

**FINAL**

**ENVIRONMENTAL IMPACT REPORT –  
RESPONSE TO COMMENTS AND ERRATA**

**MENIFEE VALLEY SPECIFIC PLAN**

**MENIFEE, CALIFORNIA**

**SCH #2022030233**

**LSA**

December 2023

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## LIST OF ABBREVIATIONS AND ACRONYMS

Agua Caliente Band	Agua Caliente Band of Cahuilla Indians
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CARE CA	Californians Allied for a Responsible Economy
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
City	City of Menifee
District	Riverside County Flood Control and Water Conservation District
DPM	diesel particulate matter
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EV	electric vehicle
FEMA	Federal Emergency Management Agency
HRA	health risk assessment
HVAC	heating, ventilation, and air conditioning
MERV	Minimum Efficiency Reporting Value
NCHRP	National Cooperative Highway Research Program
NEV	neighborhood electric vehicle
NOA	Notice of Availability
NOC	Notice of Completion
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NZE	near-zero emission
OEHHA	Office of Environmental Health Hazard Assessment
RIVCOM	Riverside County Transportation Model
RTA	Riverside Transit Agency
SCAQMD	South Coast Air Quality Management District
TIA	Traffic Impact Analysis
VMT	vehicle miles traveled
ZE	Zero Emissions

## 1.0 INTRODUCTION

This document comprises the Final Environmental Impact Report (EIR) for the proposed Menifee Valley Specific Plan (proposed Project). It is composed of comments received during the public review period, responses to those comments, and an Errata section that clarifies, amplifies, or makes minor modifications to the Draft EIR text. The Draft EIR and technical appendices are provided separately in Volume II.

In accordance with *State CEQA Guidelines* Section 15060, the City of Menifee (City) has determined that the Project would have a potentially significant effect on the environment and an EIR was required to assess Project-related impacts. As permitted under the California Environmental Quality Act (CEQA) (*State CEQA Guidelines* §15060[d]), the City elected to begin work directly on the EIR in lieu of further initial review. Because an Initial Study was not prepared for the Project, the EIR addressed each of the environmental issues identified in Appendix G of the *State CEQA Guidelines*:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utility and Service Systems
- Wildfire

In compliance with Section 15201 of the *State CEQA Guidelines*, the City has provided opportunities for public participation in the environmental process. The City distributed a Notice of Preparation (NOP) on March 10, 2022 to the California State Clearinghouse, responsible agencies, and interested parties for a 30-day public review period (from March 10 to April 8, 2022). The City also made the NOP available on the City’s website to inform agencies and the public about the proposed Project and to solicit input on the scope of the Draft EIR. The NOP described the Project and identified potential environmental impacts associated with Project development and operation. Further, a public scoping meeting was held on March 29, 2022, at 5:30 p.m., in the City of Menifee City Hall. Comments received during the public review of the NOP have been previously identified and summarized in Table 1.A located in Chapter 1.0 of the Draft EIR. The NOP and all comments received are provided in Appendix A-1 of the Draft EIR. Table 1.B in Chapter 1.0 of the Draft EIR provides a general summary of public scoping comments received on the Project. The public scoping meeting materials are provided in Appendix A-2.

CEQA requires a Draft EIR to have a review period lasting at least 45 days for projects that have been submitted to the California State Clearinghouse for review (*State CEQA Guidelines* Section 150105(a)). As required by *State CEQA Guidelines* Section 15087, the City provided a public Notice of Availability (NOA) of the Draft EIR for the proposed Project at the same time it filed a Notice of

Completion (NOC) with the State Clearinghouse. The Draft EIR was circulated for public review for a period of 45 days, from October 19, 2023, through December 4, 2023.

The City used several public approaches to solicit comments on the Draft EIR. The City published the NOA with the Press Enterprise on October 19, 2023. The NOA was mailed to the last known name and address of agencies, organizations, and individuals who previously requested such notice in writing as well as all property owners within a 300-foot radius of the Project site. The City submitted the Draft EIR to the State Clearinghouse for distribution to, and review by, State agencies. The City made copies of the Draft EIR available at three locations: the City of Menifee City Hall, the Sun City Library, and the Menifee Library. The City also posted the NOA at the Marion V. Ashley Community Center. In addition, the City posted the Draft EIR and all technical appendices on the City website.

The City received eight comment letters on the Draft EIR. Comments were received from regional agencies, local agencies, and organizations. The comments are included in and responded to in this Final EIR. Comments that address environmental issues are responded to thoroughly. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the *State CEQA Guidelines*.

Section 15088 of the *State CEQA Guidelines*, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
  1. Revise the text in the body of the EIR; or
  2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the comments received on the Draft EIR, and no significant new information has been added that would require recirculation of the document pursuant to *State CEQA Guidelines* Section 15088.5. This Final EIR also includes an Errata section that clarifies and makes minor modifications to the Draft EIR as a result of comments received during the public review period.

## 1.1 INDEX OF COMMENTS RECEIVED

The following is an indexed list of the agencies and individuals that commented on the Draft EIR. The comments received have been organized in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed or coded with a number as shown in Table 1.A below.

**Table 1.A: Comments Received During the Public Comment Period**

Comment Code	Signatory	Date
<b>Regional</b>		
R-1	Riverside Transit Authority (RTA)	10/24/2023
R-2	South Coast Air Quality Management District (SCAQMD)	11/14/2023
R-3	Eastern Municipal Water District (EMWD)	11/20/2023
R-4	Riverside County Flood Control and Water Conservation District (District)	11/27/2023
R-5	South Coast Air Quality Management District (SCAQMD)	12/12/2023
<b>Local</b>		
L-1	City of Perris	12/4/2023
<b>Organizations (not affiliated with government agencies)</b>		
O-1	Adams Broadwell Joseph & Cardozo	10/20/2023
O-2	Agua Caliente Band of Cahuilla Indians (Agua Caliente Band)	11/07/2023

## 1.2 FORMAT OF RESPONSES TO COMMENTS

Responses to each of the indexed/coded comment letters are provided on the following pages. The comment code is provided in the upper right corner of each comment letter, and individual comments within each letter are numbered along the right-hand margin of each letter. The City's responses to each comment letter immediately follow each letter and are referenced by the index numbers in the margins. As noted in some of the responses, the City has made some text revisions to the Draft EIR in response to certain comments. Proposed revisions to the Draft EIR are included in Chapter 3.0, Errata.

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## 2.0 RESPONSES TO COMMENTS

### 2.1 REGIONAL AGENCIES

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Comment Letter R-1

**From:** Mauricio Alvarez <[malvarez@riversidetransit.com](mailto:malvarez@riversidetransit.com)>  
**Sent:** Tuesday, October 24, 2023 3:24 PM  
**To:** Ryan Fowler <[rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us)>  
**Subject:** DEIR - Menifee Valley Specific Plan

**[CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ryan,

Thank you for including Riverside Transit Agency in the review of the DEIR of the proposed Menifee Valley Specific Plan. Although there are no specific projects in the pipeline, please continue to include Riverside Transit during the planning phase, as the Agency operates on Highway 74 and it would be beneficial to incorporate public transportation elements in the design plans.

R-1-1

Thank you,

**Mauricio Alvarez, MBA**  
Planning Analyst  
Riverside Transit Agency  
p: 951.565.5260 | e: [malvarez@riversidetransit.com](mailto:malvarez@riversidetransit.com)  
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)  
1825 Third Street, Riverside, CA 92507

### 2.1.1 Riverside Transit Agency (RTA)

**Comment Code:** R-1

**Date:** October 24, 2023

#### Response to Comment R-1-1

This comment requests inclusion in future Project planning phases due to the RTA's operation on Highway 74, and states that public transportation elements would be beneficial to incorporate into future design plans.

The City acknowledges this comment and looks forward to continuing its communication with RTA regarding the future Project planning phases, including future implementing projects.

**Comment Letter R-2**

---

**From:** Sahar Ghadimi <sghadimi@aqmd.gov>  
**Sent:** Tuesday, November 14, 2023 11:46 AM  
**To:** Ryan Fowler <rfowler@cityofmenifee.us>  
**Cc:** Sam Wang <swang1@aqmd.gov>  
**Subject:** Technical data request for the Menifee Valley Specific Plan Project.

You don't often get email from [sghadimi@aqmd.gov](mailto:sghadimi@aqmd.gov). [Learn why this is important](#)

**[CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ryan Fowler,

South Coast AQMD staff received the Notice of Availability Draft Environmental Impact Report for the Menifee Valley Specific Plan Project (South Coast AQMD Control Number: RVC231025-01). Staff is currently in the process of reviewing the Draft Environmental Impact Report.

**R-2-1**

Please provide an electronic copy of any live modeling and emission calculation files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod, Input Files (.csv files);
- Live EMFAC output files;
- Any emission calculation file(s) (live version of excel file(s); no PDF) used to calculate the Project's emission sources (i.e. truck operations).

**R-2-2**

You may send the above-mentioned files via a Dropbox link in which they may be accessed and downloaded by South Coast AQMD staff by the end of the week. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

**R-2-3**

If you have any questions regarding this request, please contact me.

Thank you.

Sincerely,

R-2-4

*Sahar Ghadimi*  
Air Quality Specialist, CEQA IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
(909) 396-2392  
[sghadimi@aqmd.gov](mailto:sghadimi@aqmd.gov)

### 2.1.2 South Coast Air Quality Management District (SCAQMD)

**Comment Code:** R-2

**Date:** November 14, 2023

#### Response to Comment R-2-1

This comment provides introductory remarks and states that SCAQMD staff is currently reviewing the Draft EIR.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment R-2-2

This comment requests full electronic copies of live modeling and emission calculation files used to quantify air quality impacts of the proposed Project and provides examples.

The City provided SCAQMD with the requested files on November 20, 2023.

#### Response to Comment R-2-3

This comment specifies the platform through which the City should send the requested files, as well as a deadline for the files to be sent in order to provide SCAQMD with adequate review time before the end of the comment period.

The requested files were provided to SCAQMD via Dropbox on November 20, 2023. As such, the requested information was provided to SCAQMD in a timely manner via the requested platform.

After review of the requested information, SCAQMD provided a second comment letter, indexed as comment letter R-5, on December 12, 2023. Although this second comment letter was provided to the City after the close of the public review period on December 4, 2023, responses to comments contained in comment letter R-5 are discussed in Section 2.1.5 of this Final EIR.

#### Response to Comment R-2-4

This comment provides concluding remarks.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

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November 20, 2023

City of Menifee Community Development  
Attention: Ryan Fowler, Principal Planner  
29844 Haun Road  
Menifee, CA 92586

**Subject: EMWD Comments for the Menifee Valley Specific Plan Project Notice of Availability of a Draft Environmental Impact Report**

**Location:** Generally bounded on the north by State Route 74 and the west by Menifee Road, the south by Burlington Northern Santa Fe railroad tracks, SCE transmission facilities, and Matthews Road, and the east by Briggs Road, in the City of Menifee, Riverside County, California.

Dear Mr. Ryan Fowler:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report for the Menifee Valley Specific Plan Project (project). The project proposes the development of a 590.3-acre site as a mixed-use, master-planned community through the approval of the Menifee Valley Specific Plan (MVSP), divided into 14 planning areas. The southern and eastern portions of the MVSP will accommodate 1,718 housing units, providing an array of housing types and neighborhood amenities, including greenbelts, trails, a public sports park, open space, and an elementary school site. The northern and western portions of the MVSP area are reserved for Civic Node Public Facilities, Business Park, Commercial Business Park, and Commercial areas that will allow uses which foster economic activity and promote growth. A Civic Node positioned in the southwest portion of the MVSP site where the City may locate a fire station, train stop, and/or other needed public or quasi-public uses.

R-3-1

EMWD offers the following comments:

Board of Directors

Philip E. Paule, *President* Stephen J. Corona, *Vice President* Jeff Armstrong Randy A. Record David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 [www.emwd.org](http://www.emwd.org)

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows, and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

R-3-2

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page [www.emwd.org](http://www.emwd.org), then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

R-3-3

1. Describe EMWD's development process.
2. Identify project scope and parameters.
3. Provide a preliminary review of the project within the context of existing infrastructure.
4. Discuss potential candidacy for recycled water service.
5. Identify project submittal requirements to start the Design Conditions review.

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities.
2. Identification of impacts to existing facilities.
3. Identification of additional on-site and off-site facilities, necessary to serve the project.
4. Identification of easement requirements, if necessary.
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable.

R-3-4

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at [El-hagem@emwd.org](mailto:El-hagem@emwd.org).

Sincerely,

Alfred Javier  
Director of Environmental and Regulatory Compliance  
ARJ: hs

### 2.1.3 Eastern Municipal Water District (EMWD)

**Comment Code:** R-3

**Date:** November 20, 2023

#### Response to Comment R-3-1

This comment provides introductory remarks and describes the proposed Project and the potential future uses that would occur on the Project site.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment R-3-2

This comment states that proponents of future development projects shall consult EMWD's Development Services Department and prepare a Design Conditions Report/Plan of Service pertaining to water and sewage facilities necessary for the Project.

The City acknowledges this comment and will ensure that future project proponents adhere to all EMWD requirements. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment R-3-3

This comment states that the EMWD requires a Due Diligence meeting with future project proponents and provides access to a New Development Process Forms link. The comment further lists the benefits of meeting with EMWD.

The City acknowledges this comment and will ensure that future project proponents adhere to all EMWD requirements. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment R-3-4

This comment describes the process for the development of Design Conditions and provides a list of information that will be required. This comment also provides concluding remarks.

The City acknowledges this comment and will ensure that future project proponents include all required Design Condition components in their Design Conditions. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

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JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.rcflood.org  
253810

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

November 27, 2023

City of Menifee  
Planning Division  
29714 Haun Road, Building A  
Menifee, CA 92586

Attention: Ryan Fowler

Re: PLN 21-0336, PLN 21-0335, PLN 21-0221,  
PLN 21-0217, PLN 22-0033, PLN 21-0338,  
Menifee Valley Specific Plan, APNs 331-260-  
005, 331-260-006, 331-260-007, 331-260-  
008, 331-260-009, 331-270-005, 331-280-  
005, 331-290-004, 331-300-002, 331-300-  
004, 331-300-005, 331-300-006, 331-300-  
007, 331-300-013, 333-170-006, 331-170-  
011, 331-170-012 and 331-170-013

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

R-4-1

The District's review is based on the above-referenced project transmittal, received October 19, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Romoland Master Drainage Plan Line A-4, Line A-7 and Line A-5. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- This project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance.

R-4-2

R-4-3

Re: PLN 21-0336, PLN 21-0335, PLN 21-0221, PLN 21-0217, PLN 22-0033, PLN 21-0338, Menifee Valley Specific Plan, APNs 331-260-005, 331-260-006, 331-260-007, 331-260-008, 331-260-009, 331-270-005, 331-280-005, 331-290-004, 331-300-002, 331-300-004, 331-300-005, 331-300-006, 331-300-007, 331-300-013, 333-170-006, 331-170-011, 331-170-012 and 331-170-013

253810

Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

R-4-3 cont.

☒ This project is located within the limits of the District's Homeland/Romoland Line A and Salt Creek Channel – Winchester/North Hemet Area Drainage Plans for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

R-4-4

☒ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Romoland Master Drainage Plan Line A. The District should be identified in Table 3.B: Probable Future Actions by Responsible/Trustee Agencies. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.

R-4-5

☒ The District's previous comments dated March 13, 2019 for case Menifee Valley Ranch Specific Plan Amendment SPA 2018-182, Menifee Valley Specific Plan SP 2018-181 are still valid.

R-4-6

**GENERAL INFORMATION**

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

R-4-7

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

AMY MCNEILL  
Engineering Project Manager

Attachment

EM:ju

JASON E. UHLEY  
General Manager-Chief Engineer



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FAX 951.788.9965  
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

224837

March 13, 2019

City of Menifee  
Planning Division  
29714 Haun Road, Building A  
Menifee, CA 92586

Attention: Brenna Weatherby

Re: Menifee Valley Ranch Specific Plan  
Amendment SPA 2018-182, Menifee Valley  
Specific Plan SP2018-181

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received March 11, 2019. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely \_\_\_\_\_. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted Romoland Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project is located within the limits of the District's Homeland/Romoland - Line A and Salt Creek Channel - Winchester/North Hemet Area Drainage Plans for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control

R-4-8

Re: Menifee Valley Ranch Specific Plan  
Amendment SPA 2018-182, Menifee Valley  
Specific Plan SP2018-181

224837

District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, \_\_\_\_\_. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

**GENERAL INFORMATION**

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

R-4-8  
cont.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

*Deborah deChambeau*

DEBORAH DE CHAMBEAU  
Engineering Project Manager

c: Riverside County Planning Department  
Attn: Jason Killebrew

HY:blm

#### 2.1.4 Riverside County Flood Control and Water Conservation District (District)

**Comment Code:** R-4

**Date:** November 27, 2023

##### Response to Comment R-4-1

This comment provides context as to the District’s typical recommendations for land division cases, which are limited to flood control and drainage facilities, fees, and general information, and states that the comment is not equivalent to an endorsement of the Project.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

##### Response to Comment R-4-2

This comment states that the proposed Project involves District proposed Master Drainage Plan facilities, namely Romoland Master Drainage Plan Line A-4, Line A-7, and Line A-5. The comment further describes procedures for the City and Applicant to follow for the District to accept ownership of such facilities, including entering into a cooperative agreement, constructing facilities to District standards, and submitting regulatory permits to the District for approval.

The City acknowledges this comment and will ensure that all required procedures are followed by Applicants. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

##### Response to Comment R-4-3

This comment states that the proposed Project proposes channels, large storm drains, or other extensions of District facilities and describes procedures for the City and Applicant to follow for the District to accept ownership of such facilities, including entering into a cooperative agreement, constructing facilities to District standards, and submitting regulatory permits to the District for approval.

The City acknowledges this comment and will ensure that all required procedures are followed by Applicants.

##### Response to Comment R-4-4

This comment states that the proposed Project is located within the limits of the District’s Homeland/Romoland Line A and Salt Creek Channel – Winchester/North Hemet Area Drainage Plans, for which drainage fees have been adopted, which shall be paid at the rate in effect at the time of issuance of the actual permit.

The City acknowledges this comment and will ensure that all required fees are paid prior to the issuance of grading permits. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

### **Response to Comment R-4-5**

This comment states that an encroachment permit shall be required for construction-related activities occurring within District right-of-way, and that the District should be identified in Table 3.B: Probable Future Actions by Responsible/Trustee Agencies of the Draft EIR.

The City acknowledges this comment and will ensure that all necessary permits are obtained. The addition of the District to Table 3.B: Probable Future Actions by Responsible/Trustee Agencies has been reflected in Chapter 3.0, Errata, of this Final EIR. No additional revisions were made in response to this comment. This change is a generally minor change that does not constitute significant new information, change the conclusions of the environmental analysis, or require recirculation of the document (*State CEQA Guidelines* Section 15073.5).

### **Response to Comment R-4-6**

This comment states that the District's previous comments dated March 13, 2019, for the Menifee Valley Ranch Specific Plan Amendment SPA 2018-182, Menifee Valley Specific Plan SP 2018-181 are still valid.

The City has included the District's comments dated March 13, 2019, as an attachment to Comment Letter R-4. Please refer to Response to Comment R-4-8.

### **Response to Comment R-4-7**

This comment provides general information regarding potential project requirements and permits including the National Pollutant Discharge Elimination System (NPDES), Federal Emergency Management Agency (FEMA), CEQA, California Department of Fish and Wildlife, and Clean Water Act.

The City acknowledges this comment and will ensure that all necessary regulatory procedures are followed and that required permits are obtained. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

### **Response to Comment R-4-8**

This letter dated March 13, 2019, contains District comments on the Menifee Valley Ranch Specific Plan Amendment SPA 2018-182, Menifee Valley Specific Plan SP 2018-181, which Comment R-4-6 states are still valid.

The comments presented in this letter have been addressed in Responses to Comments R-4-1 through R-4-7 above. As such, no further response is required.



SENT VIA E-MAIL:

December 12, 2023

[rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us)

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

**Notice of Availability of a Draft Environmental Impact Report (EIR) for the  
 Menifee Valley Specific Plan Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Menifee is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

**South Coast AQMD Staff’s Summary of Project Information in the Draft EIR**

Based on the Draft EIR, the Proposed Project consists of constructing 1,718 residential units, 275.5 acres of business park uses, 32.1 acres of commercial uses, 33.3 acres of public facilities, 19.6 acres of roadway improvements, and 44.5 acres allocated for open space. The project comprises 590.3 acres of land and approximately 59 acres of off-site improvements necessary to provide access and utilities to the project. The first set of off-site improvements includes roadway improvements to existing roadways, utility connections, landscaping, and construction of a non-vehicular bridge. The second off-site roadway improvements include widening and additional turn lanes to address traffic impacts.<sup>1</sup>

R-5-1

Regional access to the Project site is provided by State Route 74 (SR-74), which is located adjacent to the northern boundary of the Project site, and Interstate 215 (I-215), which is located approximately 2 miles west of the Project site.<sup>2</sup> Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (residential development) is located adjacent to the Proposed Project site, approximately 135 feet west and south of the Proposed Project.<sup>3</sup> Construction of the Proposed Project is anticipated to occur in three phases, commencing in October 2023 and being completed in April 2030.<sup>4</sup> The project is located on the northeast corner of Matthews Road and Menifee Road.<sup>5</sup>

**South Coast AQMD Staff’s Comments**

R-5-2

*Overlapping Construction and Operational Activities*

---

<sup>1</sup> Draft EIR p. 23.  
<sup>2</sup> Ibid. p. 23.  
<sup>3</sup> Ibid. p. 229.  
<sup>4</sup> Ibid. p. 79.  
<sup>5</sup> Ibid. p. 23.

Considering that the Proposed Project consists of two construction phases over the course of 7 years of construction, the Draft EIR does not analyze the scenario of overlapping between the construction and operational activities. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the air quality analysis section to consider the overlapping construction and operation. The estimated overlapped emissions should then be compared to South Coast AQMD's regional air quality CEQA operational thresholds to determine their level of significance, which should be included in the Final EIR.

R-5-2  
cont.

*Discrepancies Between Draft EIR and CalEEMod Modeling Data in Overall Air Quality Impact Analysis for on-site Construction emissions*

Table 4.3.F and Table 4.3.G in the Air Quality section in the Draft EIR show the Unmitigated and Mitigated On-site Improvements Construction Emissions (lb/day).<sup>6</sup> Based on the review of the CalEEMod technical files provided, it appears that the pollutant emissions for ROG, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> in Table 4.3.F and Table 4.3.G do not match the corresponding pollutant emission in the CalEEMod technical files (refer to Page 97 of the Draft EIR). Please provide an explanation for this discrepancy and revise the construction emissions analyses for the mentioned pollutants.

R-5-3

*Inconsistencies in Land Use Lot Acreage: A Comparison Between CalEEMod and Draft EIR Documentation*

In accordance with the Draft EIR, the Project's Land Use Plan would divide the 590.3-acreage property into 14 "Planning Areas" to accommodate 1,718 residential units, business park, business park, commercial areas, and civic uses. According to Table 3.A: Summary of Land Uses, the total land use designation for Residential (R) is 202.3 acres. However, the total residential land use in both Phase 1 and Phase 2 of the project used in the CalEEMod modeling is 185 lot acres. A similar inconsistency is observed in the Business Park (BP) land use figures between the Draft EIR document and the CalEEMod modeling assumptions, specifically in terms of total lot acreage. This inconsistency leads to the underestimation of emissions for different types of land use. Therefore, it is recommended that the Lead Agency provide an explanation for this discrepancy between the Draft EIR and the CalEEMod modeling.

R-5-4

*Multiple plot files for the individual sources in the AERMOD modeling*

South Coast AQMD staff's review of the construction AERMOD and HRA files noted in the Construction.AD folder, 14 different plot files are the model output from the 14 individual area poly sources for the diesel particulate matters (DPM). However, there is no plot file evaluated the combined concentrations from all 14 poly area sources to represent the cumulative construction impacts. The Lead Agency is recommended to revise and rerun the AERMOD model, selecting the 'Include Group All' tab in the source section, to combine the data into one comprehensive plot file for all 14 sources.

R-5-5

*Air Quality Mitigation Measures for NO<sub>x</sub> and PM Emissions from Construction*

R-5-6

<sup>6</sup> Ibid. p. 215.

Although the Proposed Project has committed to adopt Tier 4 technology for the equipment during project construction phase in the Draft EIR, given the long-range plan of the Proposed Project from year 2023-2030, Tier 4 technology may not be the cleanest technology when construction occurs later for individual projects. According to the CARB Strategies for Reducing Emissions from Off-Road Construction Equipment, the implementation of off-road Tier 5 starting in 2027 or 2028 and the Governor's Executive Order in September 2020 requires CARB to develop and propose a full transition to Zero Emissions (ZE) by 2035.<sup>7</sup> Considering the scope of the project, it is crucial to ensure that the levels of construction emissions, specifically NOx and PM<sub>10</sub>, remain below significant thresholds during the construction period for each proposed individual project. Moving towards achieving this goal, where feasible, involves opting for electric emission-free engines instead of diesel-fueled engines for the construction equipment. This proactive choice not only aligns with environmental concerns but also demonstrates a commitment to minimizing the project's environmental footprints. The abatement of NOx can also be pursued by enforcing greener constructions, such as, limiting the usage of older engines in favor of adopting the latest available technologies, or even incorporating exhaust retrofits such as cutting-edge exhaust aftertreatment techniques. Additionally, several other resources to assist the Lead Agency with identifying additional potential mitigation measures for the Proposed Project are included in the South Coast AQMD's CEQA Air Quality Handbook<sup>8</sup> for both operational and construction emissions.

R-5-6  
cont.

#### *Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures*

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

R-5-7

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require ZE or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule<sup>9</sup> and the Heavy-duty Low NOx Omnibus Regulation,<sup>10</sup> ZE and NZE trucks will become

<sup>7</sup> Presentation can be found at:

<http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>

<sup>8</sup> <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

<sup>9</sup> CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks>.

<sup>10</sup> CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will

increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of a 2010 model year<sup>11</sup> that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022.<sup>12</sup> Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.

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require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

<sup>11</sup> CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

<sup>12</sup> CARB's optional low-NOx emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>.

R-5-7  
cont.

R-5-8

R-5-9

- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

R-5-9  
cont.

#### *Health Risk Reduction Strategies*

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters<sup>13</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Final EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Final EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

R-5-10

#### *South Coast AQMD Air Permits and Role as a Responsible Agency*

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationery and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

R-5-11

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<sup>13</sup> This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

R-5-12

### Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088 (a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

R-5-13

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at [sghadimi@aqmd.gov](mailto:sghadimi@aqmd.gov) should you have any questions.

Sincerely,

*Sam Wang*

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SG:SW

RVC231025-01

Control Number

### 2.1.5 South Coast Air Quality Management District (SCAQMD)

**Comment Code:** R-5

**Date:** December 12, 2023

#### Response to Comment R-5-1

This comment is introductory and provides a description of the proposed Project including Project location, proposed uses, construction schedule, and the identification of the nearest sensitive receptor to the Project site.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment R-5-2

This comment states that since the proposed Project consists of two construction phases over the course of 7 years of construction, the air quality analysis should consider the overlapping construction and operation and be compared to the SCAQMD's operational thresholds.

As stated on pages 4.3-31 and 4.3-32 of the Draft EIR, the exact timing of implementation and phasing for any Planning Area may vary based on a number of factors, including market and economic demands, as well as physical constraints or timing of infrastructure improvements. The final phasing for the development will be determined through future implementing projects and any phasing requirements specified in a Development Agreement that accompanies this Specific Plan. As such, it is possible that construction activities would still be underway while parts of the proposed Project become operational. Since the Project is a programmatic level document and the timing of projects that would be developed under the Specific Plan are unknown at this time, the precise combination of emissions that would occur is unknown. However, since operational emissions would exceed SCAQMD thresholds, it is assumed that combined emissions would also exceed the significance threshold established by the SCAQMD for daily project emissions. In addition, as stated on page 4.3-32 of the Draft EIR, while Mitigation Measure AIR-2 would significantly reduce criteria air pollutant emissions generated during operational activities associated with the on-site improvements, there is currently not enough information to quantify emissions of specific project development that may occur under the proposed Project. Without quantification to guarantee a less than significant finding, future development projects may still exceed the SCAQMD regional significance thresholds. Therefore, the Draft EIR determined that emissions related to operational activities would be considered significant and unavoidable. As such, this comment does not identify any new significant environmental issues or impacts that were not already addressed in the Draft EIR.

#### Response to Comment R-5-3

This comment claims that Table 4.3.F and Table 4.3.G of the Draft EIR do not match the corresponding pollutant emissions in the California Emissions Estimator Model (CalEEMod) output files. This comment requests an explanation for this discrepancy or to revise the construction emissions analyses for the mentioned pollutants.

As discussed on page 4.3-26 of the Draft EIR, the construction schedule for each phase was based on information provided by the Project Applicant, which assumes that mass grading would occur from the fourth quarter of 2023 through the third quarter of 2024, construction of Phase 1 would occur from the fourth quarter of 2024 through the second quarter of 2030, construction of Phase 2 would occur from the third quarter of 2026 through the second quarter of 2031, and construction of Phase 3 would occur from the third quarter of 2027 through the first quarter of 2029, which was included in CalEEMod. Each phase was modeled in a separate CalEEMod run. As the SCAQMD's thresholds are based on maximum pollutant emissions in pounds per day, the highest daily emissions from each year of construction are included in Table 4.3.F and Table 4.3.G of the Draft EIR consistent with SCAQMD thresholds. Therefore, the reason the emissions in Tables 4.3.F and 4.3.G may appear to not match the CalEEMod output is due to each phase of construction being modeled separately. The highest daily emissions from each year of construction were calculated in Excel based on the CalEEMod results. As such, the emissions included in Table 4.3.F and Table 4.3.G accurately represent the proposed Project's construction emissions and no revisions to the Draft EIR are required.

#### Response to Comment R-5-4

This comment states that according to Table 3.A: Summary of Land Uses of the Draft EIR, the total land use designation for Residential (R) is 202.3 acres. This comment also claims that CalEEMod shows that the total residential land use in both Phase 1 and Phase 2 of the Project used in the CalEEMod modeling is 185 lot acres. This comment states that a similar inconsistency is observed in the Business Park (BP) land use figures between the Draft EIR document and the CalEEMod modeling assumptions. This comment recommends providing an explanation for this discrepancy between the Draft EIR and the CalEEMod modeling.

As shown in Table 3.A in the Draft EIR, the total residential land use category is 202.3 acres; however, this acreage includes both Residential (R) and School (S) land uses. As shown in the CalEEMod outputs, the school land use is separated from the residential land use in CalEEMod. In CalEEMod, Phase 1 includes 103.8 acres of single-family residential and Phase 2 includes 54.5 acres of single-family residential, 28.5 acres of multi-family residential, and 15.5 acres of school uses, totaling 202.3 acres (consistent with Table 3.A).

Similarly, as shown in Table 3.A in the Draft EIR, the total business park category is 311.1 acres; however, this acreage includes Public Facilities (Civic Node) (PF), Business Park (BP), Commercial – Business Park (C-BP), and Commercial (C) land uses. As shown in the CalEEMod outputs, these uses are represented by Government (Civic Center), Industrial Park, and Regional Shopping Center uses in CalEEMod. In CalEEMod, Phase 3 includes 5.3 acres of Government (Civic Center), 263.2 acres of Industrial Park, and 42.6 acres of Regional Shopping Center uses, totaling 311.1 acres (consistent with Table 3.A).

Therefore, the acreages in CalEEMod are consistent with Table 3.A: Summary of Land Uses of the Draft EIR and no revisions to the Draft EIR are required.

### Response to Comment R-5-5

This comment states that for the construction health risk assessment (HRA), there are 14 different plot files for the model output from the 14 individual area poly sources for the diesel particulate matter (DPM) and that there is no plot file for the combined concentrations from all 14 poly area sources to represent the cumulative construction impacts. This comment recommends revising and rerunning AERMOD, selecting the 'Include Group All' tab in the source section, to combine the data into one comprehensive plot file for all 14 sources. The risk was not modeled in AERMOD. AERMOD was used to calculate the normalized emission concentrations (using 1 gram per second) to determine a normalized emission concentration. Those files were then incorporated into the HARP model to calculate the combined risk for each receptor from all sources modeled. This methodology is consistent with the Office of Environmental Health Hazard Assessment (OEHHA) 2015 Guidelines as cited in the Draft EIR. As such, the model does not need to be revised.

### Response to Comment R-5-6

This comment states that although the proposed Project has committed to adopt Tier 4 technology for the equipment during the Project construction phase in the Draft EIR, given the long-range plan of the proposed Project from 2023 to 2030, Tier 4 technology may not be the cleanest technology when construction occurs later for individual projects. In addition, this comment asserts that the implementation of off-road Tier 5 equipment starting in 2027 or 2028 and the Governor's Executive Order in September 2020 requires the California Air Resources Board (CARB) to develop and propose a full transition to Zero Emissions (ZE) by 2035. This comment states that the proposed Project should incorporate these measures to reduce levels of construction emissions.

As shown in Table 4.3.G, Table 4.3.H, and Table 4.3.I of the Draft EIR, with implementation of Tier 4 construction equipment, as required by Mitigation Measure AIR-1, the emissions associated with construction of the on-site and off-site improvements would be below SCAQMD thresholds and would result in a less than significant impact related to a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or State ambient air quality standard.

In addition, an HRA was prepared for the proposed Project and evaluates construction-period health risk to off-site receptors. The results of the construction HRA are presented on pages 4.3-41 through 4.3-43 of the Draft EIR. Based on the results of the construction HRA, as shown in Table 4.3.N and Table 4.3.O, although construction of the proposed on-site improvements would not result in a significant construction health risk impact, implementation of Mitigation Measure AIR-1 would be required to ensure the Project contractors will utilize Tier 4 Final construction equipment to reduce construction criteria pollutant emissions, which would also reduce construction-related health risk impacts.

Furthermore, the air quality analysis utilized CalEEMod to quantify the criteria pollutant emissions for both construction and operation of the proposed Project, as recommended by the SCAQMD. The cleanest available tier for construction equipment in CalEEMod is Tier 4 Final equipment, which was used in this analysis. Tier 5 construction equipment is not available in CalEEMod. As such, since impacts would be less than significant with the implementation of Mitigation Measure AIR-1,

identification and analysis of additional mitigation, such as Tier 5 or ZE construction equipment, is not required.

### **Response to Comment R-5-7**

This comment recommends including additional mitigation measures such as requiring ZE or near-zero emission (NZE) on-road haul trucks, limiting the daily number of trucks at the proposed Project, and providing electric vehicle (EV) charging stations, including electrical hookups for trucks.

Truck trip generation estimates used in the analysis were based on the Project's trip generation estimates, which assume that industrial uses associated with Phase 1 would generate approximately 10,380 total average daily trips with 8,197 passenger vehicle trips, 555 two-axle truck trips, 392 three-axle truck trips, and 1,236 four-axle truck trips; industrial uses associated with Phase 2 would generate approximately 7,434 total average daily trips with 5,872 passenger vehicle trips, 396 two-axle truck trips, 280 three-axle truck trips, and 886 four-axle truck trips (refer to Appendix K-1 of the Draft EIR for trip generation estimates).

Additionally, as shown on pages 4.3-35 through 4.3-38 of the Draft EIR, Mitigation Measure AIR-2 requires that prior to issuance of building permits, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with the emission reduction measures, including the following measures:

- All Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators).
- Project Applicants for manufacturing and light industrial uses that require refrigerated vehicles shall install an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Project Applicants shall install 240-volt electrical outlets or Level 3 chargers in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.

As such, the measures recommended in this comment are consistent with measures that have already been included as part of Mitigation Measure AIR-2.

### **Response to Comment R-5-8**

This comment recommends that the Draft EIR identify additional mitigation measures such as maximizing the use of solar energy by installing solar energy arrays, using light-colored paving and roofing materials, and utilizing only Energy Star heating, cooling, and lighting devices and appliances.

As shown on pages 4.3-35 through 4.3-38 of the Draft EIR, Mitigation Measure AIR-2 requires that prior to issuance of building permits, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with the emission reduction measures, including the following measures:

- All Project Applicants shall incorporate fuel-efficient heating equipment and other appliances, such as water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, boiler units, and low or zero-emitting architectural coatings. Project Applicants shall utilize only Energy Star heating, cooling, and lighting devices, and appliances, consistent with CALGreen requirements applicable at the time of development applications.
- All Project Applicants shall utilize energy-efficient design features, including appropriate site orientation, use of lighter color roofing and building materials, and use of deciduous shade trees and windbreak trees to reduce fuel consumption for heating and cooling.
- Project Applicants shall maximize use of solar energy including solar panels, including installing the maximum possible number of solar energy arrays on the building roofs to generate solar energy.

As such, the measures recommended in this comment have already been included as part of Mitigation Measure AIR-2 and no revisions to the Draft EIR are required.

#### **Response to Comment R-5-9**

This comment recommends that the Draft EIR identify additional mitigation measures such as the following: marking truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses; designing the proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Project site; designing the proposed Project such that any truck check-in point is inside the proposed Project site to ensure no trucks are queuing outside; designing the proposed Project to ensure that truck traffic inside the proposed Project site is as far away as feasible from sensitive receptors; and restricting overnight truck parking in sensitive land uses by providing overnight truck parking inside the proposed Project site.

The proposed Project consists of a Specific Plan, which would facilitate the development of the 590.3-acre Project site as a mixed-use, master-planned community. Since the Project is a programmatic level document, specific site plans are not yet available.

As shown on pages 4.3-35 through 4.3-38 of the Draft EIR, Mitigation Measure AIR-2 requires that prior to issuance of building permits, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with the emission reduction measures, including the following measures:

- All Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators).
- Project Applicants for manufacturing and light industrial uses with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).

As such, the measures recommended in this comment are consistent with measures that have already been included as part of Mitigation Measure AIR-2.

In addition, as discussed on page 4.3-43 of the Draft EIR, general light industrial, manufacturing, warehouse/storage, fulfillment center, and e-commerce operations are permitted except within distances specified in Specific Plan Section 4.0 to residential uses and Heritage High School. Section 4.0 of the Specific Plan specifies that no truck court accommodating diesel-fueled trucks or equipment shall operate within 250 feet of a residential property line or within 100 feet of a school property line, measured from the edge of pavement where a diesel truck or equipment could park or operate to the residential or school property line. In addition, as discussed on page 4.3-43, trucks would travel on regional transportation routes throughout the Air Basin, contributing to near-roadway DPM concentrations. Page 4.3-43 also states that land use projects are required to comply with Assembly Bill 2588, SCAQMD Rule 1401, and CARB standards for diesel engines.

Further, an operational HRA was conducted to characterize the Project-related emissions of toxic air contaminants, including truck trips based on the Project's trip generation estimates. As shown in Table 4.3.Q of the Draft EIR, with implementation of Mitigation Measure AIR-3, which requires Project Applicants/Developers to provide plans that indicate a heating, ventilation, and air conditioning (HVAC) system with a control efficiency sufficient to result in a reduction of a minimum 89 percent of particulates of 10 microns or less, such as Minimum Efficiency Reporting Value (MERV) 13 filters or greater, health risks at the nearest proposed and existing sensitive receptors would be below SCAQMD thresholds. Therefore, further mitigation to reduce potential health risks would not be required.

### **Response to Comment R-5-10**

This comment states that many strategies are available to reduce exposures, including, but not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. This comment also states that because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that should be evaluated in the Final EIR. This comment states that it is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the Project site. In addition, this comment asserts that these filters have no ability to filter out any toxic gases and that when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that should be evaluated in the Final EIR. Therefore, the comment states that the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

The proposed Project consists of a Specific Plan, which would facilitate the development of the 590.3-acre Project site as a mixed-use, master-planned community. Since the Project is a programmatic level document, specific Project-level information, such as energy usage and solid waste generation, is not yet known. Therefore, as discussed on page 4.3-30 of the Draft EIR, when Project-specific data were not available, default assumptions (e.g., energy usage, water usage, and

solid waste generation) from CalEEMod were used to estimate Project emissions. As described in the CalEEMod User's Guide, CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available.<sup>1,2</sup> As such, since Project-specific energy usage and solid waste generation is not yet known, the use of CalEEMod defaults is appropriate for use and is consistent with standard practice.

Additionally, as required by Mitigation Measure AIR-3, prior to issuance of building permits, Project Applicants/Developers shall provide plans that indicate an HVAC system with a control efficiency sufficient to result in a reduction of a minimum 89 percent of particulates of 10 microns or less, such as MERV 13 filters or greater, for indoor air filtration systems. The ventilation system shall be certified to achieve the stated performance effectiveness from indoor areas. Therefore, the effectiveness of the filtration units will be certified and documented and no revisions to the Draft EIR are required.

### Response to Comment R-5-11

This comment states that if implementation of the proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, etc., air permits from SCAQMD will be required. This comment also states that the Final EIR should include a discussion about any new stationary and portable equipment requiring SCAQMD air permits and identify SCAQMD as a Responsible Agency for the proposed Project.

The proposed Project consists of a Specific Plan, which would facilitate the development of the 590.3-acre Project site as a mixed-use, master-planned community. Since the Project is a programmatic level document, specific Project plans are not yet available. Therefore, the use of equipment (e.g., emergency generators, fire water pumps, boilers, and spray booths) has not been identified for the proposed Project. Should future projects propose such equipment, they would be evaluated to determine whether additional CEQA evaluation is required to evaluate air toxic emissions and health impacts from these equipment types. In addition, as discussed on page 4.3-35 of the Draft EIR, Mitigation Measure AIR-2 requires that prior to issuance of building permits, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with emission reduction measures, including that all Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators). In addition, compliance with all applicable SCAQMD rules and permitting requirements would be necessary to limit potential impacts.

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<sup>1</sup> California Air Pollution Control Officers Association. 2021. *California Emissions Estimator Model User's Guide*. May. Website: [http://www.aqmd.gov/docs/default-source/caleemod/user-guide-2021/01\\_user-39-s-guide2020-4-0.pdf?sfvrsn=6](http://www.aqmd.gov/docs/default-source/caleemod/user-guide-2021/01_user-39-s-guide2020-4-0.pdf?sfvrsn=6) (accessed December 2023).

<sup>2</sup> Detailed information regarding CalEEMod default assumptions can be found in the User's Guide: <http://www.aqmd.gov/caleemod/user's-guide> (accessed December 2023).

### **Response to Comment R-5-12**

This comment states that the Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s).

Refer to Response to Comment R-5-11 above. Since the Project is a programmatic level document, specific Project plans are not yet available. Therefore, the use of stationary and portable sources has not been identified for the proposed Project. Should future projects propose such equipment, they would be evaluated to determine whether additional CEQA evaluation is required to evaluate air toxic emissions and health impacts from these equipment types. In addition, as discussed on page 4.3-35 of the Draft EIR, Mitigation Measure AIR-2 requires that prior to issuance of building permits, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with emission reduction measures, including that all Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators). In addition, compliance with all applicable SCAQMD rules and permitting requirements would be necessary to limit potential impacts.

### **Response to Comment R-5-13**

This comment requests responses to the comments provided in the letter pursuant to CEQA. The comment also provides conclusionary remarks and contact information for the SCAQMD CEQA IGR Program Supervisor.

The City acknowledges this comment and has prepared responses to the comments contained in the letter. No further response is necessary.

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## 2.2 LOCAL AGENCIES

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# CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200  
TEL: (951) 943-5003 FAX: (951) 943-8379

December 4, 2023

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

**SUBJECT: CITY OF PERRIS COMMENTS ON MENIFEE VALLEY SPECIFIC PLAN DRAFT EIR - GENERAL PLAN AMENDMENT (PLN 21-0336), SPECIFIC PLAN (PLN 21-0217), SPECIFIC PLAN AMENDMENT (PLN 21-0221), CHANGE OF ZONE (PLN 21-0335), TENTATIVE PARCEL MAP (PLN 22-0033), AND DEVELOPMENT AGREEMENT (PLN 21-0338).**

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the "Menifee Valley Specific Plan" ("Proposed Project") proposal to replace the existing SP 301 with the new Menifee Valley Specific Plan, generally located south of Highway 74, east of Menifee Road, west of Briggs Road, and north of Matthews Road, within the City of Menifee, approximately 1 ½ miles east of the City of Perris city limits. This project includes 186.9 acres for residential development, 15.5 acres for a school, 29.8 acres for open space, 14.7 acres for conservation, 42.6 acres for commercial development, and 215 acres for industrial development.

L-1-1

The City of Perris supports regional development that helps to advance the quality of life in the Inland Empire, such as the proposed Project. However, the City has the following comments related to the substantial traffic that would be generated in the future by passenger vehicles and semi-trucks:

L-1-2

### Traffic Impact Analysis

1. The traffic study included only 10 potential cumulative projects located in the City of Perris. A copy of the assumed Perris cumulative projects is included in the attached Appendix A and identified as Table 4 – D Cumulative Projects – City of Perris. Based upon our review of numerous other projects in the City of Perris, there appear to be several projects missing from the Perris Cumulative Project list. RK would recommend that the Perris Planning Department review this list with respect to the study area and provide any additional approved projects that should be included in the Perris cumulative project list.

L-1-3

2. The traffic study analyzed intersections where the project had the potential for contributing 50 or more a.m./p.m. peak hour trips. RK reviewed the project assignment of traffic in the vicinity of the City of Perris and generally the intersections selected for review were consistent with this criterion. However, based upon the traffic assignment of the project in the City of Perris, there are two (2) additional intersections that should be studied where the project would contribute 50 or more a.m./p.m. peak hour trips. These include the following:

- a. Mapes Road at Bonnie Drive/Perris Metro Station intersection
- b. Mapes Road at Case Road intersection

L-1-4

It appears that for these two additional intersections the project contributes more than 50 project peak hour trips, therefore, these two additional intersections should be analyzed similar to other intersections in the study area.

Additional intersections along Case Road (i.e. Murrieta Road, Goetz Road, G Street, Perris Boulevard, etc.) may also generate 50 or more peak hour project trips depending on how the volumes are assigned northeast of Mapes Road.

3. The traffic study identified 17 intersections in the City of Perris that would operate at an unacceptable level of service with the project and would require improvements. A summary of these intersections is included in Appendix B (Table 8-K – Intersection Improvement Funding Mechanisms and Fair Share) and is also shown on Exhibit B. The study indicated what improvements are needed at those intersections and a project fair share cost percentage. However, it is unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to him make these required improvements.

L-1-5

4. The traffic study identified 13-Roadway Segments in or near the City of Perris that would require improvements. A summary of these is included in Appendix C (Table 8 – L – Roadway Segment Improvements Funding Mechanism and Fair Share). These locations are also shown on Exhibit B. Again, the improvements and project fair share percentage is included in Table 8 – L, however, no funding mechanism for implementing these required improvements is identified in the report.

L-1-6

5. City of Perris Truck Routes. The traffic study identified the City of Perris Truck Routes on page 82 of the PDF – Figure 3 – 18. This figure is outdated and has been previously replaced with the truck route plan included in the attached Appendix D (City of Perris Truck Routes). It does appear from the traffic study that none of the project's trucks have been routed to any of the City of Perris non-truck route roadways, based upon the assignment of project trips. Therefore, this comment is meant for clarification and does not appear to have a significant impact to the conclusions of the study. It is recommended that the traffic consultant verify that the assignment of project trucks to ensure that do not utilize any of the truck routes restrictions included in Appendix D.

L-1-7

6. VMT Analysis. The traffic consultant prepared a detailed VMT analysis for the proposed project. This included a VMT assessment of VMT/service population of the project and in terms of the roadway VMT assigned to study area roadway segments. The study included some Project Design Features and VMT Mitigation Measures to help reduce the VMT per service population, because of the project. However, the results of the study indicate that these would not be sufficient to reduce the VMT per service population to an acceptable standard, based upon the City of Menifee criteria.
7. As a result of this finding, the VMT analysis concluded that the City would have to determine a Finding of Overriding Considerations to meet its CEQA requirements. Additional VMT mitigation measures that could be implemented should be explored to further reduce the VMT generated by the project. This would also have a benefit in terms of reducing external trips throughout the study area including the City of Perris. Perhaps consideration to additional CAPCOA VMT reduction measures can be considered to reduce VMT generated by the project and hence also reduce external trips to the City of Perris. A complete list of potential CAPCOA VMT reduction measures is included in Appendix E.
8. Prior to further proceedings, to ensure consistency, the right-of-way widths and alignments of Ethanac Road and Murrieta Road shall be coordinated with the roadway designation as classified per City of Perris' General Plan. The correlation will determine the extent of roadway and intersection improvements at the intersection of Murrieta Road and Ethanac Road to accommodate the traffic impacts related to the project's passenger vehicle trips. The Traffic Impact Analysis (TIA) should include an analysis of the intersection of Ethanac Road and Murrieta Road. Listed below are City of Perris' roadway designations for Ethanac Road and Murrieta Road.
  - Ethanac Road is classified as an Expressway (184'/134') with a 14 foot wide raised landscaped median.
  - Murrieta Road is classified as a Secondary Arterial (94'/70') with a 14 foot wide raised landscaped median.

L-1-8

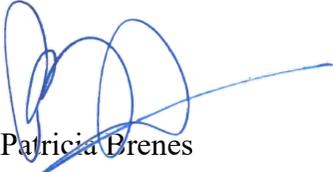
L-1-9

**CEQA.** Please provide future notices prepared for this Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

L-1-10

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355, or [pbrenes@cityofperris.org](mailto:pbrenes@cityofperris.org) if you have any questions or would like to discuss the above comments in further detail.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Patricia Brenes  
Planning Manager

cc: Clara Miramontes, City Manager  
Wendell Bugtai, Assistant City Manager  
Robert Khuu, City Attorney  
Kenneth Phung, Director of Development Services  
John Pourkazemi, City Engineer



# CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200  
TEL: (951) 943-5003 FAX: (951) 943-8379

December 4, 2023

Ryan Fowler  
Principal Planner  
City of Menifee  
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29844 Haun Road  
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The City of Perris supports regional development that helps to advance the quality of life in the Inland Empire, such as the proposed Project. However, the City has the following comments related to the substantial traffic that would be generated in the future by passenger vehicles and semi-trucks:

## **Traffic Impact Analysis**

1. The traffic study included only 10 potential cumulative projects located in the City of Perris. A copy of the assumed Perris cumulative projects is included in the attached Appendix A and identified as Table 4 – D Cumulative Projects – City of Perris. Based upon our review of numerous other projects in the City of Perris, there appear to be several projects missing from the Perris Cumulative Project list. RK would recommend that the Perris Planning Department review this list with respect to the study area and provide any additional approved projects that should be included in the Perris cumulative project list.

2. The traffic study analyzed intersections where the project had the potential for contributing 50 or more a.m./p.m. peak hour trips. RK reviewed the project assignment of traffic in the vicinity of the City of Perris and generally the intersections selected for review were consistent with this criterion. However, based upon the traffic assignment of the project in the City of Perris, there are two (2) additional intersections that should be studied where the project would contribute 50 or more a.m./p.m. peak hour trips. These include the following:
  - a. Mapes Road at Bonnie Drive/Perris Metro Station intersection
  - b. Mapes Road at Case Road intersection

It appears that for these two additional intersections the project contributes more than 50 project peak hour trips, therefore, these two additional intersections should be analyzed similar to other intersections in the study area.

Additional intersections along Case Road (i.e. Murrieta Road, Goetz Road, G Street, Perris Boulevard, etc.) may also generate 50 or more peak hour project trips depending on how the volumes are assigned northeast of Mapes Road.

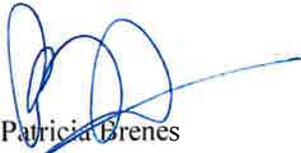
3. The traffic study identified 17 intersections in the City of Perris that would operate at an unacceptable level of service with the project and would require improvements. A summary of these intersections is included in Appendix B (Table 8–K – Intersection Improvement Funding Mechanisms and Fair Share) and is also shown on Exhibit B. The study indicated what improvements are needed at those intersections and a project fair share cost percentage. However, it is unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to implement these required improvements.
4. The traffic study identified 13-Roadway Segments in or near the City of Perris that would require improvements. A summary of these is included in Appendix C (Table 8 – L – Roadway Segment Improvements Funding Mechanism and Fair Share). These locations are also shown on Exhibit B. Again, the improvements and project fair share percentage is included in Table 8 – L, however, no funding mechanism for implementing these required improvements is identified in the report.
5. City of Perris Truck Routes. The traffic study identified the City of Perris Truck Routes on page 82 of the PDF – Figure 3 – 18. This figure is outdated and has been previously replaced with the truck route plan included in the attached Appendix D (City of Perris Truck Routes). It does appear from the traffic study that none of the project's trucks have been routed to any of the City of Perris non-truck route roadways, based upon the assignment of project trips. Therefore, this comment is meant for clarification and does not appear to have a significant impact to the conclusions of the study. It is recommended that the traffic consultant verify that the assignment of project trucks to ensure that do not utilize any of the truck routes restrictions included in Appendix D.

6. VMT Analysis. The traffic consultant prepared a detailed VMT analysis for the proposed project. This included a VMT assessment of VMT/service population of the project and in terms of the roadway VMT assigned to study area roadway segments. The study included some Project Design Features and VMT Mitigation Measures to help reduce the VMT per service population, because of the project. However, the results of the study indicate that these would not be sufficient to reduce the VMT per service population to an acceptable standard, based upon the City of Menifee criteria.
7. As a result of this finding, the VMT analysis concluded that the City would have to determine a Finding of Overriding Considerations to meet its CEQA requirements. Additional VMT mitigation measures that could be implemented should be explored to further reduce the VMT generated by the project. This would also have a benefit in terms of reducing external trips throughout the study area including the City of Perris. Perhaps consideration to additional CAPCOA VMT reduction measures can be considered to reduce VMT generated by the project and hence also reduce external trips to the City of Perris. A complete list of potential CAPCOA VMT reduction measures is included in Appendix E.

**CEQA.** Please provide future notices prepared for this Project pursuant to the California Environmental Quality Act (“CEQA”) under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355, or [pbrenes@cityofperris.org](mailto:pbrenes@cityofperris.org) if you have any questions or would like to discuss the above comments in further detail.

Sincerely,



Patricia Brenes  
Planning Manager

cc: Clara Miramontes, City Manager  
Wendell Bugtai, Assistant City Manager  
Robert Khuu, City Attorney  
Kenneth Phung, Director of Development Services  
John Pourkazemi, City Engineer

### 2.2.1 City of Perris

**Comment Code:** L-1

**Date:** December 4, 2023

#### Response to Comment L-1-1

This comment is introductory and provides a brief description of the proposed Project including Project location and proposed uses.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment L-1-2

This comment expresses support for regional development that advances the quality of life in the Inland Empire, such as the proposed Project. The comment also introduces the City's concerns related to the traffic generated by the proposed Project, which are discussed in greater detail in the subsequent comments.

The City acknowledges this comment. The responses to specific traffic-related comments are provided in Response to Comment L-1-3 through Response to Comment L-1-9 below.

#### Response to Comment L-1-3

This comment states that the Traffic Impact Analysis (TIA) included only 10 potential cumulative projects located in the City of Perris, and that there appear to be several projects missing from the Perris Cumulative Project list.

During the preparation of the TIA, LSA contacted City of Perris staff in April 2022 for information regarding cumulative projects. On April 26, 2022, the City provided a list with five projects within the city. Additionally, the TIA also included and evaluated additional major projects in the city, specifically in the south Perris area as indicated on the City's website.

It should be noted that, as described in detail in the volume development section of the TIA, the Riverside County Transportation Model (RIVCOM) has been used for development of Horizon Year (2045) traffic volumes for this project. RIVCOM is the accepted travel demand model within Riverside County and includes most future projects in the County, including projects within Perris.

As described in Section 4.2 of the TIA, Horizon Year traffic volumes were developed using forecast volumes obtained from RIVCOM and by applying the National Cooperative Highway Research Program (NCHRP) post-processing methodologies. Information concerning cumulative projects within the study area were obtained from the planning departments of the City of Menifee and the adjacent jurisdictions of the County of Riverside, City of Lake Elsinore, City of Perris, City of Canyon Lake, City of Hemet, and City of San Jacinto between May and September 2022. As such, the future year scenario in RIVCOM does not include all the cumulative projects provided by these jurisdictions because there is no certainty regarding the completion timeline for several of these projects. As a conservative approach, RIVCOM Year 2045 socioeconomic data were evaluated to determine

whether these projects were included in the model. In cases where it was determined that the respective project was not included, the respective project was manually added into the model for generating Horizon Year (2045) traffic volumes. As such, the updated model includes all cumulative projects as provided by the City of Menifee and adjacent jurisdictions to be built by Horizon Year (2045) conditions.

#### **Response to Comment L-1-4**

This comment suggests that two (2) additional intersections that should be studied where the Project would contribute 50 or more a.m./p.m. peak-hour trips. These include Mapes Road at Bonnie Drive/Perris Metro Station, and Mapes Road at Case Road intersection. The comment further states that additional intersections along Case Road (i.e., Murrieta Road, Goetz Road, G Street, Perris Boulevard) may also generate 50 or more peak-hour Project trips depending on how the volumes are assigned northeast of Mapes Road.

LSA prepared a TIA scoping letter for the Project in July 2022 that included the study area to be analyzed for the Project. The consultant submitted the scoping letter to the City of Perris staff as well as other neighboring jurisdictions in July 2022 for confirmation on the study area, analysis methodology, or other comments. However, the City did not receive any comments on the study area from the City of Perris during that process and proceeded with the study area as included in the TIA scoping letter. As such, the City does not need to include analysis of these intersections unless otherwise requested by adjacent jurisdictions during the scoping agreement process.

#### **Response to Comment L-1-5**

This comment states that the TIA identified 17 intersections in the City of Perris that would operate at an unacceptable level of service with the Project and would require improvements. The comment questions how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is requested on the funding mechanisms that will be utilized to make these required improvements.

Comment noted. The Project will be responsible for paying the fair-share costs. As such, it is not expected that the Project would be required to build any of the improvements within the City of Perris but will pay its fair share for any improvements to be approved by Perris. The Project Applicant and City of Menifee staff will coordinate with City of Perris staff about implementation of identified improvements and payment of fair-share cost.

#### **Response to Comment L-1-6**

This comment states that the TIA identified 13 Roadway Segments in or near Perris that would require improvements and requests that the funding mechanism for implementing these required improvements be identified.

Comment noted. The Project will be responsible for paying the fair-share costs. As such, it is not expected that the Project would be required to build any of the improvements within the City of Perris but will pay its fair share for any improvements to be approved by Perris. The Project

Applicant and City of Menifee staff will coordinate with City of Perris staff about implementation of identified improvements and payment of fair-share cost.

### **Response to Comment L-1-7**

This comments states that the TIA identified the City of Perris truck routes but that the figure is outdated and has been previously replaced. It does appear from the TIA that none of the Project's trucks have been routed to any of the City of Perris non-truck route roadways, based upon the assignment of Project trips. Therefore, this comment is meant for clarification and does not appear to have a significant impact to the conclusions of the study. The comment further recommends that the assignment of Project trucks is verified to ensure that they do not utilize any of the truck route restrictions.

This comment is noted. The TIA demonstrates that project truck traffic will not be using any non-truck routes within Menifee and Perris. The Project Applicant and City of Menifee staff will coordinate to develop a conditions of approval memorandum that includes the truck routes to be used by the Project's truck traffic.

### **Response to Comment L-1-8**

This comment acknowledges that the detailed vehicle miles traveled (VMT) analysis prepared for the project included a VMT assessment of VMT per service population of the project in terms of the roadway VMT assigned to study area roadway segments. The study included some Project Design Features and VMT Mitigation Measures to help reduce the VMT per service population. However, the results of the study indicate that these would not be sufficient to reduce the VMT per service population to an acceptable standard, based upon City of Menifee criteria.

The comment restates the conclusion that the City would have to determine a Finding of Overriding Considerations for VMT impacts to meet its CEQA requirements. The comment requests that additional VMT mitigation measures should be explored to further reduce the VMT generated by the project. This would also have a benefit in terms of reducing external trips throughout the study area, including Perris.

Comment noted. Since the Project is a programmatic level document, specific Project-level information, including building specifications, users, and specific VMT impacts associated with future implementing projects are not yet known. The Project Applicant and City of Menifee staff will coordinate to determine additional feasible VMT reduction measures that the Project could implement to reduce Project VMT as each phase of the Project is developed.

### **Response to Comment L-1-9**

This comment requests that the right-of-way widths and alignments of Ethanac Road and Murrieta Road be coordinated with the roadway designation as classified per the City of Perris General Plan. The comment further states that this will determine the extent of roadway and intersection improvements at the intersection of Murrieta Road and Ethanac Road to accommodate the traffic impacts related to the Project's passenger vehicle trips. Further, the comment requests that the TIA include an analysis of the intersection of Ethanac Road and Murrieta Road. The comment provides

the City of Perris' roadway designations for Ethanac Road and Murrieta Road: (a) Ethanac Road is classified as an Expressway (184'/134') with a 14-foot-wide raised landscaped median; and (b) Murrieta Road is classified as a Secondary Arterial (94'/70') with a 14-foot-wide raised landscaped median.

LSA acknowledges this comment. This intersection has been analyzed in the TIA (Intersection 36). As shown in the TIA, the Project would have a cumulative deficiency at this intersection under project build-out conditions and Horizon Year conditions. Improvements were identified primarily to the south leg (which is under City of Menifee jurisdiction) that would address the operational deficiency identified at this intersection. A southbound through lane would also be required; however, the widening of the south leg would only require restriping at the north leg to accommodate this improvement. The Project would be paying its fair share for implementation of these improvements as identified in Table 8-K of the TIA. The City of Menifee and the City of Perris will coordinate to ensure consistency, right-of-way widths, and alignment of Ethanac Road and Murrieta Road per the General Plans of both cities during implementation of the proposed improvement.

#### **Response to Comment L-1-10**

This comment requests that all future notices prepared for the proposed Project pursuant to CEQA, including notices of any public hearings or scoping meetings, be provided to the City of Perris. This comment also provides concluding remarks and the contact information for the City of Perris Planning Manager.

The City acknowledges this comment and will provide all future notices prepared for the proposed Project pursuant to CEQA to the City of Perris.

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## 2.3 ORGANIZATIONS

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Comment Letter O-1

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000  
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660  
FAX: (650) 589-5062

ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350  
SACRAMENTO, CA 95814-4721

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TANYA A. GULESSERIAN  
DARION N. JOHNSTON  
RACHAEL E. KOSS  
AIDAN P. MARSHALL  
TARA C. RENGIFO

*Of Counsel*

MARC D. JOSEPH  
DANIEL L. CARDOZO

October 20, 2023

**Via U.S. Mail and Email**

Cheryl Kitzerow, AICP  
Community Development Director  
Menifee City Hall  
Community Development Department  
29844 Haun Road  
Menifee, CA 92586  
Email: [ckitzerow@cityofmenifee.us](mailto:ckitzerow@cityofmenifee.us)

Sarah Manwaring, City Clerk  
Menifee City Hall  
City Clerk Department  
29844 Haun Road  
Menifee, CA 92586  
Email: [smanwaring@cityofmenifee.us](mailto:smanwaring@cityofmenifee.us)

**Via Email Only**

Ryan Fowler, Principal Planner  
Email: [rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us)

**Re: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report – Menifee Valley Specific Plan (SCH No. 2022030233)**

Dear Ms. Kitzerow, Ms. Manwaring, and Mr. Fowler:

We are writing on behalf of Californians Allied for a Responsible Economy (“CARE CA”) to request ***immediate access*** to any and all documents referenced, incorporated by reference, and relied upon in the Draft Environmental Impact Report (“DEIR”) prepared for the Menifee Valley Specific Plan (SCH No. 2022030233) (“Project”), proposed by Minor Ranch, LLC. (“Applicant”). *This request excludes a copy of the DEIR and its appendices. This request also excludes any documents that are currently available on the City of Menifee website.*<sup>1</sup>

O-1-1

The Project proposes the construction of up to 1,718 single-family and multi-family residential homes, as well as residential neighborhood amenities that include but are not limited to: a private recreation center, greenbelts, a dog park, and an agriculture-themed business area that could include a community farm/produce stands, a garden/growing area, and small commercial and non-commercial animal-

O-1-2

<sup>1</sup> Accessed <https://www.cityofmenifee.us/325/Environmental-Notices-Documents> on October 20, 2023.

keeping; an elementary school; 120,000 square feet (SF) of public facilities to be developed by the City of Menifee; up to 4,360,000 SF of business park for light industrial, manufacturing, warehouse/storage, and e-commerce uses; up to 1,150,000 SF of commercial business park for commercial, retail, incubator, and small-scale light industrial uses; and up to 560,000 SF of commercial building space for commercial, retail, and incubator uses. The 590.3-acre Project site is bounded on the north by SR-74, on the south by Matthews Road, on the east by Briggs Road, and on the west by Menifee Road (Assessor's Parcel Numbers: 331-260-005 through -009, 331-270-005, 331-280-005, 331-290-004, 331-300-002, 331-300-004, 331-300-005, 331-300-007, 331-300-013, 333-170-012, 333-170-006, 333-170-013, 333-170-011) in the City of Menifee, Riverside County, California.

O-1-2  
cont.

Our request for ***immediate access*** to all documents referenced in the DEIR is made pursuant to the California Environmental Quality Act ("CEQA"), which requires that all documents referenced, incorporated by reference, and relied upon in an environmental review document be made available to the public for the entire comment period.<sup>2</sup>

O-1-3

Please use the following contact information for all correspondence:

**U.S. Mail**

Sheila M. Sannadan  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080-7037

**Email**

[ssannadan@adamsbroadwell.com](mailto:ssannadan@adamsbroadwell.com)

O-1-4

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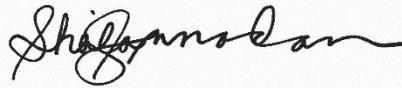
<sup>2</sup> See Public Resources Code § 21092(b)(1) (stating that "all documents referenced in the draft environmental impact report" shall be made "available for review"); 14 Cal. Code Reg. § 15087(c)(5) (stating that all documents incorporated by reference in the EIR . . . shall be readily accessible to the public"); see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442, as modified (Apr. 18, 2007) (EIR must transparently incorporate and describe the reference materials relied on in its analysis); *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 ("[W]hatever is required to be considered in an EIR must be in that formal report. . ."), internal citations omitted.

October 20, 2023  
Page 3

If you have any questions, please call me at (650) 589-1660 or email me at [ssannadan@adamsbroadwell.com](mailto:ssannadan@adamsbroadwell.com). Thank you for your assistance with this matter.

O-1-4  
cont.

Sincerely,



Sheila M. Sannadan  
Legal Assistant

SMS:ljl

### 2.3.1 Adams Broadwell Joseph & Cardozo

**Comment Code:** O-1

**Date:** October 20, 2023

#### Response to Comment O-1-1

This comment is introductory and states that Adams Broadwell Joseph & Cardozo is representing Californians Allied for a Responsible Economy (“CARE CA”) and requests immediate access to all documents referenced, incorporated by reference, and relied upon in the Draft EIR, excluding the Draft EIR itself, its appendices, and documents available on the City website.

The comment requested all documents referenced, incorporated by reference, and relied upon in the Draft EIR. However, CEQA only requires the City to provide the address where documents *incorporated by reference* in the Draft EIR can be reviewed. *State CEQA Guidelines* Section 21092(b)(1) includes public notice requirements for agencies preparing environmental impact reports or negative declarations. It provides, in relevant part “[t]he notice shall specify . . . the address where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review...” (Pub. Res. Code, § 21092(b)(1).) *State CEQA Guidelines* Section 15087(c)(5) clarifies that the notice shall specify “[t]he address where copies of the EIR and all documents incorporated by reference in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency’s normal working hours.” (14 Cal. Code Regs., § 15087(c)(5).) *State CEQA Guidelines* Section 15087(c)(5) was amended effective 2018 to clarify that the term “*referenced in the draft environmental report*” for the purposes of *State CEQA Guidelines* Section 21092 and *State CEQA Guidelines* Section 15087 means “*incorporated by reference*” as described in *State CEQA Guidelines* Section 15150. In its comments on the amendment, the Governor’s Office of Planning and Research observed that “if the requirement for the lead agency to make documents available for public inspection were to include all documents simply referenced or cited in an EIR or negative declaration, the requirement would be burdensome, unnecessary and unreasonable on lead agencies.” These authorities clarify that CEQA requires that the City provide notice of the address where all documents incorporated by reference in the Draft EIR are available for public inspection.

In addition to the Draft EIR and the appendices specifically excluded from the commentor’s request, there are five other documents referenced in Section 2.5 of the Draft EIR and incorporated by reference into the Draft EIR and available for inspection at the City. As required by *State CEQA Guidelines* Section 21092(b)(1) and *State CEQA Guidelines* Section 15087(c)(5), the City’s public notice specified that the Draft EIR and these documents are available for review at the Menifée City Hall, 29844 Haun Road, Menifée, CA 92586.

Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment O-1-2

This comment provides a summary of the proposed Project.

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The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

### **Response to Comment O-1-3**

This comment states that the request for documents stated in Comment O-1-1 has been made pursuant to CEQA and explains the CEQA requirement that all documents referenced, incorporated by reference, and relied upon in an environmental review document are made publicly available for the full duration of the review period.

Please see Response O-1-1.

### **Response to Comment O-1-4**

This comment provides concluding remarks and contact information.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

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# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-057-2016-015

November 07, 2023

[VIA EMAIL TO:rfozler@cityofmenifee.us]  
City of Menifee  
Mr. Ryan Fowler  
29714 Haun Road  
Menifee, CA 92586

## Re: Menifee Valley Specific Plan DEIR

Dear Mr. Ryan Fowler,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the SPA 2016-140 & TTM 2016-139 project. We have reviewed the documents and have the following comments:

O-2-1

\*Please provide the confidential Cultural Resources Assessments.

O-2-2

\*The Draft Environmental Impact Report included standard mitigation measures to address impacts to cultural resources. We found these measures to be sufficient.

O-2-3

\*Please provide update as to where and when CA-RIV-12345 will be relocated.

O-2-4

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

O-2-5

Cordially,

Xitlaly Madrigal  
Cultural Resources Analyst  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS

**From:** [Ryan Fowler](#)  
**To:** [Ashley Davis](#); [Lauren Peachey](#)  
**Subject:** FW: Menifee Valley Specific Plan DEIR  
**Date:** Tuesday, November 7, 2023 1:52:38 PM  
**Attachments:** [Final Menifee Valley Cultural Letter\\_03032022.pdf](#)  
[03-057-2016-015ACBCI11\\_7\\_2023.pdf](#)

---

Just so you have record of my response. This letter should probably be included as Comment Letter #3.

-----Original Message-----

From: Ryan Fowler  
Sent: Tuesday, November 7, 2023 1:50 PM  
To: THPO Consulting <[ACBCI-THPO@aguacaliente.net](mailto:ACBCI-THPO@aguacaliente.net)>  
Subject: RE: Menifee Valley Specific Plan DEIR

Good afternoon, Xitlaly.

The Pechanga tribe has indicated preference for reburial of inadvertent finds within the Project's open space; they mentioned a preference for reburial at the nearby Granite Hill site located within the southeasterly corner of the Project site. This hill is a set-aside preservation area per the Specific Plan (shown in green in Figure 3 in the attached report). The Tribes will be consulted (per Measure RCM CUL-1 of the Draft EIR) to ensure that the reburial location is outside the boundaries of other known cultural resource sites.

O-2-6

Please feel free to reach out if you have any further questions.

RYAN FOWLER | Principal Planner  
Community Development Department  
"Creating a HEALTHY, VIBRANT, and CONNECTED community for everyone."  
City of Menifee | 29844 Haun Road | Menifee, CA 92586 City Hall: (951) 672-6777 | Direct: (951) 723-3740 | Fax:  
(951) 679-3843 [rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us) | [cityofmenifee.us](http://cityofmenifee.us)

Connect with us on social media: |||

\*Please note that email correspondence with the City of Menifee, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt. The City of Menifee shall not be responsible for any claims, losses or damages resulting from the use of digital data that may be contained in this email.

-----Original Message-----

From: THPO Consulting <[ACBCI-THPO@aguacaliente.net](mailto:ACBCI-THPO@aguacaliente.net)>  
Sent: Tuesday, November 7, 2023 10:42 AM  
To: Ryan Fowler <[rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us)>  
Subject: Menifee Valley Specific Plan DEIR

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

If you have any questions about the attached letter please feel free to contact me.

Thank you,

Xitlaly Madrigal  
Cultural Resources Analyst  
xmadrigal@aguacaliente.net  
C: (760) 423-3485 | D: (760) 883-6829  
5401 Dinah Shore Drive, Palm Springs, CA 92264



03-057-2018-004

December 07, 2023

[VIA EMAIL TO:rflower@cityofmenifee.us]  
City of Menifee  
Mr. Ryan Fowler  
29714 Haun Road  
Menifee, CA 92586

**Re: Menifee Valley Specific Plan Reburial Location**

Dear Mr. Ryan Fowler,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the SPA No. 2018-182, SP No. 2018-181, TR 2018-209 project. We have reviewed the documents and have the following comments:

\*To our knowledge there are no known TCRs in the proposed reburial location.

O-2-7

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Xitlaly Madrigal  
Cultural Resources Analyst  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS

### 2.3.2 Agua Caliente Band of Cahuilla Indians (Agua Caliente Band)

**Comment Code:** O-2

**Date:** November 7, 2023

#### Response to Comment O-2-1

This comment provides introductory remarks.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

#### Response to Comment O-2-2

This comment requests access to the Confidential Cultural Resources Assessments prepared for the proposed Project.

The confidential attachment to the Updated Cultural Resource Study for the Menifee Valley Specific Plan Project (Study), which was removed prior to public distribution of the Study as Appendix E-1 to the Draft EIR, was provided to the Agua Caliente Band on November 7, 2023 (included as Comment O-2-6). The City looks forward to continuing its communication with the Agua Caliente Band regarding the proposed Project.

#### Response to Comment O-2-3

This comment states that the Agua Caliente Band found the standard mitigation measures included in the Draft EIR pertaining to cultural resources to be sufficient.

The City acknowledges this comment.

#### Response to Comment O-2-4

This comment requests information regarding the relocation of Cultural Resource CA-RIV-12345.

This comment was addressed by the City in its correspondence to the Agua Caliente Band on November 7, 2023, which is included as Comment O-2-6. Please refer to Response to Comment O-2-6 for information regarding the proposed relocation site. Regarding timing, as stated in MM TCR-2 in Section 4.18, Tribal Cultural Resources, of the Draft EIR, relocation and reburial would occur prior to the commencement of ground disturbance activities of the area encompassing CA-RIV-12345.

#### Response to Comment O-2-5

This comment provides concluding remarks and contact information.

The City acknowledges this comment. Given that the comment does not raise any specific issues regarding the Draft EIR or the analysis contained therein, no further response is necessary.

### **Response to Comment O-2-6**

In this comment, a representative of the City of Menifee provides an e-mail response to Comment O-2-4 from the Agua Caliente Band, providing information regarding the proposed reburial location of CA-RIV-12345 and other inadvertent finds within the Project site. The City indicates that the Tribes will be consulted to ensure that the reburial location is outside the boundaries of other known cultural resource sites.

This comment serves as a record of the City's e-mail correspondence with the Agua Caliente Band in response to Comment O-2-4.

### **Response to Comment O-2-7**

This comment provides a response from the Agua Caliente Band to the City's e-mail response indicating that there are no known tribal cultural resources within the proposed reburial location of CA-RIV-12345 and other inadvertent finds within the Project site.

This comment serves as a record of the City's e-mail correspondence with the Agua Caliente Band in response to Comment O-2-4.

## 3.0 ERRATA

This section of the Final EIR provides text changes to the Draft EIR that have been made to clarify, amplify, or make minor edits to the Draft EIR text for the proposed Menifee Valley Specific Plan (proposed Project). Such changes are a result of further review of, and public comments related to, the Draft EIR. The changes described in this section are minor changes that do not constitute significant new information, change the conclusions of the environmental analysis, or require recirculation of the document (*State California Environmental Quality Act [CEQA] Guidelines* Section 15088.5).

Such changes to the Draft EIR are indicated in this section under the appropriate Draft EIR section. Deletions are shown with ~~striketrough~~ and additions are shown with underline.

### 3.1 DRAFT EIR - GLOBAL REVISION

According to the Subdivision Map Act, if the parcels on a proposed subdivision are larger than 20 (gross) acres, the subdivision map would be classified as a Tentative Parcel Map. If parcels on a proposed subdivision are less than 20 gross acres, it would be classified as a Tentative Tract Map. As some of the parcels within the proposed subdivision are less than 20 gross acres, the subdivision map for the proposed Project would be classified as a Tentative Tract Map.

As such, every mention of “Tentative Parcel Map” in the Draft EIR should be referenced as “Tentative Tract Map”. Tentative Tract Map No. PLN 22-0033 is a Finance Map, and this terminology revision is a function of how the map is referenced and has no bearing on the processing of the subdivision map in the case or on the associated environmental impacts. Further, the process and requirements dictated by the City’s Engineering and Public Works Department are the same for both a Parcel Map and a Tract Map. This change was made for clarification only and has no effect on the analysis or conclusions contained in the Draft EIR.

### 3.2 CHAPTER 3.0, PROJECT DESCRIPTION

Chapter 3.0, Project Description, has been revised in response to a comment letter received during public circulation of the Draft EIR from the Riverside County Flood Control and Water Conservation District (comment letter R-4). This change was made for clarification only and has no effect on the analysis or conclusions contained in the Draft EIR.

The following revision was made to Table 3.B: Probable Future Actions by Responsible/Trustee Agencies in Section 3.9.4, Probable Future Actions by Responsible/Trustee Agencies (see boldly outlined cells on the following table):

**Table 3.B: Probable Future Actions by Responsible/Trustee Agencies**

<b>Responsible/Trustee Agency</b>	<b>Action</b>
State Water Resources Control Board (SWRCB)	Applicant/Developer must submit Permit Registration Documents, including a Notice of Intent, to comply with the National Pollutant Discharge Elimination System (NPDES) Riverside County Municipal Permit (Order No. R8-2010-0033).
California Department of Fish and Wildlife (CDFW)	Approval of Section 1602 Permit
South Coast Air Quality Management District	Permits to Construct and Permits to Operate (should any business park uses require such permits)
Riverside County Transportation Commission (RCTC)	Approval of non-vehicular bridge crossing over the BNSF RR.
Regional Water Quality Control Board (RWQCB)	Section 401 Water Quality Certification and Issuance of Waste Discharge Requirements (WDRs).
United States Army Corps of Engineers (ACOE)	Approval of Section 404 Permit and an HMMP.
Division of the State Architect	Approval of construction plans and grading permit for a proposed school.
Riverside County Airport Land Use Commission	Approvals of Consistency with the March Air Reserve Base Airport Land Use Compatibility Plan.
Caltrans	Approval of improvement plans for SR-74 and Encroachment Permits into State right-of-way.
Southern California Edison (SCE)	Approval for undergrounding of utility lines and Encroachment Permits.
Federal Emergency Management Agency	Approval of a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) to remove portions of the Project site from the 100-year floodplain.
<u>Riverside County Flood Control and Water Conservation District (District)</u>	<u>Issuance of an encroachment permit for construction activities involving Romoland Master Drainage Plan Line A.</u>

Source: Compiled by LSA Associates, Inc. (2023).