CITY OF MENIFEE

CEQA Environmental Checklist Form

1. **Project title:** Nova Power Bank

2. **Lead agency name and address:** City of Menifee, Community Development Department, 29844 Haun Road, Menifee, CA 92586

3. **Contact person and phone number:** Ryan Fowler, Principal Planner: 951-723-3740

4. **Project location:** The Project site is located southeast of the intersection of Ethanac Road and Antelope Road, in the City of Menifee, County of Riverside, California (Accessor Parcel Number [APN]: 331-180-022 [42.28 acres] and APN 331-180-021 [1.94 acres]). Refer to **Figure 1, Project Vicinity Map** and **Figure 2, Project Location Map**.

   A. Total Project Area: 44.22 gross acres

Residential Acres: 0	Lots:0	Units: 0	Projected No. of Residents: 0
Commercial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0
Office Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0
Industrial Acres: 42.28	Lots: 1	Sq. Ft. of Bldg. Area: 369,151	Est. No. of Employees: 3
Other Acres (Office/Retail): 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: 0

   B. Assessor's Parcel No: 331-180-022 (owned in fee) and 331-180-021

   C. Map: Thomas Brothers Riverside County Street Guide Page 868, Grid E-1, E-2.

   D. Section 14, Township 5S & Range 3W of the San Bernardino Base and Meridian.

   E. Longitude: 117°10'10.8"W Latitude: 33°44'20.1"N

5. **Project Applicant/Owners:** Nova Power, LLC, 3003 Oak Road, Ste 400, Walnut Creek, CA 94597.

   Representative: Mitchell Weinberg, 3003 Oak Road, Ste 400, Walnut Creek, CA 94597

6. **General Plan Designation**: 331-180-022: Menifee North Specific Plan No. 260 – Planning Area 3[1]
   331-180-021: Heavy Industrial (HI)

7. **Existing Zoning:** 331-180-022: Menifee North Specific Plan No. 260 – Planning Area 3[2]
   331-180-021: Heavy Industrial (HI)

[1] City of Menifee. 2020. *Exhibit LU-2 Land Use Map.* https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322 Accessed August 2022.

[2] City of Menifee. 2020. *Zoning Map*. https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---April-2020 Accessed August 2022.

8. **Description of Project:**

Plot Plan No. PLN 22-0154 proposes the re-development of the Inland Empire Energy Center (IEEC) generation plant (APN 331-180-022), which has been decommissioned and has been demolished. Some of the existing infrastructure is proposed to remain, such as the switchyard, control room, storm water drainage system, etc. For this redevelopment, the Applicant is proposing a battery energy storage system, which will use lithium-ion batteries to store electrical energy from the grid to be discharged later when customer demand is high. The Project's capacity cannot exceed the interconnection capacity, which is currently 680 megawatt (MW). The Project would have a total site area of 1,926,367 square feet (SF) (44.22 acres), of which approximately 323,030 SF would contain battery energy storage system (BESS) equipment. Refer to **Figure 3, Conceptual Site Plan** and **Table 1, Site Data Summary**.

The Project consists of a BESS facility that would utilize lithium-ion batteries that would be interconnected with the existing on-site switchyard equipment. The existing switchyard equipment is designed to connect to the existing off-site infrastructure leading to the Southern California Edison's (SCE) Valley Substation. Other existing infrastructure on-site would be re-purposed to serve the Project or removed.

The final battery system option that is selected would include the following components: the battery itself, a cooling system, fire detection sensors, a Battery Management System (BMS), inverters, medium-voltage transformers, and an alternating current (AC) collection system.

The Project would utilize existing electrical interconnection equipment to the greatest extent possible. It is currently anticipated that the Project would install three new high-voltage transformers and one new H-frame structure, which will connect to the existing high-voltage switchyard. The existing high-voltage switchyard is currently connected to the SCE 500 kilovolt (kV) Valley Substation via off-site infrastructure. Modifications would be made to this existing 500 kV switchyard to accommodate the three new transformers.

Table 1: Site Data Summary

	AREA (SF)	PERCENTAGE (%)
Total Site Area	**1,926,367**	**100**
Total Building Area	**369,151**	**19**
Admin/Maintenance Building	*14,215*	*0.74*
Water Treatment Building	*11,074*	*0.57*
Water Tank	*145*	*0.01*
BESS Equipment	*323,030*	*16.8*
GSU & Switchgear	*19,383*	*1.0*
Control Enclosures	*1,214*	*0.1*
Accessory Use/Storage	*90*	*0.01*
Paved Area	**190,162**	**10**
Parking	*17,495*	*0.9*
Access Drives	*172,667*	*9.0*
Yard Area	**985,449**	**51**
Gravel	*985,449*	*51*
Landscaped Area	**381,605**	**20**
Landscaping (including ponds)	*381,605*	*20*

Currently, there are 47 on-site vehicle parking spaces remaining from the previous land use of the Project site. The Project would be required to maintain a total of two (2) parking spaces as required by Table 9.220.040-1 of the City of Menifee Development Code which requires public utility facilities to have one space per two employees on-site. It is currently anticipated that a maximum of three employees will be on-site. This would result is a significant surplus of parking available on-site.

Site Preparation/Phasing
The Project site is relatively flat and has been previously developed. The Project proposes 2,324 cubic yards of cut, 2,232 cubic yards of fill, for a net of 92 cubic yards of export of material.

Grading is anticipated to last approximately 7 weeks. Overall construction is anticipated to be completed within 18 months, with commercial operation in 2024. If phased construction is pursued, the overall construction time would increase.

Access and Circulation
Vehicular access to the site will be provided via two access points on Antelope Road.. Primary access would be provided along Antelope Road. Regional access to the Project site would be provided via Interstate 215 (I-215) and State Route 74 (SR-74).

The Project would provide half-width plus 12 feet improvements to a portion of Antelope Road and San Jacinto Road along the Project frontage and offsite extension to McLaughlin Road. Should the City Engineer and City Public Works department deem it necessary for additional roadway improvements to be made, then the Project would accommodate those identified improvements. Antelope Road is classified as a "Secondary" road and has a Class II Bikeway per the City of Menifee's General Plan. The roadway would generally consist of two travel lanes in each direction, an outside bike lane, a striped median, curb and gutter, and a six-foot sidewalk. San Jacinto Road is classified as a "Local" road and generally consists of one travel lane in each direction, roadside parking, curb and gutter, and pedestrian sidewalks.

Other Site Improvements and Amenities
In addition to circulation, access, and parking infrastructure, the Project would remove and replace all existing landscaping along Antelope Road frontage. Existing trees determined to be in healthy and vigorous condition after evaluation may remain. Landscaping improvements along Antelope Road would provide effective screening of the Project from public rights-of-way of parking, buildings, and on-site facilities. Additionally, screening walls would be constructed along all Project boundaries where the Project site would be visible to the general public. Refer to **Figure 3, Conceptual Site Plan**.

Existing lighting would remain in place as it is currently installed. Additional lighting would be installed throughout the Project site for security and for the safe operation of the Project. All lighting would be shielded and directed as required by the City of Menifee Development Code.

Infrastructure, Utilities, and Public Services
On-site infrastructure would include associated internal driveway, service utilities, and drainage facilities. Undergrounding of the existing power poles along Antelope Road would also be included with the Project. Storm water infrastructure will be installed to ensure adequate coverage where the existing on-site storm water drainage system lacks coverage. Storm water flows will be directed to storm water detention and water quality basins at the southeast and southwest corners of the Project site before being ultimately discharged to the adjacent storm water channel to the south of the Project site.

The following public services are available to the Project:

- Fire Protection Services (City of Menifee through contract with the Riverside County Fire Department);
- Police Protection Services (City of Menifee Police Department);
- Public Schools (Menifee Union School District and Perris Union School District)
- Library Services (Riverside County Library System); and
- City Administrative Services (City of Menifee).

The following utilities/infrastructure systems and services are available to the Project:

- Water/Sewer (Eastern Municipal Water District);
- Electricity (Southern California Edison);
- Natural Gas (Southern California Gas Company); and
- Telephone/Communications (Southern California Telephone Company and Frontier Communications).

Off-site Improvements

Off-site improvements associated with Project implementation would generally be limited to improvements within the City's public right-of-way. Off-site improvements generally consist of roadway paving and half width improvements, as well as the undergrounding of approximately 150 linear feet (LFT) of SCE electric distribution lines.

Antelope Road would be improved with half-width improvements plus a twelve (12) foot travel lane along the Project frontage and extending south approximately 400 LFT to McLaughlin Road. Additionally, as part of the half-width improvements of Antelope Road, approximately 150 LFT of an existing SCE distribution line will be undergrounded on the southwest portion of the Project site. This undergrounding would occur along the Project frontage. Antelope Road is an existing paved road, with the exception of the portion from the southern boundary of the Project site to the intersection of Antelope Road and McLaughlin Road, which is unpaved, and has been previously disturbed. These improvements along Antelope Road would be entirely within the City's public right-of-way and would not constitute a substantial environmental impact as the buildout of the City's circulation network has been previously evaluated and analyzed as part of the City's General Plan EIR.

San Jacinto Road would be improved with half-width improvements plus a twelve (12) foot travel lane along the Project frontage and extending south approximately 400 LFT to McLaughlin Road. San Jacinto Road is an existing unpaved road that exists within a developed area of the City. The area has been previously disturbed with SCE transmission lines and a concrete drainage channel. These improvements along San Jacinto Road would be entirely within the City's public right-of-way and would not constitute a substantial environmental impact as the buildout of the City's circulation network has been previously evaluated and analyzed as part of the City's General Plan EIR.

All off-site improvements would require City review and approval. Additionally, all off-site improvements would be subject to the City's standard conditions of approval and any applicable mitigation measures identified within this Admin Draft IS/MND.

9. **Surrounding Land Uses and Environmental Setting:**

The Project site is currently disturbed with remaining improvements related to the IEEC natural gas power plant. Some of the infrastructure that was utilized during operation of the IEEC generation plant remains following the decommissioning and demolition. This infrastructure would remain and consists of the switchyard, control room, storm water drainage system, and other various and appurtenant infrastructure. The Project would utilize existing infrastructure where appropriate. The property slopes very gently from northeast toward the southwest, with variation ranging from a low of approximately 1,442 feet above mean sea level (amsl) at the southwest corner of the property and up to 1,451 feet amsl in the northeast corner of the site. This represents an elevational change across the Project site of ±9 feet. Vegetation on the subject site has been disturbed, both historically and recently. The site is best characterized as an open, disturbed area with remnant native and non-native vegetation. For the most part, native vegetation was removed initially many decades ago to allow for IEEC generation plant uses. Recent disturbances have been related to the demolition of the IEEC generation plant, and therefore the site has been entirely disturbed. Land

uses in the surrounding area varies between roadway rights-of-way, storm water infrastructure, vacant lots, surface lot storage facilities, and concrete asphalt production facilities. Refer to **Table 2: Surrounding Land Uses**, below.

The adjacent General Plan Area Plan(s), Land Use Designation(s), and Zoning(s), if any:

Table 2: Surrounding Land Uses

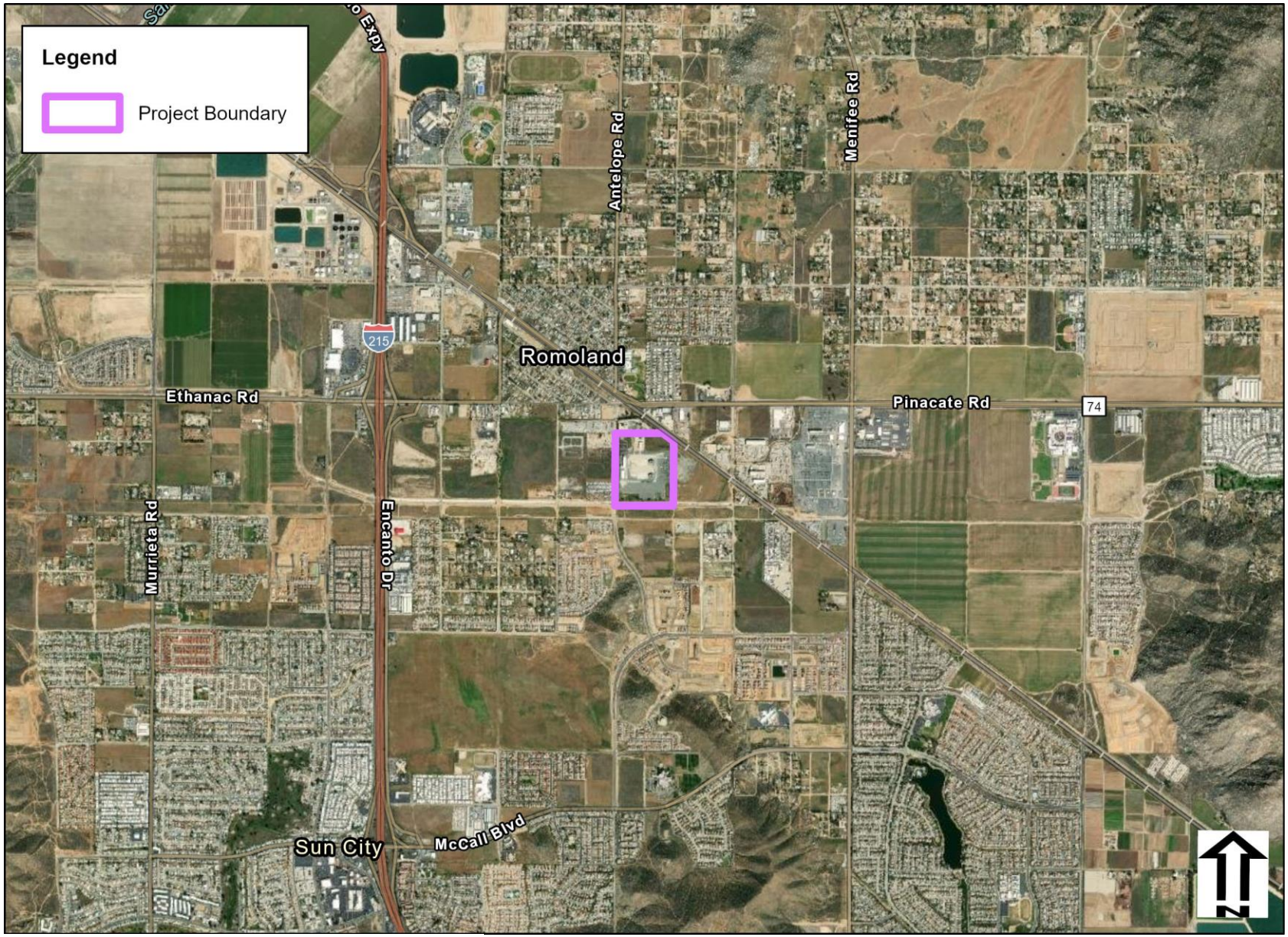
Direction	General Plan Designation	Zoning District	Existing Land Use
Project Site	Menifee North Specific Plan No. 260 – Planning Area 3	Menifee North Specific Plan No. 260 – Planning Area 3	Decommissioned IEEC Generation Plant Facilities
North	Heavy Industrial (HI)	Heavy Industrial (HI)	Concrete asphalt production facilities
South	Public Utility Corridor (PUC)	Public Utility Corridor (PUC)	Stormwater drainage channel and electric power transmission lines
East	Menifee North Specific Plan No. 260 – Planning Area 3	Menifee North Specific Plan No. 260 – Planning Area 3	Vacant lots
West	Menifee North Specific Plan No. 260 – Planning Area 2; Heavy Industrial (HI)	Menifee North Specific Plan No. 260 – Planning Area 2; Heavy Industrial (HI)	Vacant lots and surface lot storage facilities

Sources: City of Menifee. 2021. *General Plan Land Use Map*. https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322 Accessed August 2022; City of Menifee. 2019. *Zoning Map*. https://cityofmenifee.us/DocumentCenter/View/9432/Zoning-Map Accessed August 2022.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**
Based on the current Project design concept, other permits necessary to realize the proposal will likely include, but are not limited to, the following:

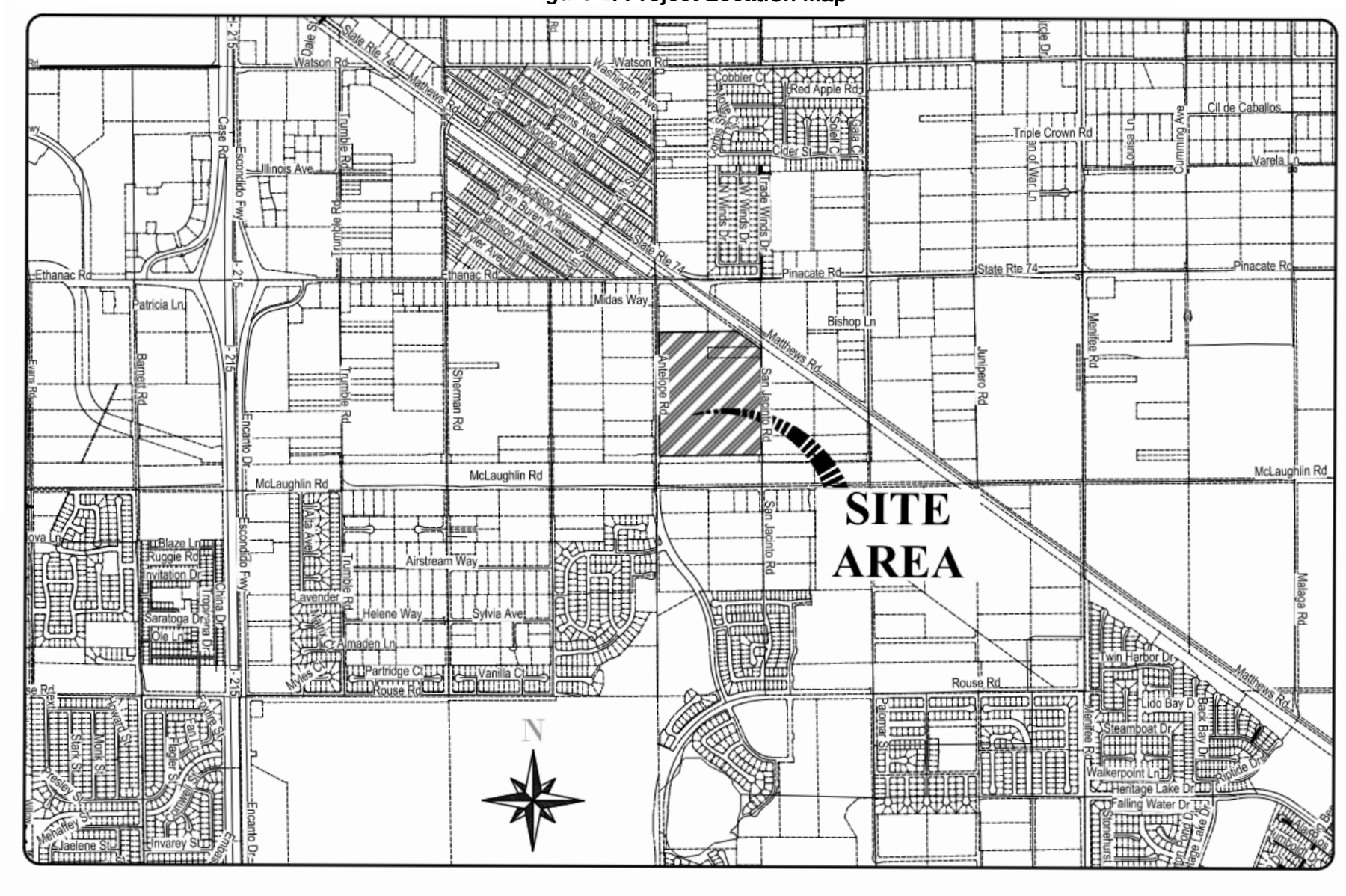
- Stormwater management and associated permitting will be required consistent with the provisions of the Riverside County Flood Control and Water Conservation District.
- Permitting required under Clean Water Act § 401 and the Santa Ana Regional Water Quality Control Board (SARWQCB) pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit.

Figure 1: Project Vicinity Map



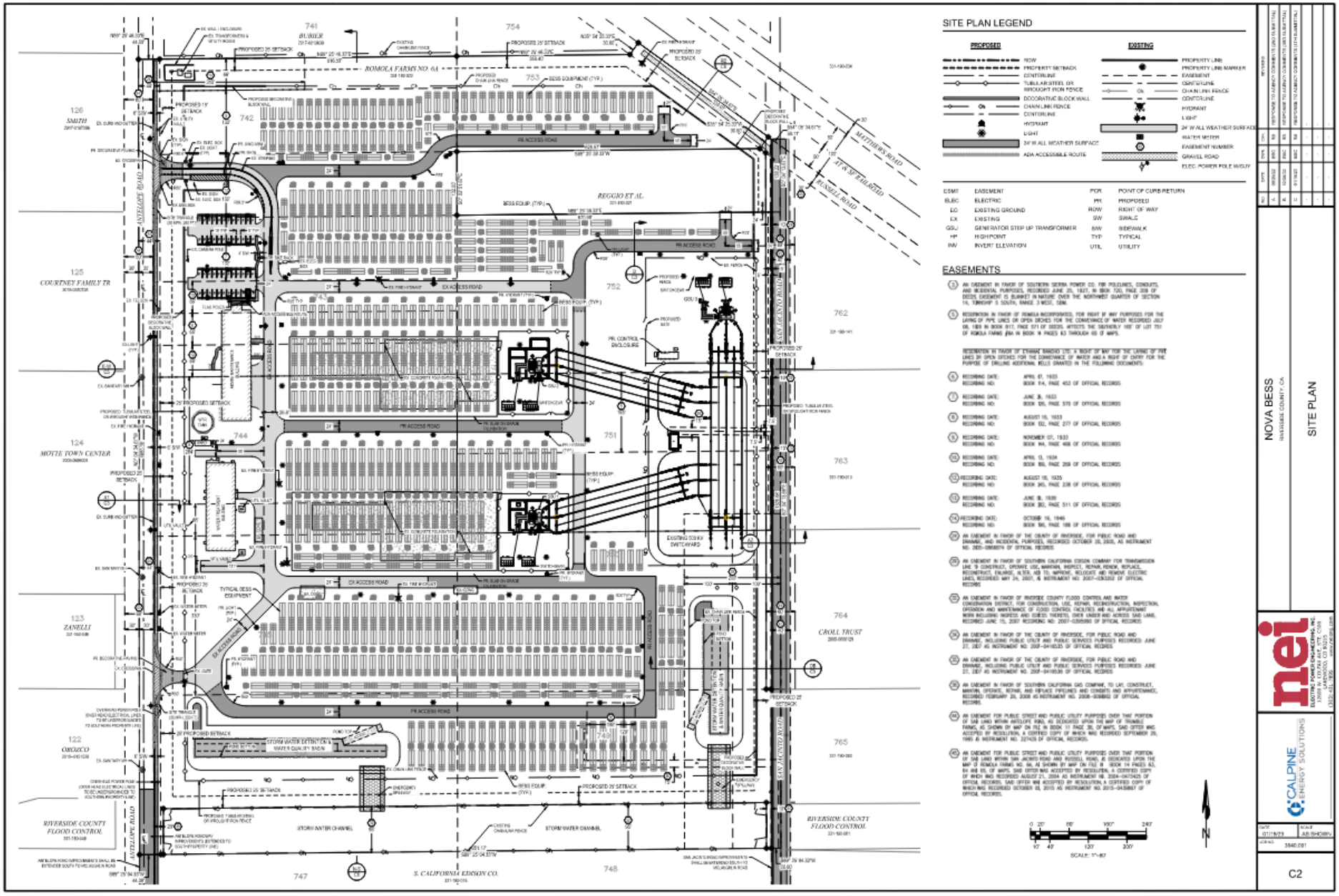
Source: Kimley-Horn, 2022

Figure 2: Project Location Map



Source: NEI Electric Power Engineering, Inc., 2022

Figure 3: Conceptual Site Plan (Not to Scale)



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below (x) would be potentially affected by this Project, involving at least one impact that is a "**Potentially Significant Impact**" as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation/Traffic
- ☐ Tribal Cultural Resources
- ☐ Utilities and Service Systems
- ☐ Mandatory Findings of Significance

The environmental factors checked below (x) would be potentially affected by this Project, involving at least one impact that is a "**Less than Significant with Mitigation Incorporated**" as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☒ Hazards & Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities and Service Systems
- ☐ Wildfire
- ☒ Mandatory Findings of Significance

The environmental factors checked below (x) would be potentially affected by this Project, involving at least one impact that is a "**Less than Significant**" as indicated by the checklist on the following pages.

- ☒ Aesthetics
- ☐ Agriculture Resources
- ☒ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☒ Energy
- ☒ Geology/Soils
- ☒ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☒ Hydrology/Water Quality
- ☒ Land Use/Planning
- ☐ Mineral Resources
- ☒ Noise
- ☒ Population and Housing
- ☒ Public Services
- ☐ Recreation
- ☒ Transportation
- ☒ Tribal Cultural Resources
- ☒ Utilities and Service Systems
- ☒ Wildfire
- ☐ Mandatory Findings of Significance

The environmental factors checked below (x) would have "**No Impact**" by this Project as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☒ Agriculture Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☒ Mineral Resources
- ☐ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☒ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities and Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature — Date: 3/30/23

Ryan Fowler
Printed Name

For Cheryl Kitzerow,
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. State CEQA Guidelines §15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues:

I. AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	❒	❒	☒	❒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	❒	❒	☒	❒
c) 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?	❒	❒	☒	❒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	❒	❒	☒	❒

Sources: Menifee General Plan (GP); Menifee GP Exhibit C-8, "Scenic Highways"; Menifee GP Draft Environmental Impact Report (EIR); Menifee North Specific Plan; City of Menifee at a Glance; Murrieta Community Profile Snapshot; State of California, Department of Transportation, *California State Scenic Highway System Map;* Riverside County Ordinance No. 655 (Regulating Light Pollution); City of Menifee Ordinance 2009-24 (Dark Sky) (Menifee Municipal Code [MMC] Chapter 6.01); California Code of Regulations CCR Title 24 Part 1.

Applicable General Plan Policies:

Goal C-6: **Scenic highway corridors that are preserved and protected from change which would diminish the aesthetic value of lands adjacent to the designated routes.**

Policy C-6.1: Design developments within designated scenic highway corridors to balance the objectives of maintaining scenic resources with accommodating compatible land uses.

Policy C-6.2: Work with federal, state, and county agencies, and citizen groups to ensure compatible development within scenic corridors.

Policy C-6.3: Utilize design and land development strategies to gradually transition graded road slopes into a natural configuration consistent with the topography of the areas within scenic highway corridors.

Policy C-6.4: Incorporate riding, hiking, and bicycle trails and other compatible public recreational facilities within scenic corridors.

Policy C-6.5: Ensure that the design and appearance of new landscaping, structures, equipment, signs, or grading within eligible county scenic highway corridors are compatible with the surrounding scenic setting or environment.

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-3.2: Maintain and incorporate the city's natural amenities, including its hillsides, indigenous vegetation, and rock outcroppings, within proposed projects.

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

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-3.6: Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.

Policy CD-3.7: Consider including public art at key gateways, major projects, and public gathering places.

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.

Policy CD-3.21: Use open space, greenways, recreational lands, and water courses as community separators.

Goal CD-4: **Recognize, preserve, and enhance the aesthetic value of the City's enhanced landscape corridors and scenic corridors.**

Policy CD-4.1: Create unifying streetscape elements for enhanced landscape streets, including coordinated streetlights, landscaping, public signage, street furniture, and hardscaping.

Policy CD-4.2: Design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

Policy CD-4.3: Apply special paving at major intersections and crosswalks along enhanced corridors to create a visual focal point and slow traffic speeds.

Policy CD-4.7: Design new landscaping, structures, equipment, signs, or grading within the scenic corridors for compatibility with the surrounding scenic setting or environment.

Policy CD-4.8: Preserve and enhance view corridors by undergrounding and/or screening new or relocated electric or communication distribution lines, which would be visible from the City's scenic highway corridors.

Policy CD-4.9: Require specialized design review for development along scenic corridors, including but not limited to, building height restrictions, setback requirements, and site-orientation guidelines.

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.

Policy CD-6.7: Integrate project signage into the architectural design and character of new buildings.

Policy CD-6.8: Discourage the use of flashing, moving, or audible signs.

Analysis of Project Effect and Determination of Significance:

Impact I.a) Less Than Significant Impact. Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the public's benefit. Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e., development on a scenic hillside). Menifee's natural mountainous setting is critical to its overall visual character and provides scenic vistas for the community. 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. Many scenic resources are outside the City limits and beyond the boundary of the Project site. Scenic views from Menifee 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 Canyon Lake Reservoir is adjacent to the City's western boundary and approximately 6.2 miles southwest of the Project site.

The Project site has been previously disturbed, and the re-development of the IEEC generation plant would construct new uses on-site that would not be as tall as the previous IEEC. The Project would not alter or block views of a scenic vista available from publicly accessible locations and would potentially improve views by reducing the intensity of uses on-site.

The Project site is located within the Menifee North Specific Plan No. 260 and would be designed and constructed in compliance with the development standards on the Menifee North Specific Plan. The Project site is partially developed and certain elements of the existing site, such as the switchyard, control room, and storm water drainage system, would remain, the existing infrastructure to remain in place was considered as part of a previously approved project and are therefore, part of the existing conditions of this Project site. Further, the Project is consistent with the zoning, general plan designation, and specific plan designation. As such, the Project would have a less than significant impact on scenic vistas.

Impact I.b) Less Than Significant Impact. The Project site is not adjacent to an officially designated state scenic highway. According to the Menifee General Plan (GP), the nearest eligible scenic highways are Menifee Road and State Route (SR-) 74.[3] Menifee Road is an eligible County Scenic Highway and is located approximately one mile to the east of the Project site. SR-74 is an eligible state scenic highway and is located less than one-quarter mile north of the Project site. Additionally, the Project site is within an urbanized area comprised of residential neighborhoods, industrial use, and vacant land, as well as surface street features, and does not contain significant trees, rock outcroppings, or historical buildings. As the Project is not located within an officially designated state scenic highway, the Project would have a less than significant impact, and no mitigation would be required.

Impact I.c) Less Than Significant Impact. Public Resources Code § 21071 defines an urbanized area as: a) an incorporated city that meets either of the following criteria: 1) has a population of at least 100,000 persons; 2) has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons. According to the California Department of Finance, the estimated population of Menifee in January 2022 was 106,627; meeting criterion a-1.[4] This discussion will analyze whether or not the Project would conflict with applicable zoning and other regulations governing scenic quality.

The Project site and parcels to the east of the Project site are designated as Menifee North Specific Plan No. 260 – Planning Area 3. The parcels to the west of the Project site are designated as Menifee North Specific Plan No. 260 – Planning Area 2; Heavy Industrial. The parcels to the south of the Project site are designated as Public Utility Corridor, and to the north is designated as Heavy Industrial. The Project will not conflict with applicable zoning as the Project site and surrounding parcels are zoned for industrial use. The new facility will not conflict with development standards, including building height regulations, and the orientation of the new equipment will comply with setbacks. In addition, the Project would be compliant with Title 9, Chapter 9.205 Lighting Standards, of the City of Menifee Zoning Code. The Project's construction-related activities would result in short-term impacts to the area's visual character and quality. Construction activities would require the use of equipment and storage of materials within the Project site. However, construction activities are temporary (18 months) and would not result in any permanent visual impact. Therefore, the Project would have a less than significant impact on the site's visual character and its surroundings and no mitigation is required.

Impact I.d) Less Than Significant Impact. Excessive or inappropriately directed lighting can adversely impact nighttime views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources. Reflective surfaces (i.e., polished metal) can also cause glare. Impacts associated with glare range from simple nuisance to potentially dangerous situations (i.e., if glare

[3] City of Menifee. 2013. *Exhibit C-8: Scenic Highways.* https://www.cityofmenifee.us/DocumentCenter/View/1025/C-8-Scenic_Highways_HD0913?bidId=. Accessed September 2022.

[4] California Department of Finance. 2022. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022*. https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/. Accessed December 2022.

is directed into the eyes of motorists). Security lighting would be installed throughout the Project site. All lighting would be hooded or shielded and directed down as required by the City of Menifee Development Code, detailed below.

MMC Chapter 6.01 (Dark Sky; Light Pollution) indicates that low-pressure sodium lamps are the preferred illuminating source and that all non-exempt outdoor light fixtures shall be shielded. A maximum of 8,100 total lumens per acre or per parcel if less than one acre would be allowed. When lighting is "allowed," it must be fully shielded if feasible and partially shielded in all other cases and must be focused to minimize spill light into the night sky and onto adjacent properties (MMC § 6.01.040). The Project would be conditioned that, prior to the issuance of building permits, all new construction which introduces light sources would be required to have shielding or other light pollution limiting characteristics such as hood or lumen restrictions for consistency with MMC Chapter 6.01.

The Menifee GP Community Design Element includes goals that encourage attractive landscaping, lighting, and signage that conveys the community's positive image (Goal CD-6) and that limit light leakage and spillage that may interfere with the Palomar Observatory operations (Goal CD-6.5). Lighting proposed by the Project would be subject to compliance with MMC Chapter 6.01 and Menifee GP goals and policies. Accordingly, the Project would have a less than significant impact on interfering with Mt. Palomar Observatory nighttime use which is located approximately 30 miles southeast. Further, the City would also review new lighting for conformance with the 2019 California Green Building Standards Code (CALGreen) (California Code of Regulations [CCR] Title 24 Part 11) such that only the minimum amount of lighting is used, and no light spillage occurs.

Buildings with large facades constructed of reflective surfaces (e.g., brightly colored building façades, metal surfaces, and reflective glass) could increase existing levels of daytime glare. The Project's proposed design does not include the construction of any new surfaces or components that would consist of large reflective surfaces. Therefore, the Project would result in a less than significant impact concerning a new source of glare and no mitigation is required.

Mitigation Measures: No mitigation is required.

II. AGRICULTURE AND FOREST RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	❒	❒	❒	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	❒	❒	❒	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code §51104(g))?	❒	❒	❒	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	❒	❒	❒	☒
e) 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?	❒	❒	❒	☒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee GP Exhibit OSC-5: Agricultural Resources; California Department of Conservation's California Important Farmland Finder.

Applicable General Plan Policies:

Goal OSC-6: High-value agricultural lands available for long-term agricultural production in limited areas of the City.

Policy OSC-6.1: Protect both existing farms and sensitive uses around them as agricultural acres transition to more developed land uses.

Analysis of Project Effect and Determination of Significance:

Impact II.a) No Impact. The Project site is located within the North Menifee Specific Plan. The City of Menifee GP and the California Department of Conservation's (DOC) California Important Farmland Finder designates the Project site as Urban and Built-Up Land.[5,6] As such, the Project would have no impact concerning farmland conversion.

Impacts II.b-c) No Impact. The Project site is zoned as Menifee North Specific Plan. The previous land use consisted of the now decommissioned IEEC Generation Plant and associated infrastructure. The Project site is not under a Williamson Act Contract. The Project site is not zoned for agricultural use or forestland; therefore, the Project would not conflict with existing zoning for agricultural use or forestland, or a Williamson Act contract, and no impact would occur.

Impact II.d) No Impact. The Project site and surrounding properties are not currently being managed or used for forest land; therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use, and no impact would occur.

Impact II.e) No Impact. Surrounding land uses include vacant lots to the east; concrete asphalt production facilities to the north; Stormwater drainage channel and electric power transmission lines to the south, and vacant lots and surface lot storage facilities to the west. The surrounding zoning is heavy industrial to the north; Public Utility Corridor to the south; Menifee North Specific Plan Planning Area 3 to the east, and Menifee North Specific Plan Planning Area 2 (Heavy Industrial) to the west. Forest lands are not present in the area surrounding the Project site. According to the GP and aerial imagery, the Project site and surrounding land is not currently used for agricultural uses. The Project would not divide any agricultural parcels or impede access to any agricultural parcels. Therefore, the Project would not cause indirect conversion of farmland to non-agricultural use, and no impact would occur.

Mitigation Measures: No mitigation is required.

[5] City of Menifee. 2013. *Exhibit OSC-5: Agricultural Resources.* https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5_AgriculturalResources_HD0913?bidId=. Accessed September 2022.

[6] California Department of Conservation. 2016. *California Important Farmland Finder*. https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed September 2022.

III. AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	❒	❒	☒	❒
b) 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?	❒	❒	☒	❒
c) Expose sensitive receptors to substantial pollutant concentrations?	❒	❒	☒	❒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; *Air Quality Analysis* (Jacobs, October 2022); see **Appendix A**.

Applicable General Plan Policies:

Goal OSC-9: Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.

Policy OSC-9.1: Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.

Policy OSC-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 OSC-9.3: Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.

Policy OSC-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 OSC-9.5: Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

Analysis of Project Effect and Determination of Significance:

Impact III.a) Less than Significant Impact. Construction of the proposed Project would produce emissions of nonattainment pollutants primarily from diesel combustion equipment and fugitive dust during ground-disturbing activities and from on-road automobiles. The applicable air quality plan for the Project site is the South Coast Air Quality Management District (SCAQMD) 2016 Air Quality Management Plan (AQMP) (SCAQMD 2017). The SCAQMD AQMP proposes emission-reduction measures that are designed to bring the Southern California Air Resources Board (CARB) into attainment of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). Because

AQMP attainment strategies include mobile source control measures and clean fuel projects that are enforced at the state and federal levels on engine manufacturers and petroleum refiners and retailers, proposed Project activities would comply with these control measures. SCAQMD also adopts AQMP control measures into the SCAQMD rules and regulations, which are then used to regulate sources of air pollution in the South Coast Air Basin (SCAB or Basin). The Project would comply with applicable rules, including control measures in Rule 403 for fugitive dust control. Compliance with these requirements would further ensure that the proposed Project's activities would not obstruct implementation of the AQMP.

Consistency with the AQMP planning assumptions and standards is also analyzed by evaluating whether the Project's emissions would exceed the CEQA significance thresholds. Air emissions from the Project construction would be below the SCAQMD CEQA thresholds that were developed to ensure the implementation of the AQMP and other air quality related plans and regulations. As such, the Project would not conflict with or obstruct implementation of the applicable air quality plan during Project construction. Operation of the proposed Project would have negligible impacts due to minimal emissions from infrequent maintenance activities.

Impact III.b) Less Than Significant Impact. A project may have a significant impact if project-related emissions exceed federal, state, or regional standards or thresholds, or if project-related emissions substantially contribute to existing or projected air quality violations. The Project is located within the SCAB, where efforts to attain state and federal air quality standards are governed by the SCAQMD. Both the State of California (state) and the federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants (known as 'criteria pollutants'): ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), inhalable particulate matter with a diameter of 10 microns or less (PM_{10}), fine particulate matter with a diameter of 2.5 microns or less ($PM_{2.5}$), and lead (Pb). The state has also established AAQS for additional pollutants. The AAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. Where the state and federal standards differ, CAAQS are more stringent than NAAQS.

Air pollution levels are measured at monitoring stations located throughout the Basin. Areas that are in nonattainment concerning federal or state AAQS are required to prepare plans and implement measures to bring the region into attainment. Table 3-1 of **Appendix A** (State and National Attainment Status for Riverside County) summarizes the Basin's attainment status for the criteria pollutants. Under NAAQS, the Basin is currently designated as nonattainment for O_3 and $PM_{2.5}$ standards. The area is in maintenance for CO, NO_2, and PM_{10}. Under CAAQS, the area is currently designated as nonattainment for O_3, PM_{10}, and $PM_{2.5}$. The Project's short-term construction and long-term operational emissions and their context for subsequently impacting the environment are discussed below.

SHORT-TERM CONSTRUCTION

The Project involves construction of a nominal battery energy storage plant that has the potential to generate temporary air pollutants during the construction phase, including exhaust emissions from construction equipment and vehicles, as well as fugitive dust emissions from earthmoving activities or vehicles traveling on both paved and unpaved roads. Construction impacts were determined by comparing the proposed Project's peak day construction emissions to SCAQMD's CEQA emission thresholds.

Construction emission calculations were based on the projected construction schedule and durations and anticipated equipment and vehicle usage. California Emissions Estimator Model (CalEEMod) default values were used when Project-specific information was not available. Maximum daily emissions were estimated based on a worst-case day scenario with overlapping construction activities.

The Project would be required to comply with existing SCAQMD rules for reduction of fugitive dust emissions (Rule 403) and architectural coatings (Rule 1113). These SCAQMD rules are included as Best Available Control Measures (BACM). Compliance with Rule 403 is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, sweeping loose dirt from paved site

access roadways, cessation of construction activity when winds exceed 25 miles per hour (mph) and establishing a permanent, stabilizing ground cover on finished sites. Rule 1113 requires architectural coating used to be no more than a low VOC default level of 50 grams per liter (g/L).

Table 3: Maximum Daily Construction Emissions in Comparison to SCAQMD CEQA Thresholds estimates maximum daily emissions based on a worst-case day scenario with overlapping construction activities. Overlapping daily emissions were estimated for 2023, 2024, and 2026 because these years represent the worst-case of overlapping construction activities of all construction years. It was assumed that construction equipment involved in overlapping construction activities could be operating on the same day.

Table 3: Maximum Daily Construction Emissions in Comparison to SCAQMD CEQA Thresholds)

Year	Emissions (pounds/day)					
	ROG	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
2023	4.88	43.57	50.30	0.13	3.96	2.14
2024	3.79	30.03	41.72	0.10	2.86	1.61
2026	9.44	84.35	112.99	0.29	7.82	4.10
Maximum Daily Emissions	**40.25**	**84.35**	**112.99**	**0.29**	**7.82**	**4.10**
SCAQMD Regional Threshold	75	100	550	150	150	55
SCAQMD Localized Threshold	---	379	5,136	---	75	23
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Table 3 shows Project construction emissions would be less than the SCAQMD CEQA thresholds. The Project would comply with fugitive dust control requirements and Best Management Practices (BMPs) to minimize construction emissions as well.

Local Air Quality Impacts from Construction

The appropriate Source Receptor Area (SRA) for the localized significance threshold (LST) analysis for the Project is the Perris Valley monitoring station (SRA 24). LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter ≤ 10 microns (PM_{10}), and particulate matter ≤ 2.5 microns ($PM_{2.5}$). The applicable LSTs are at a receptor distance of 200 meters from the site for each construction phase. This receptor distance was chosen because it is closest to the distance to the nearest sensitive receptor from the facility fence line, which is 730 feet (222 meters). The site size was the acreage disturbed during each construction phase. If proposed construction and operational emissions would be less than LST levels, the Project would not cause significant localized impacts on nearby receptors. Operation of the Project would have minimal emissions due to the infrequent maintenance activities; therefore, operational emissions were not analyzed under the LST. Refer to Table 3 for the LSTs for Perris Valley. Generally, the LSTs for Perris Valley are more stringent than that of the SCAQMD regional thresholds, with exception to NO_x and CO. The Project would not note exceed the localized thresholds and impacts would be less than significant.

LONG-TERM OPERATIONS

The facility will be operated by only two to three staff members. Other emission sources would be from the infrequent maintenance activities. Operation of the Project would have minimal emissions due to the infrequent maintenance activities; therefore, operational emissions were not analyzed under the LST. As such, operation emissions would not exceed the CEQA Thresholds.

Area Sources. Area sources include emissions from consumer products, landscape maintenance equipment, and architectural coatings. Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chainsaws, and hedge trimmers. Project consumer products, landscape equipment, and architectural coatings, will not cause significant impacts to operational emissions.

Energy Sources. The Project would repurpose the former IEEC's operations buildings as well as the existing interconnections for electricity service. The Project expects to use lithium-ion, flow battery, or other battery technologies to store electrical energy from the grid for discharge when customer demand is high. The Project would use electricity from the grid for operations and administrative purposes. Natural gas would not be used during the operation of the Project.

Mobile Sources. Project-related operational emissions derive predominantly from mobile sources. Neither the Project applicant nor the City has any regulatory control over these tail pipe emissions. Rather, vehicle tail pipe source emissions are regulated by the CARB and U.S. Environmental Protection Agency (EPA). Controlling toxic air emissions became a national priority with the passage of the 1990 Clean Air Act (CAA) Amendments, whereby Congress mandated that the EPA regulate 188 air toxics, also known as hazardous air pollutants (HAPs). Prior to the 1990 CAA Amendments, EPA created a program to establish national emission standards for HAPs. In 1994, EPA began issuing the new standards, while national emission standards set before 1991 remain applicable. In addition, in February 2007, EPA finalized the rule Control of Hazardous Air Pollutants from Mobile Sources to reduce HAPs from mobile sources.

Cumulative Impacts

According to the SCAQMD white paper *Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D Cumulative Impact Analysis Requirements Pursuant to CEQA*, projects that do not exceed the significance thresholds are generally not considered to be cumulatively significant. As shown in Table 3 of **Appendix A**, the emissions during construction of nonattainment pollutants (PM_{10}, $PM_{2.5}$, and ozone precursors [NO_x and ROG]), would not exceed the CEQA Thresholds of Significance set by SCAQMD. Therefore, the cumulative impact from the proposed Project construction would be less than significant.

Impact III.c) Less Than Significant Impact. The potential impact of Project-generated air pollutant emissions at sensitive receptors has also been considered. Sensitive receptors can include uses such as long-term healthcare facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors.

Pursuant to Public Resources Code § 21071, the Project is located in an urbanized area. However, the Project is sited within an area of the City of Menifee that is less developed and is generally located away from sensitive receptors. SCAQMD's LST methodology was utilized to evaluate localized ambient air quality impacts of criteria pollutants to nearby receptors. Equipment, vehicle exhaust, and fugitive dust emissions were compared to the LST thresholds appropriate to the source receptor area, site acreage, and distance to the nearest receptor per the SCAQMD policy.

The total area to be disturbed during construction vary from approximately 11 acres to 2.57 acres depending on the construction phases. The nearest sensitive receptors are 730 feet (222 meters) from the facility fence line.

Results from the worst-case daily emissions during Project construction in comparison to SCAQMD LSTs are summarized in Table 3 of **Appendix A**. These results show the Project would not exceed SCAQMD LSTs. 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 federal or state ambient air quality standard at the nearest receptors. Exposures from the construction activity toxic air contaminant (TAC) emissions would be short term in nature, and long-term exposure to diesel particulate matter from construction would not occur. In addition, Project construction is required to implement BMPs and follow the emission control measures, including minimizing idling times and maintaining equipment in good condition. These measures would help minimize exposure of nearby receptors to construction-related pollutants.

The facility will be operated by two to three staff members and maintenance would be minimal. Therefore, construction and operational emissions would not expose nearby sensitive receptors to substantial concentrations of criteria pollutants and impacts are expected to be less than significant.

Impact III.d) Less Than Significant Impact. The potential for the Project to generate objectionable odors has also been considered. Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

During construction, odor emissions could occur from diesel-powered construction vehicles and equipment. These odors would be short term and limited to the immediate vicinity of the activity. Construction traffic and equipment would be routed away from local neighborhoods and sensitive receptors as feasible. The facility would be operated by two to three staff members and maintenance activities would be infrequent and only require limited number of equipment and vehicles. No other odors are expected from Project operation. Therefore, odors associated with the Project construction and operations would be less than significant and no mitigation is required.

Mitigation Measures: No mitigation is required.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	❒	❒	☒	❒
b) 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 Game or US Fish and Wildlife Service?	❒	❒	❒	☒
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	❒	❒	❒	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	❒	❒	☒	❒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	❒	❒	❒	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee GP Exhibit OSC-8: MSHCP Survey Areas; Riverside County Transportation and Land Management Agency, *Western Riverside County Multiple Species Habitat Conservation Plan* (MSHCP), Approved June 7, 2003; U.S. FWS Threatened and Endangered Species Active Critical Habitat Report, Updated March 2021; *Biological Resources Assessment/MSHCP Compliance Analysis* (Jacobs, December 2022) included in **Appendix B**.

Applicable General Plan Policies:

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

Policy OSC-8.1: Work to implement the Western Riverside County Multiple Species Habitat Conservation Plan in coordination with the Regional Conservation Authority.

Policy OSC-8.2: Support local and regional efforts to evaluate, acquire, and protect natural habitats for sensitive, threatened, and endangered species occurring in and around the City.

Policy OSC-8.3: Partner with non-profit agencies at the local, regional, state, and federal level to fulfill the obligations of the MSHCP to preserve and protect significant biological resources.

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

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

Policy OSC-8.6: Pursue opportunities to help the public understand and appreciate Menifee's biological resources.

Policy OSC-8.8: Implement and follow MSHCP goals and policies when making discretionary actions pursuant to Section 13 of the Implementing Agreement.

A desktop analysis and site visit were conducted to assess habitat suitability and identify biological resources present or with potential to occur within the Project study area. The *Biological Resources Assessment/MSHCP Compliance Analysis* (Bio Report) (**Appendix B**) established the Project study area as the Project site plus 500-foot buffer. The results of this effort, along with recommendations for achieving compliance with the Western Riverside County Multiple Species Habitat Conservation Plan (WRC-MSHCP), are available in **Appendix B** and summarized below.

Vegetation

Sensitive Vegetation Communities

Sensitive vegetation communities are those that are: considered sensitive pursuant to the State of California Natural Community Conservation Planning (NCCP) program; are under the jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to § 404 of the Clean Water Act (CWA); are under the jurisdiction of the CDFW pursuant to §§ 1600 through 1612 of the California Fish and Game Code (CFGC); are known or believed to be of high priority for inventory in the California Natural Diversity Data Base (CNDDB 2019); are considered regionally rare in southern California; have undergone a large-scale reduction from their Pre-European coverage in southern California due to increased urban and agricultural encroachment; and/or support sensitive plant and animal species. No sensitive vegetation communities were identified during the site visit conducted as part of the Bio Report.

Vegetation Communities

One vegetation community was identified on the Project site during the desktop analysis and site visit. This vegetation community consists of "non-native grassland." This community is dominated by red brome (*Bromus rubens*) and/or schismus grass (*Schismus arabicus, S. barbatus*) with various non-native herbs. This community is not considered high priority for inventory by CDFW and is not considered a sensitive natural community type. Non-native grassland is found near the northern boundary of the Project site and throughout the 500-foot buffer area. This community is also found within the stormwater retention basins on-site, which are cleared of any emergent native vegetation during routine maintenance.

Special-status Plants

The analysis indicated 15 special-status plant species have been previously documented in the vicinity of the Project study area. No native vegetation communities were observed within the Project site and none of the 15 special-status plant species were observed on-site. The Project site consists of ruderal vegetation.[7]

[7] Ruderal species are plant species that are the first to colonize disturbed lands. Ruderal species typically dominate the disturbed area for a few years but gradually lose the competition to other native plant species.

Wildlife

The Project site supports a low diversity of wildlife species due to the high level of disturbance and development in the vicinity.

Special-status Wildlife

Results of the desktop analysis indicate that 27 special-status wildlife species have been previously documented in the vicinity of the Project study area. No special-status wildlife species identified in the desktop analysis were observed during the site visit, and only limited suitable habitat (specifically for Burrowing Owl; see below) is present within the Project site.

Burrowing Owl

Burrowing Owl was deemed to have an unlikely potential for occurrence as the Project study area contains limited suitable habitat (i.e., low-quality). The nearest record is 0.25 miles south of the Project study area and is dated 2015 (CDFW, 2022). As such, focused protocol surveys were not required; however, the Project would comply with COA-BIO-5, detailed below, which requires a 30-day preconstruction survey to identify the location of any burrowing owls should they occur on-site.

Hydrological Resources

The Project site is not located within a WRC-MSHCP criteria cell; however, it is subject to the WRC-MSHCP Riparian/Riverine, Vernal Pool and Fairy Shrimp policies (WRC-MSHCP § 6.1.2). Thus, the site visit included identification and mapping of any riparian/riverine habitat and vernal pools present. According to the WRC-MSHCP, a vernal pool requires the pool to be within a wetland containing all three parameters (soils, vegetation, and hydrology). Areas within a small storage yard in the northern portion of the Project site and within a dirt access road that runs along the fence line of the same yard contained depressions that showed signs of holding water following rain events, however no riparian/riverine habitat or vernal pools were present within the proposed Project site.

Fairy Shrimp

Vernal pool fairy shrimp occur in vernal pools, vernal swales, alkaline pools, and road-side ditches. Optimal pools tend to be neutral to slightly alkaline pH, have low dissolved salts, and are dominated by native vernal pool plants. This species can occur in pools as large as 25 acres, but most occur in much smaller pools measuring less than 0.05 acres. The nearest record is 6.75 miles east of the Project study area and is dated 2005 (CDFW, 2022). The Riverside fairy shrimp occurs in vernal pools, as well as earthen slope basins or tectonic swales located in patches of grassland and agriculture interspersed in coastal sage scrub vegetation. Minimum habitat size is 750 square meters, with a minimum depth of 30 centimeters at maximum filling, and pH at neutral or just below. The nearest record is 4.25 miles southeast of the Project study area and is dated 2004 (CDFW, 2022).

The vernal pool fairy shrimp and Riverside fairy shrimp were not observed in the Project study area and were deemed to have an unlikely potential for occurrence as the Project site does not contain high-quality suitable habitat. According to the WRC-MSHCP, a vernal pool requires the pool to be within a wetland containing all three parameters (soils, vegetation, and hydrology). There are slight depressions in the Project site where pooling could occur, however, these depressions do not provide for long-term conservation value for Fairy Shrimp. Additionally, these depressions would likely not support fairy shrimp. For this reason, additional fairy shrimp surveys are not required for this Project.

Analysis of Project Effect and Determination of Significance:

Impact IV.a) Less Than Significant Impact.

SPECIAL-STATUS SPECIES

During a desktop analysis, 42 special-status plant and animal species were identified as having been previously documented in the vicinity of the Project. However, these species have no to low potential to occur on-site as the site is previously heavily disturbed and lacks suitable habitats and soils. Furthermore,

during the site visit, biologists did not observe any of these 42 special-status plant and animal species (refer to *Table 3, Special-Status Species with Potential to Occur within the Project Study Area* found in **Appendix B** of this Initial Study).

Species Covered by the Western Riverside County MSHCP

The WRC-MSHCP covers 146 species, 38 of which require additional surveys if the proposed Project occurs in the specific survey area for a species. The Riverside County Regional Conservation Authority (RCA) MSHCP Information Map outlines, on a parcel-by-parcel basis, those properties which require habitat assessments and focused surveys. The Project site is not located within an MSHCP Criteria Cell.[8]

Burrowing Owl

Burrowing owl were not observed on-site. While the Project site is located within an MSHCP burrowing owl survey area, according to the City GP, as previously described, the Project site, which has been heavily disturbed, contains low-quality habitat and does not provide any long-term conservation value for the burrowing owl. A 30-day preconstruction survey would be conducted in accordance with COA-BIO-5 to ensure burrowing owls are not present on-site prior to ground disturbance activities, reducing impacts to burrowing owls to less than significant.

Fairy Shrimp

Fairy shrimp (vernal pool fairy shrimp or Riverside fairy shrimp) were not observed on-site, and as previously discussed, the Project site contains low-quality habitat that does not provide long-term conservation value for the species. No vernal pools as defined in the WRC-MSHCP are located in the project site. As such, MSHCP protocol surveys would not be required. Impacts to fairy shrimp would be less than significant.

Species Not Covered by the Western Riverside County MSHCP

No non-MSHCP covered special status wildlife species were observed on the Project site. Impacts to non-MSHCP covered special status wildlife species, specifically avian species, would not be considered significant with the implementation of minimization and avoidance measures proposed in conjunction with nesting and/or migratory bird species. Therefore, compliance with COA-BIO-6, which requires a preconstruction survey to identify presence of nesting birds and raptors, would reduce potential impacts to non-covered species to less than significant.

Nesting Birds

Under Migratory Bird Treaty Act (MBTA) provisions, it is unlawful "by any means or manner to pursue, hunt, take, capture (or) kill" any migratory birds except as permitted by regulations issued by the U.S. Fish and Wildlife Service (USFWS). The term "take" is defined by USFWS regulation to mean to "pursue, hunt, shoot, wound, kill, trap, capture or collect" any migratory bird or any part, nest or egg of any migratory bird covered by the conventions, or to attempt those activities. In addition, the CFGC extends protection to non-migratory birds identified as resident game birds (CFGC § 3500) and any birds in the orders Falconiformes or Strigiformes (birds-of-prey) (CFGC § 3503). Existing structures and ornamental trees both within and surrounding the Project site provide nesting habitat for bird species protected under the MBTA. Compliance with **COA-BIO-6,** which requires a pre-construction nesting bird survey, would mitigate any potential impacts as a result of Project implementation. Therefore, the Project would have a less than significant impact to nesting migratory birds with the implementation of mitigation measures.

CRITICAL HABITAT

The Project is not located within federally designated critical habitat. Therefore, no impact to critical habitat would occur.

[8] City of Menifee. 2013. *Exhibit OSC-8: MSHCP Survey Areas*. https://www.cityofmenifee.us/DocumentCenter/View/1089/ExhibitOSC-8_MSHCP_SurveyAreas_HD0913?bidId= Accessed October 2022.

Impacts IV.b-c) No Impact.

RIPARIAN HABITATS AND JURISDICTIONAL WATERS

Riparian/Riverine and Vernal Pool Habitat

An assessment of the potentially significant effects of the proposed Project on riparian, riverine and vernal pool areas was conducted as part of the compliance analysis included in the Memorandum. No riparian/riverine habitat or vernal pools were present within the proposed Project site. There are portions of the Project site which contain depressions that showed signs of holding water following rain events within a small storage yard in the northern portion of the site and within a dirt access road which runs along the fence line of the same yard; however, these depressions do not meet the MSHCP definition for vernal pools.[9] No fairy shrimp were observed on the Project site and no focused protocol surveys are required. No impacts to riparian/riverine or vernal pool habitats would occur.

Jurisdictional Waters and Wetlands

Two vegetated earthen-bottom retention basins (SW Basin, SE Basin) are located in the southeast and southwest corners of the site and are built up to catch and percolate surface water back to the ground from the Project site. These retention basins are regularly maintained (i.e., mowed) to limit vegetation growth. A concrete stormwater channel runs along the south boundary outside the fence line; however, the Project site currently has no connection to this drainage. The Project would construct on-site stormwater conveyance infrastructure that would discharge to this channel; however, the channel is not jurisdictional waters or a wetland. No jurisdictional waters or wetlands are present on-site; therefore, no impacts would occur.

Impact IV.d) Less Than Significant Impact.

WILDLIFE MOVEMENT

The Project site is not located within an MSHCP linkage area nor is it located within a designated wildlife corridor for the City of Menifee. Increases in noise, construction traffic, and human activities during construction activities may temporarily deter movement of wildlife within the Project vicinity, such as within the concrete drainage channel to the south of the Project site. However, construction or operational activities of the proposed Project would not create significant impacts as construction impacts would be temporary and there would be very few edge effects resulting from Project operations.

Furthermore, the Project study area is surrounded by developed lands and the surrounding vicinity does not contain mountain canyons or riparian corridors that have the potential to be used by wildlife as corridors. No wildlife movement corridors were found to be present on the Project site and a less than significant impact would occur in this regard.

Impact IV.e) No Impact.

LOCAL POLICIES AND ORDINANCES

The Project site is previously disturbed. There are no trees on-site that are considered Heritage Trees as defined in the City's Tree Preservation Ordinance (MMC § 9.86.110). Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Additionally, the Project would remove and replace trees deemed to not be healthy or in vigorous condition during landscaping operations; the Project does not propose to remove any healthy trees, except those that would obstruct the implementation of the Project, and would install additional trees along the Project perimeter required for public screening. No impact would occur in this regard.

[9] Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season.

Riverside County Transportation and Land Management Agency. ND. *Western Riverside County Multiple Species Habitat Conservation Plan; Section 6.1.2* https://www.rctlma.org/Portals/0/mshcp/volume1/sec6.html#6.1.2 Accessed October 2022.

Impact IV.f) Less Than Significant Impact.

HABITAT CONSERVATION PLANS

No wildlife species that are Covered Species and Adequately Conserved by the WRC-MSHCP were detected within the Project site during the habitat assessment. The proposed Project would not directly affect any MSHCP-covered plant and animal species for which surveys can sometimes be required or special mitigation arranged. Payment of MSHCP and Stephens' kangaroo rat fees are intended to offset habitat losses for animals such as Stephens' kangaroo rat, coyote, and bird species that might utilize the Project site. The impacts that might occur on-site are what the WRC-MSHCP anticipated in areas not situated in Criteria Area Cells (i.e., potential future MSHCP Reserve lands). Impacts are primarily offset through MSHCP fee payment and Stephens' kangaroo rat fee payment. Overall, the Project would not conflict with the relevant provisions of the WRC-MSHCP, and a less than significant impact would occur in this regard with the implementation Standard Conditions of Approval COA--BIO--1 through COA-BIO-6.

Standard Conditions of Approval:

COA-BIO-1: In accordance with City of Menifee requirements, the developer of the site shall make the appropriate mitigation fee payment into the Stephens' kangaroo rat fee payment program for conservation of Stephens' kangaroo rat-occupied habitats in order to offset the loss of potentially suitable Stephens' kangaroo rat habitat on-site through Project implementation.

COA-BIO-2: In accordance with City of Menifee requirements, the developer of the site shall make the appropriate MSHCP mitigation fee payment that will contribute to conservation and management of conservation land for all MSHCP-covered organisms.

COA-BIO-3: In accordance with MSCHP provisions limiting the use of exotic and invasive plant species, the Project's landscape plan shall exclude invasive species such as, but not limited to crimson fountain grass (*Cenchrus setaceus*), pampas grass (*Cortaderia selloana*), giant reed (*Arundo donax*), tree of heaven (*Ailanthus altissima*), *Eucalyptus*, *Acacia* shrubs and groundcovers and other ornamental landscape elements on the list of exotic invasive plans listed in MSHCP § 6.1.4 which have the potential to spread into adjoining or nearby areas and watersheds.

COA-BIO-4: The Project Developer shall implement dust control and all other project-specific SWPPP measures during grading and construction required by the City of Menifee.

COA-BIO-5: The Project Developer shall retain a qualified biologist to conduct a 30-day pre-construction survey for Burrowing Owl. The results of the single one-day survey would be submitted to the City prior to obtaining a grading permit. If Burrowing Owl are not detected during the pre-construction survey, no further mitigation is required. If Burrowing Owl are detected during the pre-construction survey, the Project applicant and a qualified consulting biologist will be required to prepare and submit for approval to the City a Burrowing Owl relocation program.

COA-BIO-6: Prior to vegetation clearance, the Project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:

a) The final walkover survey shall be conducted no more than three (3) days prior to the initiation of clearance/construction work.

b) If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required.

c) If active nesting birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until a

qualified biologist determines that all young have fledged (i.e., no longer reliant upon the nest).

d) It is recommended that close coordination between the developer of the site, the City of Menifee, the Project engineer, and the consulting qualified biologist consider vegetation clearance outside of the normal bird nesting season (usually February 15 – September 15) to avoid impacts to nesting birds that would potentially violate the federal MBTA. It should be noted that bird nesting season is increasingly less definitive for some year-round resident species such as hummingbirds and raptors. Further, ground-dwelling birds such as burrowing owls, can be affected nearly any time of the year if present. It is therefore advisable to conduct a pre-construction bird survey no matter the time of year.

e) Removal of vegetation necessitates installation of appropriate Storm Water Pollution Prevention Plan (SWPPP) measures. If development subsequent to grading is not undertaken immediately, careful timing of the Project schedule and implementation of SWPPP measures is necessary to avoid water quality impacts.

Mitigation Measures: No mitigation is required.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	❒	❒	❒	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	❒	❒	☒	❒
c) Disturb any human remains, including those interred outside of formal cemeteries?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; *Cultural Resources Assessment* (Jacobs, October 2022) and provided in **Appendix C**.

Applicable General Plan Policies:

Goal OSC-5: Archaeological, historical, and cultural resources that are protected and integrated into the City's built environment.

Policy OSC-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 OSC-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.

Policy OSC-5.5: Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city.

Policy OSC-5.6: Develop strong government-to-government relationships and consultation protocols with the appropriate Native American tribes with ancestral territories within the city in order to ensure better identification, protection and preservation of cultural resources, while also developing appropriate educational programs, with tribal participation, for Menifee residents.

Analysis of Project Effect and Determination of Significance:

Impact V.a) No Impact. The Project site is previously disturbed. To determine if previously identified or known cultural resources exist within the Project site, a review of records search information, past cultural resources survey and report data was conducted. Information was collected from the Eastern Information Center of the California Historical Resources Information System (CHRIS), located at California State University, Riverside. Additionally, a review was completed to identify cultural resources listed in/as the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR), California Historical Landmarks, and California Points of Historical Interest, or listed in a local register of significant resources. The records search was completed in May 2022 and included the Project site and a 0.5-mile-radius search area. No previously recorded cultural resources were found to exist within the Project site as a result of this review.

However, the records search identified 20 previously conducted cultural resources investigations within the 0.5-mile radius search area. The investigations were completed between 1974 and 2018 and were completed primarily as part of transmission line improvement projects. Three of the 20 previous investigations overlap with the Project site; one of which (RI-02475) completely overlapped with the entirety of the Project site. A summary of the investigations is included in Table 4-1 located in **Appendix C.**

The Cultural Resources Assessment also reviewed the CHRIS to identify previously recorded cultural resources within the Project site and a 0.5-mile-radius search area. Although none of the previously recorded cultural resources are located within the Project site, sixteen previously recorded cultural resources were identified within the 0.5-mile-radius search area; three prehistoric resources, and ten historic-era resources, and three multicomponent resources (consisting of prehistoric and historic-era resources). Additionally, none of these cultural resources have been evaluated as eligible for listing in the NRHP, CRHR, or a local resource. A summary of the previously recorded cultural resources within the 0.5-mile search radius is provided in Table 4 below**.**

Table 4: Previously Recorded Historic Sites Within 0.5-Mile-Radius Search Area

Primary Number	Resource Type	Description	NRHP/CRHR Evaluation and Year
P-33-011465	Prehistoric	Milling Features	Unevaluated
P-33-011466	Prehistoric, Historic	Milling Features and Historic Refuse Dump	Unevaluated
P-33-011469	Prehistoric	Milling Features	Unevaluated
P-33-011470	Prehistoric, Historic	Milling Features and Historic Refuse Dump	Unevaluated
P-33-011471	Prehistoric, Historic	Milling Features and Historic Refuse Dump	Unevaluated
P-33-011472	Prehistoric	Milling Features	Unevaluated
P-33-015381	Historic	Two Structures	Not Eligible, 2006
P-33-015382	Historic	One Structure	Not Eligible, 2006
P-33-015383	Historic	One Structure	Not Eligible, 2006
P-33-015389	Historic	One Structure	Not Eligible, 2006
P-33-015743	Historic	San Jacinto Valley Railway	Potentially Eligible, 2006
P-33-020448	Historic	Historic Road Segment	Unevaluated
P-33-020503	Historic	Historic Road Segments	Unevaluated
P-33-020504	Historic	Historic Road Segments	Unevaluated
P-33-020640	Historic	Historic Road Segment	Unevaluated
P-33-028203	Historic	Historic grouping of trees	Unevaluated

Note: shaded row indicated a previously recorded cultural resource within 1,000-feet of the Project area.
Source: CHRIS 2022

Cultural resources P-33-015381, P-33-015382, and P-33-020640 are demonstrated as the shaded rows in **Table 4**. These three cultural resources consist of two single-family homes and a historic-era road segment. None of these cultural resources have been evaluated as eligible for listing in the NRHP, CRHR, or a local resource.

P-33-015381 is a historic architectural resource that was first identified by Melissa Rees in 2006. This resource consists of approximately 1.97 acres and is located at 28050 Highway 74 in Romoland, California. The resource includes a single-family house constructed in 1923 and a second associated structure on the property. Rees determined both buildings are in very poor condition and contain broken windows, vandalization, and litter throughout the property. This property was revisited in 2011 by Scott Kremkau who was unable to relocate the structures. As previously stated, this resource is located within 1,000 feet of the Project area and is not eligible for listing on the NRHP or the CRHR.

P-33-015382 is a historic architectural resource that was also first identified by Melissa Rees in 2006. The resource is located at 27912 Ethanac Road in Romoland, California and consists of a single-family house

constructed in 1935. As previously mentioned, the structure is located within 1,000 feet of the Project area, however in not within the Project site. Additionally, two additions and modern window replacements were added to the house and the resource is not eligible for listing on the NRHP or the CRHR.

P-33-020640 is a historic linear resource first recorded by Joshua Trampier in 2011. This resource is identified as "Antelope Road" and is located within 1,000 feet of the Project area. The segment runs north-south on either side of Highway 74 but access is restricted by a fence. The site was initially identified on 15-minute and 7.5 minute USGS topographic maps and consists of two paved road segments. The segment is a marked, asphalt-paved, two-lane road measuring a total of 37 feet wide. The road segment was estimated to have been constructed between 1914 to 1945, or after 1945. The cultural resource assessment did not identify any artifacts at the site and the resource is currently unevaluated. This resource does not include the segment of Antelope Road adjacent to the Project site. The portion of Antelope Road that is to be improved by the Project is not historically part of Antelope Road due to it being paved for the first time in 2005. Improvements to the segment of Antelope Road along the Project frontage would not cause a substantial change in this unevaluated historic resource's potential significance or cause a significant impact.

While the Final Staff Assessment for the IEEC Application for Certification cultural resources assessment also identified two historic-era built environment resources constructed in 1923 located within a 0.5-mile-radius of the Project site that were potentially eligible for CRHR listing, the structures were determined by the California Energy Commission to not be impacted by the development of the IEEC. No documented cultural resources are known to exist within the Project site based on background research. The Cultural Resources Assessment concluded development activities associated with the Project would have a low likelihood to impact cultural resources within the Project site. Therefore, Project implementation would not cause an adverse change in the significance of a historical resource and no impact would occur in this regard.

Impact V.b) Less Than Significant Impact. It is estimated that the earliest occupation of Riverside County dates to approximately 8,000 to 11,000 years ago during the Early Halocene Epoch (Pandon 2010) and the San Dieguito Complex are the earliest identified culture group within this region. Several archaeological sites attributed to the San Dieguito Complex have been identified in the vicinity of the City. The Cultural Resources Assessment concluded that the entire Project area has been subject to previous cultural resource investigations without encountering archaeological resources. Furthermore, Project construction would not require grading to exceed pre-graded depths, and therefore the potential for encountering resources near or on the ground surface is unlikely and Project development would have a less than significant impact to cultural resources within the Project area. Adherence to Standards Conditions of Approval COA-CUL-1 through COA-CUL-8 would further minimize impacts. Additionally, if cultural resources are discovered during Project construction, construction would come to a halt in the immediate area and a qualified archaeologist would be consulted.

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

Considering that the geology of the region surrounding the Project site contains deposits from the Holocene, an era associated with the rapid proliferation of humans after the last glacial period, there is potential for buried cultural deposits to be present. However, the Project site has likely been extensively disturbed by previous construction and since the Project intends to repurpose existing structures, the probability of encountering buried cultural deposits are considered low.

Standard Conditions of Approval COA-CUL-1 through COA-CUL-8 are required to reduce potentially significant impacts to previously unknown human remains that may be unexpectedly discovered during Project implementation to a less than significant level. COA-CUL-1 requires that in the unlikely event that human remains are uncovered the contractor is required to halt work in the immediate area of the find and to notify the County Coroner, in accordance with Health and Safety Code (HSC) § 7050.5, who must then determine whether the remains are of forensic interest. If the Coroner, with the aid of a supervising archaeologist, determines that the remains are or appear to be of a Native American, he/she must contact the NAHC for further investigations and proper recovery of such remains, if necessary. Impacts will be less than significant with implementation of the aforementioned Standard Conditions.

Further, pursuant to Public Resource Code (PRC) § 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the 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 PRC § 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the area in the vicinity of the Project 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 will reduce impacts to less than significant levels.

Standard Conditions of Approval:

COA-CUL-1 Human Remains.

If human remains are encountered, State Health and Safety Code § 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 § 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 PRC § 5097.98.

COA-CUL-2 Non-Disclosure of Location Reburials.

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

COA-CUL-3 Inadvertent Archeological Find.

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

a) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.

b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.

c) Grading or 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) If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

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

COA-CUL-4 Cultural Resources Disposition.

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

a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:

   i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.

   ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.

   iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of

Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

COA-CUL-5 Archeologist Retained.

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

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

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

In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in Assembly Bill (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 § 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:

a. Project grading and development scheduling;

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

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

COA-CUL-6 Native American Monitoring (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-7 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 Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the Project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect, or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

COA-CUL-8 Prior to Final Occupancy

Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required 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 required.

VI. ENERGY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?	❒	❒	☒	❒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; California Energy Code; SCAB; MMC; CalGreen.

Applicable General Plan Policies:

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

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

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

Policy OSC-4.3: Advocate for cost-effective and reliable production and delivery of electrical power to residents and businesses throughout the community.

Analysis of Project Effect and Determination of Significance:
Impact VI.a): Less Than Significant Impact.

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the California Energy Commission in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and non-residential buildings. California's building efficiency standards are updated on an approximately three-year cycle. The 2019 Standards for building construction, which went into effect on January 1, 2020, improved upon the former 2016 Standards for residential and non-residential buildings. The 2019 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. For example, the 2019 Title 24 standards will require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting requirements for nonresidential buildings. Nonresidential buildings (such as the Project) will use approximately 30% less energy due to lighting upgrade requirements.

For new development such as that proposed by the Project, compliance with California Building Standards Code Title 24 energy efficiency requirements (CalGreen) are considered demonstrable evidence of efficient use of energy. Development on the Project site would be required to promote and provide for energy efficiencies beyond those required under other applicable federal or State of California standards and regulations, and in so doing would meet all California Building Standards Code 24 standards.

Construction
Electricity
SCE provides electricity to the Project site. Construction of the Project would require minimal use of electricity, as electric-powered tools would be the primary source of electrical demand for construction activities. The electricity used for construction activities would be temporary and nominal; therefore, Project

construction would not result in wasteful, inefficient, or unnecessary consumption of electricity. Impacts would be less than significant in this regard.

Natural Gas
Construction of the Project is not anticipated to necessitate the use of natural gas. Fuels used during construction would primarily consist of diesel and gasoline to operate construction equipment, which is discussed below. Minimal amounts of natural gas could be consumed as a result of Project construction; however, any natural gas consumption would be temporary and negligible and would not have an adverse effect. Therefore, Project construction would not result in the wasteful, inefficient, or unnecessary consumption of natural gas. Impacts would be less than significant in this regard.

Fuel
During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Most construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would be less than significant in this regard.

Operations
The Project consists of a BESS system that will utilize lithium-ion batteries to store electrical energy and then discharge it to the grid when customer demand is high. Energy demand from the proposed Project would be negligible, and vehicle trips to the Project site would be low (approximately 16 trips per day). Additionally, the Project would be built in accordance with the current Title 24 standards and the California Green Building Standards, as applicable. The proposed BESS would also support the State's efforts to provide renewable energy in accordance with the California Renewables Portfolio Standard (RPS). Therefore, due to the nature of the Project (a BESS facility), the Project would not result in a wasteful, inefficient, or unnecessary consumption of fossil fuels during operation and impacts will be less than significant.

Impact VI.b): Less Than Significant Impact. The Project would help achieve the State's target of achieving 100 percent renewable energy by 2045 which relies on storage for intermittent renewable resources. In addition, SCE's Clean Power and Electricity Pathway has set forth a goal to procure 80 percent of energy supplied to the electric grid from carbon-free sources the clean power. Energy storage is imperative to achieve this goal to support intermittent renewable generation. The proposed Project consists of a large-scale BESS facility that would support the State's and SCE's goals to obtain and store more renewable energy. In addition, the Project would be designed to comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards (MCC § 8.04 and 8.06). Therefore, the proposed Project would not conflict with or obstruct any State or local plans for renewable energy for energy efficiency. A less than significant impact would occur in this regard.

Mitigation Measures: No mitigation is required.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) 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.	❒	❒	☒	❒
ii) Strong seismic ground shaking?	❒	❒	☒	❒
iii) Seismic-related ground failure, including liquefaction?	❒	❒	☒	❒
iv) Landslides?	❒	❒	☒	❒
b) Result in substantial soil erosion or the loss of topsoil?	❒	❒	☒	❒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	❒	❒	☒	❒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	❒	❒	☒	❒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	❒	❒	❒	☒
f) Be impacted by or result in an increase in wind erosion and blowsand, either on or off-site?	❒	❒	☒	❒
g) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; MMC; Menifee GP, Exhibits S-1, “Fault Map,” S-2, “Slope Distribution,” S-3, “Liquefaction and Landslides,” and S-4, “Geologic Map”; California Geological Survey Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones; U.S. Quaternary Faults; California Building Code; Riverside County General Plan Exhibit S-8, “Wind Erosion Susceptibility Areas”; State of California Department of Conservation Website - EQ Zapp: California Earthquake Hazards Zone Application –

Earthquake Zones of Required Investigation; *Geotechnical Engineering Report (Terracon May 2021*), see **Appendix D**.

Applicable General Plan Policies:

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.

Analysis of Project Effect and Determination of Significance:

Impact VII.a.i) Less Than Significant Impact. The site is located in southern California, which is a seismically active region and as a result, significant ground shaking would likely impact the site within the design life of the proposed Project. The geologic structure of the entire southern California area is dominated by northwest-trending faults associated with the San Andreas Fault system, which accommodates for most of the right lateral movement associated with the relative motion between the Pacific and North American tectonic plates. Known active faults within this system include the Newport-Inglewood, Whittier-Elsinore, San Jacinto, and San Andreas Faults. Faults within a close proximity to the Project site have not moved in the Holocene or late Pleistocene according to the General Plan fault map. The nearest fault to the Project site is the San Jacinto Fault and is located approximately 9.95 miles northeast of the Project site.[10]

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone.[11] As such, the potential for surface rupture to adversely impact the proposed structures is very low to remote. Therefore, the Project would not have substantial adverse effects involving rupture of a known earthquake fault and a less than significant impact would occur in this regard.

Impact VII.a.ii-iv, VII.c-d) Less Than Significant. While the site is in a seismically active region, no active or potentially active faults are presently known to exist at the Project site, as shown on the Menifee GP Fault Map Exhibit S-1.[12] Although the site is likely to experience ground shaking during the life of the development due to its regional location, compliance with the latest California Building Code (CBC) would provide for the development of seismically suitable structures.

[10] Unites States Geological Survey. 2022. *U.S. Quaternary Faults*. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf Accessed October 2022.

[11] California Geological Survey (CGS). 2022. *CGS Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones* https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=33.733503%2C-117.189301%2C11.54 Accessed October 2022.

[12] City of Menifee. 2021. *Exhibit S-1: Fault Map*. https://www.cityofmenifee.us/DocumentCenter/View/14708/2_Safety_Exhibits_8-5_2021-1---Fault-Map Accessed October 2022.

The Terracon GeoReport concluded the site is located within a low severity liquefaction zone as determined by the County of Riverside. Based on the County of Riverside, and the anticipated depth to groundwater, liquefaction potential at the site is considered low. As such, other geologic hazards related to liquefaction, such as lateral spreading, are also considered low.

A dry seismic settlement analysis for the site was performed in general accordance with the Division of Mines and Geology (DMG) Special Publication 117. Utilizing the software "LiquefyPro" by CivilTech Software and CPT-2 and 3, the report generates calculations resulting in a site modified maximum Peak Ground Acceleration (PGA) of 0.6 g and a mean magnitude of 7.1 for the site was used. Calculation results estimated seismically induced settlement of dry sands to be approximately ¼ inch with differential settlement less than ¼ inch. The detailed analyses results are attached in the Supporting Documents section of **Appendix D.**

However, given the potential for seismic activity in the general region, moderate to strong seismic shaking may occur during the Project's design life. Therefore, Project implementation could expose people or structures to potential substantial adverse effects involving strong seismic ground shaking. The intensity of ground shaking on the Project site would depend on several factors including: the distance to the earthquake focus, the earthquake magnitude, the response characteristics of the underlying materials, and the quality and type of construction.

In summary, the geotechnical report concluded that, from geotechnical and engineering geologic points of view, the Project site appears suitable for the proposed construction based upon geotechnical conditions encountered in the test borings, provided that the recommendations provided in this report are implemented in the design and construction phases of this Project.

Regulatory controls to address potential geologic and seismic hazards would be imposed on the Project through the permitting process. Pursuant to MMC § 8.04.010, the City has adopted the 2019 CBC, subject to certain amendments and changes. CBC design standards correspond to the level of seismic risk in a given location and are intended primarily to protect public safety and secondly to minimize property damage. The Project would be subject to compliance with all applicable regulations in the most recently published CBC (as amended by MMC § 8.04.010), which specifies design requirements to mitigate the effects of potential geologic and seismic hazards.

Standard Condition of Approval COA-GEO-1 requires that the Applicant comply with the recommendations of the geotechnical report and any revisions deemed necessary by the City's Building Official and/or Engineering/Public Works Director. The Menifee Building and Safety Department and Engineering/Public Works Department would review construction plans for compliance with the MMC/CBC and the Geotechnical Interpretive Report's recommendations. Following compliance with standard engineering practices, the Geotechnical Interpretive Report's recommendations (COA-GEO-1), and the established regulatory framework (i.e., MMC and CBC), the Project's potential impacts concerning exposure of people or structures to potential substantial adverse effects involving geologic and seismic hazards, and unstable conditions, would be less than significant.

Impact VII.b) Less Than Significant Impact. Grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. The Project site will undergo a 7-week grading period and construction will last 18-months. During construction, the Project would be subject to compliance with erosion and sediment control measures and the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, and all subsequent amendments) (Construction General Permit); see **Response X.a**. Additionally, MMC § 15.01.015(B)(1) specifies that any person performing construction work in the City shall comply with the provisions of MMC Chapter 15.01 and control stormwater runoff so as to prevent any likelihood of adversely affecting human health or the environment. The Director of Public Works would identify the BMP's that may be implemented to prevent

such deterioration and the manner of implementation. Further, regardless of the design, aggregate surfaced roadways will display varying levels of wear, rutting, and deterioration; the Terracon GeoReport recommends implementation of a site inspection program once per year to verify the adequacy of roadways as well and apply preventative measures as needed for erosion control and regrading. The report concludes an initial site inspection should be completed approximately three months following construction and shoulder build-up on both sides of proposed roadways match the aggregate surface elevation and slope outwards at a minimum grade of 10% for five feet. Following compliance with the established regulatory framework (NPDES and MMC), the Project's potential impacts concerning soil erosion and loss of topsoil would be less than significant with periodic maintenance and good drainage and no mitigation is required.

Impact VII.e) No Impact. Sewers would be available for disposal of Project generated wastewater; see **Response XIX.a.** The Project would not utilize septic tanks or alternative waste water disposal systems. Therefore, no impact would occur in this regard and no mitigation is required.

Impact VII.f) Less Than Significant Impact. The Project site is located in an area designated as having moderate susceptibility to wind erosion.[13] However, the site is surrounded by commercial/retail and institutional development and roadways, and vacant lots. The presence of adjacent developments would minimize exposure to wind erosion. As such, it is not anticipated that high winds or blowing sand would have substantial impacts on Project-related improvements. Project implementation would cover currently exposed soils with buildings/improvements, further reducing potential impacts related to windblown dust or sand within the Project vicinity.

Impact VII.g) Less Than Significant Impact. According to the City of Menifee's General Plan, the majority of the City is assigned as a high paleontological sensitivity which includes the Project site. The Environmental Impact Report (EIR) for the City of Menifee General Plan concludes the possibility of finding additional paleontological resources within City boundaries is high at depth of 10 feet or more below ground surface. The Project would follow the City's development review process as well as comply with CEQA to identify paleontological discoveries and protect paleontological resources. The potential to uncover undiscovered paleontological resources in the City is high, however the Project would adhere to Standard Conditions of Approval COA-GEO-2 and -3 (listed below) which would reduce potential impacts to paleontological resources to a less than significant level.

Standard Conditions of Approval:

COA-GEO-1: Geotechnical Recommendations

Prior to issuance of a grading permit, the Project applicant shall demonstrate, to the satisfaction of the City of Menifee Building & Safety Department Official and/or City of Menifee Engineering/Public Works Director, that the recommendations for design and construction identified in the *Geotechnical Engineering Report,* (Terracon, May 14, 2021), have been incorporated into the Project design, and grading and building plans. The Project's final grading plans, foundation plans, building loads, and specifications shall be reviewed by a State of California Registered Professional Geologist/Registered Professional Engineer to verify that the Geotechnical Interpretive Report recommendations have been incorporated/updated, as needed.

COA-GEO-2: Inadvertent Paleontological Find.

Should fossil remains be encountered during site development:

1) All site earthmoving shall be ceased in the area where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.

2) The applicant shall retain a qualified paleontologist approved by the County of Riverside.

[13] Riverside County. 2016. *Exhibit S-8 Wind Erosion Susceptibility Map*. https://planning.rctlma.org/Portals/0/genplan/content/gp/chapter06.html#List_1_8. Accessed September 2022.

3) The paleontologist shall determine the significance of the encountered fossil remains.

4) Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the Project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

5) If fossil remains are encountered by earthmoving activities when the paleontologist is not on-site, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.

6) Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; placed in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, and associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized databases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

*The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.

COA-GEO-3: Paleontologist Required.

This site is mapped as having a high potential for paleontological resources (fossils) at shallow depth. Therefore, PRIOR TO ISSUANCE OF GRADING PERMITS:

The permittee shall retain a qualified paleontologist approved by the City of Menifee to create and implement a Project-specific plan for monitoring site grading/earthmoving activities which exceed 5 feet in depth in native sedimentary.

The Project paleontologist retained shall review the approved Tentative Tract Map and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the Project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Community Development Department for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

A. The Project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable.

B. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the Project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the Project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The Project paleontologist or his/her assignee will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level.

C. If the Project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the Project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.

D. If fossil remains are encountered by earthmoving activities when the Project paleontologist is not on-site, these activities will be diverted around the fossil site and the Project paleontologist called to the site immediately to recover the remains.

E. If fossil remains are encountered, the fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.

F. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; placed in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, and associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized databases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

   *The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.

G. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if any). This report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions.

All reports shall be signed by the Project paleontologist and all other professionals responsible for the report's content (e.g., Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.

Mitigation Measures: No mitigation is required.

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	❒	❒	☒	❒
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	❒	❒	☒	❒

Source: Menifee GP; Menifee GP Draft EIR.

Applicable General Plan Policies:

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

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

Goal OSC-10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.

Policy OSC-10.1: Align the City's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.

Policy 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.

Policy OSC-10.3: Participate in regional greenhouse gas emission reduction initiatives.

Policy OSC-10.4: Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

Existing Setting:

Global Warming and Greenhouse Gases

Global climate change (GCC) refers to changes in average meteorological conditions on earth with respect to temperature, wind patterns, precipitation, and storms. Global warming, a related concept, is the observed increase in average temperature of the earth's surface and atmosphere. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO_2, N_2O, CH_4, NF_3, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth's atmosphere, but prevent radioactive heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

Gases that trap heat in the atmosphere are often referred to as greenhouse gases (GHGs). GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth's average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature. The potential effects of global climate change may include rising surface temperatures, loss in snowpack, sea-level rise, more extreme heat days per year, and more drought years.

CO_2 is an odorless, colorless natural GHG. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic (human-caused) sources of CO_2 are from burning coal, oil, natural gas, wood, butane, propane, etc. CH_4 is a flammable gas and is the main component of natural gas. N_20, also known as laughing gas, is a colorless GHG. Some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to the atmospheric load of GHGs. HFCs are synthetic man-made chemicals that are used as a substitute for chlorofluorocarbons (whose production was stopped as required by the Montreal Protocol) for automobile air conditioners and refrigerants. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing. SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. NF_3 is a colorless gas with a distinctly moldy odor. NF3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers.

According to available information, the statewide inventory of CO_2 equivalent emissions in the state is as follows:

- 1990 GHG emissions were estimated to equal 427 million metric tons of CO_2 equivalent (AB 32 2020 target);
- 2000 GHG emissions were estimated to equal 463 million metric tons of CO_2 equivalent (an average 8% reduction needed to achieve 1990 base);
- 2010 GHG emissions were estimated to equal 450 million metric tons of CO_2 equivalent (an average 5% reduction needed to achieve 1990 base); and
- 2020 GHG emissions were estimated to equal 545 million metric tons of CO_2 equivalent, under a business-as-usual scenario (BAU) (an average 21.7% reduction from BAU needed to achieve 1990 base).

The state has made steady progress in implementing AB 32 and achieving targets included in Executive Order S-3-05. The state has achieved the Executive Order S-3-05 target for 2010 of reducing GHG emissions to 2000 levels. As shown above, the 2010 emission inventory achieved this target.

Analysis of Project Effect and Determination of Significance:

Impacts VIII.a) Less Than Significant Impact. The Project would include the development of a BESS facility. This BESS facility would implement and utilize lithium-ion batteries that would be interconnected with the existing on-site switchyard equipment. The existing switchyard equipment is equipped to connect to the existing off-site infrastructure leading to the SCE Valley Substation.

During construction there would be temporary GHG emissions resultant of the diesel-fuel heavy and off-road equipment that would be utilized. These GHG emissions would occur over 18 months that construction is currently anticipated to last. Since the half-life of CO_2 in the atmosphere is approximately 100 years, for example, the effects of GHGs are longer term, affecting global climate over a relatively long timeframe. As a result, the SCAQMD's current position is to evaluate GHG effects over a longer timeframe. As such, any short-term construction emissions associated with the Project would be amortized over a considerably longer timeframe, resulting in a minimized impact related to construction based GHG emissions. Additionally, all equipment utilized would be required to adhere to idling regulations which prevents idling for more than 5 minutes. The Project site has been previously developed and is relatively flat, there would be relatively nominal grading required. Further, due to the nature of the Project (a BESS facility) the Project's construction related emissions would be far offset by the benefits the Project produces with regard to GHG emissions. Impacts related to GHG emissions for construction would be less than significant.

Operationally, the Project would have minimal GHG emissions. Any GHG emissions would be related to employee trips to and from the Project and maintenance vehicles used during normal operations and maintenance procedures. The Project consists of a BESS system that will utilize lithium-ion batteries to store electrical energy and then discharge it to the grid when customer demand is high. This would allow electrical providers to maintain status quo generation rates rather than reacting to the demand fluctuations throughout the day. This would allow electrical providers to avoid increasing production, which avoids them increasing GHG emissions, to meet customer demand. The Project would prevent the waste of electrical energy which is still primarily produced via fossil fuels in the state. Overall, the Project would provide a net benefit with regard to GHG emissions. As such, impacts would be less than significant as it relates to operational GHG emissions.

Impacts VIII. b) Less Than Significant Impact.

AB 32/2017 Scoping Plan Consistency

The 2017 Scoping Plan Update reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. The Project would aid the goals of the plan by providing intermittent renewable energy sources storage at moments of low production and high demand.

SB 1020

Senate Bill 1020 set the State's target for achieving 100% renewable energy by 2045. One of the primary issues with renewable energy sources is that some sources are unable to provide consistent electrical generation (e.g., wind and solar power). Large scale and utility scale renewable energy requires electrical storage such as BESS systems. The Project would directly benefit renewable energy sources in the State by providing batteries to charging and discharge.

SCE Clean Power and Electricity Pathway

Southern California Edison has set a goal to procure 80 percent of energy supplied to the electric grid from carbon-free sources. Energy storage is imperative to achieve this goal to support intermittent renewable energy generation (e.g., wind and solar). The Project would support this goal by providing energy storage to the electric grid.

Mitigation Measures: No mitigation measures are required.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	❒	❒	☒	❒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	❒	☒	❒	❒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	❒	❒	☒	❒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	❒	❒	❒	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	❒	❒	☒	❒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	❒	❒	☒	❒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Department of Toxic Substances Control (DTSC); U.S. EPA; U.S. Department of Transportation; Hazardous Materials Transportation Act; California Division of Occupational Safety and Health; Riverside County Airport Land Use Commission; Phoenix Regional Standard Operating Procedures. Battery Energy Storage Systems; Department of Toxic Substances Control EnviroStor; DTSC's Hazardous Waste and Substances Site List – Site Cleanup (Cortese List); State Water Resource Control Board; Integrated Waste Board (SWF/LS); CCR Title 24 Parts 2 and 9 – Fire Codes; California PRC §§ 4290-4299; General Code § 51178; MMC Chapter 8.20, Fire Code; Riverside County Fire Department; Menifee Police Department; State Water Resources Control Board, GeoTracker; Exhibit S-6, "High Fire Hazard Areas," Exhibit S-7, "Critical Facilities," and Exhibit S-9, "Evacuation Routes;" All Hazards Site Search; California Department of Forestry and Fire Protection's (CAL FIRE) California Fire Hazard Severity Zone Viewer; Terraphase Engineering Inc.'s 2023 *Phase I Environmental Site Assessment* (**Appendix E1**); and Terraphase Engineering Inc. 2023. *Summary of Soil Investigation Activities and Findings, Former Inland Empire Energy Center, 26226 Antelope Road, Menifee, Riverside County, California* (**Appendix E2**).

Applicable General Plan Policies:

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-5.2: Ensure that the fire department can continue to respond safely and effectively to a hazardous materials incident in the City, whether it is a spill at a permitted facility, or the result of an accident along a section of the freeway or railroads that extend across the City.

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.

Policy S-5.6: Require all new industrial development projects and significant rehabilitation or expansion projects to reduce industrial truck idling by enforcing California's five (5) minute maximum law, requiring warehouse and distribution facilities to provide adequate on-site truck parking, and requiring refrigerated warehouses to provide generators for refrigerated trucks. Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools.

Goal S-6: **A City that responds and recovers in an effective and timely manner from natural disasters such as flooding, fire, and earthquakes, and as a result is not impacted by civil unrest that may occur following a natural disaster.**

Policy S-6.1: Continuously review, update, and implement emergency preparedness, response, and recovery plans that make the best use of the City- and county-specific emergency management resources available.

Analysis of Project Effect and Determination of Significance:

Impacts IX.a) Less Than Significant Impact. A typical project that could result in a significant hazard to the public includes projects that routinely transport, use, or disposal of hazardous materials or places housing near a facility which routinely transports, uses, or disposes of hazardous materials. The routine use, transport, or disposal of hazardous materials is primarily associated with industrial uses that require such materials for operations or produce hazardous wastes as by-products of production applications.

BESS systems are electrochemical devices that charge or collect energy from the grid and then discharge that energy at a later time to provide electricity or other grid services when needed. The Project consists of a BESS facility that would implement and utilize lithium-ion batteries that would be interconnected with the existing high-voltage switchyard which is currently connected to the SCE 500 kilovolt (kV) Valley Substation via off-site infrastructure. Modifications would be made to the existing switchyard to accommodate the proposed three new high-voltage transformers. Lithium-ion batteries do not produce any exhaust gases during normal operation. During Project operations, no significant hazardous materials would be present under normal conditions. Regular operation and maintenance of the Project structures would not result in significant impacts involving use, storage, transport or disposal of hazardous wastes and substances. Additionally, the Project site is not included on the list of hazardous waste sites (Cortese

List) compiled by the Department of Toxic Substances Control (DTSC) pursuant to Government Code § 65962.5 and therefore would not release known hazardous materials due to ground-disturbing activities.[14]

Both the EPA and the U.S. Department of Transportation (DOT) regulate the transport of hazardous waste and material, including transport via highway. The U.S. EPA administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act. The DOT regulates the transportation of hazardous materials through enforcement of the Hazardous Materials Transportation Act. This act includes requirements for container design and labeling, as well as for driver training. The established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste. Additionally, State and local agencies enforce the application of these acts and coordinate safety and mitigation responses in the case that accidents involving hazardous materials occur.

The proposed Project does not propose or facilitate any activity involving significant use, routine transport, or disposal of hazardous substances. Project construction activities may include refueling and minor maintenance of construction equipment on-site, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, State, and local laws, including California Division of Occupational Safety and Health (Cal/OSHA) requirements. It is anticipated that a minor level of transport, use, and disposal of hazardous materials and wastes would occur that are typical of construction projects. As such, impacts would be less than significant.

Impact IX.b) Less Than Significant Impact with Mitigation Incorporated. All BESS contain quantities of hazardous materials, and in the event of an emergency or failure, can potentially create a toxic environment. BESS failures can occur due to thermal abuse, physical/mechanical damage, electrical abuse, environmental impacts, internal faults within the battery cell, other electrical faults or system failures, etc.[15]

As mentioned in **Response IX.a** above, the Project site is not identified as a hazardous waste site with either an active or past occurrence.[16,17,18] The nearest three listed sites on EnviroStor are classified as inactive or not requiring further action. The closest sites to the Project site are identified as High School No. 3 located approximately 1,300 feet north (No Action Required status); Proposed Elementary School No. 15 located approximately 1.0 miles south (No Action Required status); and the Club K-8 School located approximately 1.5 miles southwest (No Further Action status).

A Phase I Environmental Site Assessment (ESA) was conducted for the Project (see **Appendix E1**) by Terraphase Engineering.

The subject property is listed in the Facility Index System (FINDS) database as an electric generator and a greenhouse gas reporter. The subject property is listed in the Integrated Compliance Information System (ICIS) and Aerometric Information Retrieval Subsystem (AIRS) databases as having received formal and informal administrative orders and notices of violations, but no further information is provided; however, these listings are unlikely to be related to a release impacting soil or groundwater. The Risk Management Program (RMP) database listing for the subject property lists the risk of release of ammonia at a

[14] Department of Toxic Substances Control (DTSC) EnviroStor. 2021. *Hazardous Waste and Substances Site List.* https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=menifee. Accessed September 2022.

[15] Phoenix Regional Standard Operating Procedures. *Battery Energy Storage Systems.* https://www.phoenix.gov/firesite/Documents/205.20A%20Battery%20Energy%20Storage%20Systems.pdf. Accessed September 2022.

[16] DTSC EnviroStor. 2021. *Hazardous Waste and Substances Site List.* https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=menifee. Accessed October 2022.

[17] DTSC. 2021. *DTSC's Hazardous Waste and Substances Site List – Site Cleanup (Cortese List)*. https://dtsc.ca.gov/dtscs-cortese-list/. Accessed October 2022.

[18] State Water Resources Control Board. 2021. *GeoTracker*. https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Menifee. Accessed October 2022.

concentration of 20 percent or greater as the major hazard for the property, and includes the process control, mitigation systems, and training that is utilized to prevent a release. The subject property is listed in the Above Ground Storage Tank (AST) database, but no information regarding the tank(s) is included. Emissions records for the subject property are listed in the Environmental Information Management (EMI) database for the years 2006 through 2019. The Hazardous Waste Information System (HAZNET) database listing includes unspecified aqueous solutions, other organic solids, off-specification, aged or surplus organics, unspecified solvent mixtures, oxygenated solvents, waste oil and mixed oil, unspecified oil containing wastes, detergent and soaps, latex waste, and alkaline solutions with and without metals as wastes generated at the subject property. The California Environmental Reporting System (CERS) database list the subject property as "Wetlands – Fill and Dredge Material."

Of these databases, the California Hazardous Material Incident Reporting System (CHMIRS) listings are the only listings that present a potential environmental concern to the subject property. Most of the releases were minor in nature, and potentially contaminated soils were specifically recorded as cleaned in the March 8, 2007, release. The location of the largest release, aqueous ammonia, is known and stated to have been cleaned. However, the remaining release locations are not known, and information regarding the remediation of the releases is not included in most of the listings. The CHMIRS database listed the following accidental spills or releases on the subject property.

- 11/20/2006: 15-20 gallons of hydraulic fluid due to a ruptured hose on a crane.

- 12/01/2006: 2 gallons of hydraulic fluid to the ground due to a broken line.

- 12/15/2006: 5 gallons of hydraulic fluid to the ground due to a broken hydraulic hose line on a crane. Absorbent pads were reportedly applied and the incident was associated with SPX Cooling Technology.

- 03/08/2007: 12 gallons of hydraulic fluid due to a broken hose. The ground was cleaned to a level of 1 inch and was reportedly planned to be cleaned to a level of 3 inches the day after the incident. Further records of cleanup were not provided.

- 10/09/2007: 30 gallons of lubricating oil from a tipped over drum.

- 01/27/2008: A private citizen called to report stormwater being pumped off the construction site which they believed may be contaminated.

- 01/12/2010: 100 gallons of citric acid spilled due to a valve left open during a chemical steam clean. Note that citric acid is not identified as a comprehensive CERCLA hazardous substance.

- 03/15/2011: 240 gallons of aqueous ammonia released due to a hose rupture during off-loading. The release was reported as contained within a concrete-lined sump and removed using a vacuum truck.

The ESA concluded none of the eight CHMIRS releases were considered as an environmental concern to the subject property. These accidental spills and releases are historical observations onsite and the largest, most recent release was properly contained and removed from the subject property. No releases or spillage was observed on-site during the time of the ESA.

Based on the previous groundwater sampling, types of agrochemicals (e.g., arsenic-based pesticides or chlorinated pesticides), frequency of application typical of historical agricultural operations, and the stable chemical structure of pesticides, the former agricultural operations and likely agrochemical use at the subject property are considered a Recognized Environmental Condition (REC). Public records indicate multiple releases of hazardous substances and petroleum products occurred during construction and operations at the subject property, including hydraulic fluid, lubricating oil, and aqueous ammonia. Given

the absence of information regarding the location, containment, cleanup, and regulatory involvement associated with the releases, the previous releases of hydraulic oil and lubricating oil are identified as a REC for the subject property.

Due to the historical and agricultural RECs listed above, Hazards and Hazardous Materials Mitigation Measure 1 (**MM HAZ-1**) would be required for proper removal and disposal of contaminated materials. However, no existing RECs were observed during the ESA. The ESA searched for evidence of the presence, use, or storage of hazardous substances and petroleum products. The Site Assessment noted that hazardous materials were previously stored within self-contained concrete-lined sumps in a building on the eastern side of the property, which is now demolished, and hazardous materials are no longer in that area. The ESA also concluded that hazardous waste was not observed at the Project site. **MM HAZ-1** would only be applicable if contaminated soil is identified during site disturbance activities for the Project.

A Phase II Soil Investigation was conducted for the Project (see **Appendix E2**) by Terraphase Engineering.

The Phase II Soil Investigation provides a summary of the investigation activities, results, and conclusions related to the collection and analysis of judgmental soil samples for the subject property. Judgmental soil sample locations were selected based on (1) the location of previous industrial activities that have been or will be removed as part of the decommissioning or redevelopment or (2) requests from the County of Riverside. The results of the Phase II Soil Investigation revealed no detection of analytes in judgmental soil samples at concentrations exceeding applicable screening criteria. The following provides a summary of detections in judgmental soil samples for an analytical suite and the results:

- Twenty-eight samples were analyzed for metals; select metals, including barium, chromium (total), cobalt, copper, lead, molybdenum, nickel, vanadium, and zinc, were detected above the laboratory reporting limit in one or more of the samples, but below the applicable commercial/industrial California Environmental Protection Agency Department of Toxic Substances Control-modified screening levels (DTSC-SLs). Arsenic was detected in 19 samples; each detection was at concentrations below the Southern California background concentration of 12 milligrams per kilogram.
- Twelve samples were analyzed for polychlorinated biphenyls (PCBs); PCBs were not detected in any of the samples above laboratory reporting limits.
- Eighteen samples were analyzed for Total petroleum hydrocarbons in the diesel (TPH-d) and motor oil ranges (TPH-mo); TPH-d was detected in a single shallow soil sample at a concentration of 13 micrograms per liter. There is no established DTSCL-SL or RSL for TPH-d; however, this concentration is reflective of trace levels. TPH-mo was not detected in any of the samples analyzed.
- Twenty-seven samples were analyzed for total petroleum hydrocarbons in the gasoline (TPH-g); TPH-g was not detected in any of the soil samples analyzed.
- Nineteen samples were analyzed for volatile organic compounds (VOCs); VOCs were not detected in any of the samples above laboratory reporting limits.

Based on the screening of the analytical results presented above, Terraphase did not find evidence of impacts to subsurface soil as the result of industrial equipment that has been or will be removed during site decommissioning or redevelopment, from the former drum storage area, or in the retention ponds. TPH-g, TPH-d, and TPH-mo, VOCs, metals, and PCBs were not detected in judgmental subsurface soil samples at concentrations exceeding the current applicable screening levels and no further investigation is recommended.

Additionally, all hazardous wastes generated during demolition would be removed according to approved plans in compliance with the California Health and Safety Code, Section 25100 and the Hazardous Waste Control Act of 1972. Furthermore, all hazardous wastes generated during demolition would be removed

according to approved plans in compliance with Title 22 of the California Code of Regulations, Section 66262 (Generator Standards) and the Riverside County Department of Environmental Health. Finally, the Aboveground Storage Tank permit requires storage of hazardous materials in a storage tank.

Although no new permits would be required during demolition regarding hazardous waste management, some existing permits would be required to remain open until decommissioning and demolition are complete. The ID number permit requires an EPA ID number to ship hazardous waste. The hazardous materials handler and hazardous waste generator permit requires to storage and generation of hazardous materials within the County. Additionally, any hazardous waste that cannot be recycled would be transported off-site by a licensed and permitted hazardous waste transporter to a permitted treatment, storage, and disposal facility.

Additionally, during normal operations of the Project, there would be the potential for hazards and accidents typical with that of other BESS operations. These hazards and potential accidents, while infrequent and minimized through routine maintenance and inspection, include but are not limited to fires, explosions, and the release of toxic gases. The primary potential upset and accident condition for the Project would be the risk of a thermal runaway event occurring, where the system increases in temperature, in turn releasing energy that further increases temperature. This could potentially cause a fire due to the overheating of the battery system. A fire may release toxic chemicals into the air and atmosphere. There are no sensitive receptors immediately adjacent to the Project site.

Under normal operations, a BESS does not store or generate hazardous materials in quantities that would represent a risk to offsite receptors. Nonetheless, the Project would be required to comply the City MMC and fire code and with all local, state, and federal requirements related to Project design, operations, and accident responses. Further, the Project would be subject to and implemented in accordance with the National Fire Protection Association, Occupational Safety and Health Administration, the California Fire Code, and California Environmental Protection Agency requirements.

As required by the City MC under the Battery Energy Storage System Ordinance (§9.297.070), the Project Applicant has prepared a hazard mitigation analysis (HMA) and report. Prior to Project approval, approval of the HMA and report by the Menifee Fire Department is required. Upon approval of the HMA and report, the Menifee Fire Department will implement the necessary conditions of approval to ensure that any and all technologies used on-site will have proper accident procedures in place to mitigate any potential impacts from failures that could occur during normal operation of the Project.

With adherence to the existing, applicable General Plan policies listed above, **MM HAZ-1**, the proposed 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; impacts would be less than significant.

Mitigation Measures:

MM HAZ-1: If potentially contaminated soil is identified during site disturbance activities for the Project, as evidenced by discoloration, odor, detection by instruments, or other signs, a qualified environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and provide a written report to the Master Developer, Site Developer, or Lead Agency, as applicable, stating the recommended course of action. Depending on the nature and extent of contamination, the qualified environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the qualified environmental professional, substantial remediation may be required, the Site Developer, or Lead Agency, as applicable, shall contact representatives of the Riverside County Fire Department and/or DTSC for guidance and oversight and shall comply with all performance standards and requirements of the respective agency for proper removal and disposal of contaminated materials. In addition, any activities which will disturb portions of the property subject to a land use covenant (LUC) (e.g., excavation,

grading, removal, trenching, filling or earth movement) shall require proper notification to DTSC in accordance with the terms of the LUC.

Impact IX.c) Less than Significant Impact. Based on aerial imagery and maps of the Project and surrounding area, Romoland Elementary School is located approximately 1,200 feet to the north of the Project site. As previously stated, the Project would not emit hazardous materials or handle hazardous or acutely hazardous materials, substances, or waste during normal operation of the Project. Nevertheless, the Project would be required to adhere to all applicable Federal, State, and regional regulations regarding handling, transport, and disposal of hazardous materials. Therefore, impacts would be less than significant regarding hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Impact IX.d) No Impact. Government Code § 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List is maintained by the DTSC. The sites for the list are designated by the State Water Resource Control Board (Leaking Underground Storage Tanks (LUST), the Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (Cal-Sites). A review of the Cortese list, as provided by EDR, and dated 12/16/21 has revealed that there is one Cortese site within approximately 0.5 miles of the Project site. No sites or facilities from the HIST CORTESE list are located on the Project site. The nearest site is a school investigation for High School No. 3 (33010072) located on Briggs Road and Pinacate Road in Romoland, CA 92585. The status of this site requires no further action. Therefore, the Project would have no impact to the public or the environment in this regard.

Impact IX.e) Less Than Significant. The following airports/airstrips are located nearest the Project site:

- SCE San Jacinto Valley Service Center Heliport at 26100 Menifee Road, Romoland, CA 92585, approximately 0.8 mile east of the Project site.
- Perris Valley Airport at 2091 Goetz Road, Perris CA 92570 approximately 3 miles northwest of the Project site.

The Project site is not within 2.0 miles of a public airport/public use airport; however, the Project site is in the vicinity of a private heliport. Therefore, the Project would result in a less than significant impact regarding airport-/airstrip-related safety hazard for people residing or working in the vicinity of the Project.

The Project site is not within the Airport Influence Area Boundary for Perris Valley Airport or the March Air Reserve Base.[19]

Impact IX.f) Less Than Significant Impact. The City of Menifee collaborates with local and regional emergency service organizations and personnel to conduct simulated emergency response exercises throughout the year. The City of Menifee and Menifee Police Department routinely coordinate with Riverside County/CAL Fire, Riverside County Emergency Management Department, and the local utility providers to discuss methods and response plans for various emergency scenarios that could potentially present themselves within the region. Additionally, the City makes available to resident's downloadable resources such as storm and emergency preparedness information via its website: https://www.cityofmenifee.us/418/Storm-and-Emergency-Preparedness. Vehicular access to the site will be provided via two access points on Antelope Road. Primary access would be provided along Antelope Road and would include an internal circulation system that would allow for emergency vehicles and customer movement/evacuation in case of an emergency.

During construction of the Project, various off-site improvements would be completed, including but not limited to, the half width plus 12 feet of asphalt improvements for Antelope Road and San Jacinto Road. Presently, San Jacinto Road connects to Russell Road which does not connect through to provide for circulation throughout the City. Construction staging on Antelope Road would allow for continued access

[19] Riverside County Airport Land Use Commission. 2021. *Current Compatibility Plans.* http://www.rcaluc.org/Plans/New-Compatibility-Plan. Accessed September 2022.

along the roadway and would be coordinated with the City and services to ensure adequate coverage of services by the City. Operationally, the Project does not propose any operations that would inhibit the use of public roadways such that access would be restricted. Furthermore, according to the Safety Element of the City's General Plan, none of the roadways adjacent to the Project site are designated as an emergency evacuation route.[20] Therefore, impacts to an emergency response plan and emergency evacuation routes would be less than significant.

Impact IX.g) Less Than Significant Impact. The Project site is not located within a Very High Fire Hazard Severity Zone, as identified on CAL FIRE's Fire Hazard Severity Zone (FHSZ) Viewer and Menifee GP Exhibit S-6, High Fire Hazard Areas.[21,22] The Project site is located in a Local Responsibility Area (LRA). LRA's are incorporated cities, urban regions, agriculture lands, and portions of the desert where the local government is responsible for wildfire protection.

The Project would be subject to compliance with the CCR Title 24 Parts 2 and 9 – Fire Codes and California PRC §§ 4290-4299 and General Code § 51178. The Project would also be subject to compliance with regulations pertaining to fire protection, including MMC Chapter 8.20, *Fire Code*. Further, it is the City's goal (Goal S-4) for a community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires. To this end, the Project would be subject to compliance with the following City policies:

Policy S-4.1: Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire.

Policy S-4.2: 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.

Policy S-4.4: Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

The RVCFD provides fire protection and emergency medical response services in the City of Menifee. The nearest fire station to the Project site is Fire Station #07 located approximately 2.5 miles southwest at 28349 Bradley Road in Menifee California. In coordination with the RVCFD and CAL FIRE, the RVCFD would evaluate the Project to determine the necessary fire prevention features. Following compliance with the established local and state regulatory framework discussed above, the Project would not expose people or structures to a significant risk involving wildland fires and impacts would be less than significant in this regard.

Mitigation Measures: Refer to mitigation measures **HAZ-1** above.

[20] City of Menifee. 2021. *Menifee General Plan; Exhibit S-9: Evacuation Routes*. https://www.cityofmenifee.us/DocumentCenter/View/14711/Evacaution-Routes. Accessed October 2022.

[21] CAL FIRE. 2021. *FRAP FHSZ Viewer*. https://egis.fire.ca.gov/FHSZ/. Accessed September 2022.

[22] City of Menifee. 2013. *Exhibit S-6 High Fire Hazard Areas*. https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=. Accessed September 2022.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	❒	❒	☒	❒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	❒	❒	☒	❒
c) 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;	❒	❒	☒	❒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	❒	❒	☒	❒
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	❒	❒	☒	❒
iv) impede or redirect flood flows?	❒	❒	☒	❒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to inundation?	❒	❒	☒	❒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; MMC; NPDES; Riverside County Flood Control and Water Conservation District (RCFC&WCD) (CAS618033, Order No. R8-2010-0033); California Department of Water Resources, Dam Breach Inundation Web Publisher; Menifee GP, Exhibit S-5 Flood Hazards; Valued Engineering Inc.'s 2021 *Project Specific Water Quality Management Plan* and 2021 *Preliminary Hydrology Study* (**Appendix F** and **G** respectively).

Applicable General Plan Policies:

Goal S-3: **A community that is minimally disrupted by flooding and inundation hazards.**

Policy S-3.1: 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.

Policy S-3.2: Reduce flood hazards in developed areas known to flood.

Policy S-3.6: Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.

Policy OSC-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 OSC-7.2: Encourage water conservation as a means of preserving water resources.

Policy OSC-7.6: Work with the Eastern Municipal Water District to maintain adopted levels of service standards for sewer service systems.

Policy OSC-7.7: Maintain and improve existing level of sewer service by improving infrastructure and repairing existing deficiencies.

Policy OSC-7.8: Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.

Policy OSC-7.9: Ensure that high-quality potable water resources continue to be available by managing stormwater runoff, wellhead protection, and other sources of pollutants.

Policy OSC-7.10: Preserve natural floodplains, including Salt Creek, Ethanac Wash, Paloma Wash, and Warm Springs Creek, to facilitate water percolation, replenishment of the natural aquifer, proper drainage, and prevention of flood damage.

Policy OSC-7.11: Ensure that natural and cultural resources are protected and avoided while still maintaining important water goals.

Analysis of Project Effect and Determination of Significance:
Impacts X.a, X.c (i) – X.c (iv), X.e) Less Than Significant Impact.

SHORT-TERM CONSTRUCTION
The Project's construction-related activities would include demolition, excavation, grading, and trenching, which would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related erosion effects would be addressed through compliance with the NPDES program's Construction General Permit. Construction activity subject to this General Permit includes any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than 1.0 acre. Given that the Project would disturb an area greater than 1.0 acre, it would be subject to this General Permit.

To obtain coverage under the General Permit, dischargers are required to file with the State Water Board the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI) and other compliance-related documents. The General Permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed General Permit-required measures to control potential construction-related pollutants. MMC Chapter 15.01, *Storm Water/Urban Runoff*, addresses stormwater and runoff pollution control and is intended to reduce the quantity of pollutants being discharged to waters of the United States. MMC § 15.01.015(B)(1) specifies that any person performing construction work in the City shall comply with the provisions of MMC Chapter 15.01 and control stormwater runoff so as to

prevent any likelihood of adversely affecting human health or the environment. The Director of Public Works would identify the BMP's that may be implemented to prevent such deterioration and the manner of implementation. Documentation on the effectiveness of BMP's implemented to reduce the discharge of pollutants to the MS4 would be required when requested by the Director of Public Works. Further, the Project proposes hardscapes throughout a large portion of the Project site, which would be stabilizing soils and contain them on-site as compared to the current undeveloped condition. Following compliance with NPDES and MMC requirements, the Project's construction-related activities would not violate water quality or waste discharge requirements. Additionally, the Project would be subject to the Western Riverside MSHCP Consistency Approval and the Riverside County Flood Control and Water Conservation District Encroachment Permit. A less than significant impact would occur in this regard and no mitigation is required.

LONG-TERM OPERATIONS

Urban stormwater runoff is covered under the municipal permit for Riverside County, the NPDES MS4 Permit for stormwater and non-stormwater discharges from the MS4 within the Riverside County Flood Control and Water Conservation District (RCFC&WCD) (CAS618033, Order No. R8-2010-0033). The City of Menifee is a Co-Permittee (Discharger) under the MS4 Permit. Each Co-Permittee is required to ensure that an appropriate Water Quality Management Plan (WQMP) is prepared for "New Development" (and "Significant Redevelopment") projects for which a map or permit for discretionary approval is sought. The New Development category includes new developments that create 10,000 SF or more of impervious surface (collectively over the entire Project site) including commercial and mixed-use development requiring a Final Map, among other types of projects. The Project would create more than 10,000 SF of impervious surface area; as such, a WQMP was prepared. The WQMP is required to include site design (including, where feasible, LID principles), Source Control and Treatment Control elements to reduce the discharge of pollutants in urban runoff. Surface drainage from the Project site would flow through the internal, site separate, storm drain system to two detention basins on the southwest and southeast corners of the site. A portion of runoff from an existing berm flows away from the site and enters the City of Menifee municipal storm drain system. The proposed drainage design will utilize the existing storm drain system and retrofit the two existing detention basins into bioretention basins to meet Low Impact Development (LID) requirements for Riverside County before discharging into the Romoland Stormwater Channel to the south of the site. Additionally, MMC § 15.01.015(C) specifies that new development projects shall control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water. The Director of Public Works would identify the BMP's that may be implemented to prevent such deterioration and identify the manner of implementation. Documentation on the effectiveness of BMP's implemented to reduce the discharge of pollutants to the MS4 is required when requested by the Director of Public Works.

Following compliance with the existing water quality regulatory framework (i.e., NPDES and MMC), including implementation of BMP's specified in the Project WQMP. Project operations would not violate water quality or waste discharge requirements. A less than significant impact would occur, and no mitigation is required.

Impact X.b) Less Than Significant Impact. In-situ percolation tests were conducted at the Project site as part of a larger geotechnical investigation conducted by Terracon Consultants, Inc. Results showed infiltration rates of between 0.1 and 0.19 inches/hour, making infiltration an infeasible treatment method for stormwater runoff at the site. The Project would not significantly impact local groundwater recharge because it does not presently occur on the Project site. The Project does not have any DMAs with a seasonal high groundwater mark shallower than 10 feet. All downstream conveyance channels to an adequate sump that will receive runoff from the Project and are engineered and regularly maintained to ensure design flow capacity. No sensitive stream habitat areas will be adversely affected and are not identified on the Co-Permittees Hydromodification Susceptibility Maps. The Project would not substantially reduce runoff that results in groundwater recharge.

According to the WQMP, LID Principles and LID BMPs have been incorporated into the site design to fully address all Drainage Management Areas. No alternative compliance measures are required for this

Project and no further discussion is needed. Impacts would be less than significant, and no mitigation is required.

Impact X.d) Less Than Significant Impact. Flood hazards for the City include dam inundation in the event of a catastrophic failure, such as seismically induced dam failure. The California Division of Dam Safety monitors the structural safety of dams that are greater than 25 feet high or have more than 50 acre-feet of storage capacity. Parts of Menifee are within existing dam inundation areas for three dams at Diamond Valley Lake, one dam at Canyon Lake, and one at Lake Perris Reservoir.[23] Diamond Valley Lake is located approximately 7.0 miles southeast of the Project site, Canyon Lake is located approximately 6.0 miles southwest of the Project site, and Perris Reservoir is located approximately 7.0 miles north of the Project site.

According to the Menifee GP, Exhibit S-5, the Project site is located in Zone X.[24] Zone X corresponds to areas outside of the 500-year flood or areas protected from a 100-year flood by levees. Additionally, the Project site is located approximately 41 miles from the Pacific Ocean. Given the distance from the coast and the previously mentioned dams, the potential for inundation by a large catastrophic tsunami is extremely low. The design and construction of the dams for earthquake resistance, in combination with continued monitoring by the California Division of Dam Safety reduces risks of dam failure due to earthquakes. Dam inundation impacts would be less than significant. No steep slopes are in the Project vicinity; therefore, the risk of mudflow is insignificant.

Therefore, potential impact concerning release of pollutants due to inundation from flood, tsunami, or seiche are considered less than significant.

Mitigation Measures: No mitigation is required.

[23] California Department of Water Resources. 2021. *Dam Breach Inundation Web Publisher*. https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2. Accessed September 2022.

[24] City of Menifee. 2013. *Exhibit S-5 Flood Hazards* . https://www.cityofmenifee.us/DocumentCenter/View/1032/S-5_FloodHazards_HD0913?bidId=. Accessed September 2022.

XI. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	❒	❒	❒	☒
b) 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?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee North Specific Plan and Land Use Map; Menifee GP, Exhibit LU-3 Land Use Designations; Comprehensive Development Code; Menifee Zoning Map.

Applicable General Plan Policies:

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.**

Policy LU-1.1: Concentrate growth in strategic locations to help preserve rural areas, create place and identity, provide infrastructure efficiently, and foster the use of transit options.

Policy LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.

Policy LU-1.6: 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.

Policy LU-1.8: Ensure new development is carefully designed to avoid or incorporate natural features, including washes, creeks, and hillsides.

Policy LU-1.9: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.

Policy LU-1.10: 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, and similar uses.

Analysis of Project Effect and Determination of Significance:

Impact XI.a) No Impact. An example of a project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project proposes the re-development of the IEEC generation plant. The Project site is already developed and located near developed lands. Given the Project's nature, scope, and location, the Project would not physically divide an established community. No impact would occur in this regard and no mitigation is required.

Impact XI.b) Less Than Significant Impact. The Menifee GP and Land Use Map depicts the City's land use designations and indicates the Project site parcels are designated Menifee North Specific Plan No. 260 - Planning Area 3 and HI. The Project would re-develop the former IEEC generation plant site to a BESS facility to store electrical energy from the grid to be discharged later when customer demand is high. The Menifee North Specific Land Use Plan indicates the Project site is zoned industrial. The proposed Project is a permitted use in the Industrial and HI zoning classifications. Therefore, the Project would be consistent with the applicable land use plans. Given that the General Plan (GP) EIR considered

the potential environmental impacts associated with development of the Project site assuming the industrial land use designation, this Project would not create any new or greater environmental impacts than those identified in the Menifee GP EIR.

Mitigation Measures: No mitigation is required.

XII. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	❒	❒	❒	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	❒	❒	❒	☒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee GP, Exhibit OSC-3: Mineral Resource Zones; and California Department of Conservation's Mines Online.

Applicable General Plan Policies:

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

Policy OSC-4.4: Require that any future mining activities be in compliance with the State Mining Reclamation Act, federal and state environmental regulations, and local ordinances.

Policy OSC-4.5: Limit the impacts of mining operations on the City's natural open space, biological and scenic resources, and any adjacent land uses.

Analysis of Project Effect and Determination of Significance:

Impact XII.a-b) No Impact. The Surface Mining and Reclamation Act of 1975 (SMARA) requires classification of land into MRZs according to the known or inferred mineral potential of the area. Under SMARA, areas are categorized into MRZs as follows:

MRZ-1 Areas where the available geologic information indicates no significant mineral deposits or a minimal likelihood of significant mineral deposits.

MRZ-2 Areas where the available geologic information indicates that there are significant mineral deposits or that there is a likelihood of significant mineral deposits. However, the significance of the deposit is undetermined.

MRZ-3 Areas where the available geologic information indicates that mineral deposits are inferred to exist; however, the significance of the deposit is undetermined.

MRZ-4 Areas where there is not enough information available to determine the presence or absence of mineral deposits.

The closest mining facilities to the Project site are the Juniper Flats Pits which are Open Pits with sand and gravel as the primary product.[25] The Project site is located in a regional SMARA Mineral Land Classification. No mineral resources are known to exist on the Project site and the site is designated as an Urban Area.[26] An area approximately 1.5 miles west of the site is identified as an MRZ-1 area. However, this area is mostly developed with residential dwelling units and, according to aerial photography, there are no signs of mining activities present. Implementation of the Project would not deplete mineral deposits or involve mining activities. Furthermore, the Project site is not located in an area identified as a locally important mineral resource recovery site and is not a mining area. Therefore, the Project would not result in the loss of availability of a known mineral resource. No impacts would occur.

Mitigation Measures: No mitigation is required.

[25] California Department of Conservation. 2016. *Mines Online*. https://maps.conservation.ca.gov/mol/index.html. Accessed September 2022.

[26] City of Menifee. 2013. *Exhibit OSC-3 Mineral Resource Zones*. https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3_Mineral_Resource_Zones_HD0913?bidId=. Accessed September 2022.

XIII. NOISE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) 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?	❒	❒	☒	❒
b) Generation of excessive groundborne vibration or groundborne noise levels?	❒	❒	☒	❒
c) 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?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; MCC; Menifee GP Draft EIR, Exhibit 5.12-3, "Airport Noise Contours"; Riverside County Airport Land Use Commission Current Compatibility Reports for March Air Reserve Base and Perris Valley Airport; FTA Transit Noise and Vibration Impact Assessment Manual.

Applicable General Plan Policies:

Goal N-1: **Noise-sensitive land uses are protected from excessive noise and vibration exposure.**

Policy N-1.1: Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.

Policy N-1.2: Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the City's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.

Policy N-1.3: Require noise abatement measures to enforce compliance with any applicable regulatory mechanisms, including building codes and subdivision and zoning regulations, and ensure that the recommended mitigation measures are implemented.

Policy N-1.7: Mitigate exterior and interior noises to the levels listed in the table below to the extent feasible, for stationary sources adjacent to sensitive receptors:

Table 5: Stationary Source Noise Standards

Land Use	Interior Standards	Exterior Standards
Residential		
10:00 p.m. to 7:00 a.m.	40 L_{eq} (10 minute)	45 L_{eq} (10 minute)
7:00 a.m. to 10:00 p.m.	55 L_{eq} (10 minute)	65 L_{eq} (10 minute)

Policy N-1.8: Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state, and City noise standards and guidelines as a part of new development review.

Policy N-1.9: Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land be 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.

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.

Analysis of Project Effect and Determination of Significance:

Impacts XIII.a-b) Less Than Significant.

SHORT-TERM CONSTRUCTION

In general, the City is most impacts by noise originating from motor vehicle traffic on highways and major arterial roadways. Portions of the City, and the Project site, are subject to higher noise levels associated with motor vehicle and railways traffic along I-215, SR-74, and the San Jacinto Branch of the Burlington Northern and Santa Fe (BNSF) Railway. Project construction would result in temporary increases in ambient noise levels due to construction activities within the immediate vicinity of the Project site, however, pursuant to Menifee MC § 8.01.010, construction would be permitted only Monday through Saturday, except on nationally recognized holidays, from 6:30am to 7:00pm. Additionally, the impacts related to construction would be short term and would not persist following the conclusion of construction and would not result in significant impacts.

During construction, there would be short-term increases in ground-borne vibration levels attributable to the Project. The types of construction vibration impacts include human annoyance and building damage. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. No buildings exist within a 30-foot radius of the Project site. The nearest buildings to the site are over 500 feet away in any given direction. Therefore, construction of the Project is not anticipated to result in building damage.

In addition, these temporarily increased levels of vibration could impact sensitive land uses near to the Project site, such as residential communities to the north and southwest. Human annoyance is evaluated in vibration decibels (VdB) (the vibration velocity level in decibel scale) and occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Table 6-3 of the FTA Transit Noise and Vibration Impact Assessment Manual identifies 80 VdB as the threshold of annoyance for residential uses.

Refer to the table below for a list of typical construction equipment and the vibration generated by the. Pile driving would generate the largest amount of vibration for any construction that would potentially occur on-site; to provide a more conservative (higher) estimate for vibrational impacts it is assumed that pile driving would occur.

Table 6: Typical Construction Equipment Vibrational Velocity Levels

Equipment		PPV[1] at 25 ft, in/sec	Approximate L_v[2][3] at 25 ft
Pile Driver (impact)	Upper range	1.518	112
	Typical	0.644	104
Pile Driver (sonic)	Upper range	0.734	105
	Typical	0.17	93
Clam Shovel Drop (slurry wall)		0.202	94
Hydromill (slurry wall)	In soil	0.008	66
	In rock	0.017	75
Vibratory Roller		0.21	94
Hoe Ram		0.089	87
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Loaded Trucks		0.076	86
Jackhammer		0.035	79
Small Bulldozer		0.003	58

Source: FTA Transit Noise and Vibration Impact Assessment Manual; Table 7-4
1 – Peak Particle Velocity: The peak signal value of an oscillating vibration velocity waveform.
2 – L_v: Vibration velocity level
3 – RMS velocity in decibels, VdB re 1 micro-in/sec

For the purposes of noise and vibrational analysis, measurements to potential sensitive receptors are measured from the center of the Project site. This is due to construction activities not being constrained to a single location on the Project site but rather occurring across the entirety of the Project site. Measuring distances from the center of the Project site allows for an averaged value and even distribution of sources for noise and vibration impacts. The nearest residential land uses, occupied or vacant, are located approximately 1,700 feet to the southwest.

Utilizing the formula for vibrational attenuation, the vibrations felt at the sensitive receptors can be calculated.[27] Assuming pile driving would occur during construction, vibrational velocity felt at sensitive residential receptors 1,700 feet away would be approximately 57 VdB.[28] According to the FTA Transit Noise and Vibration Impact Assessment Manual, Section 5.5, the incidence of complaints falls rapidly with vibrational velocity levels decreasing below 72 VdB. Therefore, the calculated values of construction generated vibrational velocities felt at sensitive receptors would be below the threshold of 80 VdB where annoyance is most common. Impacts would be less than significant with regard to this topical area.

LONG-TERM OPERATIONS

There would be very few routine operations that would raise the ambient noise levels in the vicinity of the Project that would provide long-term impacts. Generally, on-site activities would be limited to transportation of employees to and from the Project site, and service vehicles maneuvering on-site for

[27] $L_{v,distance} = L_{v,25\,feet} - 30log_{10}\left(\frac{D}{25\,feet}\right), where\ D = distance\ to\ vibrational\ source\ in\ feet$

Source: FTA, Noise and Vibration Manual, 2006. Page 12-11.

Federal Transit Administration (FTA). 2018. *Transit Noise and Vibration Assessment Manual*. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed October 2022.

[28] $L_{v,1,700\,feet} = 112\ VdB - 30log_{10}\left(\frac{1,700\,feet}{25\,feet}\right) = 57\ VdB$

routine operation and maintenance of the BESS facility. The BESS equipment are not mechanical devices and would not be noise generators or sources of sound. Additionally, Project operations would not consist of activities that would produce excessive ground borne vibrations or ground-borne noise levels inconsistent with what is typical for the status quo and ambient noise sources within the City. As such, long-term operational impacts of the Project related to increasing of ambient noise levels and ground-borne vibrations would be less than significant.

Impact XIII.c) Less than Significant Impact. The following airports/airstrips are located nearest the project site:

- SCE San Jacinto Valley Service Center Heliport at 26100 Menifee Road, Romoland, CA 92585, approximately 0.8 mile east of the Project site.
- Perris Valley Airport at 2091 Goetz Road, Perris CA 92570 approximately 3 miles northwest of the Project site.

As previously discussed, the Project site is not within the Airport Influence Area Boundary or noise contours for Perris Valley Airport. The runway for March Air Reserve Base/Inland Port Airport is located approximately 9.7 miles northwest of the Project site. The Perris Valley Airport runway is located approximately 3.0 miles northwest of the Project site. As such, the Project site would not be exposed to excessive noise levels from airport operations

The Project site is not within 2.0 miles of any other public airport/public-use airport or in the vicinity of a private airstrip; therefore, the Project would not expose people residing or working in the vicinity of the Project to excessive airport/airstrip-related noise levels. As such, this impact would be less than significant.

Mitigation Measures: No mitigation is required.

XIV. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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)?	❒	❒	☒	❒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	❒	❒	❒	☒

Sources: Menifee GP; Menifee GP Draft EIR; Southern California Association of Governments (SCAG) Adopted 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal; and State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2020.*

Analysis of Project Effect and Determination of Significance:

Impact XIV.a) Less Than Significant Impact. As of January 1, 2020, the City's population is approximately 97,093 persons and the City's housing stock totaled 35,675 dwelling units (DU) with approximately 2.90 persons per household (PPH).[29] No land uses generating new homes or extension of roads and other infrastructure capable of inducing direct/indirect population growth in the City are proposed as part of the Project. The Project proposes the development of a BESS facility that would potentially generate employment for a very small number of people. The Project currently anticipates that no more than three (3) employees would be needed per 12-hour daytime shift and no more than two (2) employees per 12-hour nighttime shift, totaling five (5). Some variations in total employees on-site may occur over the life of the Project but would likely not exceed the number of employees that would have been on site for the previous uses such that there would be a net increase in employment as a result of Project implementation. Additionally, as previously discussed, the Project would be consistent with the City's GP Land Use Designation and zoning. Build out of the City's GP was analyzed within the City GP EIR and it was determined that implementation of the general plan would not induce population growth exceeding the then existing general plan projections.[30] As the Project would not require a significant number of employees and would be consistent with the City GP, impacts would be less than significant regarding this topical area.

Impact XIV.b) No Impact. There are no housing units or other structures on the Project site; therefore, the Project would not displace housing or people, or require construction of replacement housing elsewhere. No impact would occur in this regard and no mitigation is required.

Mitigation Measures: No mitigation is required.

[29] California Department of Finance. 2020. *E-5 Population and Housing Estimates for Cities, County, and the State, January 2011-2020, with 2010 Benchmark*. http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed October 2022.

[30] City of Menifee. 2013. *City of Menifee General Plan EIR; Page 34*. https://www.cityofmenifee.us/DocumentCenter/View/10782/Resolution-No-13-347-Certifying-FEIR-for-General-Plan-Adoption. Accessed October 2022.

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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) Fire protection?	❒	❒	☒	❒
b) Police protection?	❒	❒	☒	❒
c) Schools?	❒	❒	☒	❒
d) Parks?	❒	❒	☒	❒
e) Other public facilities?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee Union School District and Perris Union High School District websites; Menifee Police Department; Riverside County Fire Department; SB 50; Government Code § 65995(3)(h).

Applicable General Plan Policies:

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.

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.

Policy S-4.4: Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

Policy S-4.5: Coordinate with CalFire to ensure that Fire Hazard Severity Zone mapping is up to date.

Policy S-4.9: Ensure all new development and/or redevelopment within the SRA will comply with all provisions of Title 14, CCR, Division 1.5, Chapter 7, Subchapter 3, Article 3 (commencing with § 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and VHFHSZs.

Policy S-4.11: When feasible, the City will minimize all new residential, commercial, and industrial development in the VHFHSZ.

Policy S-4.18: The City shall evaluate all redevelopment as well as new development after a large fire event to ensure development will comply with the most current version of the California Building Codes and California Fire Code. The City and Fire Department will continue to coordinate with State, regional, and local agencies on emergency management and on fire risk reduction planning.

Goal OSC-1: **A comprehensive system of high-quality parks and recreation programs that meets the diverse needs of the community.**

Policy OSC-1.7: Ensure that parks and recreational facilities are well-maintained by the responsible agency.

Analysis of Project Effect and Determination of Significance:

Impacts XV.a) Less Than Significant Impact. The RVCFD provides fire protection and emergency medical response services for the City. RVCFD Station No. 7, is located at 38349 Bradley Road in Menifee California approximately 2.5 miles southwest of the Project site.

The Project would not have a significant impact on fire response times, as the Project site is within RVCFD's existing service area. Therefore, Project impacts concerning fire protection services would be less than significant and no mitigation is required. Additionally, the Project does not propose, and would not create a need for, new/physically altered fire protection facilities, thus, less than significant environmental impacts would occur in this regard. Finally, the Project will be constructed to meet the latest CBC requirements and the Project is subject to fire suppression development impact fees and other standards and conditions required by the City and County Fire. As such, a less than significant impact would occur.

Impacts XV.b) Less Than Significant Impact. Police protection services for the City and Project site would be provided by the Menifee Police Department (MPD). MPD is a new department, authorized by City council to be created in late 2018 and officially open to serve the public July 1st, 2020. The MPD operates out of its headquarters at 29714 Haun Road, Sun City, CA 92586 which is approximately 3.5 miles south of the Project site. As with fire protection services discussed above, the Project site is already within the service area of the MPD.

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 MPD would be provided the opportunity to review the Project's design to verify that all feasible crime prevention through environmental design (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, fees are required on new developments to pay for new facilities. Funding for the operation and maintenance of existing services comes from the City's General Fund, Measure DD funds, as well as County Service Area 86 monies. It is anticipated that the Project site would be adequately served by existing MPD facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the BESS Facility.

Additionally, the Project would not have a significant impact on police response times, because the Project site is within the Police's existing service area. Therefore, Project impacts concerning police protection services would be less than significant and no mitigation is required. Additionally, the Project does not propose, and would not create a need for, new/physically altered police protection facilities; thus, less than significant environmental impacts would occur in this regard.

Impacts XV.c) Less Than Significant Impact. The Project site is within the jurisdiction of the Menifee Union School District and Perris Union High School District. The Project would not nominally/incrementally increase demand for school facilities/services. However, the Project would be subject to payment of school impact fees in accordance with SB 50. Pursuant to Government Code § 65995(3)(h), "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…" Therefore, Project

impacts to schools would be less than significant and no mitigation is required. Additionally, the Project does not propose, and would not create a need for, new/physically altered school facilities; thus, less than environmental impacts would occur in this regard.

Impact XV. d - e) Less Than Significant Impact. The Project would not significantly bring new residents to the general area and the use of parks and other facilities has been accounted for in the General Plan. The proposed Project would not significantly increase the demand of such services and a less than significant impact would occur.

Mitigation Measures: No mitigation is required.

XVI. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	❒	❒	❒	☒
b) 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?	❒	❒	❒	☒

Sources: Menifee GP; Menifee GP Draft EIR; MMC.

Applicable General Plan Policies:

Goal OSC-1: A comprehensive system of high-quality parks and recreation programs that meets the diverse needs of the community.

Policy OSC-1.1: Provide parks and recreational programs to meet the varied needs of community residents, including children, youth, adults, seniors, and persons with disabilities, and make these facilities and services easily accessible and affordable to all users.

Policy OSC-1.2: Require a minimum of five acres of public open space to be provided for every 1,000 City residents.

Policy OCS-1.7: Ensure that parks and recreational facilities are well-maintained by the responsible agency.

Analysis of Project Effect and Determination of Significance:

Impact XVI.a-b) No Impact. The Project would not generate population such that their use of existing neighborhood and regional parks or other recreational facilities would result in substantial physical deterioration of a park facility or accelerate deterioration of said facility. As specified in the MMC, the City requires dedication of land for park or recreation facilities, or payment of fees in lieu thereof (or a combination of both), incidental to and as a condition of approval for a tentative or parcel map. The MMC specifies that dedication of land/Quimby Fees for park or recreational purposes shall be at the rate of 5.0 acres per 1,000 residents. According to § 7.75.090 of the MMC, commercial and industrial subdivisions are exempt from the provisions of MMC Chapter 7.75: Parkland Dedication and Fees. Therefore, no impact would occur, and no mitigation is required.

Mitigation Measures: No mitigation is required.

XVII. TRANSPORTATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	❒	❒	☒	❒
b) Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	❒	❒	☒	❒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	❒	❒	☒	❒
d) Result in inadequate emergency access?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Senate Bill 743; Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition for ITE Land Use 110 – General Light Industrial; Menifee GP, Exhibit C-5, Potential Transit Services; Menifee GP, Exhibit C-4, Proposed Bikeway and Community Pedestrian Network; City of Menifee Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT); WRCOG VMT Tool; PRC; *Trip Generation Memorandum for the Proposed Nova Power Battery Energy Storage System Facility Project in the City of Menifee, Kimley-Horn, October 4, 2022* (see **Appendix H**).

Applicable General Plan Policies:

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 development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.

Policy C-1.5: Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.

Goal C-2: **A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.**

Policy C-2.1: Require on- and off-street pathways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices.

Policy C-2.2: Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low-speed roadways for connectivity wherever it is safe to do so.

Policy C-2.3: Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Policy C-2.4: Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way and other potential options.

Goal C-3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Policy C-3.1: Maintain a proactive working partnership with transit providers to ensure that adequate public transit service is available.

Policy C-3.2: Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.

Policy C-3.3: Provide additional development-related incentives to projects that promote transit use.

Analysis of Project Effect and Determination of Significance:

Impact XVII.a) Less Than Significant Impact. While level of service (LOS) is no longer a criteria for evaluation of transportation impacts related to CEQA due to Senate Bill 743, it is still a part of the City's Traffic Impact Analysis Guidelines. Trip generation for the Project is based on the trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition for ITE Land Use 110 – General Light Industrial. It is estimated that the Project would generate approximately 16 daily trips with four (4) in the morning and evening peak hours. As the Project would only produce 4 peak trips in the morning and evening hours, it would not create a significant impact related to the LOS of adjacent roadways, including Antelope Road, however, due to SB 743, LOS is no longer a criterion for the determination of traffic impacts under CEQA. Furthermore, the Project would produce fewer than 110 daily vehicle trips and can be screened for VMT and would not require a VMT analysis. The Project would comply with all applicable City design requirements for roadways, sidewalks, driveways, and all other roadway related improvements.

According to the Menifee GP, Exhibit C-5, Potential Transit Services, there are no designated or future transit routes along roadways fronting the Project.[31] As such, transit facilities within the City would not be impacted as a direct result of construction or operations of the Project. According to the Menifee GP, Exhibit C-4, there are no designated bicycle or pedestrian routes along roadways fronting the Project.[32] As such, bicycle or pedestrian facilities within the City would not be impacted as a direct result of construction or operations of the Project. Overall, impacts would be less than significant, and no mitigation is required.

Impacts XVII.b) Less Than Significant Impact. The City of Menifee recently adopted new Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (June 2020) (City Guidelines), which documents the City's

[31] City of Menifee. 2013. *Menifee General Plan; Exhibit C-5, Potential Transit Services*. https://www.cityofmenifee.us/DocumentCenter/View/1022/C-5-Potential_Transit_HD0913?bidId=. Accessed October 2022.

[32] City of Menifee. 2013. *Menifee General Plan; Exhibit C-4, Proposed Bikeway and Community Pedestrian Network*. https://www.cityofmenifee.us/DocumentCenter/View/1021/C-4-Bikeways_HD0913?bidId=. Accessed October 2022.

VMT analysis methodology and approved impact thresholds.[33] The VMT analysis presented below has been developed based on the newly adopted City Guidelines. The analysis utilized the Western Riverside Council of Governments (WRCOG) VMT Screening Tool (Screening Tool). The Screening Tool allows users to input an assessor's parcel number (APN) to determine if a project's location meets one or more of the screening thresholds for land use projects identified in the City Guidelines.

Project Screening

The Technical Advisory and City Guidelines describe specific "screening thresholds" that can be used to identify when a proposed land use project is anticipated to result in a less than significant impact without conducting a more detailed project level VMT analysis. Screening thresholds are described in the following three steps:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening

Consistent with the Technical Advisory and City Guidelines, a land use project needs only to satisfy one of the above screening thresholds to result in a less than significant impact.

TPA Screening

Projects located within a TPA (i.e., within ½ mile of an existing "major transit stop"[34] or an existing stop along a "high-quality transit corridor"[35]) may be presumed to have a less than significant impact absent substantial evidence to the contrary.

However, the presumption may NOT be appropriate if a project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

The Project site is not located within ½ mile of an existing major transit stop, or along a high-quality transit corridor.

The TPA screening threshold is not met.

Low VMT Area Screening

The City Guidelines also states that, "residential and office projects located within a low VMT-generating area are presumed to have a less than significant impact absent substantial evidence to the contrary. In

[33] City of Menifee. 2020. *City of Menifee Traffic Impact Analysis Guidelines for Vehicle Miles Traveled*. https://www.cityofmenifee.us/DocumentCenter/View/10699/Final-Adopted-TIA-Guidelines-for-VMT_6-3-20. Accessed October 2022.

[34] Pub. Resources Code, § 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").

[35] Pub. Resources Code, § 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").

addition, other employment-related and mixed-use land use projects may qualify for the use of screening if there is a reasonable expectation that the project will generate VMT per service population that is similar to the existing land uses in the low VMT area."

Based on the Screening Tool results, the project is not located within a low VMT generating zone.[36] The Project would not be screened for this criterion.

The Low VMT Area screening threshold is not met.

Project Type Screening Threshold

The City Guidelines notes projects that generate less than 110 daily vehicle trips would cause a less than significant impact. As previously stated, the Project is anticipated to generate 16 daily vehicle trips and is within the 110 daily vehicle trip thresholds. As such, the Project would be screened from VMT analysis due to the Project type screen threshold.

The Small projects screening threshold is met.

Conclusion

Based on review of applicable VMT screening thresholds, the Project meets the Project Type Screening Threshold screening and would therefore be presumed to result in a less than significant VMT impact. The Project was not found to meet the TPA or Low VMT Area screening, however meeting the Project Type screening is sufficient to determine a less than significant impact; no additional VMT analysis is required.

Impact XVII.c) Less Than Significant Impact. The proposed Project does not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. The design features of the proposed Project would utilize existing driveways and improve adjacent roadways. The proposed on-site and off-site improvements include half-width plus travel lane improvements of roadways along the Project frontage, landscaping, and the undergrounding of overhead utilities. The anticipated on-site and off-site roadway improvements would be compatible with the surrounding industrial land uses. All on-site and site-adjacent improvements would be constructed as approved by the City of Menifee Public Works Department. Sight distance at Project access points would comply with applicable City of Menifee sight distance standards. Therefore, a less than significant impact would occur, and no mitigation is required.

Impact XVII.d) Less Than Significant Impact. Vehicular access to the site will be provided via two (2) access points on Antelope Road. Pedestrian access would be provided along Antelope Road and via internal driveways. The RCFD would review the Project for access requirements concerning minimum roadway width, fire apparatus access roads, fire lanes, signage, access devices and gates, and access walkways, among other requirements, which would enhance emergency access to the Project site. Following compliance with RCFD access requirements, adequate emergency access to the Project site would be provided. Project impacts concerning emergency access would be less than significant and no mitigation is required.

[36] Western Riverside Council of Governments. ND. *WRCOG VMT Tool*. https://fehrandpeers.maps.arcgis.com/apps/webappviewer/index.html?id=4e34ad3196464c8086c881189237b25c. Accessed October 2022.

XVIII. TRIBAL & CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Cultural Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k), or	❒	❒	☒	❒
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 § 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.	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; PRC.

Applicable General Plan Policies:

Goal OSC-5: Archaeological, historical, and cultural resources that are protected and integrated into the City's built environment.

Policy OSC-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 OSC-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.

Policy OSC-5.5: Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city.

Policy OSC-5.6: Develop strong government-to-government relationships and consultation protocols with the appropriate native American tribes with ancestral territories within the city in order to ensure better identification, protection and preservation of cultural resources, while also developing appropriate educational programs, with tribal participation, for Menifee residents.

Analysis of Project Effect and Determination of Significance:

Impact XVIII.a-b) Less Than Significant Impact. AB 52 specifies that a project that may cause a substantial adverse change to a defined Tribal Cultural Resource (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 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 requests from potentially interested Tribes, AB 52 Notices were sent to the following four (4) Tribes:

- Agua Caliente Band of Cahuilla Indians;
- Pechanga Band of Indians;
- Rincon Band of Luiseño Indians; and
- Soboba Band of Luiseño Indians.

As of the date of this Admin Draft IS/MND a letter was sent concluding consultation with the Agua Caliente Band of Cahuilla Indians on July 1, 2022 as they indicated to the City that they had no concerns regarding impacts to tribal and cultural resources as a result of Project implementation. On July 18, 2022, the City received an initial consultation letter from Juan Ochoa of the Pechanga Band of Indians. During a quarterly meeting between the City and the Pechanga Band of Indians on October 3, 2022 the Pechanga Band of Indians indicated that the City's standard conditions of approval were sufficient to address any potential impacts related to tribal cultural resources related to the implementation of the Project. During a quarterly meeting between the City and the Soboba Band of Luiseño Indians on January 26, 2023 the Soboba Band of Luiseño Indians indicated that the City's standard conditions of approval were sufficient to address any potential impacts related to tribal cultural resources related to the implementation of the Project.

Based on consultation with local tribes, Standard Conditions of Approval COA-CUL-1 through COA-CUL-8 would ensure that any impacts to potential tribal cultural resources would be less than significant.

Mitigation Measures:
Overall, the Project would not cause a substantial adverse change to a tribal cultural resource and a less than significant impact would occur in this regard with implementation of COA-CUL-1 through COA-CUL-8 as identified in **Section V**, above.

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	❒	❒	☒	❒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	❒	❒	☒	❒
c) 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?	❒	❒	☒	❒
d) 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?	❒	❒	☒	❒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; MCC; Metropolitan Water District of Southern California (MWD); Waste Management, Inc.; CalRecycle; EMWD 2020 UWMP.

Applicable General Plan Policies:

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-3.1: Work with utility providers in the planning, designing, and siting of distribution and support facilities to comply with the standards of the General Plan and Development Code.

Policy LU-3.2: Work with utility providers to increase service capacity as demand increases.

Policy LU-3.3: Coordinate public infrastructure improvements through the City's Capital Improvement Program.

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.

Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.

Policy OSC-7.2: Encourage water conservation as a means of preserving water resources.

Policy OSC-7.4: Encourage the use of reclaimed water for the irrigation of parks, golf courses, public landscaped areas, and other feasible applications as service becomes available from the Eastern Municipal Water District.

Policy OSC-7.5: Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.

Policy OSC-7.7: Maintain and improve existing level of sewer service by improving infrastructure and repairing existing deficiencies.

Analysis of Project Effect and Determination of Significance:

Impact XIX.a) Less Than Significant Impact. The Project proposes the redevelopment of the IEEC generation plant with a BESS Facility. Existing utility infrastructure would remain in place and continue to service the Project site. Further, the Project would represent a less intensive use for utility service systems within the City as the Project proposes the demolition of an existing building which would reduce demand for water, wastewater treatment, natural gas, and telecommunications infrastructure. The IEEC generation plant would have been subject to CEQA prior to approval and construction, at which time its impacts on utility service systems in the City would have been analyzed. Additionally, the Menifee GP EIR analyzed the build out of the general plan and analyzed the ability for utility service providers to continue to serve the City over the next several years. The Menifee GP EIR determined that the utility providers within the City would have enough capacity to serve the City throughout the life of the General Plan. As such, the redevelopment of the IEEC generation plant with a BESS facility, a generally less intense use than the previous use on-site, would not increase demands in such a way that would require the expansion, construction, or relocation of existing utility service facilities.

Additionally, the Project would utilize the existing electrical infrastructure on-site, such as the transmission lines and switchyard, which would connect to the SCE network and substations. While the Project would install new high-voltage transformers. To accommodate the new transformers, modifications would be made to the existing switchyard infrastructure. These transformers and modifications would be constructed as part of the Project and would not be as a consequence of Project implementation. Further, IEEC would work closely with SoCalGas to ensure a safe and coordinated disconnect of the Project from its natural gas supply system. The natural gas service would be terminated and the isolation valves at the meter station would be closed and locked. Additionally, the underground natural gas pipeline from the meter station to the Project would be purged, air-gapped, capped and abandoned in place.

The Project would construct internal driveways which would increase the impervious surface area of the Project site. Additionally, the battery systems utilized within the BESS facility would be situated on top of concrete pads or other suitable foundation structures. The remaining gravel area would allow for the infiltration of storm water into the substrate. The Project would be required to match or improve the stormwater conditions of the previous land use and would be required to provide a stormwater system capable of meeting the 100-year storm event demands. Stormwater would sheet flow or be intercepted by on-site infrastructure and retained on-site in existing stormwater retention basins on the southwest and southeast corners of the Project site, until discharged to the existing storm channel south of the Project site.

As previously mentioned, the Project would provide half-width improvements to a portion of Antelope Road and San Jacinto Road along the Project frontage and extending to the respective intersections with McLaughlin Road. The undergrounding of overhead utilities would be included in these improvements. All on-site and site-adjacent improvements would be constructed as approved by the City of Menifee Public

Works Department. Storm water infrastructure would be constructed within the City's public right-of-way per City standards, however regional infrastructure expansion would not be warranted. As such, Project impacts related to the relocation or construction of new or expanded facilities would be less than significant.

Impact XIX.b) Less Than Significant Impact. The Eastern Municipal Water District (EMWD) provides water service to the City of Menifee. EMWD has three sources of water supply: imported water from the Metropolitan Water District of Southern California (MWD), local groundwater, and recycled water. Approximately 75 percent of EMWD's potable water demand is supplied by imported water from MWD through its Colorado River Aqueduct and connections to the State Water Project. EMWD forecasts that it would provide water for future growth in its service area through imported water from MWD. EMWD procures water from MWD that has been treated at MWD's Skinner Filtration Plant in Winchester and Mills Filtration Plant in Riverside. In 2010 EMWD obtained 75,000 acre-feet (af) of MWD water treated at MWD filtration plants before delivery, and 16,600 af of raw MWD water treated at EMWD water filtration plants. EMWD has two water filtration plants, one in Hemet and one in San Jacinto, with total existing capacity of 32 million gpd or approximately 35,840 acre-feet per year (afy). Approximately 25 percent of EMWD's potable water demand is supplied by EMWD groundwater wells in the San Jacinto Groundwater Basin. EMWD's estimated production of potable groundwater in 2010 was 18,800 af. EMWD's production of desalinated groundwater in 2010 was 5,800 af. EMWD's recycled water production in 2010 was 41,500 af. EMWD's territory is divided into four subareas. The City of Menifee is in two service areas: the City is mainly in Sub-Area 41, but the southeast corner is in Sub-Area 43. Potable water sources for Sub-Area 41 are 1) Imported MWD water treated at MWD's Mills Filtration Plant in the City of Riverside, 2) Imported MWD water treated at EMWD's Perris Water Filtration Plant, 3) Local potable groundwater, and 4) Local groundwater treated at EMWD's Menifee Desalter.[37]

The EMWD would supply water to the Project site. EMWD's 2020 UWMP Tables 7-3 through 7-8 indicate water supplies would meet water demands for normal, single-dry, and multiple dry-year conditions through 2040.[38] According to the Menifee GP EIR, the projected net increase in water demands by General Plan buildout – approximately 15 mgd, or 16,800 afy - is within EMWD forecasts of increases in its water supplies over the 2025-2045 period. EMWD forecasts that its total water supplies would increase by 41,170 afy over that period. UWMP water demand forecasts are based on adopted General Plans.[39] The Project would not change the site's land use designation and is consistent with the assumptions of the General Plan buildout, thus, would not increase water demands associated with the Project site beyond what the UWMP assumed/planned. Thus, EMWD would have adequate water supplies from existing entitlements. Project impacts concerning water demand would be less than significant and no mitigation is required. Further, EMWD provides conservation programs along with incentives to conserve water in the City. Although the EMWD service area population is expected to increase, the overall baseline potable demand in acre-feet per year (AFY) is expected to decrease due to further water use efficiency and recycled water programs.

There are adequate forecast water supplies in the region for the Project, and no additional water supplies would be needed. Less than significant impacts would occur in this regard.

Impact XIX.c) Less Than Significant Impact. Concerning wastewater facilities, as discussed in the preceding response, wastewater generated at the Project site would be treated at the Perris Valley RWRF. The Project is estimated to have a wastewater generation of approximately 68 gpd.[40] This generation is

[37] City of Menifee. 2013. *Menifee General Plan Draft EIR, Utilities and Service Systems.* https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=. Accessed October 2022.

[38] EMWD. 2021. *Eastern Municipal Water District 2020 Urban Water Management Plan*. https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721. Accessed October 2022.

[39] City of Menifee. 2013. *Menifee General Plan Draft EIR, Utilities and Service Systems.* https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=. Accessed October 2022.

[40] Based on sewage generation factor 13.6 gallons per capita per day; the Project anticipates a maximum of five (5) employees. City of Menifee. 2013. *City of Menifee General Plan Draft EIR; Table 5.17-2*. https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=. Accessed October 2022.

well within the existing remaining Perris Valley RWRF's treatment capacity. Impacts would be less than significant.

Impact XIX.d-e) Less Than Significant Impact. Significant impacts could occur if the proposed Project would exceed the existing permitted landfill capacity or violate federal, state, and local statutes and regulations. Solid waste from Menifee is collected by Waste Management, Inc. (WMI).

The proposed Project's additional solid waste stream would have a less than significant impact on regional landfill capacity. The City of Menifee utilizes three landfills: Badlands Sanitary Landfill, El Sobrante Landfill, and Lamb Canyon Sanitary Landfill. Badlands Sanitary Landfill has a maximum daily capacity of 4,800 tons per day and a maximum capacity of 34,400,000 cubic yards. The remaining capacity is 7,800,000 cubic yards and it is scheduled to cease operation in January 2026.[41] El Sobrante Sanitary Landfill has a maximum daily capacity of 16,054 tons per day and a maximum capacity of 209,910,000 tons. The remaining capacity is 143,977,170 tons and it is scheduled to cease operation in January 2051.[42] Lamb Canyon Sanitary Landfill has a maximum daily capacity of 5,000 tons per day and a maximum capacity of 38,935,653 cubic yards. The remaining capacity is 19,242,950 cubic yards and it is scheduled to cease operation in April 2032.[43]

Based on CalRecyle solid waste generation data (8.93 lbs/employee/day for industrial uses)[44], the proposed Project would generate approximately 8.14 tons of solid waste per year. There is adequate landfill capacity in the region to accommodate Project-generated waste. Considering the availability of landfill capacity and the Project's relatively nominal amount of solid waste generation, Project solid waste disposal needs can be adequately met without a significant impact on the nearest and optional, more distant, landfill capacities. Therefore, it is not expected that the proposed Project would impact the City's compliance with state-mandated (AB 939) waste diversion requirements. Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

[41] CalRecycle. 2019. *Badlands Sanitary Landfill (33-AA-0006).* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367. Accessed October 2022.

[42] CalRecycle. 2019. *El Sobrante Landfill (33-AA-0217).* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402. Accessed October 2022.

[43] CalRecycle. 2019. *Lamb Canyon Sanitary Landfill (33-AA-0007).* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2246?siteID=2368. Accessed October 2022.

[44] CalRecycle. 2019. *Estimated Solid Waste Generation Rates*. https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates. Accessed October 2022.

XX. WILDFIRE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	❒	❒	☒	❒
b) 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 wildfire?	❒	❒	☒	❒
c) 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 the environment?	❒	❒	☒	❒
d) 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?	❒	❒	☒	❒

Sources: Menifee GP; Menifee GP Draft EIR; Menifee GP, Exhibit S-3 Liquefaction and Landslides Map, Exhibit S-6, High Fire Hazard Areas, Exhibit S-7, Critical Facilities; CAL FIRE very high hazard severity zone (VHFHSZ) or Fire Hazard Severity Zone (FHSZ) Viewer.

Applicable General Plan Policies:

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.

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-4.5: Coordinate with CalFire to ensure that Fire Hazard Severity Zone mapping is up to date.

Policy S-4.6: Coordinate with Eastern Municipal Water District to ensure adequate water availability for fire suppression.

Policy S-4.9: Ensure all new development and/or redevelopment within the SRA will comply with all provisions of Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with § 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRA's and VHFHSZs.

Policy S-4.11: When feasible, the City will minimize all new residential, commercial, and industrial development in the VHFHSZ.

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.

Policy S-4.18: The City shall evaluate all redevelopment as well as new development after a large fire event to ensure development will comply with the most current version of the California Building Codes and California Fire Code. The City and Fire Department will continue to coordinate with State, regional, and local agencies on emergency management and on fire risk reduction planning.

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-5.2: Ensure that the fire department can continue to respond safely and effectively to a hazardous materials incident in the City, whether it is a spill at a permitted facility, or the result of an accident along a section of the freeway or railroads that extend across the City.

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.

Policy S-5.6: Require all new industrial development projects and significant rehabilitation or expansion projects to reduce industrial truck idling by enforcing California's five (5) minute maximum law, requiring warehouse and distribution facilities to provide adequate on-site truck parking, and requiring refrigerated warehouses to provide generators for refrigerated trucks. Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools.

Goal S-6: A City that responds and recovers in an effective and timely manner from natural disasters such as flooding, fire, and earthquakes, and as a result is not impacted by civil unrest that may occur following a natural disaster.

Policy S-6.1: Continuously review, update, and implement emergency preparedness, response, and recovery plans that make the best use of the City- and county-specific emergency management resources available.

Analysis of Project Effect and Determination of Significance:
Impacts XX.a – XX b) Less Than Significant Impact. See **Response IX.g.**

Impact XX.c) Less Than Significant Impact. The Project includes standard infrastructure, including roadways, utilities, and fire suppression systems. All of this infrastructure is designed to reduce the risk of fire. Following compliance with the established local and state regulatory framework discussed above, the Project would not expose people or structures to a significant risk involving wildland fires and impacts would be less than significant in this regard.

Impact XX.d) Less Than Significant Impact. Refer to Impact VII.a.ii-iv, and VII.c-d. The Project site has been graded to accommodate the IEEC generation plant and is relatively flat. However, finish grading

would occur as part of construction of the Project, it is not anticipated that finish grading would substantially alter the characteristics of the Project site with respect to surface elevations and sloping. As shown on the Exhibit S-3, Liquefaction and Landslides, the Project is not located in a landslide prone zone or in an unstable soil area. As such, the potential for slope failure and landslides in the event of a fire would be negligible. Following site grading, major slopes and retaining walls are not expected. As such, risks associated with slope instability are considered "low." Therefore, impacts would be less than significant in this regard.

Mitigation Measures: No mitigation is required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	❒	❒	☒	❒

Findings of Fact: Less Than Significant Impact. As discussed throughout the analyses contained in this Initial Study, the Project does not have the potential to degrade the quality of the environment or result in significant impacts to the environment that cannot be reduced to less than significant following compliance with the established regulatory framework (i.e., local, state, and federal regulations), Project conditions of approval, and the recommended mitigation measures.

As concluded in Section IV, the Project would not reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal following compliance with the recommended mitigation measures. As concluded in Section V, the Project would not eliminate important examples of the major periods of California history or prehistory.

The City hereby finds that impacts concerning degradation of the environment and biological and cultural resources would be less than significant with COAs incorporated.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	❒	☒	❒	❒

Findings of Fact: Less Than Significant Impact with Mitigation Incorporated. The proposed Project would result in significant impacts unless mitigated for the following environmental issues: hazards and hazardous materials. A Mitigation Program has been prepared for this environmental issue areas to reduce impacts to less than significant. City standard conditions of approval would also be imposed upon the Project, as appropriate. Other development projects within the City would also be subject to these requirements, as appropriate.

All other project impacts were determined either to have no impact or to be less than significant following compliance with the established regulatory framework, without the need for mitigation. Cumulatively, the proposed Project would not result in any significant impacts that would substantially combine with impacts of other current or probable future impacts. Therefore, the Project, in conjunction with other future projects, would not result in any cumulatively considerable impacts and no mitigation is required.

Therefore, the City hereby finds that the Project's contribution to cumulative impacts would be less than significant with mitigation incorporated.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	❒	❒	☒	❒

Findings of Fact: Less Than Significant Impact. Based on the analysis of the Project's impacts in the responses to items I thru XVII above, there is no indication that the Project would result in substantial adverse effects on human beings. While there would be a variety of temporary adverse construction-related effects (e.g., air quality and noise), these would be less than significant. Long-term effects include increased vehicular traffic and traffic-related noise. The analysis herein concludes that direct and indirect environmental effects would be less than significant. Generally, the Project's environmental effects would be less than significant. Based on the analysis in this Initial Study, the City finds that direct and indirect impacts to human beings would be less than significant with mitigation incorporated.

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XXIII. APPENDICES

Appendix A – Air Quality Impacts

Appendix B – Biological Resources Assessment/MSHCP Compliance Analysis

Appendix C – Cultural Resources Assessment

Appendix D – Geotechnical Engineering Report

Appendix E1 – Phase I Environmental Site Assessment

Appendix E2 – Phase II – Soil Investigation

Appendix F – Project Specific Water Quality Management Plan

Appendix G – Hydrologic Analysis for Proposed Post-Development Site Condition

Appendix H – Trip Generation Memorandum