketingReport1-2022.pdf> (accessed June 2023).

Gutierrez, David. MPD. June 22, 2023. Personal communication (email).

Menifee Fire Department. (2023). *Fire Fee Schedule*. Available at:

<https://www.cityofmenifee.us/DocumentCenter/View/16893/2023-FIRE-FEE-SCHEDULE?bidId=> (accessed June 2023).

Perris Union High School District. 2023. *Developer School Fees*. Available at:

<https://www.puhsd.org/Content2/developer-school-and-fees> (accessed July 2023).

Perris Union High School District. ND. *District and High School Boundaries*. Available at:

<https://www.puhsd.org/docs/district/depts/10/facilities/developer%20fees/puhsd%20boundary%20map.pdf?id=2583> (accessed July 2023).

Perris Union High School District. 2023. *School Boundaries and Transfers*. Available at:

<https://www.puhsd.org/Content2/school-boundaries-and-transfers> (accessed July 2023).

Rivera-Bu, Sonya. MFD. Personal Communication (email).

Riverside County Fire Department. ND. *Fire Stations*. Available at:

<https://www.rvcfire.org/resources/fire-stations-map> (accessed June 2023).

Romoland School District. *Developer Fees General Information*. Available at:

<https://www.romoland.net/Page/2593> (accessed June 2023).

Romoland School District. 2017. *2016-2017 Elementary School Boundaries*. Available at:

[https://www.romoland.net/cms/lib/CA01902709/Centricity/domain/19/documents/BoundaryMap\\_4-11-2017.pdf](https://www.romoland.net/cms/lib/CA01902709/Centricity/domain/19/documents/BoundaryMap_4-11-2017.pdf) (accessed June 2023).

## 4.13 TRANSPORTATION

### 4.13.1 Introduction

This section addresses transportation impacts related to the construction and operation of the Northern Gateway Logistics 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 (City)'s General Plan (Menifee GP) and following technical reports located in **Appendix K: Transportation Reports**:

- Kimley-Horn and Associates, Inc. (2023). *Traffic Study*. (**Appendix K1**)
- Kimley-Horn and Associates, Inc. (2023). *SB 743 VMT Analysis*. (**Appendix K2**)

### 4.13.2 Environmental Setting

#### Existing Transportation Conditions

##### *Existing Street System*

Regional access to the site is provided primarily by Interstate 215 (I-) 215, located approximately half a mile east of the Project site. In addition, State Route 74 (SR-74) is located approximately 1.5 miles northeast of the site. The following provides a description of the roadways surrounding the Project site.

**Evans Road** is a north-south roadway with one lane in each direction. Evans Road is currently unpaved. In the Menifee GP, Evans Road is designated as a Collector.

**Barnett Road** is a north-south undivided roadway with one lane in each direction. Barnett Road is currently paved. In the Menifee GP, Barnett Road is designated as a Secondary Roadway.

**Case Road** is an east-west undivided roadway with one lane in each direction. Case Road also runs north-south parallel to the I-215 freeway and terminates with Ethanac Road. The posted speed limit is 55 miles per hour (mph). In the Menifee GP, Case road is designated as a Major Roadway.

**Ethanac Road** is an east-west divided roadway with two lanes in each direction. The posted speed limit is 50 mph. Ethanac Road is currently paved. In the Menifee GP, Ethanac Road is designated as an Expressway.

##### *Existing Transit Service*

Transit service to the City is provided by Riverside Transit Agency (RTA), which serves the City of Riverside and surrounding cities. Currently, there is no bus stop located near the Project area. The closest RTA bus stop to the Project site is located on the north side of the Case Road and Ethanac Road intersection, located approximately 1.1 miles west of the Project site. Descriptions of the bus routes serving the Project area are provided below.

**RTA Route 61** operates in the City, traveling along Murrieta Road and McCall Boulevard in the Project vicinity. Route 61 operates on weekdays from approximately 4:40 AM to 8:15 PM with approximately 1-hour headways and weekends from approximately 6:50 AM to 7:30 PM with 1-hour headways.

**RTA Route 74** operates in the City, traveling along Ethanac Road and Murrieta Road in the Project vicinity. Route 74 operates on weekdays from approximately 5:30 AM to 8:00 PM with approximately 1-hour headways, Weekends from approximately 6:00 AM to 8:00 PM with 1-hour headways.

Additionally, the Perris Station Transit Center is located approximately 1.3 miles north of the Project site. Boarding for routes 9, 19, 22, 27, 28, 30, 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 4<sup>th</sup> Street (SR-74) and has eight bus bays served by eight RTA routes.<sup>1</sup> 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).<sup>2</sup>

### **Existing Pedestrian and Bicycle Facilities**

There are no general pedestrian or bicycle facilities adjacent to the Project site's boundaries. According to Menifee GP Exhibit C-4: Proposed Bikeway and Community Pedestrian Network, a Class III Bike Route is proposed for Evans Road and Class II Routes are proposed/provided for Murrieta Road, McLaughlin Road, and Barnett Road.<sup>3</sup> According to the City's Active Transportation Plan (ATP) Figure ES-4, a Class II Bike Route is also proposed for Ethanac Road.<sup>4</sup>

## **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 cities coordinate with Federal resource agencies where appropriate in the environmental clearance process for transportation facilities.

### **State**

#### **Assembly Bill 1358 – Complete Streets Act of 2008**

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

<sup>1</sup> RTA. (2023). *Perris Station Transit Center Boarding Diagram*. Available at: <https://www.riversidetransit.com/index.php/riders-alerts-hidden/734-perris-station-transit-center-boarding-areas-to-change> (accessed October 2023).

<sup>2</sup> RTA. ND. *Short Range Transit Plan FY 2021/22 – FY 2025/26*. Available at: [https://www.rctc.org/wp-content/uploads/2021/08/10.A8.RCTC\\_SRTP\\_FY22\\_FINAL\\_051221.pdf#:~:text=The%20Short%20Range%20Transit%20Plan%20%28SRTP%29%20focuses%20on,of%20which%20span%20the%20Western%20Riverside%20County%20area](https://www.rctc.org/wp-content/uploads/2021/08/10.A8.RCTC_SRTP_FY22_FINAL_051221.pdf#:~:text=The%20Short%20Range%20Transit%20Plan%20%28SRTP%29%20focuses%20on,of%20which%20span%20the%20Western%20Riverside%20County%20area) (accessed October 2023).

<sup>3</sup> City of Menifee. (2013). *Menifee GP Exhibit C-4: Proposed Bikeway and Community Pedestrian Network*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways_HD0913?bidId=) (accessed October 2023).

<sup>4</sup> City of Menifee. (2020). *Active Transportation Plan*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/12390/Menifee-ATP-Final-Report---December-2020---High-Res> (accessed October 2023).

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.

### ***Senate Bill 375 – Sustainable Communities and Climate Protection Act***

Signed into law on September 30, 2008, Senate Bill (SB) 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the greenhouse gas (GHG) reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies. The latest Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or the Connect SoCal was 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 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 vehicle miles traveled (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 is no longer 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 15<sup>th</sup> (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."

## **Regional**

### ***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 Connect SoCal. 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 Connect SoCal.

SCAG's Connect SoCal 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. The Connect SoCal 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*

Menifee GP 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.<sup>5</sup>

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.
- 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 developments 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.

---

<sup>5</sup> City of Menifee. (2013). *Menifee GP Circulation Element*. Available at: <https://www.cityofmenifee.us/863/Circulation-Element> (accessed October 2023).

- 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 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.

CEQA Guidelines Section 15064.3(b), Determining the Significance of Transportation Impacts, provides the following guidance on how VMT from various types of projects can be evaluated:

#### b) Criteria for Analyzing Transportation Impacts.

1. **Land Use Projects.** VMT exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than

significant transportation impact. Projects that decrease VMT in the project area compared to existing conditions should be considered to have a less than significant transportation impact.

2. **Transportation Projects.** Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.
3. **Qualitative Analysis.** If existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze a Project's VMT qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
4. **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate VMT and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The analysis for VMT for the Project was completed in November 2023 by Kimley-Horn and Associates and is included as **Appendix K2** of this Draft EIR. The analysis below utilizes the VMT significance criteria to determine the Project's potential impacts related to VMT and if mitigation is needed to reduce impacts to less than significant levels.

### City of Menifee VMT Thresholds

The analysis methodology for the Project generated VMT and Project effect of VMT were developed consistent with the City's VMT guidelines.

A project would result in a significant project generated VMT impact if either of the following conditions are satisfied:

1. The baseline project generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT 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

In order to evaluate the Project's VMT, the land use plan was first converted into a RIVCOM compatible dataset. This dataset relied on land use assumptions developed as part of the Project, and trip generation estimates for the Project. Generally speaking, for VMT analysis purposes, this represented the following broad land use category:

- Employee-Based VMT (land uses where the principal source of VMT relates to worker commutes).

As described in the City traffic impact analysis guidelines, VMT significance thresholds are based on land use type, broadly categorized as efficiency metrics. Efficiency metrics include:

- VMT/capita (Residential) and Work VMT/employee (Employee-Based VMT).

Since the Project is employment based, the applicable “Employment-Based VMT” threshold of significance was utilized to determine the Project’s VMT impacts.

### **Level of Service Analysis Methodology**

The Project’s Traffic Study used methodology from the most recent Transportation Research Board Highway Capacity Manual (HCM) to analyze traffic operations per the City Level of Service (LOS) Traffic Study Guidelines. Accordingly, the HCM (11<sup>th</sup> Edition) was used to perform intersection LOS analysis for the following scenarios:

- Existing Conditions
- Existing Plus Project
- Opening Year 2025 Cumulative
- Opening Year 2025 Cumulative Plus Project.

Per HCM Methodology, 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 Traffic Study used Vistro traffic modeling software to evaluate LOS at both signalized and unsignalized intersections. Note that the LOS analysis is provided for information purposes only, as additional delay – to an intersection or roadway segment – is no longer required by or considered a significant impact under CEQA.

### ***Level of Service Standards and Measure of Significance***

The City’s LOS Traffic Study Guidelines (October 2020) establishes minimum LOS standards, which has identified LOS D as the threshold for acceptable operating conditions for intersections, except at constrained locations in close proximity to I-215, where LOS E is accepted during peak hours.

Study intersections and roadway segments are considered to have a Project-related effect when any of the following occurs between the “without Project” and the “plus Project” 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 an unacceptable LOS (LOS E or LOS F).
- 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. This type of effect would be considered a cumulative effect in

which the Project would be required to contribute a fair share payment toward reducing the effect.

Per the City's LOS Traffic Study Guidelines, Project-related effects are identified as direct or cumulative in the Project's traffic study report. Only feasible improvements were recommended in the traffic study report. Analysis of the recommended improvements are provided to demonstrate the proposed improvement would reduce the Project effect to meet LOS standards.

#### 4.13.5 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**

The Project would be consistent with SB 375 by complying with SCAG's Connect SoCal. The Project's consistency analysis with SCAG's Connect SoCal goals is further discussed in **Table 4.10-3: Project Compatibility with SCAG's Connect SoCal Strategies** within **Section 4.10: Land Use and Planning** of this EIR. The Project would also be consistent with Riverside County's CMP goals but not limited to, adhering to the CMP by maintaining and enhancing the performance of the multimodal transportation system near the Project site, and minimizing travel delay, (refer to the Supplemental LOS Analysis below); providing technical consistency in multimodal transportation system analysis and providing consistent procedures to identify and evaluate the effectiveness of mitigation measures; and by providing for adequate funding of mitigations through payment of development impact fees.

The Project would also comply with the Complete Streets Act of 2008 by being consistent with the Menifee GP Circulation Element. Per the Complete Streets Act of 2008, General Plans are required to accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in manners that are suitable to applicable rural, suburban, or urban contexts. More specifically, the Project's circulation system would be designed and constructed in conformance with relevant policies in the Menifee GP Circulation Element that pertain to the Project's circulation system. For further details, see **Table 4.10-4: Consistency with the City of Menifee General Plan** within **Section 4.10: Land Use and Planning** of this EIR.

The Project would include improvements to Evans Road and Barnett Road that would provide access to the Project. Development of the Project would include on-site circulation in compliance with the City of Menifee MC development standards. Furthermore, the Project would include off-site improvements for Opening Year 2025 and Opening Year 2025 Cumulative Plus Project Conditions through a combination of fee payments to help establish programs, construction of specific improvements, payment of fair-share contribution toward future improvements, or a combination of these approaches. The Project's fair share proportion at deficient study intersections are furthered addressed in the LOS analysis provided in the Project's Traffic Study.

Furthermore, the Project's development could result in an increased demand of public transportation as employment opportunities increase. RTA, as the public transit agency for the area, would be responsible



for routinely reviewing and adjusting their ridership schedules and service destinations to accommodate public demand. Thus, implementation of the Project would not conflict with local public transit services.

Overall, the Project would not conflict with a program, plan, ordinance, or policy addressing the Project’s circulation system. Accordingly, impacts would be less than significant.

### Supplemental Analysis

A Traffic Study was conducted for the Project in accordance with the traffic study requirements of the City LOS Traffic Study Guidelines and the City Traffic Impact Analysis Guidelines for Vehicle Miles Traveled. The following traffic analysis is provided for informational purposes only, as additional delay – to an intersection or roadway segment – is no longer required by or considered a significant impact under CEQA.

#### Project Trip Generation

As shown in **Table 4.13-1: Summary of Project Trip Generation**, the Project is anticipated to generate 961 daily Passenger Car Equivalents (PCE) trips, with 96 PCE trips (73 inbound and 23 outbound) in the morning peak hour and 101 PCE trips (28 inbound and 73 outbound) in the evening peak hour. Note that the following Project trip generation rates were calculated using the “Warehouse” land use rate to be conservative.

**Table 4.13-1: Summary of Project Trip Generation**

Trip Generation Rates <sup>1</sup>											
ITE Land Use		ITE Code	Unit	Daily	AM Peak Hour			PM Peak Hour			
					In	Out	Total	In	Out	Total	
Warehouse		150	KSF	1.71	0.131	0.039	0.170	0.050	0.130	0.180	
Project Trip Generation											
ITE Land Use		Quantity	Unit	Daily	AM Peak Hour			PM Peak Hour			
					In	Out	Total	In	Out	Total	
Warehousing		398.252	KSF	681	52	16	68	20	52	72	
Passenger Vehicles		73.00%		497	38	12	50	15	38	53	
Trucks		27.00%		184	14	4	18	5	14	19	
Passenger Car Equivalents											
Vehicle Type		Vehicle Mix <sup>2,3</sup>	Daily Vehicles	PCE Factor	Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
Passenger Cars		73.00%	497	1.0	497	38	12	50	15	38	53
2-axle Trucks		4.57%	31	1.5	47	4	1	5	1	4	5
3-axle Trucks		6.13%	42	2.0	84	6	2	8	2	6	8
4-axle Trucks		16.30%	111	3.0	333	25	8	33	10	25	35
Total Proposed Project Truck PCE Trips					464	35	11	46	13	35	48
<b>Total Proposed Project PCE Trips</b>					<b>961</b>	<b>73</b>	<b>23</b>	<b>96</b>	<b>28</b>	<b>73</b>	<b>101</b>
<sup>1</sup> Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition <sup>2</sup> Passenger Vehicles and Truck splits taken from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition Supplement. <sup>3</sup> Truck mix percentages were calculated based on a ratio between the ITE truck splits and the Truck Trip Generation Study - City of Menifee, August 2003 PCE = Passenger Car Equivalent KSF = Thousand Square Feet Source: Kimley-Horn and Associates. (2023). <i>Traffic Study – Table 3.</i>											

### ***Intersection and Roadway Analysis***

The City 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 and roadways were selected for analysis in conjunction with the City:<sup>6</sup>

#### **Study Intersections**

1. Evans Road at Ethanac Road
2. Barnett Road/Case Road at Ethanac Road
3. I-215 SB Ramps at Ethanac Road
4. I-215 NB Ramps at Ethanac Road

#### **Study Roadway Segments**

1. Ethanac Road: Evans Road to Case Road
2. Ethanac Road: Case Road to I-215 SB Ramps
3. Ethanac Road: I-215 SB Ramps to I-215 NB Ramps

### ***Existing Conditions***

To establish a baseline analysis for existing conditions, existing morning peak period (7:00 to 9:00 AM) and evening peak period (4:00 to 6:00 PM) turning movement and daily roadway traffic counts were collected for all study intersections and study roadway segments. The counts were completed in December 2022 and February 2023. Review of Traffic Study Table 1 indicates that the study intersections currently operate at an acceptable LOS.

A roadway LOS analysis was conducted based on the City of Menifee roadway capacity thresholds. Review of Traffic Study Table 2 indicates that the study roadway segments currently operate at an acceptable LOS.

### ***Existing Conditions Plus Project***

Intersection LOS analysis was conducted for the AM and PM peak hours for the Existing Plus Project conditions. Review of Traffic Study Table 4 indicates that with the addition of Project traffic, all study intersections would continue to operate at an acceptable LOS.

---

<sup>6</sup> The study locations were established in consultation with City staff through the Scoping Agreement process based on the City of Menifee LOS Traffic Study Guidelines (October 2020). A copy of the approved Scope of Study Form is provided in Appendix A of the Traffic Study (Appendix K1).

Roadway LOS analysis was conducted based on the City's roadway capacity thresholds. Review of Traffic Study Table 5 indicates that with the addition of Project traffic, the study roadway segments would continue to operate at an acceptable LOS on a daily basis.

### ***Opening Year 2025 Cumulative Conditions***

Intersection LOS analysis was also conducted for the Opening Year 2025 Cumulative conditions. Review of Traffic Study Table 7 indicates that, with the addition of ambient growth and cumulative project traffic, the following intersections would operate at an unacceptable LOS:

- #1 – Evans Road at Ethanac Road: AM & PM – LOS F
- #3 – I-215 SB Ramps at Ethanac Road: AM & PM – LOS F
- #4 – I-215 NB Ramps at Ethanac Road: AM & PM – LOS F

Roadway LOS analysis was also conducted for the Opening Year 2025 Cumulative conditions. Review of Traffic Study Table 8 indicates that the following study roadway segments would operate at unacceptable LOS on a daily basis:

- Ethanac Road: Evans Road to Case Road – LOS E
- Ethanac Road: Case Road to I-215 SB Ramps – LOS F
- Ethanac Road: I-215 SB Ramps to I-215 NB Ramps – LOS F

### ***Opening Year Cumulative Plus Project Conditions (2025)***

Intersection LOS analysis was conducted for the Opening Year 2025 Cumulative Plus Project condition. Review of Traffic Study Table 9 indicates that with the addition of the Project traffic, the following intersections would operate at an unacceptable LOS under Opening Year 2025 Cumulative Plus Project conditions:

- #1 – Evans Road at Ethanac Road: AM & PM – LOS F
- #3 – I-215 SB Ramps at Ethanac Road: AM & PM – LOS F
- #4 – I-215 NB Ramps at Ethanac Road: AM & PM – LOS F

Roadway LOS analysis was conducted for the Opening Year 2025 Cumulative Plus Project condition. Review of Traffic Study Table 10 indicates that the following study roadway segments would operate at an unacceptable LOS on a daily basis:

- Ethanac Road: Evans Road to Case Road – LOS F
- Ethanac Road: Case Road to I-215 SB Ramps – LOS F
- Ethanac Road: I-215 SB Ramps to I-215 NB Ramps – LOS F

### ***Conclusion***

Multiple study intersections and roadway segments are expected to operate below the minimum acceptable LOS standard under Opening Year 2025 Cumulative Plus Project Conditions. The Traffic Study

recommended improvements under applicable Opening Year 2025 Cumulative Plus Project Conditions that address the Project’s effect at study intersections and roadway segments. With implementation of the recommended improvements, all study intersections and roadway segments are expected to operate at or above the minimum acceptable LOS standard (refer to **Table 4.13-2: Summary of Intersection Operation; Recommended Improvements** and **Table 4.13-3: Summary of Roadway Segment Analysis with Recommended Improvements**).

Recommended improvements may include a combination of fee payments to establish programs, construction of specific improvements, payment of a fair-share contribution toward future improvements, or a combination of these approaches. The Project fair share proportion for non-programmed improvements at deficient study intersections and roadway segments under Opening Year 2025 Cumulative Plus Project conditions is shown on **Table 4.13-4: Project Fair Share Contributions**. The Project would pay fair share for non-programmed improvements at deficient study intersections. For programmed improvements, the Project applicant would pay into the regional transportation fee program.

**Table 4.13-2: Summary of Intersection Operation; Recommended Improvements**

Intersection	Improvements	Peak Hour	Proposed Traffic Control	Opening Year 2025 Cumulative Plus Project					
				Without Project		With Project		With Improvements	
				Delay	LOS	Delay	LOS	Delay	LOS
1. Evans Road at Ethanac Road	<ul style="list-style-type: none"> <li>▪ Install traffic signal</li> <li>▪ Add protected westbound left-turn phasing</li> <li>▪ Modify northbound approach to provide dedicated left-turn and right-turn lanes</li> </ul>	AM	S	>180	F	>180	F	33.3	C
		PM		>180	F	>180	F	34.8	C
3. I-215 SB Ramps at Ethanac Road	<ul style="list-style-type: none"> <li>▪ Add 2<sup>nd</sup> eastbound through lane</li> <li>▪ Add 2<sup>nd</sup> westbound left-turn lane</li> <li>▪ Modify southbound approach to provide one left-turn, one right-turn, and one shared left/through/right lane</li> <li>▪ Add dedicated eastbound right-turn lane</li> </ul>	AM	S	175.8	F	199.6	F	26.3	C
		PM		342.4	F	383.2	F	51.6	D
4. I-215 NB Ramps at Ethanac Road	<ul style="list-style-type: none"> <li>▪ Add 2<sup>nd</sup> eastbound through lane</li> </ul>	AM	S	195.9	F	204.4	F	34.3	C
		PM		365.8	F	375.0	F	47.0	D

Intersection	Improvements	Peak Hour	Proposed Traffic Control	Opening Year 2025 Cumulative Plus Project					
				Without Project		With Project		With Improvements	
				Delay	LOS	Delay	LOS	Delay	LOS
	<ul style="list-style-type: none"> <li>Add 2<sup>nd</sup> westbound through lane</li> <li>Add a dedicated westbound right-turn lane</li> <li>Add 2<sup>nd</sup> eastbound left-turn lane</li> <li>Add 2<sup>nd</sup> northbound left-turn lane</li> </ul>								

Notes:

- **Bold and Shaded** values indicate intersections operating at an unacceptable Level of Service
- Delay values for signalized intersections represent the sum of average vehicle delay on all intersection approaches.
- S = Signalized
- U = Unsignalized

Source: Kimley-Horn and Associates, Inc. (2023). Traffic Study – Table 11.

**Table 4.13-3: Summary of Roadway Segment Analysis with Recommended Improvements**

Roadway	Segment	Existing Configuration	Recommended Configuration	Opening Year 2025 Cumulative ADT	Project ADT	Opening Year 2025 Plus Project ADT	Recommended LOS E Capacity <sup>1</sup>	V/C	LOS
<b>Ethanac Road</b>	Evans Road to Case Road	4-Lane Arterial	6-Lane Urban Arterial	36,867	452	37,319	56,300	0.663	B
	Case Road to I-215 SB Ramps	4-Lane Arterial	6-Lane Urban Arterial	44,427	812	45,239	56,300	0.804	C
	I-215 SB Ramps to I-215 NB Ramps	3-Lane Arterial	6-Lane Urban Arterial	34,226	431	34,657	56,300	0.616	B

Notes:

<sup>1</sup> City of Menifee Engineering Department, LOS Traffic Study Guidelines, October 2020  
ADT = Average Daily Traffic  
V/C = Volume to Capacity  
LOS = Level of Service

Source: Kimley-Horn and Associates, Inc. (2023). Traffic Study – Table 12.

**Table 4.13-4: Project Fair Share Contributions**

Intersection	AM Peak Hour					PM Peak Hour				
	Total Volume		Total Growth	Project Trips	%-age	Total Volume		Total Growth	Project Trips	%-age
	2023	2025				2023	2025			
1. Evans Road at Ethanac Road	1,493	3,567	2,074	61	2.9 %	1,416	4,023	2,607	65	2.5%
3. I-215 SB Ramps at Ethanac Road	2,283	4,713	2,430	81	3.3 %	2,358	5,412	3,054	86	2.8%
4. I-215 NB Ramps at Ethanac Road	1,851	3,672	1,821	40	2.2 %	1,964	4,325	2,361	49	2.1%

Roadway	Segment	Daily Traffic				
		Total Volume		Total Growth	Project Trips	Fair Share %age
		2023	2025			
Ethanac Road	Evans Road to Case Road	16,845	36,867	20,022	452	2.3 %
	Case Road to I-215 SB Ramps	24,114	44,427	20,313	812	4.0 %
	I-215 SB Ramps to I-215 NB Ramps	19,929	34,226	14,297	431	3.0 %
Notes: - Fair Share percentage is to be applied to non-programmed improvements						
Source: Kimley-Horn and Associates, Inc. (2023). <i>Traffic Study</i> – Table 13.						

### Traffic Signal Warrants

The California Manual on Uniform Control Devices (MUTCD) provides warrant guidelines for the installation of a traffic signal. A Traffic Signal Warrant analyses was conducted for the following unsignalized intersection:

- #1 – Evans Road at Ethanac Road

Signal warrants were based on the 2014 CA MUTCD. The warrants were conducted using Warrant 3 (Peak Hour Warrant) for the following conditions:

- Existing Plus Project
- Opening Year 2025 Cumulative
- Opening Year 2025 Cumulative Plus Project

Based on the signal warrant analysis, Signal Warrant 3 was met under the following conditions:

- Opening Year 2025 Cumulative
  - #1 – Evans Road at Ethanac Road: AM & PM
- Opening Year 2025 Cumulative Plus Project
  - #1 – Evans Road at Ethanac Road: AM & PM

The CA MUTCD specifically states that, “The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.” The reference document goes on to state several other factors to take into account when considering a signal for a specific location, including whether or not a signal would improve the overall safety of the intersection, whether it would benefit or disrupt progressive traffic flow, and consideration of site-specific characteristics such as queuing, signal spacing, and overall delay to the main street through movements. The decision to install a traffic signal should be based on engineering judgement, and not solely upon satisfying a single peak hour warrant.

## Overall LOS Conclusion

As stated in Section 4.13.4 above, the Traffic Study included recommended improvements for study intersections that would operate below applicable LOS policies in given jurisdictions. These improvements include a combination of fee payments to established programs, construction of specific improvements, payment of a fair-share contribution toward future improvements, or a combination of these approaches. The recommended improvements are intended to improve operational conditions consistent with Menifee GP LOS policies. The recommended improvements are intended to improve operational conditions consistent with Menifee GP LOS policies. However, the recommended improvements are conceptual in nature and not required to be enforced as additional delay – to an intersection or roadway segment – is no longer considered a significant impact under CEQA.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.13-2: Would the Project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?***

***Level of Significance: Less than Significant***

As discussed above in Section 4.13.4, per the City’s VMT 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.

## VMT Analysis

To evaluate the Project’s VMT, the land use plan was first converted into a RIVCOM compatible dataset. This dataset relied on land use assumptions developed as part of the Project and the trip generation estimates for the Project. Generally speaking, for VMT analysis purposes, this represented the following broad land use category:

- Employee-Based VMT (land uses where the principal source of VMT relates to worker commutes).

As described in the City’s VMT Guidelines, VMT significance thresholds are based on land use type, broadly categorized as efficiency metrics. Efficiency metrics include VMT/capita (Residential) and Work VMT/employee (Employee-Based VMT).

Since the Project is employment based, the applicable “Employment-Based VMT” threshold of significance was utilized to determine the Project’s VMT impacts.

The calculation of VMT efficiency metrics has two components – the total number of trips generated and the average trip length of each vehicle. As the proposed Project has only non-residential trips, trip attractions were used from all home-based-work trip purpose matrices. Using the peak and off-peak



person trip matrices, skim (distances) matrices and appropriate occupancy rates, VMT was calculated for the Project’s traffic analysis zone (TAZ). **Table 4.13-5: Project VMT Impact Evaluation – Efficiency Metrics** shows the efficiency metric results for the Project’s VMT analysis scenarios.

**Table 4.13-5: Project VMT Impact Evaluation – Efficiency Metrics**

Analysis Scenario	Employment-Based VMT/Employee	VMT Impact
<b>Riverside County Average</b>	28.96	-
<b>Existing Plus Project</b>		
Project Home Based Work (HBW) VMT/Employee	22.0	No
<b>Cumulative Plus Project Conditions</b>		
Project HBW VMT/Employee	19.1	No
Source: Kimley-Horn and Associates, Inc. (2023). <i>SB 743 VMT Analysis</i> . Exhibit 1		

Based on the results in **Table 4.13-5** and the City’s VMT guidelines, the Project’s Employment-Based VMT land use does not exceed the City’s VMT threshold under any project scenario. Therefore, under baseline conditions, the Project’s effect on VMT would be less than significant impact on VMT within the City.

In addition, the City’s VMT Guidelines state that the cumulative no project shall reflect the adopted Connect SoCal. As such, if a project is consistent with the Connect S, then the cumulative impacts shall be considered less than significant. The proposed land use is consistent with the Menifee GP; therefore, the proposed Project’s cumulative VMT impact is considered less than significant.

The City provides Industrial Good Neighbor Policies for new industrial project sites. Although the Project’s VMT impact is considered to be less than significant, the Project would comply with the Industrial Good Neighbor Policies which require TDM measures for industrial uses with over 100 employees to reduce work-related vehicle trips. Overall, impacts concerning the Project’s VMT effects are less than significant.

***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***

The Project would not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. The Project proposes five new driveways of various sizes to allow for more compatibility of passenger vehicles and larger trucks on-site, an internal circulation system, and improvements to Evans Road and Barnett Road. All circulation improvements would be constructed as approved by the City’s Public Works Department. Additionally, the Project would be constructed in accordance with Menifee MC Section 9.160.050 which states, “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.”<sup>7</sup> In addition, according to the Project Traffic Study, all Project intersections would operate at an acceptable LOS with implementation of the recommendations listed in **Table 4.13-2** through **Table 4.13-4** and would therefore not create unsafe traffic conditions at these intersections. Sight distance at Project access points would comply with applicable sight distance standards and no sharp curves are proposed as part of the Project design (Menifee MC Section 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***

Project site ingress and egress to Buildings 1 and 2 would be provided by two auto-only driveways (each 26 feet wide) along Evans Road. Additionally, one shared full movement truck and auto driveway (60 feet wide) is proposed between Buildings 1 and 2 along Evans Road Street. Lastly, one full movement truck and auto driveway (55 feet wide) is proposed exclusively for Building 2. Emergency access lanes would be provided around the perimeter of the buildings. The Project would be designed to allow safe and convenient access for servicing, fire protection and required off-street parking. Lastly, the Menifee Fire Department (MFD), would review 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. Following compliance with MFD 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.

### **4.13.6 Cumulative Impacts**

Transportation-related impacts associated with the Project and nearby cumulative projects may overlap and result in temporary traffic impacts to local roadways. However, as discussed above the Project would not result in significant traffic related impacts resulting from conflicts with regional and local transportation plans or policies. As concluded above, the Project would be consistent with applicable regional and local plans or policies such as mitigating traffic impacts and achieving acceptable LOS and minimizing idling times and VMT to conserve resources, protect air quality, and limit GHG emissions. With implementation of the recommended improvements (i.e., design features, fee programs, and fair share payments), 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 scenario and found that the Project Employee-Based VMT does not exceed the threshold under any Project scenario, and therefore, the Project would have a less than significant impact. Cumulative development projects

---

<sup>7</sup> City of Menifee. 2019. Title 9: Planning and Zoning, 9.160.050 Access. Available at: <https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1450#secid-1450> (Accessed December 2023).

would also be required to reduce transportation-related impacts on the local circulation system and implement any required mitigation measures that may be prescribed as conditions of approval by the City. Therefore, the Project contribution to impacts in these regards would be less than significant.

#### 4.13.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

#### 4.13.8 References

City of Menifee. (2020). *Active Transportation Plan*. Available at:

<https://www.cityofmenifee.us/DocumentCenter/View/12390/Menifee-ATP-Final-Report---December-2020---High-Res.>

City of Menifee. (2013). *Menifee GP Circulation Element*. Available at:

<https://www.cityofmenifee.us/863/Circulation-Element.>

City of Menifee. (2013). *Menifee GP Exhibit C-4: Proposed Bikeway and Community Pedestrian Network*.

Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways\\_HD0913?bidId=.](https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways_HD0913?bidId=)

City of Menifee. 2019. Title 9: Planning and Zoning, 9.160.050 Access. Available at:

<https://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx?secid=1450#secid-1450.>

Kimley-Horn and Associates, Inc. (2023). *Traffic Study*. (**Appendix K1**)

Kimley-Horn and Associates, Inc. (2023). *SB 743 VMT Analysis*. (**Appendix K2**)

RTA. (2023). *Perris Station Transit Center Boarding Diagram*. Available at:

<https://www.riversidetransit.com/index.php/rider-alerts-hidden/734-perris-station-transit-center-boarding-areas-to-change.>

RTA. ND. *Short Range Transit Plan FY 2021/22 – FY 2025/26*. Available at: [https://www.rctc.org/wp-content/uploads/2021/08/10.A8.RCTC\\_SRTP\\_FY22\\_FINAL\\_051221.pdf#:~:text=The%20Short%20Range%20Transit%20Plan%20%28SRTP%29%20focuses%20on,of%20which%20span%20the%20Western%20Riverside%20County%20area.](https://www.rctc.org/wp-content/uploads/2021/08/10.A8.RCTC_SRTP_FY22_FINAL_051221.pdf#:~:text=The%20Short%20Range%20Transit%20Plan%20%28SRTP%29%20focuses%20on,of%20which%20span%20the%20Western%20Riverside%20County%20area.)

## 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 Northern Gateway Logistics 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.

Information in this section is based primarily on the following source:

- BCR Consulting LLC. (2023). *Cultural Resources Assessment (CRA)*, Northern Gateway Logistics Center Project, City of Menifee, Riverside County, California (**Appendix D**)

### 4.14.2 Environmental Setting

#### Ethnographic Setting<sup>1</sup>

According to available ethnographic research, the Project site is situated within the traditional boundaries of the Luiseño and is peripheral to the Cahuilla area. Each of these groups belongs to the Cupan group of the Takic subfamily of languages. Like other Native American groups in southern California, they practiced semi-nomadic hunter-gatherer subsistence strategies and commonly exploited seasonably available plant and animal resources. Spanish missionaries were the first outsiders to encounter these groups during the late 18<sup>th</sup> century.

**Luiseño.** Typically, the native culture groups in southern California are named after nearby Spanish missions, and such is the case for this population. For instance, the term “Luiseño” is applied to the natives inhabiting the region within the “ecclesiastical jurisdiction of Mission San Luis Rey ...[and who shared] an ancestral relationship which is evident in their cosmogony, and oral tradition, common language, and reciprocal relationship in ceremonies”. The first written accounts of the Luiseño are attributed to the mission fathers. Prior to Spanish occupation of California, the territory of the Luiseño extended along the coast from Agua Hedionda Creek to the south, Aliso Creek to the northwest, and the Elsinore Valley and Palomar Mountain to the east. These territorial boundaries were somewhat fluid and changed through time. They encompassed an extremely diverse environment that included coastal beaches, lagoons and marshes, inland river valleys and foothills, and mountain groves of oaks and evergreens.

**Cahuilla.** The Cahuilla are generally divided into three groups: Desert Cahuilla, Mountain Cahuilla, and Western (or Pass) Cahuilla. The term Western Cahuilla is preferred over Pass Cahuilla because this group is not confined to the San Gorgonio Pass area. The distinctions are believed to be primarily geographic, although linguistic and cultural differences may have existed to varying degrees. Cahuilla territory lies

---

<sup>1</sup> BCR Consulting. 2023. *Cultural Resources Assessment, Northern Gateway Logistics Center Project.*

within the geographic center of Southern California and the Cocopa-Maricopa Trail, a major prehistoric trade route, ran through it. The first written accounts of the Cahuilla are attributed to mission fathers.

## **Native American Coordination**

As part of the cultural resource assessment, the Native American Heritage Commission (NAHC) was contacted on by BCR Consulting, 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 March 17, 2023, 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; refer to the NAHC SLF search letter provided as Appendix A of **Appendix D: Cultural Resources Assessment**.

The NAHC suggested that 21 Native American tribal groups be contacted to elicit information regarding cultural resource issues related to the Project. AB 52 letters were sent on February 21, 2023, to the Pechanga Band of Indians, Rincon Band of Luiseño Indians, and Soboba Band of Luiseño Indians. To date two responses have been received in response to the AB 52 letters.

In response to the AB 52 letter, Mr. Shuuluk Linton, Tribal Historic Preservation Coordinator for the Rincon Band of Luiseño Indians, stated in a letter dated March 13, 2023, that the Project site is within the Traditional Use Area (TUA) of the Luiseño people. Therefore, also requested to receive copies of existing documents pertaining to the Project such as the cultural survey including archaeological site records, shape files, archaeological record search results, and geotechnical reports. Upon receipt and review of the documents, the Rincon Band of Luiseño Indians would like to consult on the Project to learn more about any potential impacts to cultural resources.

In response to the AB 52 letter, Mr. Juan Ochoa, Assistant Tribal Historic Preservation Officer for the Pechanga Band of Indians stated in an email dated March 15, 2023, that the Project is a part of Luiseño territory, and therefore the Pechanga Band of Indians aboriginal territory as evidenced by the existence of cultural features associated with religions practice and an extensive artifact record in the vicinity of the Project. Mr. Ochoa also stated that the Project area is affiliated with the Pechanga Band of Indians because of the Tribe's ties to the area as well as an extensive history with the City, and other projects within the area. Mr. Ochoa requested to begin consultation under AB 52 for the Project and that the Tribe be added to the distribution list for public notices and circulation of all documents, including environmental review documents, archaeological reports, development plans, conceptual grading plans (if available), and all other applicable documents pertaining to the Project.

## **Existing Conditions**

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 16 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.

A records search was conducted by the Eastern Information Center (EIC) at the University of California, Riverside for the Project site and the surrounding area within a one half-mile radius on March 31, 2022. In addition, a review was conducted of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. The records search revealed that 43 cultural resource studies have taken place resulting in the recording of one cultural resource located within one half-mile of the Project site. Portions of the Project site have been subject to three previous cultural resources assessments, and no cultural resources have been previously identified within its boundaries.

### 4.14.3 Regulatory Setting

#### 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. 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.

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 by 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 California Historical Resources Information System (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 (SHRC), 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. The resource must be approved for designation by SHRC with landowner permission. Points may be later granted status as Landmarks, at which time its designation as a Point would be retired.

### ***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.”

### ***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.<sup>2</sup>

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.

#### **4.14.4 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.

---

<sup>2</sup> City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element> (accessed July 31, 2023).

## 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 BCR Consulting Staff Archaeologist Doug Kazmier, who was accompanied by representatives from the Pechanga and Soboba Bands of Luiseno Indians<sup>3</sup>; 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 4.18-1** *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:*

- i) 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 5020.1(k), or*
- ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

**Level of Significance: Less Than Significant**

---

<sup>3</sup> BCR Consulting. 2023. *Cultural Resources Assessment, Northern Gateway Logistics Center Project*. Page 4.

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 three Tribes on February 21 2023:

- Pechanga Band of Indians;
- Rincon Band of Luiseño Indians; and
- Soboba Band of Luiseño Indians.

To date, no response from the Soboba Band of Luiseño Indians Cultural Resources Department has been received. The Rincon Band of Luiseño Indians (RBLI) responded on March 10, 2023. Mr. Shuuluk Linton noted that the Project site is located within RBLI TUA. For this reason, the RBLI Tribal Historic Preservation Coordinator requested the receive copies of existing Project documents and to consult on the Project to learn more about potential impacts to cultural resources.

On March 15, 2023, the Pechanga Band to Indians (PBI) stated that the Project is a part of PBI's aboriginal territory. Therefore, PBI requested to begin consultation under AB 52 for the Project and to be added to the distribution list for public notices and circulation of all documents, including environmental review documents, archaeological reports, development plans, conceptual grading plans (if available), and all other applicable documents pertaining to the Project.

Based on consultation with local tribes, Conditions of Approval (COA)'s 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**

No mitigation measures are required.

### **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 Project's 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 COA-CUL-1 through COA-CUL-8 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 and COAs that would be included to minimize/avoid impacts to tribal cultural resources. In addition, implementation of the proposed COAs 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**

No significant unavoidable impacts were identified.

#### **4.14.8 References**

City of Menifee. 2013. *Menifee General Plan Open Space & Conservation Element*. Available at <https://www.cityofmenifee.us/250/Open-Space-Conservation-Element>.

BCR Consulting, LLC. 2023. *Cultural Resources Assessment, Northern Gateway Logistics Center Project*.

## 4.15 UTILITIES AND SERVICE SYSTEMS

### 4.15.1 Introduction

This section evaluates potential impacts of the Northern Gateway Logistics 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 following:

- EMWD. 2022. Will Serve Letter. (**Appendix L**)
- Eastern Municipal Water District (2021; EMWD). 2020 Urban Water Management Plan. Available at: <https://www.emwd.org/post/urban-water-management-plan>.
- City of Menifee (City) General Plan (Menifee GP). Available at: <https://www.cityofmenifee.us/221/General-Plan>.

### 4.15.2 Environmental Setting

#### Water

##### *Eastern Municipal Water District*

EMWD provides potable water, wastewater, and recycled water service to the City. 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.<sup>1</sup> 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.<sup>2</sup>

In accordance with requirements of Water Code §§ 10610 through 10656 of the Urban Water Management Planning Act, EMWD prepared an 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.

<sup>1</sup> EMWD. 2021. *EMWD 2020 Urban Water Management Plan*. Retrieved from: [https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan\\_0.pdf?1625160721](https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721) (accessed June 2023).

<sup>2</sup> EMWD. ND. *Wastewater Service*. Available at: <https://www.emwd.org/wastewater-service> (accessed June 2023).

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
<b>Retail</b>						
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
<b>Total Retail Supply</b>	<b>124,314</b>	<b>145,930</b>	<b>157,320</b>	<b>168,900</b>	<b>178,700</b>	<b>187,100</b>
<b>Wholesale</b>						
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
<b>Total Wholesale Supply</b>	<b>37,669</b>	<b>62,970</b>	<b>57,580</b>	<b>60,000</b>	<b>62,300</b>	<b>64,400</b>
<b>Total Water Supply</b>	<b>161,983</b>					

Source: EMWD. 2021. 2020 UWMP, Tables 6-8 and 6-9. [https://www.emwd.org/sites/main/files/file-attachments/appb\\_dwrstandardizeduwmpa\\_0.pdf?1625160758](https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpa_0.pdf?1625160758) (accessed March 2024).

**Table 4.15-2: Normal Year Supply and Demand Comparison**

	2025	2030	2035	2040	2045
<b>Retail</b>					
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
<b>Wholesale</b>					
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\\_dwrstandardizeduwmpa\\_0.pdf?1625160758](https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpa_0.pdf?1625160758) (accessed March 2024).

**Table 4.15-3: Single Dry Year Supply and Demand Comparison**

	2025	2030	2035	2040	2045
<b>Retail</b>					
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
<b>Wholesale</b>					
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\\_dwrstandardizeduwmpa\\_0.pdf?1625160758](https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpa_0.pdf?1625160758) (accessed March 2024).



**Table 4.15-4: Multiple Dry Years Supply and Demand Comparisons**

		2025	2030	2035	2040	2045
<b>Retail</b>						
<b>First Year</b>	<b>Supply Totals</b>	151,130	162,820	174,700	184,700	193,300
	<b>Demand Totals</b>	151,130	162,820	174,700	184,700	193,300
	<b>Difference</b>	0	0	0	0	0
<b>Second Year</b>	<b>Supply Totals</b>	132,700	143,300	153,700	162,500	170,300
	<b>Demand Totals</b>	132,700	143,300	153,700	162,500	170,300
	<b>Difference</b>	0	0	0	0	0
<b>Third Year</b>	<b>Supply Totals</b>	134,900	145,500	155,500	164,100	171,900
	<b>Demand Totals</b>	134,900	145,500	155,500	164,100	171,900
	<b>Difference</b>	0	0	0	0	0
<b>Fourth Year</b>	<b>Supply Totals</b>	137,100	147,600	157,400	165,700	173,500
	<b>Demand Totals</b>	137,100	147,600	157,400	165,700	173,500
	<b>Difference</b>	0	0	0	0	0
<b>Fifth Year</b>	<b>Supply Totals</b>	140,200	150,800	160,000	168,000	175,800
	<b>Demand Totals</b>	140,200	150,800	160,000	168,000	175,800
	<b>Difference</b>	0	0	0	0	0
<b>Wholesale</b>						
<b>First Year</b>	<b>Supply Totals</b>	64,770	59,080	61,600	63,600	65,900
	<b>Demand Totals</b>	64,770	59,080	61,600	63,600	65,900
	<b>Difference</b>	0	0	0	0	0
<b>Second Year</b>	<b>Supply Totals</b>	63,200	59,100	61,400	63,400	65,600
	<b>Demand Totals</b>	63,200	59,100	61,400	63,400	65,600
	<b>Difference</b>	0	0	0	0	0
<b>Third Year</b>	<b>Supply Totals</b>	62,100	59,600	61,800	63,900	66,000
	<b>Demand Totals</b>	62,100	59,600	61,800	63,900	66,000
	<b>Difference</b>	0	0	0	0	0
<b>Fourth Year</b>	<b>Supply Totals</b>	61,000	60,100	62,200	64,300	66,400
	<b>Demand Totals</b>	61,000	60,100	62,200	64,300	66,400
	<b>Difference</b>	0	0	0	0	0
<b>Fifth Year</b>	<b>Supply Totals</b>	59,800	60,600	62,600	64,700	66,900
	<b>Demand Totals</b>	59,800	60,600	62,600	64,700	66,900
	<b>Difference</b>	0	0	0	0	0
Source: EMWD. 2021. 2020 UWMP, Table 7-4. <a href="https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758">https://www.emwd.org/sites/main/files/file-attachments/appb_dwrstandardizeduwmpta_0.pdf?1625160758</a> (accessed June 2023).						

EMWD will continue to rely on imported water from the 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 evaluated challenges to supply reliability in its UWMP, including drought conditions, environmental regulations, water quality concerns, and infrastructure vulnerability. MWD has undertaken several planning initiatives to assess and prepare for vulnerabilities including its Integrated Resources Plan, its Water Surplus and Drought Management Plan, and its Water Supply Allocation Plan (WSAP). Additionally, 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.<sup>3</sup>

If another multiple-dry year period were to occur over the next five years, MWD could declare an allocation of water based on need during periods of mandatory imported water allocations throughout the region. 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.<sup>4</sup>

### **Stormwater Drainage**

The City 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.<sup>5</sup>

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's Public Works Department.<sup>6</sup> 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.<sup>7</sup> The open channel along the northern Project boundary is an RCFCWCD facility. The project name under which it falls is Romoland Master Drainage Plan (MDP)-Line A, Stage 3.<sup>8</sup>

The RCFCWCD is responsible for:

- Identification of flood hazards and problems.
- Regulation of floodplains and development.
- Regulation of drainage and development.

---

<sup>3</sup> EMWD. 2021. *2020 UWMP*. Available at: [https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan\\_0.pdf?1625160721](https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721) (accessed June 2023).

<sup>4</sup> Ibid.

<sup>5</sup> City of Menifee. 2013. *City of Menifee General Plan Draft EIR. Utilities and Service Systems*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=> (accessed December 2023).

<sup>6</sup> Ibid.

<sup>7</sup> RCFCWCD. 2021. *District Zones*. Available at: <https://rcflood.org/district-zones> (accessed December 2023).

<sup>8</sup> RCFCWCD. ND. *Flood Control – WebMap*. Retrieved from: <https://content.rcflood.org/webmaps/rcfc/> (accessed December 2023).

- County watercourse and drainage planning.
- Education for flood prevention and safety.
- Construction of flood control structures and facilities.
- Flood warning and early detection.
- Maintenance and operation of completed structures.<sup>9</sup>

### **Groundwater Recharge**

Groundwater recharge depends on numerous factors and 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 basins 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.<sup>10</sup> The Project site is located within the San Jacinto Groundwater Basin.<sup>11</sup> According to EMWD, this basin is deemed a high priority basin, but is not critically over drafted. The Groundwater Sustainability Agency (GSA) for this basin, has required EMWD 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. In December 2021, EMWD submitted their GSP to the Department of Water Resources (DWR), and it was approved on April 27, 2023.<sup>12</sup>

### **Recycled Water**

EMWD's recycled water system includes more than 250 miles of pipeline, 24 pumping facilities, and more than 7,600-acre feet of storage ponds, which allows EMWD to store water in the winter when demand is lower for use in the hotter summer months when demand outpaces supply.<sup>13</sup> According to EMWD's Public Map Portal, there is a recycled water main located south of the Project site along a portion of McLaughlin Road and east of the Project along Barnett Road.<sup>14</sup>

<sup>9</sup> RCFCWCD. 2021. *District Overview*. Available at: <https://rcflood.org/About-the-District/District-Overview> (accessed December 2023).

<sup>10</sup> EMWD. ND. *Groundwater*. Available at: <https://www.emwd.org/post/groundwater> (accessed December 2023).

<sup>11</sup> DWR. 2019. *Groundwater Basin Boundary Assessment Tool*. Retrieved from: <https://gis.water.ca.gov/app/bbat/> (accessed December 2023).

<sup>12</sup> Department of Water Resources. 2023. *All Submitted GSPs*. Available at <https://sgma.water.ca.gov/portal/gsp/all>. (accessed August 2023).

<sup>13</sup> EMWD. 2022. *Recycled Water System*. Available at: [https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem\\_englis.pdf?1537295072](https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem_englis.pdf?1537295072). (accessed December 2023).

<sup>14</sup> EMWD. ND. *Public Map Portal*. Retrieved from: <https://mapportal.emwd.org/> (accessed December 2023).

## 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 the City 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 Menifee GP EIR, for waste generated within the City, WMI transports the waste to the El Sobrante Landfill and Badlands Sanitary Landfill for disposal.<sup>15</sup> 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 21.1 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.<sup>16</sup> There is a transmission line along McLaughlin Road, southwest of the Project site. There are no gas transmission lines within or adjacent to the Project site.<sup>17</sup> 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.<sup>18</sup> South of the RCFWCD channel is an SCE utility corridor with one overhead transmission line and two sub-transmission lines.<sup>19</sup>

### 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

<sup>15</sup> City of Menifee. 2013. *GP EIR, Utilities and Service Systems*. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=> (accessed December 2023).

<sup>16</sup> SoCalGas. 2022. *Company Profile*. Retrieved from: <https://www.socalgas.com/about-us/company-profile> (accessed December 2023).

<sup>17</sup> SoCalGas. ND. *Gas Transmission Pipeline Interactive Map-Riverside*. Retrieved from: <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138> (accessed December 2023).

<sup>18</sup> SCE. 2022. *Who We Are*. Retrieved from: <https://www.sce.com/about-us/who-we-are> (accessed December 2023).

<sup>19</sup> SCE. 2019. *SCE Power Site Search Tool*. Retrieved from: <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed December 2023).

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. The City 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.

In November of 2009, the California Legislature passed SB 7 as part of the Seventh Extraordinary Session, referred to as SBX7-7 or the Water Conservation Act of 2009. SBX7-7 set the goal of achieving a 20 percent reduction in urban per capita water use statewide by 2020. Retail water agencies were required to set

targets and track progress toward decreasing daily per capita urban water use in their service areas, in order to assist the State in meeting its 20 percent reduction goal by 2020. This law required that every UWMP include baseline per capita water use; Urban water use target for 2020; and compliance daily per capita water use.

The EMWD Board of Directors adopted the District's 2020 UWMP, which has been prepared to comply with the Urban Water Management Planning Act and SBX7-7. In addition to meeting the requirements of the Act, the UWMP will be used to support water supply assessments and written verifications of water supply required by SB 610 and SB 221 of 2001. These bills require that water supply information be provided to counties and cities for projects of a certain size, prior to discretionary project approval. Both bills allow a UWMP to be used as a source document to fulfill these legislative requirements. Since EMWD's 2015 UWMP was completed and submitted to DWR, the Legislature has passed additional requirements that were incorporated in 2020 UWMPs. Major new requirements include water Reliability Assessment for five consecutive dry years, more than the three consecutive dry years previously required; Drought Risk Assessment to assess water supply reliability over a five-year period from 2021 to 2025 under a reasonable prediction for five consecutive dry years; seismic risk assessment and mitigation plan for a supplier's infrastructure; Water Shortage Contingency Plan with prescribed elements; Coordination on groundwater supply planning with plans being completed to address the Sustainable Groundwater Management Act (SGMA); Lay Description to describe the fundamental determinations of the UWMP in lay-person's language.

### ***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. Proposed industrial projects that would include 1,000 employees, occupy more than 40 acres of land, and have more than 650,000 square feet of floor area would also be required to prepare a WSA.



### ***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’s “Landscape Water Use Efficiency Requirements” are under Ordinance No. 2009–61 (MMC Chapter 15.04) and City Landscape Standards 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***

AB 1826 (2014) requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate on a weekly basis. Additionally, AB 1826 requires that, after January 1, 2016, all local jurisdictions implement an organic waste recycling program to divert organic waste generated by businesses, including multi-family residential dwellings with five or more units. Organic waste includes food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste. This law phases in the mandatory recycling of commercial organics over time.

Because the minimum threshold of organic waste generation by businesses will be decreased over time (e.g., in 2016, affected businesses were those generating eight cubic yards or more of organic waste per week; in 2019, affected businesses will be those generating four or more cubic yards of organic waste per week), an increasing proportion of the commercial sector will be required to comply. Currently, AB 1826 requires businesses and multi-family complexes that generate two or more cubic yards of solid waste, recycling, and organic waste combined per week to recycle organic waste. AB 1826 is part of California's efforts intended to achieve its recycling and GHG emissions reduction goals. Reducing the amount of organic materials sent to landfills and increasing the production of compost and mulch are part of the AB 32 Scoping Plan.

## 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.<sup>20</sup>

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 (Menifee MC) 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

---

<sup>20</sup> City of Menifee. 2013. *Menifee General Plan Land Use Element*. Available at: <https://www.cityofmenifee.us/853/Land-Use-Element> (accessed June 2023).

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 SWRCB of any person performing construction work that has a non-compliant construction site per the General Permit.

#### 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 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**

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, and 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 Evans and Barnett Roads. All areas adjacent to the existing roadways are also 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.

### Construction and Operations

#### *Water*

EMWD’s available water supplies would be sufficient to meet all of the water demands of the entire customer base, including the Project, 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 entire customer base, including the Project, for the next twenty-five years, as shown in Table 4.15-3 and 4.15-4 above. Additionally, EMWD provided a Water and Sewer Will service letter (refer to **Appendix L**) which stated that EMWD is willingly to provide water and sewer services to the Project site from the nearest EMWD water system. Per EMWD's letter, the Project proposes off-site water facility improvements to allow water on-site which includes a 12-inch water line in Evans Road and Barnett Road; a 12-inch recycled water line extension from the existing line in McLaughlin Road to Evans Road; and an 8-inch recycled water line from McLaughlin Road and Evans Road to the northern boundary of the Project site.

Therefore, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant. Impacts of required water facilities are addressed throughout this Draft 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 short-term noise impacts during pipeline construction. 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 requirement, no significant impacts are anticipated with respect to Project water facilities.

### **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 from an existing channel heading north on Evans 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 20.17-acre Project site would result in 398,252 sf of warehouse, mezzanine, and office use south of Ethanac Road between Evans Road and Barnett 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>).

The EMWD has previously used wastewater generation rates for industrial uses of approximately 1,700 gallons per day (GPD) per acre.<sup>21</sup> Based on this value, wastewater generated by the Project would be approximately 15,500 GPD. This represents approximately 0.02 percent of the total daily capacity of

---

<sup>21</sup> EMWD. Rev. 2006. *Sanitary Sewer System Planning and Design*. Available at: [https://www.emwd.org/sites/main/files/file-attachments/emwdsewer\\_system\\_design.pdf?1542760914](https://www.emwd.org/sites/main/files/file-attachments/emwdsewer_system_design.pdf?1542760914) (accessed December 2023).

the EMWD's 78 Million Gallon per Day (MGD) current treatment capacity.<sup>22</sup> The EMWD's facilities currently treat an average of 50.4 MGD. The Project would therefore represent approximately 0.07 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. Besides the on-site wastewater system, the Project requires an off-site connection to the existing sewer line along Evans Road. This proposed sewer line would run south on Evans Road connecting to the existing sewer line on McLaughlin 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 Draft EIR section(s). 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 Draft EIR. In consideration of existing requirements and Draft EIR mitigation measures, no significant impacts are anticipated with respect to Project wastewater facilities. Therefore, the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage facilities, the construction or relocation of which could cause significant environmental effect, and a less than significant impact would occur.

### **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 two miles east of the Project site) within the City and no power plants.<sup>23</sup> There is an existing high pressure distribution line existing north of the site, along Ethanac road.<sup>24</sup> The Project would require electricity facilities such as powerlines and other similar system components. However, this new infrastructure would be completely underground, pursuant to the City of Menifee MC, Title 9, also referred to as the City of Menifee Development Code (Menifee 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 mostly vacant status of the Project site. No off-site electrical facilities are anticipated at this time. Therefore, the Project would not require or result in the relocation or construction of new or expanded electric power which could cause significant environmental effects, and a less than significant impact would occur.

### **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. 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

---

<sup>22</sup> EMWD. ND. *Wastewater Service, EMWD's Regional Water Reclamation Facilities Fact Sheets*. Available at: <https://www.emwd.org/wastewater-service> (accessed December 2023).

<sup>23</sup> SCE. ND. *SCE Power Site Search Tool*. Retrieved from: <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed December 2023).

<sup>24</sup> SCE. ND. *Southern California Edison DRPEP*. Retrieved from: <https://tmdrpep.sce.com/drpep/> (accessed December 2023).

Road).<sup>25</sup> 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. 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. Therefore, the Project would not require or result in the relocation or construction of new or expanded natural gas, the construction or relocation of which could cause significant environmental effects, and a less than significant impact would occur.

### **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. The Project would not require or result in the relocation or construction of new or expanded telecommunications facilities, the construction or relocation of which could cause significant environmental effects, and a less than significant impact would occur.

### **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.

**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**

### **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. The Project would result in less than significant impacts on services provided by the water service provider.

---

<sup>25</sup> SoCalGas. ND. *Gas Transmission Pipeline Interactive Map – Riverside*. Retrieved from: <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138> (accessed December 2023).



### **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***

### **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. 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***

### **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 Menifee 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.<sup>26</sup> The estimated number of employees to operate the warehouses would be approximately 423 people.<sup>27</sup> This equates to approximately 5,846 pounds (2.9 tons) of waste per day from the Project.<sup>28</sup> That is approximately 0.02 percent of the El Sobrante Landfill's maximum daily throughput and 0.06 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**.

---

<sup>26</sup> CalRecycle. 2019. *Estimated Solid Waste Generation Rates*. Available at: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed December 2023).

<sup>27</sup> 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.

<sup>28</sup> Note: solid waste was estimated using the waste generation rate for warehousing only to be conservative.

**Table 4.15-5: Landfill Information**

Landfill	Location	Max. Permitted Throughput (tons per day)	Remaining Capacity (cubic yards)	Max. Permit Capacity (cubic yards)	Cease Operation Date
El Sobrante Landfill	Corona	16,054	143,977,170	209,910,000	1/1/2051
Badlands Sanitary Landfill	Moreno Valley	5,000	7,800,000	82,300,000	1/1/2059

Source: CalRecycle. 2019. SWIS Facility/Site Search. <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search> (accessed September 2022).

Badlands Sanitary Landfill, located in Moreno Valley, has a maximum permitted throughput of 5,000 tons per day. The facility’s remaining capacity is approximately 7.8 million cubic yards and maximum capacity is approximately 82 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.

**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***

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 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 site, 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*. Available at:

<https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>.

City of Menifee. 2013. *City of Menifee General Plan Draft EIR, Utilities and Service Systems*. Available at:

<https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=>.

City of Menifee. 2013. *Menifee General Plan Land Use Element*. Available at:

<https://www.cityofmenifee.us/853/Land-Use-Element>.

DWR. 2019. *Groundwater Basin Boundary Assessment Tool*. Retrieved from:

<https://gis.water.ca.gov/app/bbat/>.

EMWD. ND. *Groundwater*. Available at: <https://www.emwd.org/post/groundwater>.

EMWD. ND. *Public Map Portal*. Retrieved from: <https://mapportal.emwd.org/>.

EMWD. ND. *Sustainable Groundwater Management Act*. Available at:

<https://www.emwd.org/post/sustainable-groundwater-management-act>.

EMWD. ND. *Wastewater Service*. Available at: <https://www.emwd.org/wastewater-service>.

EMWD. ND. *Wastewater Service, EMWD's Regional Water Reclamation Facilities Fact Sheets*. Available at: <https://www.emwd.org/wastewater-service>.

EMWD. Rev. 2006. *Sanitary Sewer System Planning and Design*. Available at:

[https://www.emwd.org/sites/main/files/file-attachments/emwdsewer\\_system\\_design.pdf?1542760914](https://www.emwd.org/sites/main/files/file-attachments/emwdsewer_system_design.pdf?1542760914).

EMWD. 2021. *2020 UWMP*. Available at: [https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan\\_0.pdf?1625160721](https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721).

EMWD. 2021. *Water Supply Assessment Report*.

EMWD. 2022. *Recycled Water System*. Available at: [https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem\\_englis.pdf?1537295072](https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem_englis.pdf?1537295072).

RCFCWCD. ND. *Flood Control – WebMap*. Retrieved from: <https://content.rcflood.org/webmaps/rcfc/>.

RCFCWCD. 2021. *District Overview*. Available at: <https://rcflood.org/About-the-District/District-Overview>.

RCFCWCD. 2021. *District Zones*. Available at: <https://rcflood.org/About-the-District/District-Zones/Zone-4>.

SCE. ND. *SCE Power Site Search Tool*. Retrieved from:

<https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888>.

SCE. ND. *Southern California Edison DRPEP*. Retrieved from: <https://ltmdrpep.sce.com/drpep/>.

SCE. 2021. *Who We Are*. Retrieved from: <https://www.sce.com/about-us/who-we-are>.

SoCalGas. ND. *Gas Transmission Pipeline Interactive Map – Riverside*. Retrieved from:

<https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138>.

SoCalGas. 2022. *Company Profile*. Retrieved from: <https://www.socalgas.com/about-us/company-profile>.

## 5.0 OTHER CEQA CONSIDERATIONS

This section of the Draft EIR provides a discussion of additional 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 Section 15126.2(c) requires that the EIR describe any significant impacts, including those that can be mitigated but not be reduced to less than significant levels. The Project's environmental effects are addressed in **Sections 4.1** through **4.15** of this Draft EIR. Project implementation would result in potentially significant impacts for the following topical issues: Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Hydrology and Water Quality. Implementation of Laws, Ordinances, and Regulations (LORs) and mitigation measures (**MMs**) and adherence to applicable laws, ordinances, and regulations provided in **Section 4.1** through **Section 4.15** would reduce these impacts to levels considered less than significant. The Project would not result in significant and unavoidable impacts, as described throughout this Draft EIR.

### 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. Fossil fuels are nonrenewable sources associated with Project development. Fossil fuels would act as transportation energy sources for construction vehicles and heavy equipment during the construction phase and by vehicles and equipment used during Project operations. The Project would endeavor to utilize fossil fuels efficiently; fossil fuel use would be vital for construction and operations activities, making their nonuse unlikely. However, the Project would not require the continued use of fossil fuels at the end of its operational life.

Although 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 comply with all energy policies and regulations and would be utilized according to their availability.

Additionally, the Project applicant 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.

Land is another finite resource; once developed and in active use, that land is not able to be used for other uses and developments. Land development associated with the Project would not remove the possibility of redevelopment in the future, therefore the nonuse of the land is unlikely.

**The primary and secondary impacts would generally commit future generations to similar uses.**

The Project's development would produce potentially significant impacts as discussed in **Section 5.1** above. However, with implementation of Conditions of Approval (COA), MMs, and compliance with applicable laws, ordinances, and regulations, the Project would not commit future generations to similar uses throughout the Project operations. Additionally, the Project would not modify the land in a way that would prevent the possibility of redevelopment in the future. As previously discussed, the proposed warehouse buildings 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 with an existing land use designation of "Economic Development Corridor – Northern Gateway." The Project's proposed warehousing, distribution, and logistics uses are consistent with the existing land use designation. The Project's proposed industrial uses are also consistent with the existing zoning of "Economic Development Corridor – Northern Gateway." Therefore, the Project would not influence future development in that land area as the existing land use and zoning designations would not 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 concrete tilt up warehouses totaling of 398,252 square feet (sq. ft.), inclusive of associated office space, on approximately 20.17 acres of land. The Project is not anticipated to release hazardous materials into the environment through the use, transport, or disposal of hazardous materials. 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 store hazardous materials in compliance with any applicable federal, state, and local policy. Furthermore, the Project would implement **MM HAZ-1** that would ensure



proper handling of contaminated soils and substances which may be encountered during grading and construction activities. Additionally, Condition of Approval (COA)-HAZ-1 would be implemented which requires the posting of a “notice of airport in the vicinity” to all prospective purchasers of the property and tenants of the building in regard to annoyances or inconveniences associated with proximity to airport operations.

**The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).**

The Project would comply with all applicable federal, state, and local laws and regulations regarding the use of resources during both construction and operations. As discussed in **Section 4.5 Energy** and **Section 4.15: Utilities and Service Systems**, Project development would not significantly impact water, electricity, natural gas, solid waste, and telecommunication resources. Additionally, Eastern Municipal Water District (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 the Metropolitan Water District of Southern California (MWD) and existing local supply resources. 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 Section 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 represents 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 vacant with two new warehouse facilities and ancillary office space. Given that the current unemployment rate for Riverside County is approximately 5.2 percent,<sup>1</sup> it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding cities. Furthermore, the Project site would be served by the 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 could 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. Project development would induce population growth since the site will be developed with the proposed warehouse uses that are permitted with the Economic Development Corridor – Northern Gateway designation and therefore, not create or remove an obstacle for growth.

Additionally, the development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections in conjunction with the 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 Project's Traffic Study (**Appendix K**).

### **Would the project require the construction of new or expanded facilities that could cause significant environmental effects? *No***

The Project would include infrastructure improvements and connections pertaining to water, wastewater, and sewer to allow for the efficient use of resources. Improvements to the Project-adjacent streets would also include underground dry utility facilities (e.g., electric, natural gas, telecommunications, and fiber optics) along the Project's frontage streets. Additionally, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. **Section 4.15: Utilities and Services Systems** determined that there is adequate capacity of those facilities to serve the Project site.

The environmental impacts associated with the facility improvements associated with the Project have been analyzed in **Sections 4.1** through **4.15** of this Draft EIR. Mitigation measures have been proposed

---

<sup>1</sup> State of California Employment Development Department. (2023). *Local Area Unemployment Statistics (LAUS) - Riverside County*. Available at: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed December 2023).

which, when implemented, would reduce potential impacts stemming from the proposed Project's development to less than significant levels.

**Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. No**

Refer to **Sections 4.1** through **4.15** of this EIR. As discussed above, the Project

## 5.4 Mandatory Significance of Findings

CEQA requires preparation of an EIR when certain specific impacts may result from construction or implementation of a project. Accordingly, this Draft EIR was prepared for the Project which fully addresses all of the Mandatory Findings of Significance, as described below.

### Degradation of the Environment

Section 15065(a)(1)-(4) of the CEQA Guidelines requires a finding of significant if a project "has the potential to substantially degrade the quality of the environment." In practice, this is the same standard as a significant effect on the environment, which is defined in Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

This EIR in its entirety addresses and discloses all known potential environmental effects associated with the development of the Project both on- and off-site including direct, indirect, and cumulative impacts in the following resource areas:

- Aesthetics
- 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
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

A summary of all potential environmental impacts, level of significance and mitigation measures is provided in **Section ES: Executive Summary**.

### IMPACTS ON HABITAT OR SPECIES

Section 15065(a)(1) of the CEQA Guidelines states that "A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: (1) substantially degrade the quality of the environment; (2) substantially reduce the habitat of a fish or wildlife species; (3) cause a fish or wildlife population to drop below self-sustaining levels; (4) threaten to

eliminate a plant or animal community; (4) substantially reduce the number or restrict the range of an endangered, rare, or threatened species; (5) or eliminate important examples of the major periods of California history or prehistory.” As identified in **Chapter 4.3, Biological Resources**, all impacts would be reduced to a level of less than significant with mitigation.

### **SHORT-TERM VS. LONG TERM GOALS**

Section 15065(a)(2) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.” **Section 5.3: Significant and Irreversible Environmental Changes**, above addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. Additionally, **Section 5.3: Growth Inducing Impacts** above, identifies any long-term environmental impacts associated with economic and population growth that are associated with the Project.

### **Cumulatively Considerable Impacts**

Section 15065(a)(3) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has potential environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” This Draft EIR provides a cumulative impact analysis for those thresholds that result in a less than significant impact, a potentially significant impact unless mitigated, or a significant and unavoidable impact. Cumulative impacts are addressed for each of the environmental topics listed above and provided in **Sections 4.1** through **4.15** of this EIR.

### **Substantial Adverse Effects on Human Beings**

As required by Section 15065(a)(4) of the CEQA Guidelines, “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This standard relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could directly or indirectly affect human beings would be possible in all of the CEQA issue areas previously listed, those that could directly affect human beings include aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, land use and planning, public services and utilities, transportation/traffic, water resources, wildfire hazards, and climate change, all of which are addressed in the appropriate sections of this Draft EIR; refer to the **Table of Contents** for specific section numbers.

## 6.0 ALTERNATIVES

### 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 Section 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] Section 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 (Section 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” (Section 15126.6(b)).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact” (Section 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” (Section 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” (Section 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)” (Section 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” (Section 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” (Section 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 no development would occur for the proposed 398,252 square feet (SF) of non-sort warehouse space, and associated infrastructure improvements, and the Project site would remain undeveloped. The Project site would continue to function in its existing condition as an underutilized vacant property.

### **Alternative 2: Reduced Building Intensity Alternative**

This alternative assumes a general 15 percent reduction in overall square feet of the proposed non-sort warehouse space, where approximately 59,800 SF of warehouse space is removed for a total building square footage of 338,452 SF. Office space would remain the same.

### **Alternative 3: Modification of two Building Site Plan to one Building with Additional Auto and Trailer Parking**

This alternative assumes that Building 2 (see Exhibit 2-5: Overall Site Plan in Section 2.0, Project Description) would continue to be constructed in its original location, including the same office and mezzanine space, but the Building 1 site totaling 5.30 acres of land would be utilized for trailer storage and vehicle parking consisting of 352 automobile parking stalls and 41 trailer parking stalls.

Alternatives were developed based on information provided by the Project applicant, the 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 Section 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. 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 2.0: Project Description** and are as follows:

- Objective 1:** Fulfill the City of Menifee’s vision of developing the Economic Development Corridor – Northern Gateway in conformity with the City’s General Plan. The presence of Northern Gateway Logistics Center will attract businesses and investment that will stimulate economic growth.
- Objective 2:** Provide tax revenue to ensure future prosperity for the City and its residents.
- Objective 3:** Create employment opportunities for City residents and surrounding communities.
- Objective 4:** Infrastructure development that will include driveway creation, as well as enhancements in roads, utility infrastructure and landscaping.
- Objective 5:** Increase trade and commerce within the City that will facilitate local and regional economic growth.
- Objective 6:** The institutional quality development will attract high end users and enhance the aesthetics of the underutilized vacant land.
- Objective 7:** Participate in backbone infrastructure that will help facilitate transportation throughout the corridor and increase public safety/traffic flow with new roads, signs, and striping.
- Objective 8:** Locate the Project near the I-215 freeway in order to provide adequate vehicular access to the Project site and to reduce vehicular travel through residential neighborhoods or heavily trafficked City roadways.

## 6.3 Alternatives Rejected as Infeasible

State CEQA Guidelines Section 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, Section 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 Section 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.

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 major transportation routes with Interstate 215 (I-215) located east of the Project site.

## **6.4 Analysis of Alternatives to the Proposed Project**

**Alternative 1: No Project Alternative** - This alternative assumes no development would occur for the proposed 398,252 sf of non-sort warehouse space, and associated infrastructure improvements, and the site would remain undeveloped. The Project site would continue to function in its existing condition as an underutilized site.

**Alternative 2: Reduced Building Intensity Alternative** - This alternative assumes a general 15 percent reduction in overall square feet of the proposed non-sort warehouse space, where approximately 59,800 SF of total warehouse space is removed for a total building square footage of 338,452 SF. Office space would remain the same.

**Alternative 3: Modification of two Building Site Plan to one Building with Additional Auto and Trailer Parking Alternative** – This alternative assumes that Building 2 (see **Exhibit 2-5: Overall Site Plan in Section 2.0, Project Description**) would continue to be constructed in its original location, including the same office and mezzanine space, but the Building 1 site totaling 5.30 acres of land would be utilized for trailer storage and vehicle parking consisting of 352 automobile parking stalls and 41 trailer parking stalls.

## 6.5 Comparison of Alternatives

Per the State CEQA Guidelines Section 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**

State CEQA Guidelines Section 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.

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 Menifee GP land use designation and zoning: Economic Development Corridor – Northern Gateway.

### **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.

### ***Aesthetics***

Under Alternative 1, the Project site would remain in its current undeveloped state. The Project site's existing land use designation is Economic Development Corridor (EDC) – Northern Gateway (see **Exhibit 2-3: Existing General Plan Land Use Designations**). The Project's existing zoning is Economic Development Corridor – Northern Gateway (EDC – NG); refer to **Exhibit 2-4: Existing Zoning**. The Project's proposed industrial uses are permitted within the EDC – NG zoning. Thus, industrial uses could be developed on the site in the future. Since the Project site would remain in its current undeveloped and vacant state, no impacts regarding aesthetics, light, and glare would occur.

The No Project Alternative would be environmentally superior to the Project as no increase in construction activities or development of the two warehouse buildings that could block views would occur.

### ***Air Quality***

Under Alternative 1, no construction or operational emissions would occur. By maintaining existing uses throughout the Project area, an increase in traffic-related air emissions would not occur. Additionally, no increase in carcinogenic risk exposure would occur.

The No Project Alternative would be environmentally superior to the Project regarding air quality impacts, as no increase in construction and operations would occur and as such no impacts to air quality would occur from Alternative 1.

### ***Biological Resources***

The Project would result in a less than significant environmental impacts with regard to burrowing owls and nesting birds with **MMs 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 historical resources, archeological resources, and human remains with implementation of Conditions of Approval (COA) CUL-1 through COA-CUL-8. Under this Alternative, these potential Project impacts would be avoided, as no ground disturbing activities would occur.

Thus, the No Project Alternative would be environmentally superior to the Project regarding cultural resource impacts, as no site disturbance would occur and no impacts to cultural resources would occur.

### ***Energy***

The Project site is currently vacant and undeveloped, and as such, Alternative 1 would not require or consume energy in comparison to the proposed Project. Therefore, 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***

Under Alternative 1, the Project site would not subject humans and property to potential hazards from significant geologic conditions since the site would remain vacant and undeveloped. With the exception of being subject to strong seismic ground shaking, all impacts would be avoided.

The No Project Alternative would be environmentally superior to the Project regarding geological, soils, and paleontological resources.

### ***Greenhouse Gas Emissions***

The Project would result in less than significant environmental impacts associated with generation of greenhouse gases (GHG) or conflict with any applicable plan, policy or regulations, and would not generate cumulative GHG emissions with the implementation of **MMs GHG-1** and **GHG-2** and compliance with Standard Conditions (SC)-1 through SC-8.

Alternative 1 would not result in construction or operational GHG emissions since the site would remain vacant and undeveloped.

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***

Hazards 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 with implementation of **MM HAZ-1** and implementation of COA-HAZ-1 (refer to **Section 4.8: Hazards and Hazardous Materials**).

Under Alternative 1, all the previous impacts would be avoided because Alternative 1 would not develop the Project site or expose people or structures to the potential of any hazards. Thus, Alternative 1 would be environmentally superior to the Project.

### ***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** and **HYD-2**. 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.

### ***Land Use and Planning***

The No Project Alternative would retain the Project site in its current vacant and undeveloped condition, and no warehouse buildings or improvements would be constructed. The Project includes a Major Plot Plan and Lot Line Merger and Lot Line Adjustment. Under Alternative 1, the existing land uses would be maintained, removing the need for a Plot Plan, Lot Line Merger, and Lot Line Adjustment.

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 Project would have a less than significant impact regarding excess noise levels from construction machinery, demolition, site preparation, grading, and building construction, as well as operational noise. 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 conditions. 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 Project would not have an impact to public services with the payment of the applicable Development Impact Fees (DIF). Under Alternative 1, no warehouse buildings or associated improvements would be developed, and as such, no DIFs would be paid to the City for various City services. 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, 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 Section 15064.3.

Alternative 1 would not include the increase in traffic or vehicle miles traveled (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 vacant and undeveloped condition of the Project site. However, under Alternative 1, the adjacent roadways would not receive street 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 under existing conditions. 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 and reduce VMT in the meantime until the Project site is developed by a different project.

Overall, the No Project Alternative would be environmentally superior to the Project regarding transportation impacts.

### **Tribal Cultural Resources**

The 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 the 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 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.

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**

Although Alternative 1 would be environmentally superior in most environmental topic areas, Alternative 1 would not meet any of the Project objectives as the Project site would remain in its existing vacant and undeveloped condition. The No Project Alternative would not provide employment opportunities, would not facilitate the movement of goods, and 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: Reduce Building Intensity (15 Percent Reduction)**

Alternative 2 assumes that the Project would undergo a 15 percent reduction in the overall square footage of the proposed warehouse buildings, removing approximately 59,800 SF of total warehouse space. Other components of the Project would remain; refer to **Table 6-1: Alternative 2 Design Alternative**.

**Table 6-1: Alternative 2 Design Alternative**

<b>Feature</b>	<b>Project</b>	<b>Alternative 2 (15% Reduction)</b>
<u>Net Site Area</u> (Acres)	20.17 AC	20.17 AC
(SF)	878,601 SF	878,601 SF
<u>Building Site Coverage</u>	45.3%	45.3%
<u>Building Area</u>		
Office	14,000 SF	14,000 SF
Mezzanine	7,000 SF	7,000 SF
Warehouse	377,252 SF	317,452 SF
<u>Total</u>	<u>398,252 SF</u>	<u>338,452 SF</u>
Automobile Parking Stalls	354 Stalls	354 Stalls
Trailer Parking Stalls	41 Stalls	41 Stalls
<u>Landscaping</u> (SF)	105,837 SF	105,288 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 energy and utilities and service systems may see a nominal improvement. 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 and compliance with all COAs and SCs in all environmental impact areas. 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 Alternative 2 when compared to the Project. The general mass and scale of the site would be the same with Alternative 2 because only internal warehouse space is removed and the building footprint would remain the same as the Project. When compared to the Project, aesthetics impacts associated with Alternative 2 would be similar.

Alternative 2 would be environmentally equivalent to the Project regarding aesthetic impacts.

#### ***Air Quality***

The Project would not conflict with established air quality plans for the region and pollutant generation. The Project would not 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 with implementation of **MM GHG-2** and compliance with SC-1 through SC-8.

Alternative 2 proposes the same warehousing land use as the Project although the warehousing building space would be reduced by approximately 59,800 SF 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 are expected to be similar to the Project.

Regardless, Alternative 2 would be environmentally superior to the Project regarding air quality impacts because a slight decrease in construction and traffic would occur and a lesser air quality impact would occur from 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 or 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. The Project would result in less than significant impact to historical and archeological resources, and human remains with implementation of COA CUL-1 through COA-CUL-8.

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 Project would require energy during both the construction and operations phases of the Project, although Alternative 2 would require approximately 15 percent less energy to build and operate when compared to the Project. When compared to the proposed Project, Alternative 2 would result in fewer energy-related impacts than the 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, **MMs GEO-1** and **GEO-2** 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 would result in less than significant environmental impacts associated with generation of GHGs or conflict with any applicable plan, policy or regulations, and would not generate cumulative GHG emissions with the implementation of **MMs GHG-1** and **GHG-2** and compliance with SC-1 through SC-8.

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.

Nevertheless, Alternative 2 would be environmentally superior to the Project regarding GHG emissions only because it would reduce the energy need by approximately 15 percent.

### ***Hazards and Hazardous Materials***

Alternative 2 and the Project would disturb the same footprint, and as such, Alternative 2 would also result in less than significant impacts. As with the Project, **MM-HAZ-1** would be required to reduce hazards to a level of less than significant. As such, similar impacts would also occur with implementation of 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** and **HYD-2** would be required to reduce hydrology and water quality 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 and Alternative 2 would both obtain a Plot Plan and Lot Line Merger and Lot Line Adjustment. As such, Alternative 2 would be environmentally equivalent to the Project regarding land use and planning, since land uses would be the same, and land use entitlements would be required.

### ***Noise***

Both the Alternative 2 and the 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 percent less noise when compared to the proposed Project given the reduction in size. When compared to the 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 be less than significant.

Regardless, 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 Project.

### ***Public Services***

Both Alternative 2 and the Project would require additional public service needs compared to the existing conditions on the site. Although Alternative 2 would require approximately 15 percent less public service needs when compared to the proposed Project given the reduction in size. When compared to the Project, Alternative 2 would result in fewer public service impacts related impacts than the 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 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 Section 15064.3.

Since the proposed Project was found to not have an impact on transportation and because Alternative 2 would reduce the internal warehouse square footage by 15 percent, it is assumed that Alternative 2 would have a lesser impact than the Project. Alternative 2 would be environmentally superior compared to the proposed Project.

### ***Tribal Cultural Resources***

The 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. Impact to tribal cultural resources would be minimized 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. 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 Project.

Thus, Alternative 2 would be environmentally superior compared to the Project regarding impacts to utilities and service systems.

### **Alternative 2 Summary**

Alternative 2 would likely lead to reduced impacts in air quality, energy, greenhouse gases, transportation and utilities and service systems. Alternative 2 would reduce air quality and GHG emissions and traffic by approximately 15 percent. Additionally, energy usage would decrease by 15 percent. Utility demand would be decreased due to the 15 percent reduction of internal warehouse space as well.

Alternative 2 would meet all of the Project Objectives. However, Alternative 2 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the Project due to the reduced building square footage (59,800 SF) of interior warehouse.

### Alternative 3: Modification of two Building Site Plan to one Building with Additional Auto and Trailer Parking

Alternative 3 assumes that Building 2 (see **Exhibit 2-5: Overall Site Plan** in **Section 2.0, Project Description**) would continue to be constructed in its original location, including the same office and mezzanine space, but the Building 1 site totaling 5.3 acres of land would be utilized for trailer storage and vehicle parking consisting of 91 automobile parking stalls and 120 trailer parking stalls. Refer to **Table 6-2: Alternative 3 Design Alternative**

**Table 6-2: Alternative 3 Design Alternative**

Feature	Project	Alternative 3
<u>Net Site Area</u> (Acres)	20.17 AC	20.17 AC
(SF)	878,601 SF	878,601 SF
<u>Building Site Coverage</u>	45.3%	33.3%
<u>Building Area</u>		
Office	14,000 SF	8,000 SF
Mezzanine	7,000 SF	7,000 SF
Warehouse	377,252 SF	277,715 SF
<u>Total</u>	<u>398,252 SF</u>	<u>292,715 SF</u>
Automobile Parking Stalls	354 Stalls	335 Stalls
Trailer Parking Stalls	41 Stalls	161 Stalls
<u>Landscaping</u> (SF)	105,837 SF	105,288 SF

Any off-site improvements associated with the proposed Project would remain consistent with the Project. Lastly, the additional trailer parking would be used by the building’s tenant for additional parking and/or storage purposes and would not be used as a truck terminal.

#### Alternative 3 Impact Comparison to the Project

As noted in **Table 6-2**, building site coverage would be reduced from 45.3 percent to 33.3 percent from the proposed Project to Alternative 3. Alternative 3 assumes Building 2 (warehouse building) would continue to be constructed in its original location, including the same office and mezzanine space, but Building 1 would be replaced with excess automobile and trailer parking lot consisting of 91 automobile parking stalls and 120 trailer parking stalls. 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 air quality, greenhouse gas emissions, public services, transportation, and utilities and service systems. Other utilities and service system needs would still occur, but at a lower intensity.

#### Aesthetics

Similar to the Project, the general grading activities for the whole site would be similar to the Project. However, Alternative 3 would have a moderate reduction in aesthetic impacts as the building site coverage would be reduced with removal of Building 1 and there would be less opportunities that views of the mountains (in the distance) are blocked.

Thus, 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 not conflict with established air quality plans for the region and pollutant generation. Specifically, the Project would not generate a substantial increase in emissions compared to existing conditions and would not cause a significant and unavoidable impact in criteria pollutant. As such, the traffic generated from the proposed Project is anticipated to be higher than Alternative 3 truck. Because the traffic generated under Alternative 3 would be lower compared to the proposed Project, the emissions generated from Alternative 3 would also be lower.

Alternative 3 would be environmentally superior to the Project regarding air quality impacts because of the decrease in traffic that would occur under this Alternative, which would reduce air quality impacts. As a such, a reduction in air quality impacts would occur from Alternative 3.

### ***Biological Resources***

Both Alternative 3 and the 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 or impacted.

### ***Cultural Resources***

Alternative 3 and the 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 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 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 due to the removal of Building 1. Furthermore, Alternative 3 would not generate more traffic than the proposed Project since the additional auto and trailer parking stalls would be used for additional parking or storage purposes for the tenant. Thus, Alternative 3 would not expend higher amounts of fuel/diesel during the Project's operational phase.

As such, Alternative 3 would be environmentally superior 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, **MMs GEO-1** and **GEO-2** 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***

As stated above, the Project would result in less than significant environmental impacts associated with generation of GHGs or conflict with any applicable plan, policy or regulations, and would not generate cumulative GHG emissions with the implementation of **MMs GHG-1** and **GHG-2** and compliance with SC-1 through SC-8.

Alternative 3 may result in reduced emissions impacts regardless of the increase in parking facilities since the spaces would be used for storage for the building tenant only. Therefore, Alternative 3 would be environmentally superior to the Project regarding GHG emissions.

### ***Hazards and Hazardous Materials***

The Project would have a less than significant impact in this regard. Alternative 3 would disturb the same footprint as the Project, and as such, would also result in less than significant impacts similar to the proposed Project. As with the proposed Project, **MM-HAZ-1** would be required to reduce hazards to a level of less than significant. As such, similar impacts would also occur with implementation of 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** and **HYD-2** 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.

Similar to Alternative 2, Alternative 3 and the 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** and **HYD-2** would be required to reduce hydrology and water quality impacts to a level of less than significant.

Alternative 3 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 and Alternative 3 would both obtain a Plot Plan and Lot Line Merger and Lot Line Adjustment. As such, Alternative 3 would be environmentally equivalent to the Project regarding land use and planning, since land uses would be the same, and land use entitlements would be required.

### ***Noise***

Both Alternative 3 and the 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 site coverage is reduced with the elimination of Building 1, and as such, a reduced short-term construction noise impact. Additionally, it is anticipated that Alternative 3 would have a reduced long-term operational traffic related noise since the additional auto and trailer parking would be used for additional parking and/or storage by the tenant only. Because the Project would have a greater short-term construction noise and long-term operational noise impact, it is assumed that Alternative 3 noise impacts would be lesser.

Alternative 3 would be environmentally superior 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 Project.

### ***Public Services***

The need for public services is anticipated to be greater under the Project than under Alternative 3, because Alternative 3 reduces building site coverage with the elimination of Building 1. As such, fire and police services would be needed. 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 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 Section 15064.3.

Alternative 3 would provide the same site use, which includes warehousing and vehicle/truck traffic and parking. Although Alternative 3 would provide additional trailer parking, the additional trailer stalls would be used for storage purposes by the tenant only, and the Project site would not operate as a truck terminal for other projects. As such, it is assumed that Alternative 3 would create a reduced impact as it relates to traffic, and indirectly on, air quality and GHG due to the reduced square footage of the building.



Thus, Alternative 3 would be environmentally superior to the Project.

### ***Tribal Cultural Resources***

The 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, 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.

Nevertheless, Alternative 3 would be environmentally equivalent to the Project regarding tribal cultural resources. Impacts concerning tribal cultural resources with implementation of COA-CUL-1 through COA-CUL-7 would be minimal.

### ***Utilities and Service Systems***

Alternative 3 would result in fewer utility and service system related impacts compared to the proposed Project due to the removal of Building 1. Therefore, 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**

Alternative 3 would likely lead to reduced impacts in air quality, energy, GHGs, transportation, and utilities and service systems due to shorter construction timeline and the elimination of Building 1.

Alternative 3 would meet all of the Project Objectives. However, Alternative 3 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the Project due to the elimination of Building 1, totaling 105,537 SF.

## **6.6 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.

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 6-3: Comparison of Project Alternatives Environmental Impacts with the Project**).

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. Although Alternative 3 would result in the similar or have less environmental impacts than the Project, Alternative 3 does not maximize the City’s benefits realized or achievement of the Project Objectives when compared to the proposed Project. 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 it would reduce the project by 15 percent, including traffic generated by the project which would translate to a potential 15 percent reduction in emissions affecting air quality and GHGs.

**Table 6-3: 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 Modification of two Building Site Plan to one Building with Additional Auto and Trailer Parking
Aesthetics	Less than Significant	-	-	-
Air Quality	Less than Significant	-	-	-
Biological Resources	Less than Significant	-	=	=
Cultural Resources	Less than Significant	-	=	=
Energy	Less than Significant	-	-	-
Geology and Soils	Less than Significant	-	=	=
Greenhouse Gas Emissions	Less than Significant	-	-	-
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 Services Systems	Less than Significant	-	-	-
Attainment of Project Objectives	Meets all of Project Objectives	Meets none of the Project Objectives	Meets some of the Project Objectives	Meets some of the Project Objectives
A plus (+) sign means the Project Alternative has more impacts compared to the Project. A minus (-) sign means the Project Alternative has less impact compared to the Project. An equal sign (=) means the Project Alternative has similar impact compared to the Project.				

## 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

**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: Less than Significant**

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 Farmland Finder<sup>1</sup> and Exhibit OSC-5: Agricultural Resources<sup>2</sup> from the Menifee GP, the Project contains Farmland of Statewide Importance and Farmland of Local Importance. Farmland of statewide importance is similar to prime farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. This indicates the land must have been used for irrigated agricultural production as some point in time during the four years prior to the mapping date; 2018. According to the Menifee Final EIR, the City is focused on developing land in an economically productive way that would serve the growing population. As such, the City has placed significant emphasis on future development to include mixed-use, commercial, industrial, and residential projects rather than supporting agricultural uses that have become less economically viable. Moreover, the Menifee Final EIR determined that because of the small area of farmland and the economic and regulatory constraints placed on agriculture, it is unlikely that the properties that are categorized as Prime Farmland, Unique Farmland, and Farmland of Statewide importance would remain in agricultural production even without the adoption of the Menifee GP. Consequently, the approval of the Menifee GP

<sup>1</sup> California Department of Conservation. (2018). California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed July 2023).

<sup>2</sup> City of Menifee. (2013). General Plan. *Open Space and Conservation Element Exhibit OSC-5: Agricultural Resources*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5\\_AgriculturalResources\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5_AgriculturalResources_HD0913?bidId=) (accessed July 2023).

in 2013 converted 522 acres of existing state-designated farmland to nonagricultural uses and the land was reestablished for urban development.

Although the Project area has been identified to be Farmland of Statewide Importance, the adoption of the Menifee GP converted the land for nonagricultural uses. As such, the Project's proposed industrial uses would be consistent with the Economic Development Corridor – Northern Gateway land use designation and zoned as Economic Development Corridor – Northern Gateway (EDC-NG) which was envisioned to accommodate a mixture of non-residential and residential development. Furthermore, the Economic Development Corridor – Northern Gateway land use designation does not permit agricultural use and the City does not have any prohibitions that prevent the transition of agricultural land uses to urban land uses. Therefore, impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be less than significant.

***Impact 7.2-2      Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

***Level of Significance: No Impact***

The Menifee GP Land Use Map shows that there are no areas which allow agricultural uses within or near the Project site. As stated in Impact 7.2-1, the Project site is designated as an Economic Development Corridor – Northern Gateway land use and EDC-NG zoning designation which does not permit agricultural uses. Additionally, there are no lands within the City that are currently under a Williamson Act contract.<sup>3</sup> 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))?***

***Level of Significance: No Impact***

As stated in Impact 7.2-1, the Project is designated and zoned as an Economic Development Corridor – Northern Gateway and there is no forest zoning in the City. The Project site is heavily disturbed from on-site disturbances (historic agricultural and grading activities, and weed abatement) and is supported by non-native vegetation. Accordingly, no forest or timberland is present on the Project site, and no impact would occur.

***Impact 7.2-4      Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

***Level of Significance: No Impact***

Due to the lack of existing active farmland, forest lands, timberlands, or areas zoned for agriculture on the Project site, the Project would not result in the loss of forest land or conversion of forest land to non-forest use. Thus, no impact would occur.

---

<sup>3</sup> City of Menifee. (2013). General Plan Draft EIR, Section 5.2: Agriculture and Forestry Resources. Page 5.2-5. Available at: <https://www.cityofmenifee.us/DocumentCenter/View/1102/Ch-05-02-AG?bidId=> (accessed July 2023).

**Impact 7.2-5** *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: Less than Significant**

See Impact 7.2-1 above. Although the Project would convert Farmland of Statewide Importance to non-agricultural uses, the Project' Economic Development Corridor – Northern Gateway land use designation does not permit agricultural uses. Furthermore, the conversion of farmland to nonagricultural uses was accounted for in the Menifee GP Draft EIR. Therefore, a less than significant 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**

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 (and the Project site) symbolized as MRZ-3 (areas containing known or inferred mineral occurrences of undetermined mineral resource significance).<sup>4</sup>

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.

**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**

See response to Impact 7.3-1 above. The Project site is located in a heavily disturbed and partially developed portion of the City. The previous uses at the Project site does not include mining activities or mineral processing. Furthermore, the California Department of Conservation's Mines Online mapper concluded that no active mining sites exist within the City.<sup>5</sup> Therefore, the Project would not interfere with any existing or potential mining activities.

---

<sup>4</sup> City of Menifee. (2013). General Plan. *Exhibit OSC-3: Mineral Resource Zones*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3\\_Mineral\\_Resource\\_Zones\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3_Mineral_Resource_Zones_HD0913?bidId=) (accessed July 2023).

<sup>5</sup> California Department of Conservation. (2021). *Mines Online*. <https://maps.conservation.ca.gov/mol/index.html>. (accessed July 2023).

## 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**

The Project does not propose residential development and would thus not introduce a new population. Development would include two warehousing facilities with ancillary office and mezzanine space (Building 2 only). Additionally, the Project site is undeveloped and no residential dwelling units exist on site. The Project would result in job opportunities for residents in the surrounding area but would not directly generate additional housing.

Construction of the Project would generate temporary employment opportunities, including short-term design, engineering, and construction jobs. Construction related jobs would not result in a significant population increase because those jobs are temporary in nature and are expected to be filled by persons within the local area. This expectation is based on the latest unemployment data for Riverside County<sup>6</sup> (4.5 percent) and the City of Menifee<sup>7</sup> (4.2 percent). Additionally, the SCAG's Connect SoCal notes that it is anticipated that the population would in Riverside County would grow to 2,927,000.<sup>8</sup> Similarly, the Menifee GP Draft EIR states that the population is forecast to grow to 119,332 by 2035<sup>9</sup>. As such, population growth in the City is anticipated with future development and such growth has been considered in the City's General Plan. 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. For these reasons, Project construction would not directly or indirectly induce substantial, unplanned population growth in the City. Therefore, the Project is anticipated to have a less than significant impact on unplanned population growth.

**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**

As previously stated, the Project site is undeveloped land with sparse vegetation. No housing of any kind exists on-site and as such, no home or residents would be displaced with the implementation of the Project. No impact to people or housing would occur.

---

<sup>6</sup> State of California Employment Development Department. (2023). *Local Area Unemployment Statistics (LAUS) - Riverside County*. Available at: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed July 2023).

<sup>7</sup> State of California Employment Development Department. (2023). *LAUS – Annual Average*. Available at: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Annual-Ave/7jbb-3rb8> (accessed July 2023).

<sup>8</sup> SCAG. 2023. *Connect SoCal Draft Program Environmental Impact Report*. Available at: <https://scag.ca.gov/peir> (accessed February 2024).

<sup>9</sup> City of Menifee. 2013. *Draft Environmental Impact Report*. Available at: <https://www.cityofmenifee.us/262/Environmental-Impact-Report> (accessed February 2024).

## 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**

The closest park to the Project site is Nova Park, located at Sun City, CA 92585, approximately 0.12 mile southwest of the Project site. The Project does not propose any residential development or other land uses that would generate a population that would significantly increase the use of these parks or any existing neighborhood or regional parks or other recreational facility. 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**

The Project proposes the construction of two warehouse facility with office space and associated infrastructure improvements. The Project does not propose, or require, the construction or expansion of recreational facilities. Additionally, 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 pursuant to Menifee MC Chapter 7.75 Parkland Dedication and Fees. Therefore, the Project would not have an adverse physical effect on the environment because no new recreational facilities would be constructed, and no existing recreational facilities would be expanded as a result of the Project. Therefore, no impact would occur.

## 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**

According to CAL FIRE's Fire Hazard Severity Zones viewer,<sup>10</sup> and Menifee GP Exhibits S-8, Very High Fire Hazard Severity Zones and Public Facilities,<sup>11</sup> and S-6 High Fire Hazard Areas,<sup>12</sup> the Project site is not located in or near a State Responsibility Area (SRA) or lands classified as very high fire hazard zones (VHFHSZs). The nearest VHFHSZ/SRA to the Project site is located approximately 2.06 miles to the northeast.

<sup>10</sup> City of Menifee. (2024). *Fire Hazard Severity Zone Viewer*. Available at: <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones> (accessed April 2024).

<sup>11</sup> City of Menifee. (2021). *General Plan – Exhibit S-8 Very High Fire Hazard Severity Zones and Public Facilities*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/14710/2\\_Safety\\_Exhibits\\_8-5\\_2021-8---Very-High-Fire-Hazard-Severity-Zones-and-Public-Facilities](https://www.cityofmenifee.us/DocumentCenter/View/14710/2_Safety_Exhibits_8-5_2021-8---Very-High-Fire-Hazard-Severity-Zones-and-Public-Facilities) (accessed August 2023).

<sup>12</sup> City of Menifee. (2021). *General Plan – Exhibit S-6 High Fire Hazard Severity Areas*. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6\\_HighFireHazardAreas\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=) (accessed August 2023).



The Project site is located in a Local Responsibility Area (LRA) which means the City is primarily financially responsible for preventing and suppressing fires for the Project. Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur.

**Impact 7.6-2** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*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**

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** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*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**

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 associated office space, parking, and 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** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*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**

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.

## 8.0 EIR CONSULTATION AND PREPARATION

### 8.1 Lead Agency

#### City of Menifee

- Brandon Cleary, *Associate Planner*

### 8.2 Environmental Document Preparers

#### Kimley-Horn and Associates, Inc.

- Kari Cano, *Project Manager*
- Meghan Karadimos, *Environmental Analyst*
- Sabrina Wallace, *Environmental Analyst*
- Aldo Perez, *Environmental Analyst*
- Ashley Alamo-Spradlin, *Environmental Analyst*
- Amanda McCallum, *Document Production*

### 8.3 Technical Study Preparation

#### Air Quality and Mobile Source Health Risk Assessment

- Kimley-Horn and Associates, Inc.
  - Ace Malisos, *Technical Specialist*
  - Ryan Chiene, *Technical Specialist*

#### Biological Resources

- ELMT Consulting

#### Cultural Resources and Tribal Cultural Resources

- BCR Consulting LLC

#### Energy

- Kimley-Horn and Associates, Inc.
  - Ace Malisos, *Technical Specialist*
  - Ryan Chiene, *Technical Specialist*

#### Geology and Soils

- LGC Geotechnical, Inc.

## **Greenhouse Gas Emissions**

- Kimley-Horn and Associates, Inc.
  - Ace Malisos, *Technical Specialist*
  - Ryan Chiene, *Technical Specialist*

## **Hazards and Hazardous Materials**

- Ramboll US Consulting, Inc.

## **Hydrology and Water Quality**

- Thienes Engineering, Inc.

## **Noise**

- Kimley-Horn and Associates, Inc.
  - Ace Malisos, *Technical Specialist*
  - Ryan Chiene, *Technical Specialist*

## **Transportation**

- Kimley-Horn and Associates, Inc.
  - Trevor Briggs, *Transportation Engineer*

## **Utilities and Service Systems**

- Eastern Municipal Water District