



AUG 20 2024

**CITY OF MENIFEE
APPEAL APPLICATION**

Decision to be appealed: TPM 38139 / PLN 22-0041 / PLN 21-037C

APPELLANT/REPRESENTATIVE Golden State Environmental Justice Alliance

PHONE NO. (951) 279-4697 LAST N/A FIRST MI.
FAX NO. E-MAIL executivedirector@goldenstateej.com

ADDRESS 765 N. Maint St. #151 Corona CA 92880
STREET CITY STATE ZIP

PROPERTY OWNER
(if different) LAST FIRST MI.

PHONE NO. FAX NO. E-MAIL

ADDRESS
STREET CITY STATE ZIP

Name of Project, APN/Address: CADO Menifee Warehouse Industrial Project - APN: 33-190-002 through -005 and 33-190-010 through 013

Appealing the decision of (Specify Community Development Director, Building and Safety Director City
Manager, Planning Commission): Planning Commission

Action and Date: Certification of the EIR for the CADO Menifee Industrial Warehouse Project - 8/14/2024

Explain specify what action or decision is being appealed: See attached Appeal Letter

Do you have additional evidence not already presented? Yes X No. If Yes, please attach.

What result do you want Planning Commission decision reversed and a new EIR recirculated for public review

Applicant's Signature Joe Bourgeois Date: 8/19/2024

Owner Certification: I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this appeal application. I am authorizing and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Menifee, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's Signature: Date:

Print Name:

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

No application will be accepted until is complete and the fee paid.

Once complete, you will receive confirmation and a hearing date as well as additional appeal information. For questions, please contact the City Clerk at (951) 672-6777.



Green Jobs & Clean Communities

August 16, 2024

Menifee City Council
City of Menifee
29844 Haun Rd.
Menifee, CA 92586

Subject: Appeal to the Menifee City Council regarding a decision of the Menifee Planning Commission, during the Planning Commission Meeting of August 14, 2024. Specifically, the Certification of the Environmental Impact Report for Tentative Parcel Map 38139 / PLN 22-0041 / PLN 21-0370

Project Name: CADO Menifee Industrial Warehouse Project - SCH# 2022040622

Appellant: Golden State Environmental Justice Alliance

PURPOSE OF APPEAL

This appeal seeks to reverse the entire decision of the Menifee City Planning Commission issued on August 14, 2024, approving the CADO Menifee Industrial Warehouse Project.

REASONS FOR APPEAL AND DENIAL OF PROJECT

Golden State Environmental Justice Alliance ("Appellant") presented multiple arguments in our comment letter dated April 26, 2024, addressing the flaws of the EIR (see attached). Additionally, comments sent to the Planning Commission on August 11, 2024, addressed the Commission's duty to adequately address the environmental, social, and economic justice burden placed on the City of Menifee residents. The Planning Commission should have requested a new EIR be prepared for this project, due to the deficiencies of the EIR and continued health, air quality, ozone and pollution impacts the citizenry of Menifee will suffer based on our comment letters dated April 26, 2024, and August 11, 2024.



Green Jobs & Clean Communities

Grievances

The Planning Commission erred on August 14, 2024, in approving the project by determining the project would not result in further impacts on an already pollution-burdened citizenry. With the Commission's decision to approve the project, GSEJA believes the Commission did not fulfill its duty to adequately investigate nor mitigate the project. Further, under CEQA, the city must "Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise."

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Furthermore, this appeal also addresses the inadequacy of the Planning Commissions understanding of the California Environmental Quality Act's purpose in properly applying the law and its intent as defined below by the California Legislature in passing CEQA.

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The importance of a healthy environment for all of California's residents is reflected in CEQA's purpose. In passing CEQA, the Legislature determined:

CEQA's Purposes

- "The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern." (Pub. Res. Code, § 21000, subd. (a).)
- We must "identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds from being reached." (Id. at subd. (d).)
- "[M]ajor consideration [must be] given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian." (Id. at subd. (g).)
- We must "[t]ake all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise." (Pub. Res. Code, § 21001, subd. (b).)

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Cities, counties, and other local governmental entities have an important role to play in ensuring environmental justice for all of California's residents. Under state law: "[E]nvironmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

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Green Jobs & Clean Communities

(Gov. Code, § 65040.12, subd. (e).) Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects.

GSEJA provided in our comments dated August 11, 2024, some of the Cal Enviro Screening Information below depicting the severity of the level of pollution and health hazards the City of Menifee and its citizens are already experiencing. The overall percentiles of the pollution exposures below and its subsequent health impacts should have been enough data to reconsider the approval of the project and request a new EIR with enhanced mitigation measures.

Menifee - CADO Industrial Warehouse Project

Census Tract: 6065042731

Population: 8,161

Exposures	%
Ozone	91%
Traffic	74%
Pesticides	70%
Drinking Water	67%
Particulate Matter 2.5	51%
Sensitive Populations	%
Cardiovascular Disease	78%
Low Birth Weight	53%
Asthma	49%
Socioeconomic Factors	%
Education	79%
Unemployment	73%
Poverty	47%
Overall Percentiles	%
Population Characteristics Percentile	56%
CalEnviroScreen 4.0 Percentile	55%
Pollution Burden Percentile	45%
Environmental Effects	%
Hazardous Waste	50%

Cont.
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Green Jobs & Clean Communities

Conclusion

Due to the above-mentioned reasons as well as the reasons listed in the original comment letter to the EIR and subsequent letter to the Planning Commission, GSEJA believes the EIR is flawed and a new EIR must be prepared for the proposed project and circulated for public review. GSEJA requests the City of Menifee City Council reverse the decision of the Planning Commission's approval of the project and require a new EIR.

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Sincerely,

Joe Bourgeois
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Rich Golding
Corporate Secretary
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April 26, 2024

Ryan Fowler, Principal Planner
City of Menifee
29844 Haun Road
Menifee, CA 92586

VIA EMAIL TO:
rfowler@cityofmenifee.us

SUBJECT: COMMENTS ON CADO MENIFEE INDUSTRIAL PROJECT EIR (SCH NO. 2022040622)

Dear Mr. Fowler,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed CADO Menifee Industrial Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1.0 Summary

The project proposes the construction and operation of one 700,037 square foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre site. The building is constructed as a cross-dock fulfillment center with 49 truck/trailer loading docks on the north side and 49 on the south side of the building, for a total of 98 loading docks. The project site provides 499 passenger car parking spaces and 245 truck/trailer parking spaces.

2.0 Project Description

The EIR does not include a floor plan, detailed elevations, or a conceptual grading plan. The basic components of a Planning Application include a detailed site plan, floor plan, conceptual grading plan, written narrative, and detailed elevations. Additionally, the EIR nor any figures within it include information about the required cut and/or fill material during the grading phase. Providing

the grading plan and earthwork quantity notes is vital as it is necessary to calculate the truck hauling trips due to soil import/export during the grading phase of construction. Additionally, Exhibit 2-6: Conceptual Elevations does not include the building height or any relevant information for review. A revised EIR must be prepared to include wholly accurate and adequate floor plan, grading plan, elevations and project narrative for public review.

4.2 Air Quality, 4.5 Energy, and 4.7 Greenhouse Gas Emissions

Please refer to attachments from SWAPE for a complete technical commentary and analysis.

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0¹, CalEPA's screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project's census tract (6065042731) ranks significantly worse in several environmental factors compared to the rest of the state overall. The proposed project's census tract (6065042731) and surrounding community, including residences to the south and north, bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicators measured by CalEnviroScreen. For example, the project census tract ranks in the 91st percentile for ozone burden, the 51st percentile for particulate matter (PM) 2.5 burden, and the 74th percentile for traffic impacts. All of these environmental factors are typically attributed to heavy truck activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at low levels of exposure².

The census tract also ranks in the 67th percentile for drinking water, which indicates that it ranks with the worst quality drinking water in the state. Poor communities are exposed to contaminants in their drinking water more often than people in other parts of the state³.

Further, the census tract is a diverse community including 60% Hispanic, 6% African-American, and 2% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 79% of the census tract residents over age 25 has not attained a high school diploma. The community also has a high rate of poverty, meaning 47% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford

¹ CalEnviroScreen 4.0 <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

² OEHHA Ozone <https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone>

³ OEHHA Drinking Water <https://oehha.ca.gov/calenviroscreen/drinking-water>

healthy living and working conditions, nutritious food and necessary medical care⁴. Poor communities are often located in areas with high levels of pollution⁵. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution⁶. Living in poverty is also an indication that residents may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 78th percentile for incidence of cardiovascular disease and 49th percentile for incidence of asthma.

Additionally, the census tract adjacent to the project site (6065042901 (north)) is identified as an SB 535 Disadvantaged Community⁷. This indicates that cumulative impacts of development and environmental impacts in the immediate vicinity are disproportionately impacting this community. The negative environmental, health, and quality of life impacts resulting from a saturation of the warehousing and logistics industry in the community have become distinctly inequitable. A revised EIR must be prepared to include the specific analysis of each environmental impact on the Disadvantaged Community, including cumulative analysis and irreversible environmental effects.

The State of California lists three approved compliance modeling softwares⁸ for non-residential buildings: CBECC-Com, EnergyPro, and IES VE. CalEEMod is not listed as an approved software. The CalEEMod modeling does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using one of the approved software types must be prepared and circulated for public review in order to adequately analyze the project's significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not an approved software.

4.10 Land Use and Planning

Table 4.10-3: Project Compatibility with SCAG Connect SoCal Strategies finds that the project is consistent with the goals of Connect SoCal, resulting in less than significant impacts. In finding consistency with SCAG's goals, the EIR does not provide any meaningful evidence to support this conclusion, in violation of CEQA's requirements for meaningful disclosure. For example, the EIR

⁴ OEHHA Poverty <https://oehha.ca.gov/calenviroscreen/indicator/poverty>

⁵ Ibid.

⁶ Ibid.

⁷ OEHHA SB 535 Census Tracts <https://oehha.ca.gov/calenviroscreen/sb535>

⁸ California Energy Commission 2022 Energy Code Compliance Software
<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>

concludes the project is consistent with Goal 5 to reduce greenhouse gas emissions because, “The Project is located within an urban area in proximity to existing truck routes and freeways. Location of the Project is within a developed area and would reduce trip lengths. This would reduce GHG and air quality emissions,” which is directly in contrast with the EIR’s determination that the project will result in significant and unavoidable GHG emissions impacts. Due to errors in modeling and modeling without supporting evidence, as noted throughout this comment letter and attachments, and the EIR’s determination that the project will have significant and unavoidable impacts to Greenhouse Gas Emissions, the proposed project is directly inconsistent with Goal 5 to reduce greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. The EIR must be revised to include finding of significance due to inconsistency with the RTP/SCS.

The EIR does not provide a consistency analysis with all land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Further, Table 4.10-4: Consistency with the City’s General Plan includes consistency analysis that is erroneous and misleading to the public and decision makers. The project has significant potential to conflict with many of these items due to its significant and unavoidable impacts to Greenhouse Gas Emissions. The EIR is inadequate as an informational document and a revised EIR must be prepared with a consistency analysis with all General Plan policies, including but not limited to the following:

1. Goal S-7: A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.
2. Policy S-7.1: Continue to require environmental analysis for proposed projects which may produce harmful levels of greenhouse gas.
3. Policy EJ-3.6: Continue to collaborate with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), utility providers, Southern California Association of Governments (SCAG), Western Riverside Council of Governments (WRCOG) and nonprofit organizations, neighborhoods groups, and other community organizations to improve air quality, food availability, renewable energy systems, sustainable land use and reduce greenhouse gas emissions (GHGs).
4. 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.

Additionally, the EIR concludes that the project is consistent with “Policy C-5.3: Support efforts to reduce/eliminate the negative environmental impacts of goods movement” because “Where feasible, mitigation measures are implemented to reduce potentially significant unavoidable

impacts to less than significant levels,” and provides a reference to reincorporate each chapter of analysis in the EIR. This is erroneous and misleading to the public and decision makers because it omits the fact that the project will have significant and unavoidable impacts to Greenhouse Gas Emissions. The EIR must be revised to include information regarding the project’s significant and unavoidable impacts to Greenhouse Gas Emissions for analysis in this section and a finding of significance due to the project’s inconsistency with this policy.

Appendix K: Traffic Study concludes the following intersections will operate at deficient levels:

1. #9 - Wheat Street at Ethanac Road
2. #10 - Byers Road at Ethanac Road
3. #11 - Murrieta Road at Ethanac Road
4. #12 - Evans Road at Ethanac Road
5. #14 - I-215 SB Ramps at Ethanac Road
6. #15 - I-215 NB Ramps at Ethanac Road
7. #16 - Trumble Road at Ethanac Road
8. #17 - Sherman Road at Ethanac Road
9. #19 - Murrieta Rd at McLaughlin Road
10. #20 - Murrieta Road at Rouse Road
11. #21 - Murrieta Road at Chambers Avenue
12. #25 - I-215 SB Ramps at McCall Boulevard
13. #26 - I-215 NB Ramps at McCall Boulevard

Appendix K provides a list of improvements that will allegedly mitigate significant and unavoidable impacts to the intersections to less than significant levels. It must be noted that many of the deficient roadways and intersections are either completely or partially under control by other agencies/jurisdictions. For example, the north side of Ethanac Road from Goetz Road to Sherman Road is under the jurisdiction of Perris, meaning that intersections #9 - #12 and #16- #17 are not wholly controlled by the lead agency. Further, intersections #14, #15, #25, and #26 are Caltrans facilities. Any improvements planned/constructed or in-lieu fees/fair share fees paid for Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099,1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements required are not part of an existing DIF/TUMF program for the applicable agency and therefore are not planned to occur at all or by any certain date, whether by

Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided. A revised EIR must be prepared to include the LOS analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold A and Land Use and Planning Impact Threshold B because it is not consistent with the following General Plan Policy:

1. 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.

The EIR does not meaningfully discuss or analyze the project's compliance with the General Plan's Land Use Buildout Scenario. Exhibit LU-4 Land Use Buildout Summary within the General Plan Land Use Element⁹ projected a 0.40 FAR within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The EIR does not provide any information or analysis on the buildout conditions of the General Plan. The proposed project has a FAR of 0.43, which is greater than the assumption of the tiered environmental analysis. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. A revised EIR must be prepared to include this analysis.

4.13 Transportation and Traffic

Appendix K: Traffic Study concludes the following intersections will operate at deficient levels:

1. #9 - Wheat Street at Ethanac Road
2. #10 - Byers Road at Ethanac Road
3. #11 - Murrieta Road at Ethanac Road
4. #12 - Evans Road at Ethanac Road
5. #14 - I-215 SB Ramps at Ethanac Road
6. #15 - I-215 NB Ramps at Ethanac Road
7. #16 - Trumble Road at Ethanac Road
8. #17 - Sherman Road at Ethanac Road
9. #19 - Murrieta Rd at McLaughlin Road
10. #20 - Murrieta Road at Rouse Road
11. #21 - Murrieta Road at Chambers Avenue
12. #25 - I-215 SB Ramps at McCall Boulevard

⁹ Menifee General Plan Land Use Element

https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322

13. #26 - I-215 NB Ramps at McCall Boulevard

Appendix K provides a list of improvements that will allegedly mitigate significant and unavoidable impacts to the intersections to less than significant levels. It must be noted that many of the deficient roadways and intersections are either completely or partially under control by other agencies/jurisdictions. For example, the north side of Ethanac Road from Goetz Road to Sherman Road is under the jurisdiction of Perris, meaning that intersections #9 - #12 and #16- #17 are not wholly controlled by the lead agency. Further, intersections #14, #15, #25, and #26 are Caltrans facilities. Any improvements planned/constructed or in-lieu fees/fair share fees paid for Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099,1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements required are not part of an existing DIF/TUMF program for the applicable agency and therefore are not planned to occur at all or by any certain date, whether by Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided. A revised EIR must be prepared to include the LOS analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold A and Land Use and Planning Impact Threshold B because it is not consistent with the following General Plan Policy:

1. 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.

Further, the EIR has underreported the quantity VMT generated by the proposed project operations. The operational nature of industrial/warehouse uses involves high rates of truck/trailer/delivery van VMT due to traveling from large import hubs to regional distribution centers to smaller industrial parks and then to their final delivery destinations. Once employees arrive at work at the proposed project, they will conduct their jobs by driving delivery vans across the region as part of the daily operations as a fulfillment center, which will drastically increase project-generated VMT. The project's truck/trailer and delivery van activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. The project's total operational VMT generated is not consistent with the significance threshold and legislative intent of SB 743 to reduce greenhouse

gas emissions by reducing VMT. A revised EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer and delivery van activity.

The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. There are no exhibits adequately depicting the available maneuvering and queueing space for trucks/trailers at the intersection of the project driveways and the adjacent streets. There are also no exhibits adequately depicting the onsite turning radius available for trucks maneuvering throughout the site. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. A revised EIR must be prepared to include truck turning templates overlaid on the Site Plan for review, analysis, and comment by the public and decision makers in order to provide an adequate and accurate environmental analysis.

Additionally, the EIR has not provided any analysis of the available horizontal and vertical sight distance at the intersection of the project driveways and adjacent streets. Sight distance is the continuous length of street ahead visible to the driver. At unsignalized intersections, corner sight distance must provide a substantially clear line of sight between the driver of the vehicle waiting on the minor road (driveway) and the driver of an approaching vehicle. A revised EIR must be prepared with this analysis based on the American Association of State Highway and Transportation Officials (AASHTO) Stopping Sight Distance requirements.

5.3 Growth Inducing Impacts

The EIR has not provided an adequate or accurate cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. SCAG's Connect SoCal Demographics and Growth Forecast¹⁰ notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR's calculation of 860 employees, the project represents 5.5% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will

¹⁰ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

exceed SCAG's employment growth forecast for the City. For example, other recent industrial projects¹¹ such as Menifee Commerce Center (2,885 employees), Menifee Commerce Center Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105 employees), Motte Business Center (1,964 employees), and Ethanac and Barnett Warehouse (440 employees) combined with the proposed project will cumulatively generate 15,408 employees, which is 100.5% of the City's employment growth forecast over 29 years accounted for by only 15 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis.

The EIR does not include any information regarding the buildout conditions of the City's General Plan in order to provide an adequate and accurate environmental analysis. Exhibit LU-4 Land Use Buildout Summary within the General Plan Land Use Element¹² projected a 0.40 FAR within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The EIR does not provide any information or analysis on the buildout conditions of the General Plan, which is necessary to ensure that the proposed project is within the General Plan EIR's analysis, particularly since the EIR tiers from the General Plan EIR.. The proposed project has a FAR of 0.43, which is greater than the assumption of the tiered environmental analysis. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. A revised EIR must be prepared to include this analysis.

6.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.)

¹¹ Data for all listed projects via City of Menifee Land Development Projects Map <https://cityofmenifee.maps.arcgis.com/apps/inspector/index.html?appid=55fc56d4eee94e588a28a958cebac908> and Accela Menifee <https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Home%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3>

¹² Menifee General Plan Land Use Element https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322

The alternatives chosen for analysis include the CEQA required “No Project” alternative and only one other - Reduced Square Feet on Two Buildings Alternative. The EIR does not evaluate a reasonable range of alternatives as only one alternative beyond the required No Project alternative is analyzed. The EIR does not include an alternative that meets the project objectives and also eliminates all of the project’s significant and unavoidable impacts. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a project that reduces all of the proposed project’s significant and unavoidable impacts to less than significant level, and/or a mixed-use project that provides affordable housing and exclusively local-serving commercial uses that may reduce VMT, GHG emissions, and improve Air Quality.

7.4 Effects Found Not to be Significant: Population and Housing

The EIR utilizes uncertain language and does not provide any meaningful analysis or supporting evidence to substantiate the conclusion that there will be no significant impact to population and housing. The EIR states that “Given that the current unemployment rate for Riverside County is approximately 4.0 percent (as of October 2022), it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Additionally, the Project is consistent with the Southern California Association of Government’s (SCAG) regional growth assumptions.” The EIR relies upon the unemployment rates for the entire Riverside County area to provide employees for the project, but does not provide evidence that the specific workforce listed is qualified for or interested in industrial work to substantiate this claim. Relying on the unemployed workforce population of the surrounding region will increase project related VMT and emissions during all phases of construction and operations and a revised EIR must be prepared to account for longer worker trip distances. Additionally, an unemployment rate less than 5% is considered full employment and does not substantiate the EIR’s claims that impacts will be less than significant.

SCAG’s Connect SoCal Demographics and Growth Forecast¹³ notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR’s calculation of 860 employees, the project represents 5.5% of the City’s employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects “in the pipeline” to determine if the project will exceed SCAG’s employment growth forecast for the City. For example, other

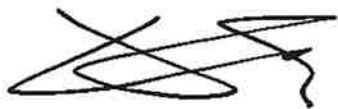
¹³ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

recent industrial projects¹⁴ such as Menifee Commerce Center (2,885 employees), Menifee Commerce Center Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105 employees), Motte Business Center (1,964 employees), and Ethanac and Barnett Warehouse (440 employees) combined with the proposed project will cumulatively generate 15,408 employees, which is 100.5% of the City's employment growth forecast over 29 years accounted for by only 15 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis.

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

Sincerely,



Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis

¹⁴ Data for all listed projects via City of Menifee Land Development Projects Map <https://cityofmenifee.maps.arcgis.com/apps/instant/minimalist/index.html?appid=55fc56d4eee94e588a28a958ceb908> and Accela Menifee <https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Home%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3>



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April 18, 2024

Gary Ho
Blum, Collins & Ho LLP
707 Wilshire Blvd, Ste. 4880
Los Angeles, CA 90017

Subject: Comments on the CADO Meniffee Industrial Warehouse Project (SCH No. 2022040622)

Dear Mr. Ho,

We have reviewed the March 2024 Draft Environmental Impact Report ("DEIR") for the CADO Meniffee Industrial Warehouse Project ("Project") located in the City of Meniffee ("City"). The Project proposes to construct 700,037-square-feet ("SF") of warehouse space, including 10,000-SF of office space and 744 parking spaces, on the 40.03-acre site.

Our review concludes that the DEIR fails to adequately evaluate the Project's greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. A revised Environmental Impact Report ("EIR") should be prepared to adequately assess and mitigate the potential greenhouse gas impacts that the project may have on the environment.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would result in net annual greenhouse gas ("GHG") emissions of 6,272-metric tons of carbon dioxide equivalents per year ("MT CO₂e/year") (see excerpt below) (p. 4.7-22, Table 4.7-3).

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Table 4.7-3: Project Greenhouse Gas Emissions

Emissions Source	MTCO ₂ e per Year	
	Unmitigated	Mitigated
Area and Indirect Sources		
Construction Amortized Over 30 Years	59	59
Area Source ¹	0.04	0.02
Energy – Electricity ²	65	52
Energy – Natural Gas	76	76
Off-road (Forklifts and Yard Trucks) ³	969	521
Emergency Backup Generator	20	20
Waste ⁴	331	82
Water and Wastewater	491	491
Subtotal	2,011	1,301
Mobile Sources		
Warehouse Trucks	1,810	1,810
Warehouse Passenger Cars ⁵	3,202	3,161
Subtotal	5,012	4,971
TOTAL	7,023	6,272
Threshold	3,000	3,000
Exceeds Threshold?	Yes	Yes

The DEIR concludes that the Project would result in a significant-and-unavoidable GHG impact, stating:

“Since mitigated future mobile source emissions would continue to exceed the 3,000 MTCO₂e threshold and no additional feasible mitigation beyond MMs AQ-2 through AQ-5 and MMs GHG-1 through GHG-7 are available to further reduce emissions, this impact would remain significant and unavoidable” (p. 4.7-22).

As discussed, the DEIR concludes that the Project exceeds SCAQMD’s GHG threshold of 3,000 MT CO₂e for non-industrial projects, and claims there are no further available, implementable mitigation measures beyond MM AQ-2 through MM AQ-5 and MM GHG-1 through MM GHG-7. However, while we agree that the Project would result in a significant GHG impact, the DEIR’s assertion that this impact is *significant-and-unavoidable* is incorrect. According to the California Environmental Quality Act guidelines, an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. Here, while the DEIR identifies mitigation measures MM AQ-2 through AQ-5 and MM GHG-1 through MM GHG-7, it fails to implement *all* feasible and available mitigation measures. We propose additional, feasible mitigation measures below that the Project can identify and incorporate into a revised EIR.

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Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant GHG impacts that should be mitigated further. In an effort to reduce emissions, the Project should consider the implementation of the following mitigation measures found in the California Department of Justice Project Best Practices document.¹

- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Requiring all heavy-duty vehicles engaged in drayage to or from the project site to be zero-emission beginning in 2030.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the

¹ “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act.” State of California Department of Justice, September 2022, *available at*: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>, p. 8 – 10.

affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.

- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation.

A revised EIR should be prepared to include all feasible mitigation measures, as well as include updated GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to the maximum extent feasible. The revised EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

Attachment A: Matt Hagemann CV

Attachment B: Paul Rosenfeld CV



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**Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review**

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014, 2017;
- Senior Environmental Analyst, Komex H₂O Science, Inc. (2000 – 2003);

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- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, *Oxygenates in Water: Critical Information and Research Needs*.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

- principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and Hagemann, M., 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Cont.
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Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and **VanMouwerik, M.**, 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and **Gill, M.**, 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., **Fukunaga, G.L.**, 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., **Fukanaga, G. L.**, 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and **Sabol, M.A.**, 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

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Paul Rosenfeld, Ph.D.

Principal Environmental Chemist

Chemical Fate and Transport & Air Dispersion Modeling

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Cont.
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Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H₂O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution*. **233**, 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health*. 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P.**, (2015) Modeling the Effect of Refinery Emission On Residential Property Value. *Journal of Real Estate Research*. 27(3):321-342

Chen, J. A., Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.**, Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermid and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*. Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution*, 123 (17), 319-327.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities*. Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004*. New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*. Publications Clearinghouse (MS-6), Sacramento. CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld.** (1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society*. Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tan, L., Clark, J., **Rosenfeld, P.** (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community From Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. *The 23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference*. Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference*. Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants..* Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conference*. Lecture conducted from Indianapolis, Maryland.

Rosenfeld, P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation*. Lecture conducted from Anaheim California.

Rosenfeld, P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest*. Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association. Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board. April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley. Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. \$41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: \$10,000 grant awarded to San Diego State University. Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. \$100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. \$20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: \$10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: \$15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. \$500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

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In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a
AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company,
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

In the United States District Court For The District of New Jersey
 Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
 Case No. 2:17-cv-01624-ES-SCM
 Rosenfeld Deposition 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
 M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant.
 Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
 Rosenfeld Deposition 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
 Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
 Case No. BC615636
 Rosenfeld Deposition 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
 The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
 Case No. BC646857
 Rosenfeld Deposition 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
 Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
 Case No. 1:16-cv-02531-RBJ
 Rosenfeld Deposition 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
 Phillip Bales et al., Plaintiff vs. Dow Agrosiences, LLC, et al., Defendants
 Cause No. 1923
 Rosenfeld Deposition 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
 Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
 Cause No. C12-01481
 Rosenfeld Deposition 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
 Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
 Case No.: No. 019-L-2295
 Rosenfeld Deposition 8-23-2017

In United States District Court For The Southern District of Mississippi
 Guy Manuel vs. The BP Exploration et al., Defendants
 Case No. 1:19-cv-00315-RHW
 Rosenfeld Deposition 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
 Warnn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
 Case No. LC102019 (c/w BC582154)
 Rosenfeld Deposition 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
 Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
 Case No. 4:16-cv-52-DMB-JVM
 Rosenfeld Deposition July 2017

Cont.
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In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No. RG14711115
Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No. LALA002187
Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action No. 14-C-30000
Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No. 4980
Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality. Defendant.
Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

In the County Court of Dallas County Texas
Lisa Parr et al, Plaintiff, vs. Aruba et al, Defendant.
Case No. cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
Civil Action No. 2:09-cv-232-WHA-TFM
Rosenfeld Deposition July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
Jaeannette Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
Civil Action No. CV 2008-2076
Rosenfeld Deposition September 2010

In the United States District Court, Western District Lafayette Division
Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
Case No. 2:07CV1052
Rosenfeld Deposition July 2009

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City of Meniffee
Front Counter

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Meniffee, CA 92586
951-672-6777

ERP - MISC REVENUE

Description: Appeal Fee
(APPEAL)

Reference 2: JOE
BOURGEOIS

Appeal Fee (APPEAL)

2025 Item: APPEAL

1 @ \$3,879.9900

Appeal Fee (APPEAL) \$3,879.99

\$3,879.99

Subtotal \$3,879.99

Total \$3,879.99

CHECK \$3,879.99

Check Number 0000007654

Change due \$0.00

Paid by: GOLDEN STATE ENVIRONMENTAL
JUSTICE ALLIANCE

GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE		7654
P.O. BOX 15022		15-047222111381
CORONA, CA 92677		
DATE 8-20-24		
PAY TO THE ORDER OF	City of Meniffee	\$ 3879.99
THREE THOUSAND EIGHT HUNDRED SEVENTY NINE & 99/100 DOLLARS		
FOR CITY OF MENIFEE COPY		Richard Hollman

Thank you for your payment

City of Meniffee COPY
DUPLICATE RECEIPT