

## 1.0 INTRODUCTION

### 1.1 Findings of Fact

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a project be examined and disclosed prior to approval of a project. Pursuant to CEQA Guidelines Section 15091(a), No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR [referred to in these Findings as “Finding 1”].
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency [referred to in these Findings as “Finding 2”].
- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR [referred to in these Findings as “Finding 3”].

Having received, reviewed and considered the Final Menifee Valley Specific Plan Project (Project), State Clearinghouse (SCH) #2022030233; as well as all other information in the record of proceedings on this matter, the following Findings Regarding the CEQA Documents for the Project are hereby adopted by the City of Menifee (City).

### 1.2 Document Format

These Findings have been categorized into the following sections:

- 1) Section 1.0 provides an introduction to these Findings.
- 2) Section 2.0 provides a summary of the Project, overview of other discretionary actions required for the Project, and a statement of Project objectives.
- 3) Section 3.0 provides a summary of those activities that have preceded the consideration of the Findings for the Project as part of the environmental review process, and a summary of public participation in the environmental review for the Project.
- 4) Section 4.0 sets forth findings regarding those potentially significant environmental impacts identified in the CEQA Documents which the City has determined to be less than significant with the implementation of Project design features.
- 5) Section 5.0 sets forth findings regarding those significant or potentially significant environmental impacts identified in the CEQA Documents which the City has determined can feasibly be mitigated

to a less than significant level through the imposition of mitigation measures included in the MMRP for the Project.

6) Section 6.0 sets forth findings for significant and unavoidable project impacts.

7) Section 7.0 sets forth findings regarding growth-inducing impacts.

8) Section 8.0 sets forth findings regarding alternatives to the Project.

9) Section 9.0 contains findings regarding the Mitigation, Monitoring and Reporting Program (MMRP) for the Project.

10) Section 10.0 contains other relevant findings adopted by the City with respect to the Project.

11) Section 11.0 contains the Statement of Overriding Considerations for the Project.

12) Section 12.0 contains information pertaining to the certification of the Final EIR.

The Findings set forth in each section herein are supported by findings and facts identified in the administrative record of the Project.

### **1.3 Custodian and Location of Records**

The documents and other materials that constitute the administrative record for the City's actions regarding the Project are located at the City of Menifee Community Development Department, 29844 Haun Road, Menifee, California 92586. The City is the custodian of the administrative record for the Project.

## **2.0 PROJECT SUMMARY**

### **2.1 Project Description/Location**

The Project site is located within the Menifee Valley Ranch Specific Plan No. 301 (SP 301) in the northeastern portion of the City of Menifee in Riverside County, California. Regional access to the Project site is provided by State Route 74 (SR-74), which is located adjacent to a majority of the northern boundary of the Project site, and Interstate 215 (I-215), which is located approximately 2 miles (mi) west of the Project site. The 590.3-acre (ac) Project site is comprised of Assessor's Parcel Numbers [APN] 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, 331-300-007, 331-300-013, 333-170-012, 333-170-006, 333-170-013, and 333-170-011. The 590.3-acre site is a portion of the approved SP 301 which covers a total of 942.0 acres.

The Project site is currently undeveloped vacant land under the jurisdiction of the City and is generally a flat to gently sloping property with the exception of a granitic hill on the southeastern corner of the Project site. The property is currently leased to an agricultural operator that farms the majority of the site.

The Project proposes a mixed-use development located within the approved Meniffee Valley Ranch Specific Plan (SP 301) and two sets of off-site improvement areas. The Project would separate the 590.3 acres north of Matthews Road and the existing rail line, from the approved SP 301 property to the south to create the new Meniffee Valley Specific Plan.

The first set of off-site improvements includes roadway improvements to existing roadways (e.g., Meniffee Road, State Route 74 [SR-74], and Briggs Road), utility connections (e.g., water, sewer, stormwater, electricity, internet, and natural gas), landscaping, and construction of a non-vehicular bridge to connect the Specific Plan site to the Heritage Lake community to the south.

The second set of off-site roadway improvements are proposed to address traffic impacts in conflict with the General Plan policies as identified in the Circulation Element. These roadway improvements, which include widening and additional turn lanes as required, include the following: extend McLaughlin Road as a 2-lane modified arterial west of the Project and connect it to Case Road-Matthews Road; widen Case Road-Matthews Road to a 2-lane modified arterial; and enforce diversion of southbound Project truck traffic to the Ethanac Road interchange using the McLaughlin Road extension to Matthews Road/Case Road. These improvements would result in these roadway segments being built out to their ultimate configurations as identified in the City's General Plan Circulation Element (Circulation Element Exhibit C-3).

The Project's Land Use Plan would divide the property into 14 "Planning Areas" to accommodate 1,718 residential units; 44.5 acres of open space; 6,190,000 sf of business park, commercial business park, commercial areas and civic uses; and 32.4 acres of infrastructure and interior roads.

The Project includes a General Plan Amendment (GPA No. PLN 21-0336), Change of Zone (CZ No. PLN 21-0335), Specific Plan Amendment (No. PLN 21-0221), Specific Plan (No. PLN 21-0217), Tentative Tract Map (No. PLN 22-0033), and Development Agreement (No. PLN 21-0338). The GPA proposes an Amendment to the City's General Plan to revise the General Plan land use map to include the proposed Meniffee Valley Specific Plan designation and remove the portion of SP 301 from the Project area. The CZ proposes revisions to the zoning ordinance text of SP 301 to reflect the proposed Specific Plan Amendment and to revise the City's Zoning Map to include the proposed Project's zone and reflect the proposed Specific Plan Amendment. The Specific Plan Amendment proposes the fourth amendment to SP 301, which would remove parcels located north of Matthews Road from SP 301, thereby reducing the size of SP 301 from 1,548.3 acres to 942.0 acres.

## 2.2 Discretionary Actions

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

- **EIR Certification:** This Draft EIR is being prepared as the California Environmental Quality Act (CEQA) compliance document for the entitlement (approval) of the Specific Plan, and associated approvals discussed below. The EIR discusses consistency between this Specific Plan and the City of Menifee General Plan 2030 and provides mitigation measures to avoid or reduce the environmental effects resulting from the Specific Plan's implementation.
- **General Plan Amendment (GPA No. PLN 21-0336):** The General Plan Amendment (GPA) would revise the General Plan land use map to include the Menifee Valley Specific Plan land use designation and remove the portion of Specific Plan No. 301 (SP 301) proposed to be removed under Specific Plan Amendment No. PLN 21-0221 (as described below).
- **Change of Zone (CZ No. PLN 21-0335):** A change of zone is required to revise the City Zoning Map to include the Menifee Valley Specific Plan (Specific Plan No. PLN 21-0217) zone. The change of zone is required to change the SP 301 zoning designation to Specific Plan No. PLN 21-0217.
- **Specific Plan Amendment (SPA No. PLN 21-0221):** The Specific Plan Amendment (SPA) would remove parcels located north of Matthews Road, south of Highway 74, east of Menifee Road, and west of Briggs Road from SP 301. The removal of this area from SP 301 would reduce the size of SP 301 from 1,548.3 to 942.0 acres and would reduce the number of permitted residential units within SP 301 by 1,718 units.
- **Specific Plan (No. PLN 21-0217):** The approval of the Specific Plan would create the Menifee Valley Specific Plan (MVSP) on 590.3 acres. Project-related improvements and proposed land uses are discussed in this chapter of the EIR (**Chapter 3.0**).
- **Tentative Tract Map (No. PLN 22-0033) (TTM No. 38303):** The Tentative Tract Map includes an 11-lot subdivision to establish the boundaries and dimension of streets and the proposed mass grading for the MVSP. Following map recordation, the final map would become the legal document that identifies the lots and backbone infrastructure to allow for future subdivision maps to be filed.
- **Development Agreement (No PLN 21-0338):** The Development Agreement (DA) between the Applicant and the City identifies the terms for development of the Project site and identifies the Applicant's obligations associated with the proposed Project. The DA refers to the MVSP for the allowable land uses in the Specific Plan area and outlines other terms and conditions of approval associated with the Specific Plan's approval and implementation.

### 2.3 Statement of Objectives

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

- Implement the City of Menifee's General Plan, which envisions that the geographic area governed by the MVSP will be developed into a high-quality master planned community that demonstrates consistency with the City's General Plan policies.

- Plan for the development of a contemporary mixed-use community that internally balances housing needs and community amenities with job-producing commercial and business park uses that are economically viable in a 21st century economy.
- Locate businesses such as large warehouses and other uses that support the supply chain and which rely on transportation efficiency in a location with direct access to Menifee Road and Highway 74, which are established truck routes.
- Ensure that the addition of business park and commercial business park areas to the Specific Plan are designed as places where businesses can prosper, attract economic investment to the City of Menifee, and provide goods, services, and job opportunities to the surrounding community and region.
- Concentrate residential uses along Briggs Road and provide opportunities in the residential areas for supportive uses that are important to households such as an elementary school, agri-commercial uses such as a community farm, green spaces, and recreational amenities.
- Physically separate residential and business park areas through traditional and creative means such that the uses are complementary and supportive while limiting real and perceived conflicts associated with the adjacency of these uses.
- Provide for a public sports park with athletic fields, swim center, and other features that will be available for public use.
- Create gathering spaces and encourage outdoor movement in the form of parks, paseos, streetside green spaces, and outdoor employee amenity areas.
- Position a public facility/civic node in a convenient location that provides opportunity for a new fire station, a potential new rail corridor transit stop, or other public or quasi-public uses.
- Preserve Granite Hill in permanent open space, while allowing trails and other non-invasive activities that will protect the tangible and intangible assets of the landform. No development is permitted within Planning Area 7B, except as necessary for the construction of Briggs Road.
- Provide a comprehensive circulation network with integrated mobility options by introducing traffic calming features in the residential areas, by providing pedestrian and bicycle paths and amenities throughout the community, and by providing a non-vehicular bridge connection to the Heritage Lake community to the south.
- Identify and implement infrastructure improvements to provide adequate and reliable water, reclaimed water, sewer, and storm drain service for the community.
- Create a cohesive architectural and landscape theme that ties the various components of the community together to appear as a unified, defined and recognizable place.

### 3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A Notice of Preparation (NOP) was distributed for the Project by the City to the State Clearinghouse on March 22, 2022. The State of California Clearinghouse issued a project number for the project, SCH #2022030233. In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of 30 days, from March 10 to April 8, 2022, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. These NOP responses were considered in the preparation of the Draft EIR, which upon release, was made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087. A public scoping meeting was held on March 29, 2022, at 5:30 pm, in the City of Menifee City Hall.

The State-mandated public review of the Draft EIR began on October 19, 2023 and concluded on December 4, 2023. The Final EIR includes a Response to Comments package, which presents all written comments received during the public review period of the Draft EIR and includes responses to these comments and associated changes made to the EIR in the form of an Errata.

The EIR includes any exhibits or appendices thereto, the list of persons, organizations and public agencies which commented on the EIR, the comments which were received by the City regarding the EIR, and the City's written responses to comments raised in the public review and comment process, all of which are incorporated herein and made a part hereof by reference. Pursuant to State CEQA Guidelines Section 15084, the EIR has been reviewed and analyzed by the City of Menifee as the lead agency with respect to the Project and the EIR. The following findings for the Project and each fact in support of a finding are thus based upon substantial evidence in the record.

### 4.0 FINDINGS REGARDING ENVIRONMENTAL IMPACTS DETERMINED TO HAVE NO IMPACTS OR BE LESS THAN SIGNIFICANT

The City finds, based upon the analysis presented in Section 4.0 of the Draft EIR, dated August 2023, that the following environmental effects of the Project either have no impact or are less than significant, and, therefore, no mitigation measures are required. The City hereby finds that existing regulatory requirements, policies, and/or Project conditions have been identified and incorporated into the Project which avoids or substantially lessens the potentially significant effect on the environment to a less than significant level.

#### 4.1 Aesthetics

##### **Impact 4.1-1: Less than Significant Impact**

Project development on site would comply with the Development Standards, Design Guidelines, and Landscape Guidelines established in the proposed Specific Plan. These standards and guidelines themselves were developed using the City's General Plan and Design Guidelines (April 2020), including the City's Industrial Good Neighbor Policies as guidance. The City's General Plan Environmental Impact Report (September 2013) found that upon implementation of General Plan policies and adherence to the City's Municipal Code, implementation of the General Plan, which includes build out of the Project site, would not substantially degrade scenic vistas in Menifee and that impacts to scenic vistas would

be less than significant. While the proposed Project anticipates a different manner of development for the site, the Development Standards, Design Guidelines, and Landscape Guidelines established in the proposed Specific Plan have been developed using the City's General Plan and Design Guidelines. It is reasonable to conclude that the proposed Project would equally satisfy the appropriate General Plan policies and applicable provisions of the Municipal Code to prevent any significant impact to scenic vistas in the city.

The proposed off-site improvements along SR-74, Menifee Road, and Briggs Road would comply with the Menifee Valley Specific Plan (MVSP) Landscape Guidelines provided for the streetscape design along perimeter roadways, including SR-74 and Menifee Road. Additionally, improvements to SR-74 include undergrounding the existing transmission lines and poles along the Project's northern frontage in accordance with City General Plan Policy CD-4.8, which would improve views of scenic resources for views south across the Project site from SR-74. Incorporation of General Plan policies and adherence to the City's Municipal Code would ensure impacts to scenic vistas would be less than significant with implementation of the additional off-site roadway improvements along Mathews Road (Case Road), McCall Boulevard, and east of McLaughlin Road. In addition, no structures that could block scenic vistas are proposed in off-site improvement areas.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not significantly affect scenic vistas. Potential aesthetic impacts to scenic views are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-9 through 4.1-39.

#### **Impact 4.1-2: Less than Significant Impact**

The Caltrans Scenic Highway Program identifies SR-74 along the Project's northern frontage as an Eligible State Scenic Highway, and the City General Plan designates Menifee Road immediately west of the Project site as an Eligible County Scenic Highway. However, the Project site does not contain large trees or historic buildings. Therefore, development of the Project would have no impact on trees or historic buildings within a designated scenic highway. Further, in accordance with City General Plan Goal OSC-3 and Policies OCS-3.1 through OCS-3.4, Granite Hill would be preserved in its current condition. Views to Granite Hill for eastbound travelers on SR-74 are currently partially obstructed by the buildings at Heritage High School. As Granite Hill is a distant feature visible from SR-74 (but not on or adjacent to SR-74), and because views of this feature are currently partially obstructed, the proposed Project would not significantly damage the visibility of a scenic resource within a State scenic highway.

Off-site improvement areas are existing roadways and do not contain scenic resources, such as trees or rock outcroppings. In addition, incorporation of General Plan policies and adherence to the design standards of the City's ordinances would ensure impacts to scenic resources within a State scenic highway would be less than significant with implementation of off-site improvements.



**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not significantly affect scenic highways and corridors. Potential aesthetic impacts to scenic highways and corridors are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.1-39 through 4.1-41.

**Impact 4.1-3: Less than Significant Impact**

The City of Menifee Zoning Map designates the Project site as “Menifee Valley Ranch SP” (SP 301), which provides for the development of parks, open space, greenbelt, and residential uses. Upon approval of the Project entitlements, the construction and operation of the proposed uses would comply with the development standards and design standards and guidelines in the new MVSP. The visual character and quality of the site and surrounding area would be preserved and enhanced through the application of the architectural and landscape design guidelines set forth by the Specific Plan. Additionally, future development on the Project site would be subject to the City’s Design Review process, which provides for the review of the physical improvements to the site, including the overall scale of the buildings, setbacks, massing, design, and landscape.

The proposed off-site improvements would widen existing roadways in accordance with the General Plan Circulation Element. Improvements to these roadways would improve the aesthetic quality of these roadways through the development of street trees, parkways, and sidewalks in accordance with the landscape guidelines set forth by the Specific Plan, which are consistent with the applicable provisions of the City’s General Plan. In addition, incorporation of General Plan policies and adherence to the City’s Municipal Code would ensure impacts to the visual character and quality of the City would be less than significant with implementation of the off-site improvements.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would be consistent with applicable zoning and other regulations governing scenic quality at the project site. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this no impact determination.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-41 through 4.1-45.

**Impact 4.1-4: Less than Significant Impact**

The Project would introduce new sources of light into the Project area through development of residential, commercial, business park, public facility, open space, and roadway uses. Various forms of lighting (e.g., light poles, building façades, building, security, etc.) would be installed throughout the Project site in accordance with the lighting guidelines set forth in the Specific Plan in order to



reduce potential light and glare impacts on neighboring properties and the night sky. Additionally, development standards set forth in the Specific Plan would require open space, residential, and business park/public facility uses to comply with the respective Light Zone requirements prescribed in Chapter 9.205 of the City Municipal Code.

Although the Project site is located within the airport influence area of the March Air Reserve Base/Inland Port Airport and Compatibility Zone E of the [March Air Reserve Base/Inland Port Airport] Riverside County Airport Land Use Compatibility Plan (ALUCP), **Regulatory Compliance Measure (RCM) HAZ-2** would be implemented to prevent potential light and glare hazards on aviation.

Improvements to roadways and the development of a non-vehicular bridge over the BNSF Railway tracks would include lighting features developed in accordance with the lighting standards set forth by the Specific Plan, Caltrans, and City's public street standards. Compliance with **RCM HAZ-2** would ensure that outdoor lighting would not create a new source of substantial light or glare that would adversely affect aviation and day or nighttime views. In addition, incorporation of General Plan policies and adherence to the City's Municipal Code would ensure impacts associated with light and glare would be less than significant with implementation of the off-site improvements.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-45 through 4.1-48.

## 4.2 Agriculture and Forestry Resources

### Impacts 4.2-1: Less than Significant Impact

*State CEQA Guidelines* Appendix G defines three of the Farmland Mapping and Monitoring Program categories including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, as Important Farmland. The Project site consists of Farmland of Local Importance; therefore, development of the Project would not result in conversion of Farmland of Statewide Importance. Further, impacts to agricultural uses on site have been previously analyzed in the EIR for SP301, which is the existing entitled land use plan for the project site.

Off-site improvements include extension and connection of utilities and widening existing roadways. Portions of these roadways are designated as Prime Farmland; however, impacts to converting Farmland to roadway uses have already been evaluated in the City's General Plan EIR.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR, pages 4.2-13 through 4.2-16.

**Impacts 4.2-2, 4.2-3, and 4.2-4: No Impact**

The Project site and off-site improvement areas are not zoned for agricultural use and are not under a Williamson Act contract. Development of the Project would not conflict with an agricultural zoning or Williamson Act contract. The Project site and off-site improvement areas are also not zoned as forest land, timberland, or timberland production; therefore, development of the Project and off-site improvement areas would not conflict with forestry zoning. In addition, the Project site and off-site improvement areas do not contain forest resources; therefore, development of the Project and off-site improvement areas would not result in the loss or conversions of forest land.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not conflict with existing agricultural or forestry zoning designation or a Williamson Act contract. In addition, the proposed Project would not result in the loss or conversion of forest land. No impacts are expected to occur. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR, pages 4.2-16 through 4.2-19.

**Impacts 4.2-5: Less than Significant Impact**

Implementation of the proposed Project would not involve other changes in the existing environment that could result in the conversion of farmland to nonagricultural use, or conversion of forest land to non-forest use. The Project site contains undeveloped agricultural land currently being used for grain crop production pursuant to a 1-year lease between the Applicant and a local farmer; however, the lease would expire before Project construction. Therefore, the City does not plan for the Project site to be used for agricultural production in the future. There are no forest or timberland resources on, or in the vicinity of, the Project site. Therefore, Project implementation would not contribute or catalyze the conversion of forest land to non-forest use.

The City's General Plan EIR evaluated impacts related to converting Important Farmland to non-agricultural uses and found "General Plan buildout would convert mapped Important Farmland to non-agricultural uses" and impacts would be potentially significant without mitigation; however, the City's General Plan EIR also concluded "no mitigation measures are available that would reduce mapped farmland impacts to less than significant. State-designated farmland impacts are significant and unavoidable". As such, construction and operation of off-site improvements have already been

evaluated in the City's General Plan EIR which was certified with CEQA Findings and an adopted Statement of Overriding Considerations for significant impacts. Additionally, off-site improvements are existing roadways and do not include forest land or agricultural land.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not involve other changes in the existing environment which due to their location or nature could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. Potential impacts associated with off-site improvements would be less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.2-19 through 4.2-22.

### 4.3 Air Quality

#### **Impact 4.3-4: Less than Significant Impact**

During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily and intermittently generate odors. As noxious odors would be confined to the immediate vicinity of the construction equipment, unlikely to affect a substantial number of people, and would be diluted to well below any level of air quality concern by the time such emissions reached any sensitive receptor sites, impacts would be less than significant. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials and would be required to comply with odor policies enforced by the South Coast Air Quality Management District (SCAQMD), including Rule 402, which prohibits nuisance odors and identifies enforcement measures to reduce odor impacts to nearby receptors.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not create objectionable odors affecting a substantial number of people. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-48 through 4.3-49.

### 4.4 Biological Resources

Potential significant impacts can be mitigated to a level of less than significant. Refer to Section 5.0, below.

## 4.5 Cultural Resources

### **Impact 4.5-3: Less than Significant Impact**

No known human remains, including Native American, have been identified or otherwise known to be present on the Project site or within the off-site improvement areas. In the unlikely event that human remains are encountered during project construction, the proper authorities (i.e., Riverside County Coroner) shall be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities will be followed. Construction contractors are required to adhere to CCR Section 15064.5(e), PRC Section 5097, and Section 7050.5 of the State's Health and Safety Code. In addition, the Pechanga Band of Indians (Pechanga) and the Soboba Band of Luiseño Indians (Soboba) have requested site-specific mitigation to address potential unanticipated encounters with human remains in accordance with PRC 21080.3.2, and RCM TCR-1, RCM TCR-2, RCM TCR-3, and RCM TCR-4 were identified to ensure that human remains, if found during Project construction, would be protected. Compliance with CCR Section 15064.5(e), PRC Section 5097.98, and Section 7050.5 of the State's Health and Safety Code, and implementation of RCM CUL-4 and RCM CUL-5, would ensure that any potential impacts to unknown buried human remains would be less than significant.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not disturb any human remains, including those interred outside of dedicated cemeteries. Potential impact would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.5-16 through 4.5-19.

## 4.6 Energy

### **Impact 4.6-1: Less than Significant Impact**

Project construction and operation would have a negligible effect on local and regional energy supplies. As such, electrical and natural gas demand associated with Project construction and operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Furthermore, impacts related to energy use during construction would be temporary and relatively small in comparison to Riverside County's overall use of the State's available energy resources. Furthermore, the proposed Project would be required to adhere to all federal, State, and local requirements for energy efficiency, including Title 24 standards.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-8 through 4.6-17.

**Impact 4.6-2: Less than Significant Impact**

Because California's energy conservation planning actions are conducted at a regional level, and because the proposed Project's total impact on regional energy supplies would be minor, the proposed Project would not conflict with or obstruct California's energy conservation plans as described in the California Energy Commission's (CEC's) Integrated Energy Policy Report. Additionally, as discussed above, the proposed Project would not result in the inefficient, wasteful, and unnecessary consumption of energy.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not conflict or obstruct a state or local plan for renewable energy or energy efficiency. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-17 through 4.6-18.

**4.7 Geology and Soils**

**Impact 4.7-1 (i through iv): Less than Significant Impact**

The Project site is not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972 or as defined by the City's Local Hazard Mitigation Plan. In addition, the Project site is not located within an area where local geological and groundwater conditions suggest a potential for liquefaction. The City of Menifee General Plan identifies the granitic hill on the Project site as an area where local topographic and geological conditions have the potential for earthquake-induced landslides; however, the Geotechnical Evaluation's review of a previous report for the Project site determined the proposed development is not included in areas mapped as potentially susceptible to earthquake-induced landslides.

The design and construction of on-site Project uses would be required to adhere to the provisions of the California Building Code (CBC). Compliance with these State regulations would reduce hazards from strong seismic ground shaking. In addition, future development of Project structures would be required to have a site-specific geotechnical investigation report prepared by the Applicant's geotechnical consultant, in accordance with Appendix J Section J104 (Engineered Grading Requirements) of the CBC (see RCM GEO-1); such investigation would determine seismic design parameters for the Project building types pursuant to CBC requirements.

The off-site improvements areas are not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972 or as defined by the City's Local Hazard Mitigation Plan. Similar to the Project site, none of the off-site improvement areas are located within an area mapped as potentially susceptible to earthquake-induced landslides and most

of the off-site improvement areas are not located within an area where local geological and groundwater conditions suggest a potential for liquefaction. Some roadway improvements along McCall Boulevard may cross areas of liquefaction potential; however, with compliance with General Plan policies, City standards and recommendations of a project-specific geotechnical evaluation, impacts resulting from strong seismic-related ground failure, including liquefaction, within off-site improvement areas are anticipated to be less than significant. Further, off-site improvements do not include the construction of buildings.

The design and construction of on-site Project uses would be required to adhere to the provisions of the CBC. Compliance with these State regulations would reduce hazards from strong seismic ground shaking. Additionally, improvements to off-site roadways would comply with City standards and recommendations of the geotechnical evaluation report related to asphalt concrete pavement sections. Further, off-site improvements do not include the construction of buildings.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known Alquist-Priolo Earthquake Fault, strong seismic ground shaking, liquefaction, or landslides. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-11 through 4.7-18.

**Impact 4.7-2: Less than Significant Impact**

All Project grading would be subject to local and State codes and requirements for erosion control and grading, such as SCAQMD Rules 402 and 403, which would reduce construction erosion impacts. The Project uses constructed would also be subject to National Pollutant Discharge Elimination System (NPDES) permitting regulations, including the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for each phase of the Project, which would include best management practices (BMPs) in compliance with the Construction General Permit (CGP) during grading and construction as outlined in RCMs WQ-1, WQ 2, and WQ-3. Finally, developed areas on the Project site, including maintained landscaped and open space areas, would be required to adhere to BMPs identified in the Final Water Quality Management Plan (WQMP) pursuant to RCM WQ-4 to minimize post-construction erosion impacts during project operation. Future Project-related grading activities would also be required to adhere to Chapter 8.26 (Grading Regulations) of the City's Municipal Code, requirements of the Geotechnical Evaluations prepared for the Project site, and CBC (RCM GEO-1). In addition, all recommendations presented in the Final Geotechnical Assessment for the Project shall be implemented to the satisfaction of the City's Building and Safety Director or designee to ensure reduced effects to geology and soils on the site during Project construction and operation (RCM GEO-2).

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in substantial soil erosion or the loss of topsoil. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-18 through 4.7-23.

**Impact 4.7-3: Less than Significant Impact**

Proposed Project development on-site would not occur within areas mapped as potentially susceptible to earthquake-induced landslides. The off-site areas are relatively flat and not susceptible to earthquake-induced landslides. In addition, liquefaction potential both on- and off-site is considered low. Thus, impacts from lateral spreading and liquefaction would be less than significant. However, young alluvium, topsoil, undocumented fill soils, colluvium, and weathered older alluvium on the Project site and off-site improvement areas are potentially compressible in their present state and may settle under the surcharge of fills or foundation loading. To address and avoid the potential for land subsidence, soils would be removed down to competent dense materials as determined by the geotechnical engineer during grading in accordance with identified recommendation. Additionally, the Project would implement recommendations from the Final Geotechnical Assessment as required by RCM GEO-2 to ensure compliance with the most current CBC requirements.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and would not result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.7-23 through 4.7-26.

**Impact 4.7-4: Less than Significant Impact**

The Project site and off-site improvement areas contain soils that are expected to have a very low to low potential for expansive soil. In the event that, following the completion of grading, it is determined that near-surface soils within building pad areas exhibit an elevated expansion potential, the potential impact of those expansive soils would be addressed through design of structural foundations and floor slabs in compliance with applicable requirements in the CBC and the recommendations in the Geotechnical Evaluations (RCM GEO 1 and RCM GEO-2). Additionally, off-site improvements do not include the construction of buildings and would comply with City standards and recommendations of the geotechnical evaluation report (RCM GEO 1 and RCM GEO-2) related to asphalt concrete pavement sections. Since the potential for expansive soils is low and any potential expansion would be addressed through compliance with applicable State and local Code requirements, the Project would not create substantial potential risks to life or property.



**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not be located on expansive soil and would create a direct or indirect risk to life or property. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.7-26 through 4.7-27.

**Impact 4.7-5: No Impact**

The on-site Project uses and off-site improvements would not include the use of septic tanks or alternative wastewater disposal systems because sanitary sewer and wastewater facilities are available in the vicinity of the Project site.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not require the use of septic tanks or alternative wastewater disposal systems. No impact would occur. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.7-27 through 4.7-28.

**4.8 Greenhouse Gas Emissions**

**Impact 4.8-2: Less than Significant Impact**

The proposed Project would be consistent with the California Air Resources Board (CARB) Scoping Plan and the SCAG RTP/SCS because future projects associated with the proposed Project would be required to comply with the latest Title 24, CALGreen Code standards regarding energy conservation requirements and water efficiency, and the California Model Water Efficient Landscape Ordinance. In addition, electricity would be provided by Southern California Edison (SCE), which is required to increase its renewable energy sources to meet the Renewable Portfolio Standards mandate of 60 percent renewable supplies by 2030. As such, the proposed Project would not conflict with applicable energy or water conservation and efficiency standards of the CARB Scoping Plan.

Because the proposed Project is envisioned as a higher density housing development adjacent to commercial and employment opportunities to encourage pedestrian access and provide a consumer base for commercial uses and to help meet the existing and future housing needs of Menifee residents, the proposed Project would not conflict with applicable transportation and motor vehicle measures. Overall, the proposed Project would be consistent with the CARB Scoping Plan.

Since the purpose of the proposed Project is to accommodate planned regional housing and employment growth in the city and off-site roadway improvements are consistent with the City's

planned roadway network, the proposed Project would not exceed the growth assumptions in the SCAG's RTP/SCS and it is anticipated that implementation of the proposed Project would not interfere with SCAG's ability to implement the regional strategies outlined in the RTP/SCS. Therefore, the proposed Project would not conflict with an adopted plan, policy, or regulation pertaining to GHG emissions.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-33 through 4.8-38.

## 4.9 Hazards and Hazardous Materials

### **Impact 4.9-1: Less than Significant Impact**

Construction of the proposed Project, including on- and off-site improvements, would temporarily increase the regional transport, use, and disposal of commonly used construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals); however, due to the limited quantities of these materials to be used by the proposed Project, they are not considered hazardous to the public at large. The transport, use, and storage of hazardous materials during construction will be regulated by the Riverside County Fire Department and the California Occupational Safety and Health Administration. Additionally, the United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on State highways and rail lines, as described in Title 49 of the Code of Federal Regulations, and implemented by Title 13 of the CCR. The Phase II ESA concluded soils on the Project site did not exceed accepted screening levels of OCP, VOCs, TPH, or Title 22 Metals. Therefore, no remediation and/or export of potentially contaminated on-site soils would be required.

Further, the Project would comply with applicable waste discharge permit requirements to avoid potential impacts to water quality due to spills or runoff from hazardous materials used during construction pursuant to RCMs WQ-1 through WQ-4, provided in Section 4.10. Adherence to applicable local, state, and federal regulations related to the transport, use, and storage of hazardous materials and RCMs WQ-1 through WQ-4, impacts related to hazardous materials during construction would be less than significant.

During operation of the proposed Project, businesses that may handle hazardous materials in reportable quantities as described by the Riverside County Department of Environmental Health (DEH) would be subject to the regulations within Chapter 9.210.090 (Hazardous Materials) of the City Development Code and would be required to prepare a Hazardous Materials Business Plan (HMBP) via California Environmental Reporting System (CERS) as described in RCM HAZ-1. A HMBP is not

required per DEH regulations due to the absence of hazardous materials being stored or handled in the off-site improvement areas. Due to the type and nature of the uses that would operate on the Project site, the applicability of hazardous materials regulations for potential future businesses, and adherence to RCM HAZ-1, operation of the Project would result in less than significant impacts related to the routine transport, use, or disposal of hazardous materials.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-10 through 4.9-15.

**Impact 4.9-2: Less than Significant Impact**

As discussed above, construction of the proposed Project, including on- and off-site improvements, would involve use of hazardous materials and could result in accidental releases of hazardous materials. However, RCMs WQ-1, WQ-2, WQ-3, and WQ-4 would require compliance with the waste discharge permit requirements to ensure construction contractors maintain equipment and supplies on site for containing and cleaning up hazardous materials spills and would train workers in such containment and cleanup. In the event of an accidental hazardous materials release of toxicity and/or quantity that on-site workers would be unable to safely contain and clean up, the construction contractor would notify the Riverside County DEH of the release immediately. With compliance with RCMs WQ-1, WQ-2, WQ-3, and WQ-4, the use, storage, transport, and disposal of hazardous materials during construction would not cause significant hazards to the public or the environment through accidental releases of hazardous materials.

As discussed above, commercial land uses utilizing hazardous materials in reportable amounts during operation of the proposed Project would be required to prepare and submit an HMBP as described by RCM HAZ-1. Due to the type and nature of the uses that would operate on the Project site, the applicability of hazardous materials regulations for potential future businesses, and adherence to RCM HAZ-1, operation of the Project would result in less than significant impacts related to the accidental releases of hazardous materials. Further, the types and amounts of hazardous materials used and generated for maintenance of off-site improvements would not represent a significant risk related to the accidental release of hazardous materials, as they are commonly used throughout the city's residential and roadway land uses.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not create a significant hazard to the public or environment through the reasonably foreseeable upset and accident condition involving the release of hazardous material into the environment. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-15 through 4.9-17.

**Impact 4.9-6: Less than Significant Impact**

Site preparation, grading, and construction of the proposed Project, including off-site improvements, may require temporary lane closures/road closures on SR-74, Meniffee Road, and Briggs Road to allow for utility connections and improvements to the surrounding circulation system. These temporary lane closures/road closures would be implemented through a Construction Traffic Management Plan (CTMP), pursuant to RCM TRA-1, which, among other things, recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials can plan and respond appropriately to direct the public away from SR-74, Meniffee Road, and Briggs Road, as appropriate, in the event of an emergency requiring evacuation. Access would be maintained to allow emergency response teams to quickly enter and exit the site unimpeded. Therefore, through implementation of a CTMP in accordance with RCM TRA-1, construction activities would not substantially impair an adopted emergency response plan or emergency evacuation plan.

The proposed Project would include roadway improvements to address roadway deficiencies; however, implementation of the proposed Project and the proposed roadway improvements would not alter any facility or propose a physical change that would interfere with the City's Emergency Operations Plan (EOP). Therefore, implementation of the Project would not interfere with the adopted emergency response plan and/or the emergency evacuation plan.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-26 through 4.9-28.

**Impact 4.9-7 Less than Significant Impact**

The Project site and off-site improvement areas are located within the Local Responsibility Area (LRA) for the City of Meniffee and is not located within a Very High Fire Hazard Severity Zone (VHFHSZ) or identified within any Fire Threat Zones. The Project would also be subject to the regulations of the most recently adopted Riverside County Fire Department Fire Code, California Fire Code (CFC), and the California Building Code (CBC) to avoid potential impacts from the Project's potential to exacerbate wildfire risks. In addition, no habitable structures are proposed within the off-site improvement areas.

With adherence to the mentioned regulations, anticipated maintenance of the Project site landscaping, and the absence of a VHFHSZ on the Project site, impacts related to the Project exposing

people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not expose people or structures to significant risk of loss, injury, or death involving wildland fires. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-28 through 4.9-29.

#### 4.10 Hydrology and Water Quality

##### **Impact 4.10-2: Less than Significant Impact**

During construction of the proposed Project, groundwater dewatering may be required due to the fact that groundwater levels fluctuate with the seasons and local zones of perched groundwater may be present near the surface; however, the amount of water that would be extracted would not be substantial and would only occur temporarily during construction. Therefore, any temporary dewatering required by construction would not significantly decrease groundwater supplies or interfere with groundwater recharge in a manner that may impede sustainable groundwater management.

Under existing conditions, the soils on the Project site have low permeability and the Project site is not a source of significant groundwater recharge. Therefore, the increase in impervious surface area that will result from the development of the proposed Project would not interfere with groundwater recharge. Further, a *Water Supply Assessment* was prepared for the proposed Project by Eastern Municipal Water District (EMWD) and determined that the proposed Project would have adequate water supplies during normal, dry year, and multiple dry year demands. Therefore, it is expected that the proposed Project would rely on existing groundwater entitlements to serve the proposed Project's water needs and would not contribute to a substantial depletion of groundwater supplies.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.10-38 through 4.10-41.

## 4.11 Land Use and Planning

### **Impact 4.11-1 Less than Significant Impact**

Under current Project site conditions, the railroad line and Matthews Road act as a distinct barrier within the current Menifee Valley Ranch SP area. For planning purposes, the Project proposes to remove the undeveloped Project site from the current Menifee Valley Ranch SP 301 to the north. The proposed on-site and off-site roadways along the perimeter of the site would be designed to connect the proposed Project to the surrounding areas and the proposed bike- and pedestrian-only bridge that would connect the community of Heritage Lake to the Project site and two industrial collector streets and residential entry streets to provide additional vehicular connectivity to the surrounding areas. With these design features, and due to the already dividing feature of the railroad tracks separating the Heritage Lake community and the future Menifee Valley Specific Plan area, the Project would have a less than significant impact on dividing an established community.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not physically divide an established community. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.11-8 through 4.11-9.

## 4.12 Mineral Resources

### **Impact 4.12-1 and 4.12.2: No Impact**

The City's General Plan Open Space and Conservation Element designates the Project site and off-site areas as either Urban Area, which is not considered a Mineral Resource Zone (MRZ) classification, or MRZ-3, which are areas where the significance of mineral deposits cannot be determined from the available data. There are no known significant mineral resources designated in the City, and it is unlikely that significant mineral resources would be designated in the city in the future. Further, there are no active mineral resource recovery sites mapped within Menifee on the Mines Online map maintained by the California Office of Mine Reclamation and, according to the California Department of Conservation Geologic Energy Management Division (Cal GEM) Well Finder map, the Project site is not located in or near any oil fields, and there is no oil well facilities or underground gas storage facilities on or near the Project site. Additionally, mineral resources extraction is not a use compatible with the existing on-site and surrounding land uses, nor is the Project site sufficient in size or location to support productive or cost-effective mineral extraction.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in the loss of availability of a known mineral resources that would a value to the region or the residents of the state or result in the loss of availability of a local important mineral resource recovery site delineated on a local general plan,

specific plan, or other land use plan. No impacts would occur. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.12-5 through 4.12-9.

#### 4.13 Noise

##### **Impact 4.13-1: Less than Significant Impact**

Construction-related traffic noise for both on-site and off-site improvements would increase by up to 0.03 dBA during construction of the proposed Project. Because a noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment, noise impacts from short-term construction-related traffic associated with worker commutes and transport of construction equipment and material to the off-site roadway improvement locations would be less than significant. Although the noise generated by Project construction activities would be higher than the ambient noise levels, construction noise would stop once Project construction is completed and implementation of RCM N-1 would be required to minimize construction noise at residential land uses.

Traffic noise impacts from on-site operations of the proposed Project would also be less than significant because traffic noise levels at the noise-sensitive areas of residences and the school would not exceed the City's noise standard of 65 dBA CNEL even though the proposed Project would result in a substantial increase in ambient noise levels under the opening year (2026) Phases 2 and 3 cumulative traffic condition. In addition, the substantial increase in ambient noise levels would diminish over time to less than substantial due to ambient growth in the Project area. The proposed Project would not generate traffic from off-site roadway and infrastructure improvements. Therefore, no traffic noise impacts would occur from off-site roadway and infrastructure improvements.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-16 through 4.13-54.

##### **Impact 4.13-3: No Impact**

Based on the Riverside County Airport Land Use Compatibility Plan, the Project site and off-site improvement areas are outside the 55 dBA CNEL noise contours of the Perris Valley Airport, which is 3.8 miles northwest of the Project site. In addition, the off-site roadway and infrastructure improvements would not involve the introduction of residential or employment uses in the Project area. Therefore, the proposed Project would not expose people residing or working in the Project area to excessive noise levels from aircraft-related operations.

**Finding:** The City adopts CEQA Finding 1.



The City hereby finds that the Project would not expose people residing or working in the Project area to excessive noise levels due to proximity to an airport. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-59 through 4.13-60.

#### **4.14 Population and Housing**

##### **Impact 4.14-1: Less than Significant Impact**

Due to construction workers representing nearly 10 percent of the City's workforce and the continued demand for construction labor in the City, it can be reasonably determined that construction workers would be available to serve the construction needs of the site and would not be expected to relocate their places of residence as a consequence of working on the Project. Therefore, the Project would result in a less than significant impact associated with inducing substantial population growth or demand for housing through increased construction employment.

SP 301 was approved for an overall development of 4,407 dwelling units, with 1,718 of those units within the boundary of the Project site. The Project proposes the development of up to 1,718 units; therefore, the Project would not reduce the number of residential units on the Project site in accordance with SB 330. Additionally, the Project would not induce unplanned population growth from additional residential uses on the Project site. In addition, the current unemployment rates for the City suggests an ample available local and regional labor pool to serve the long-term employment opportunities offered by the Project site and makes it unlikely that the Project's labor demand would need to draw substantial number of employees from outside the region to meet the need for employees resulting from development of the Project site. The Project would provide jobs close to home for current and future city residents, and thus the Project would serve to improve the housing-jobs balance in the northeastern portion of the city. Further, because proposed infrastructure improvements would only serve the Project site, it is not anticipated that the associated Project site infrastructure improvements would not indirectly or directly induce population or growth.

Off-site improvements include widening public roadways in conformance with the City's General Plan Circulation Element. Therefore, roadway improvements within SR-74, Menifee, and Briggs Roads are consistent with the City's planned roadway network and would not result in indirect unplanned growth within the City.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not induce substantial unplanned population growth in the area, either directly or indirectly. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.14-6 through 4.14-9.

##### **Impact 4.14-2: Less than Significant Impact**

In its existing condition, the Project site is undeveloped land that consists primarily of agricultural land. As such, implementation of the proposed Project would not displace any existing housing or

populations at the Project site. In addition, off-site improvement areas are partially developed with paved roads and undeveloped right-of-way dedication. Therefore, construction of off-site improvements would also not displace any existing housing or populations.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.14-9 through 4.14-11.

#### 4.15 Public Services

##### **Impact 4.15-1: Less than Significant Impact**

Construction activities associated with the proposed Project have the potential to affect fire protection services, such as emergency vehicle response times, by potentially requiring circulation detours, road closures, and lane closures during off-site improvements. Consistent with standard City conditions of approval, a CTMP will be prepared for the Project pursuant to RCM TRA-1 to ensure that emergency vehicles and emergency service providers (i.e., fire department personnel) know of any detours or road closures caused by the off-site improvements and to plan for adequate navigation to off-site improvement areas. As required by the California Occupational Safety and Health Administration (CAL-OSHA) and Fire and Building Code requirements, the construction contractor would be required to carefully store flammable materials in appropriate containers during Project construction, use construction equipment with spark arrestors, immediately and completely clean up spills of flammable materials when they occur, and be trained in emergency response. Fire suppression equipment specific to the construction site would also be available and maintained on site for the duration of the construction period.

Operation of the Project may incrementally increase the demand for fire protection services but not to the degree that the existing fire stations within the City could not meet the demand. Additionally, the Project Applicant would be required to pay its fair share of current Fire Protection Facilities Development Impact Fees (DIFs) by the City of Menifee as specified by RCM PS-1.

The operation of the off-site improvements does not include land uses that would generate population within the City. Therefore, the off-site improvements have no impact on fire protection services.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts relating to fire protection services. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-12 through 4.15-17.

**Impact 4.15-2: Less than Significant Impact**

Construction activities associated with the proposed Project have the potential to affect police protection services, such as emergency vehicle response times, by potentially requiring circulation detours, road closures, and lane closures during off-site improvements. Consistent with standard City conditions of approval, a CTMP will be prepared for the Project pursuant to RCM TRA-1 to ensure that emergency vehicles and emergency service providers (i.e., law enforcement personnel) know of any detours or road closures caused by the off-site improvements and to plan for adequate navigation to off-site improvement areas. To minimize criminal trespassing, the Project site (construction areas) would be fenced and, during non-construction hours, access points would be locked. Construction equipment would be stored in well-lit areas, and smaller equipment would be secured to reduce absconding from trespassers. Patrols by the Meniffee Police Department (MPD) would increase during non-construction hours; however, such increases would be nominal and would be in existing patrol areas of the MPD.

Operation of the Project may incrementally increase the demand for police protection services but not to the degree that the existing police stations within the City could not meet the demand. The proposed Project would also implement Crime Prevention through Environmental Design (CPTED) techniques that would discourage and or reduce crime from occurring on site. Additionally, the Project Applicant would be required to pay its fair share of current Development Impact Fees (DIFs) by the City of Meniffee as specified by RCM PS-2.

The operation of the off-site improvements does not include land uses that would generate population within the City. Therefore, the off-site improvements have no impact on police protection services.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts relating to police protection services. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-17 through 4.15-20.

**Impact 4.15-3: Less than Significant Impact**

The Project is consistent with the residential growth projections of the City and region. As the number of residential uses have previously been included in existing SP 301, any student population resulting from the Proposed Project have already been accounted for in the school districts' enrollment projections. In addition, some students that may reside on-site may already reside in the city and may already attend schools within Romoland School District and Perris Union High School District. The Project would also be required to pay development fees in accordance with Government Code 65995

and Education Code 17620, as required by RCM PS-3, which would ensure impacts to school would be less than significant.

The proposed Project incorporates an offer of dedication to the City for an approximately 15.5-acre site as a potential future site for an elementary school, should the Romoland School District decide an additional elementary is needed in the future. However, any future new school facilities would be subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated at the time such development actions are proposed to the City by the Romoland School District.

The operation of the off-site improvements does not include land uses that would generate population within the City. Therefore, the off-site improvements have no impact on school facilities.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts relating to school facilities. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-20 through 4.15-24.

#### **Impact 4.15-4: Less than Significant Impact**

All proposed recreation-related facilities would be developed on the Project site and therefore are encompassed in the analysis of this EIR and associated technical studies, and impacts are mitigated as appropriate. In addition, the amount of public parkland proposed by the Project (29.8 acres) would exceed the minimum required under Chapters 7.75 and 8.03 of the City of Menifee Municipal Code. Further, the proposed Project is consistent with the planned growth of the city and region and therefore would not generate a substantial increase in population within the city. Accordingly, no negative impact related to the City's adopted goal of 5.0 acres of parkland for every 1,000 residents would result from the proposed development.

The operation of the off-site improvements does not include land uses that would generate population within the City. Therefore, the off-site improvements have no impact on park facilities.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts relation to parks. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-24 through 4.15-27.

#### **Impact 4.15-5: Less than Significant Impact**

Development of the proposed Project would increase demand for libraries and as such, the Project Applicant would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public facility structures and purchasing equipment for libraries. Further, the Project would not induce substantial population growth in the city or region. Any increase in land use or development intensity would be negligible, and no potential cumulative overburdening of other public facilities requiring new or physically altered facilities is expected to occur.

The operation of the off-site improvements does not include land uses that would generate population within the City. Therefore, the off-site improvements have no impact on public facilities, including libraries.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to other public facilities beyond those identified in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-27 through 4.15-28.

#### **4.16 Recreation**

##### **Impact 4.16-1: Less than Significant Impact**

The proposed Project would create demand for 26.1 acres of park dedication based on the City's Municipal Code. The proposed Project would construct 29.8 acres of public park, greenbelt, and open space pursuant to RCM REC-1. Therefore, the provision of park and recreational facilities within the Project site would be sufficient to meet the demand of future Project residents and employees. Through compliance with the City Municipal Code, existing public park and recreational facilities would not be adversely impacted or be substantially degraded by the Project's population.

Off-site improvements, including proposed road widening, would be in conformance with the City's General Plan Circulation Element and operation of the off-site improvements does not include land uses that would increase the demand on existing public park and recreational facilities within the city and county. Therefore, the off-site improvements have no impact on existing public park and recreational facilities.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.16-7 through 4.16-12.

**Impact 4.16-2: Less than Significant Impact**

Construction and operation of the proposed park, greenbelt, open space areas, and recreation center on the Project site have been evaluated throughout this EIR under the appropriate resource sections (e.g., air quality, biological resources, etc.) and are included in the analysis of environmental impacts of the Project in this EIR. Potentially adverse impacts to the environment that may result from the creation of parkland pursuant to build out of the Project would be less than significant upon the implementation of the Specific Plan's goals, policies, and actions and existing federal, State, and local regulations. Furthermore, subsequent City review would be required for approval and development of future park sites on the Project site. Consequently, development of the Project would result in a less than significant impact relating to new or expanded park and recreational facilities.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would include recreational facilities; however, the construction of these recreational facilities would not have an adverse physical effect on the environment. Potential impacts are less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.16-12 through 4.16-13.

**4.17 Transportation**

**Impact 4.17-3: Less than Significant Impact**

Improvements to the existing roadway network (i.e., widening, parkways, sidewalk, curb and gutter, new lanes, etc.) and new internal roadways would be constructed to meet City standards. The proposed driveways and intersections would be designed so as to not introduce hazards due to geometric design features (e.g., sharp curves or dangerous intersections). The proposed Project's land uses are similar to surrounding land uses and do not include incompatible uses (i.e., farm equipment, industrial equipment) and would be separated from adjacent land uses by existing roadways, providing a distance buffer for surrounding development. Therefore, the proposed Project would not introduce safety hazards due to incompatible uses.

Off-site roadway improvements to the existing roadways, which are fully improved roadways that meet City standards, would be implemented to the satisfaction of the City Engineer. No new land use would occur on the public rights-of-way. Therefore, the off-site improvements would not introduce safety hazards due to geometric design features or incompatible land uses.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. Potential impacts are less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.17-23 through 4.17-24.

#### **Impact 4.17-4: Less than Significant Impact**

Construction activities associated with the Project may affect emergency access and response times, due to temporary detour routes and temporary road/pedestrian/bicycle facility closures along the perimeter and interior of the Project site. Construction of the off-site improvements may also affect emergency access and response times; however, emergency service providers would still be able to access the improvement areas via Menifee Road, SR-74, and Briggs Road. In addition, partial lane closures would ensure that access on the off-site improvement roadways would continue during construction. Additionally, as specified in RCM TRA-1, the Project would be required to prepare a Construction Traffic Management Plan (CTMP) to maintain safety and adequate traffic operations on roadways affected by project construction.

During Project operations, unimpeded access throughout the Project site would be maintained by ensuring that vehicles would not be parked or placed in a manner that would impede access for emergency response vehicles. Additionally, perimeter and internal roadways would be maintained in such condition to allow for the safe and unobstructed passage of emergency response vehicles.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in inadequate emergency access. Potential impacts are less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.17-24 through 4.17-26.

### **4.18 Tribal Cultural Resources**

#### **Impact 4.18-1(ii): Less than Significant Impact**

On September 21, 2021, pursuant to provisions of SB 18 and AB 52, the City provided consultation requests (via certified mail) to the following tribes:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Mission Indians
- Cabazon band of Mission Indians
- Cahuilla Band of Indians
- Campo Band of Diegueno Mission Indians



- Ewiiapaayp Band of Kumeyaay Indians
- La Post Band of Diegueno Mission Indians
- Los Coyotes Band of Cahuilla and Cupeno Indians
- Manzanita Band of Kumeyaay Nation
- Mesa Grande Band of Diegueno Mission Indians
- Morongo Band of Mission Indians
- Pala Band of Mission Indians
- Pechanga Band of Indians
- Quechan Tribe of the Fort Mojave Reservation
- Rincon Band of Luiseno Indians
- Ramona Band of Cahuilla
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseno Indians
- Sycuan Band of Kumeyaay Nation
- Torres-Martinez Desert Cahuilla Indians

The Pechanga Band of Indians, the Agua Caliente Band of Cahuilla Indians (ACBCI), the Soboba Band of Luiseño Indians, the Rincon Band of Luiseño Indians, and the Pala Band of Mission Indians requested to remain informed and updated on the project's progress. Pechanga and Soboba identified a tribal cultural place (TCP) within the Project site. Two cultural resources, the bedrock milling site (P-33-003429/CA-RIC-3429) and a previously unidentified sparse flaked stone scatter (P-33-024902/CA-RIV-12345) were also identified on the Project site by the 2019 assessment. The Project as represented in the Specific Plan has been designed to avoid the cultural resources CA-RIV-12345 and CA-RIV-3429, and therefore, the proposed Project would not affect those resources. As a result of tribal consultation, RCM TCR-1, RCM TCR-2, RCM TCR-3, and RCM TCR-4 have also been identified to reduce impacts to tribal cultural resources that may inadvertently be encountered during construction activities.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts on tribal cultural resources. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.18-15 through 4.18-17.

#### 4.19 Utilities and Service Systems

##### **Impact 4.19-1: Less than Significant Impact**

Implementation of the proposed Project would require domestic water improvements as detailed in the Domestic Water Plan. These improvements would be funded and constructed by the applicant, built to EMWD standards, and maintained by the EMWD. EMWD determined that based on the *Water Supply Assessment* and taking into account the other new/planned projects currently tracked by

EMWD, the projected total water demand is within the overall limits of demand considered in the 2020 Urban Water Management Plan (UWMP). Given that the proposed Project would comply with the City and EMWD's standard requirements for facility planning and that adequate water distribution facilities would exist to serve the Project site, implementation of the uses in the Specific Plan would not require the relocation or construction of new or expanded potable or recycled water facilities beyond the on-site improvements detailed in the Domestic Water Plan.

Implementation of the proposed Project would also require the construction of on-site wastewater conveyance infrastructure as detailed in the Sanitary Sewer Plan. These improvements would be funded and constructed by the applicant, built to EMWD standards, and maintained by the EMWD. The increase in wastewater generated by the uses associated with the proposed Project can be accommodated within the existing design capacity of the Sun City and Perris Valley Regional Water Reclamation Facilities (RWRFs), which currently operate at 80 percent and 70 percent of their capacity, respectively.

Implementation of the proposed Project would also require the construction of on-site stormwater infrastructure as detailed in the Stormwater Drainage Plan. Overall, the peak discharge of stormwater generated by the proposed Project would not adversely affect the capacity of downstream networks, and construction or expansion of off-site stormwater drainage facilities would not be required.

Because the proposed Project would only represent a small fraction of electricity and natural gas demand in Riverside County, the uses of the proposed Project would exceed Title 24 requirements, and there would be sufficient energy supplies available, the supply and distribution network within the area surrounding the Project site would remain essentially the same as exists today except for standard on-site improvements, and level of service to off-site users would not be adversely affected.

Telephone, cable, and internet services are located along the perimeter of the Project site and would be extended into the site. Cable box locations would be carefully planned and coordinated with utility providers and the landscape architect to be unobtrusive and screened from public view where possible. The construction and expansion of these facilities would occur on the Project site during preparation and earthwork phases and are not expected to impact any telephone, cable, or internet services off site that serve the surrounding areas. Additionally, telecommunication facilities are generally installed concurrently with utility expansions, and impacts associated with the expansion of telecommunications facilities are already considered in air quality, noise, and construction traffic analysis found in this Draft EIR.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities that would cause a significant environmental effect. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.19-14 through 4.19-23

#### **Impact 4.19-2: Less than Significant Impacts**

Based on information provided by the developer and the lead agency, EMWD concluded that although the evaluated project demands exceed the 2020 UWMP demand projections, the combined demand from the project and other new/planned developments in EMWD's service area fall below the total amount of new demand evaluated in the 2020 UWMP. In addition, RCM UT-2 was requested by EMWD to review development design conditions prior to Project construction for both on-site and off-site improvements, and to address potential changes if Project conditions have changed from the circumstances analyzed at the time the WSA was prepared. Therefore, the proposed Project would have sufficient water supplies available to serve its needs and reasonably foreseeable future development during normal, dry, and multiple dry years.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future developments during normal, dry, and multiple dry years. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.19-23 through 4.19-25.

#### **Impact 4.19-3: Less than Significant Impact**

The amount of wastewater generated daily by the proposed Project would equate to 12.39 percent of the daily wastewater intake of the Sun City RWRP and 1.69 percent of the daily wastewater intake of the Perris Valley RWRP. Based on the existing daily treatment capacity and inflow of both plants, the Project would be adequately served by wastewater disposal and conveyance. In addition, the off-site improvements would not require wastewater treatment because the improvements to not include uses that would generate wastewater.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would be adequately served by the wastewater treatment provider's existing capacity in addition to the provider's existing commitments. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.19-25 through 4.19-26.

#### **Impact 4.19-4: Less than Significant Impact**

Because the Project site is vacant, solid waste generation due to demolition of existing structures would not occur. However, construction of the proposed Project would still have the potential to generate nominal amounts of solid waste that would either be recycled or disposed of at one of the

local landfills serving the City. Consistent with CALGreen Section 5.408.1, at least 65 percent of nonhazardous matter that occupies the Project site under existing conditions would either be disposed of or may be reused on site as a recycling/reuse practice. During operations, the proposed Project would implement a diversion rate of 75 percent of the solid waste generated daily and would be served by two landfills with sufficient permitted capacity to accommodate its solid waste disposal needs.

Construction on the off-site improvement areas may generate nominal amounts of waste that would either be recycled or disposed of at one of the local landfills serving Menifee. Due to the low acreage of improvements and their limited occurrence to existing roadways, as well as the nature of the proposed off-site improvements, off-site improvements would not result in impacts to existing landfill capacity.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate solid waste in excess of State or local standard or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.19-26 through 4.19-28.

#### **Impact 4.19-5: Less than Significant Impact**

Construction and operation of the proposed Project, including construction of off-site improvements, would comply with federal, State, and local statutes and regulations related to solid waste, including the Riverside County Department of Waste Resources CIWMP and the California Integrated Waste Management Act of 1989 (AB 939). The off-site improvements, upon implementation, are not solid waste-generating land uses. Therefore, activities associated with construction and operation of the proposed Project would comply with applicable solid waste regulations.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would comply with federal, state, and local management and reduction statutes and regulations associated with solid waste. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.19-28 through 4.19030.

## **4.20 Wildfire**

#### **Impact 4.20-1: Less than Significant Impact**

The Project site and off-site improvement areas are in an LRA Non-VHFHSZ designated area and does not include any characteristics that would physically impair or otherwise interfere with emergency response or evacuation in its vicinity. Construction of the proposed Project, including off-site improvements, may require temporary lane closures/road closures to allow for utility connections and improvements to the surrounding circulation system, which would be implemented with the recommendation of the California Temporary Traffic Control Handbook (RCM TRA-1).

During operations, the proposed Project provide general and emergency access via SR-74 and Meniffee Road and all roadways and structures within the Project site would be developed in accordance with City and RCFD emergency access standards. Uses and structures within the Project site would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on the site for emergency vehicles. In addition, off-site improvements, including the widening of roadways, would be in conformance with the City's General Plan Circulation Element and would be developed in accordance with City and RCFD emergency access standards. Therefore, construction and operation of the Project would not physically interfere with or impair an adopted emergency response or emergency evacuation plan.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.20-11 through 4.20-14.

#### **Impact 4.20-2: Less than Significant Impact**

Under existing conditions, the Project site includes numerous potential fire hazards, including unmaintained, fire-prone vegetation. Implementation of the Specific Plan would include conversion of approximately 97.5 percent of the Project site to maintained urban development with designated, drought-tolerant landscaping. The site topography would not be substantially altered, and no significant slopes would be created. The build out of the Specific Plan on the Project site would introduce new potential ignition sources in the form of building materials (e.g., wood and stucco), vegetation for landscaping, vehicles, and small machinery (e.g., for typical commercial and landscape maintenance), but it would also result in a large area separating ignition sources from native fuels as well as the conversion of existing ignitable fuels to maintained landscapes. Therefore, the Project site would function as a fuel reduction area by helping create context-sensitive development and a new first-fuel break line of defensible space. The Project would also be developed in accordance with applicable CBC, California Fire Code, and City Municipal Code regulations, including ignition-resistant materials and incorporation of fire sprinklers, to reduce the risk of wildfires in the Project vicinity and minimize the occurrence or spread of wildfire during construction and operation of the Proposed Project. Therefore, on-site improvements would not exacerbate wildfire risks due to slope, prevailing winds, or other factors.

In addition, off-site improvements would not significantly alter the topography or create new significant terrain slopes. Off-site improvements would also convert undeveloped land (fuel) within rights-of-way areas to paved roadways, resulting in a fuel reduction area and providing improved

emergency access. Therefore, off-site improvements would not exacerbate wildfire risks due to slope, prevailing winds, or other factors.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not exacerbate wildfire risks thereby exposing Project occupants to pollutant concentration from a wildfire or the uncontrolled spread of a wildfire. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.20-14 through 4.20-16.

**Impact 4.20-3: Less than Significant Impact**

Potable water, reclaimed water, and wastewater infrastructure would be installed on the Project site, and improvements to existing infrastructure in surrounding roads, including at off-site improvement areas, would occur; however, development of the Project site in accordance with applicable CBC, California Fire Code, and City Municipal Code regulations would reduce fire risk in the Project vicinity and protect power lines and infrastructure. The proposed Project would also include a new internal circulation system and improvements to surrounding roads. None of these features would exacerbate fire risk or result in temporary or ongoing impacts to the environment. Furthermore, the improved connectivity of water lines would aid in fire suppression compared to existing conditions on the Project site in the unlikely event of a wildfire. Therefore, the Project site would not require the installation or maintenance of associated infrastructure (e.g., roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or result in temporary or ongoing impacts to the environment.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not exacerbate wildfire risks associated with the installation or maintenance of associated infrastructure. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.20-16 through 4.20-18.

**Impact 4.20-4: Less than Significant Impact**

In the extremely unlikely event that a wildfire should spread to the Project site, it would not expose any on-site slopes to erosion and potential failure, contribute any additional runoff or sedimentation to the on-site drainage facilities or other downstream drainages because the Project site does not contain any steep slopes that are prone to landslides and drainage improvements would remain intact after a major wildfire, allowing them to continue to reduce the potential for flooding conditions in downstream storm drain facilities. The uses that would be developed as part of the Specific Plan would not expose people or structures to significant risks, including downslope landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Additionally, off-site improvement areas do not include steep slopes prone to landslide, erosion, or downstream flooding. Therefore, downslope landslides or downstream flooding as a result of runoff,

post-fire slope instability, or drainage changes are unlikely to expose construction workers in the off-site improvement areas to significant risks.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not expose people or structures to significant risks, including downslope of downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Potential impacts would be less than significant. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.20-18 through 4.20-20.

## **5.0 FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT**

The City finds, based upon the threshold criteria for significance presented in the Draft EIR, that all potentially significant environmental effects of the Project can be avoided or reduced to insignificance with feasible mitigation measures identified in the Draft EIR. No substantial evidence has been submitted to or identified by the City that indicates that the following impacts would, in fact, occur at levels that would necessitate a determination of significance.

CEQA Guidelines, Section 15126(b), requires a description of any significant environmental effects that cannot be avoided if the proposed Project is implemented.

### **5.1 Aesthetics**

No impacts were concluded to be potentially significant.

### **5.2 Agriculture and Forestry Resources**

No impacts were concluded to be potentially significant.

### **5.3 Air Quality**

#### **Impact 4.3-3: Less than Significant with Mitigation Incorporated**

A construction Health Risk Assessment (HRA), performed for the proposed on-site improvements, found that construction-period health risk to the surrounding off-site existing receptors would be below the SCAQMD cancer risk threshold of 10 in one million. Construction of the off-site improvements may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following the SCAQMD Rule 403 dust control measures. In addition, construction emissions associated with the off-site improvements would be below the SCAQMD significance thresholds. Once the off-site improvements are constructed, the proposed off-site improvements would not be a significant source of long-term operational emissions as compared to existing conditions. Implementation of Mitigation Measure **MM 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. Various commercial and industrial processes associated with the BP and C-BP land uses (e.g., industrial, manufacturing,



warehouse/storage, fulfillment center, and e-commerce) allowed under the proposed Project would be expected to release TACs. With implementation of Mitigation Measures **MM AIR-1** through **AIR-3**, residential receptors would not be exposed to substantial pollutant concentrations associated with implementation of the on-site improvements.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measures **MM AIR-1 through MM AIR-3**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.3, Air Quality of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM AIR-1**

During construction of the on-site improvements associated with the proposed Project, the Project contractor shall ensure all 50 horsepower or more off-road diesel-powered construction equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Final engines or the equivalent, except where the Project Applicant establishes to the satisfaction of the City of Menifee (City) that Tier 4 Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available within Southern California and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the extent feasible.

**MM AIR-2**

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 following emission reduction measures. Implementation of the following measures is considered to be applicable, feasible, and effective in reducing criteria pollutant emissions generated by the Project:

- All Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators).
- For high density and mixed-use developments, Project Applicants shall consult with the local transit agency and incorporate all appropriate and feasible transit amenities into the plans, consistent with Section 3.1.4 Bus Rail and Transit Options in the Menifee Valley Specific Plan.

- All Project Applicants shall implement walkable neighborhoods by siting parks and community centers near residential areas, consistent with Section 2 Land Use Designations and Planning Areas in the Menifee Valley Specific Plan. 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 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.
- All Project Applicants shall provide bicycle parking/storage facilities on site. Bicycle parking facilities should be near destination points and easy to find. At least one bicycle parking space for every 20 vehicle parking spaces should be provided.
- All Project Applicants shall install Class I or II bike lanes on arterial/collector streets, or where a suitable route exists, consistent with Figure 3-7 Bicycle Mobility Plan of the Menifee Valley Specific Plan.
- All Project Applicants shall provide building access and paths which are physically separated from street parking lot traffic and that eliminate physical barriers such as walls, berms, landscaping and slopes that impede the use of pedestrians, bicycle facilities, or public transportation vehicles.
- All Project Applicants shall provide continuous sidewalks separated from the roadway by landscaping and on-street parking where provided, consistent with Section 3.1.1, Roadway Design Standards, Section 3.2.1, Pedestrian Mobility, and Figure 3-7 Bicycle Mobility Plan of the Menifee Valley Specific Plan.
- All Project Applicants shall link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.

- All Project Applicants shall provide traffic reduction modifications to residential roads, such as: narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds and to encourage pedestrian and bicycle travel.
- For all parking lots, Project Applicants shall provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.
- All Project Applicants shall provide pedestrian access between bus service and major transportation points and to destination points within the Project.
- For all high-density residential, mixed-use, business/commercial park, and commercial uses, Project Applicants shall provide a display case or kiosk displaying transportation information, such as bike route maps, bus schedules, and carpooling and car sharing in a prominent area accessible to employees, residents, or visitors.
- All Project Applicants shall design street block patterns consistent with the Meniffee Valley Specific Plan and City of Meniffee Standards and Ordinances.
- For all mixed-use, business/commercial park, and commercial uses, Project Applicants shall provide preferential parking spaces near the entrance of buildings for those who carpool/vanpool/rideshare and provide signage.
- All Project Applicants shall improve the thermal integrity/efficiency of buildings and reduce the thermal load with automated and timed temperature controls or occupant sensors.
- 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 for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.

- 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).
- 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.
- 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.
- Project Applicants shall maximize the planting of trees in landscaping and parking lots, consistent with the Menifee Valley Specific Plan and City of Menifee Standards and Ordinances.
- Project Applicants shall use light-colored paving and roofing materials.
- Project Applicants shall install outdoor electrical outlets to promote the use of electric lawn mowers and leaf blowers.

### **MM AIR-3**

Prior to issuance of building permits, Project Applicants/Developers shall 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, for indoor air filtration systems. The ventilation system shall be certified to achieve the stated performance effectiveness from indoor areas.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-39 through 4.3-47.

## **5.4 Biological Resources**

### **Impact 4.4-1: Less than Significant with Mitigation Incorporated**

The Project site is located within the boundaries of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is mapped within an MSHCP Burrowing Owl Survey Area. The habitat on the Project site has been altered due to agricultural operations and regular disking, therefore, a majority of the vegetation communities present on site are disturbed. Development of the proposed

project would result in permanent impacts to upland vegetation communities. Two special-status species were observed on the project site during the reconnaissance-level field surveys; however, impacts to these three species are considered less than significant. If construction is to begin during the bird breeding season (typically February 1 through August 31), impacts to nesting birds will be potentially significant due to nesting birds being protected under the MBTA and California Fish and Game Code. No burrowing owl or their sign were observed within the Project site during surveys. Despite this, impacts to burrowing owl could be potentially significant due to potential for this species to occupy the site and its surrounding areas prior to development of the project, as well as the potential for future occupation of the site. The project is within the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) area. Although there is very low potential for SKR to occur within the project site due to regular disking and disturbance of the site, project impacts to this species would be considered potentially significant. Impacts to special status species in the on-site, off-site, and off-site roadway improvement areas will be reduced to a less than significant level through application of Mitigation Measures **MM BIO-1** through **MM BIO-4**.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measures **MM BIO-1** through **MM BIO-4**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM BIO-1:** Prior to issuance of any building permits for non-residential uses and occupancy releases for residential uses, the applicant shall provide payment to the City of Menifee Community Development Department for applicable Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fees. The Local Development Mitigation Fees are subject to change each fiscal year. As such, the Applicant shall pay the current fee amounts according to timing outlined by the Western Riverside County Regional Conservation Authority (RCA). The Applicant shall pay the current fee amounts regarding roadways prior to approval of the Improvement Plan. The Applicant shall pay the current fee amounts regarding residential, commercial and industrial uses, prior to building permit issuance.

**MM BIO-2:** Prior to issuance of any grading permits, the City of Menifee Community Development Department shall confirm that the construction plans indicate that vegetation, including suitable nesting habitat for birds, shall be removed outside the bird nesting season (February 15 through August 31). If vegetation cannot be removed outside the bird nesting season (February 15 through August 31), nesting bird surveys shall be conducted within 3 days prior to project ground disturbance or vegetation removal to ensure that nesting birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code are not disturbed by

construction-related activities (i.e., brush clearing and noise). If nesting birds are documented on or in the immediate vicinity (within approximately 300 feet) of the project site, no construction or clearing shall be conducted within an appropriate avoidance buffer surrounding the active nest(s), as determined by a qualified biologist, until the project biologist determines that the young have fledged or the nest is no longer active.

**MM BIO-3:** A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 30 days prior to site disturbance. Proof of this pre-construction survey shall be provided for approval to the City of Menifee Community Development Department, prior to issuance of any grading permits. If burrowing owls are documented on site, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, as specified in MSHCP Section 6.3.2.

**MM BIO-4:** Prior to issuance of any grading permits, the City of Menifee Community Development Department shall confirm that the project applicant has paid the fees pursuant to Ordinance 663.10 for the Stephens' kangaroo rat (SKR) Habitat Conservation Plan (HCP) Fee Assessment Area.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-27 through 4.4-35.

**Impact 4.4-2: Less than Significant Impact with Mitigation Incorporated**

Biological surveys indicated the Project site is substantially disturbed but contains Riversidean Sage Scrub, Southern Willow Scrub – Disturbed, Mulefat Thickets, and Ephemeral Streambed – Disturbed. The areas of ephemeral streambed are mostly unvegetated and are highly disturbed from agricultural uses. Additionally, two drainage features cross McCall Road within the limits of the off-site roadway improvements. Despite this, impacts on non-wetland and wetland waters of the State jurisdictional by the Regional water Quality Control Board (RWQCB), and unvegetated streambed and associated wetland habitat jurisdictional by the California Department of Fish and Wildlife (CDFW) will be potentially significant as the project is expected to permanently impact these resources. Impacts to the MSHCP riparian/riverine areas in the on-site, off-site, and off-site roadway improvement areas will be reduced to a less than significant level through application of Mitigation Measure **MM BIO-5**. Furthermore, the site lacks suitable riparian habitat for MSHCP riparian/riverine wildlife species, because MSHCP riparian/riverine areas are highly disturbed and isolated.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with Mitigation Measure **MM BIO-5**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM BIO-5:** Prior to any ground-disturbing activity near jurisdictional features on-site, the project applicant shall provide proof to the City of Menifee Community Development Department that applicable permits have been obtained through the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW) and that permit conditions/mitigation has been fully satisfied for impacts to jurisdictional features. Based on the results of the on-site jurisdictional delineation for the proposed project, the proposed project would permanently impact 1.93 acres of RWQCB jurisdictional nonwetland waters of the State and CDFW jurisdictional unvegetated streambed (i.e., Feature 1 and Feature 2), and 0.03 acre of RWQCB jurisdictional wetland waters of the State and CDFW-jurisdictional associated wetland habitat (i.e., Feature 2 Wetland). The proposed mitigation strategy for on-site impacts shall be the purchase of 2.94 acres of rehabilitation credits (1.5:1 mitigation ratio;  $1.93 \text{ acres} + 0.03 \text{ acre} = 1.96 \times 1.5 \text{ ratio} = 2.94 \text{ acres of mitigation}$ ) from the Riverpark Mitigation Bank. Alternatively, on-site impacts shall be mitigated with the purchase of 3.92 acres of preservation credits (2:1 mitigation ratio;  $1.93 \text{ acres} + 0.03 \text{ acre} = 1.96 \times 2 \text{ ratio} = 3.92 \text{ acres of mitigation}$ ) from the Barry Jones Skunk Hollow Preservation Bank. The project applicant shall mitigate direct impacts on an additional 0.25 acre of streambed Waters of the State (WOS)/MSHCP riverine features by purchasing an additional 0.38 acres of rehabilitation credits (1.5:1 mitigation ratio) at the Riverpark Mitigation Bank to satisfy anticipated CDFW 1602 and/or RWQCB mitigation requirements. The proposed project would permanently impact 0.17 acre (Feature 5) and 0.08 acre (Feature 4, Feature 6, Feature 7, Feature 8, and Feature 9) of Ephemeral Streambed – Disturbed, which are found in off-site roadway improvement areas. The 1.5:1 ratio of mitigation was previously approved by the Wildlife Agencies following the field visit via email correspondence (Appendix D-7). Alternatively, the project applicant can also offset the additional 0.25 acres of streambed Waters of the State (WOS)/MSHCP riverine features (Feature 4, Feature 5, Feature 6, Feature 7, Feature 8, Feature 9), which are found in off-site roadway improvement areas, by purchasing an additional 0.5 acres of preservation credits at Barry Jones Skunk Hollow or another CDFW-approved mitigation bank within Riverside County at a 2:1 mitigation ratio. This option of mitigation shall also provide biologically equivalent or superior preservation. Notification of Streambed Alteration to CDFW shall be provided to justify the purchasing of credits and mitigation used for the Project Site. In total, the project applicant shall purchase 0.38 acres of rehabilitation credits or 0.5 acres of preservation credits. The proposed mitigation strategy for off-site roadway improvement area impacts shall be the purchase of 0.38 acre of rehabilitation credits (1.5:1 mitigation ratio;  $0.17 \text{ acre} + 0.08 \text{ acre} = 0.25 \text{ acre} \times 1.5 \text{ ratio} = 0.38 \text{ acre of mitigation}$ ) from the Riverpark Mitigation Bank. Alternatively, off-site roadway improvement area impacts shall be mitigated with the purchase of 0.50 acre of preservation credits (2:1 mitigation ratio;  $0.17 \text{ acre} + 0.08 \text{ acre} = 0.25 \text{ acre} \times 2 \text{ ratio} = 0.50 \text{ acre of mitigation}$ ) from the Barry Jones Skunk Hollow Preservation Bank.

The Applicant shall be obligated to implement/comply with the permit conditions and mitigation measures required by the resource agencies regarding impacts on their respective jurisdictions. The proposed mitigation strategy shall prioritize in-kind and



in-watershed options per the regulatory agencies' preferences. The regulatory agencies shall make the final determination of the final compensatory mitigation requirements during the permit evaluation process.

Prior to any ground-disturbing activity near jurisdictional aquatic resources in off-site improvement areas, the project applicant shall provide proof to the City of Menifee Community Development Department that applicable permits have been obtained through the RWQCB and the CDFW for impacts on off-site jurisdictional aquatic resources. Based on the results of the off-site jurisdictional delineation for the proposed project, the proposed project would permanently impact 0.32 acre of vegetated streambed (i.e., Feature 1, Feature 3, Feature 3A, Feature 4, and Feature 4A). The proposed mitigation strategy for off-site impacts shall be the purchase of 0.48 acre of rehabilitation credits (1.5:1 mitigation ratio;  $0.32 \text{ acre} \times 1.5 \text{ ratio} = 0.48 \text{ acre}$  of mitigation) from the Riverpark Mitigation Bank. Alternatively, off-site impacts shall be mitigated with the purchase of 0.64 acre of preservation credits (2:1 mitigation ratio;  $0.32 \text{ acre} \times 2 \text{ ratio} = 0.64 \text{ acre}$  of mitigation) from the Barry Jones Skunk Hollow Preservation Bank. Additionally, the jurisdictional determination request forms shall be submitted to the United States Army Corps of Engineers (USACE) to confirm that no jurisdictional waters of the United States occur within the footprint of any off-site improvements. Should the USACE not agree with the findings of the request forms and determine that jurisdictional waters of the United States occur within the off-site improvements footprint (i.e., the USACE does not issue an AJD confirming that none of the features are USACE jurisdictional resources), applicable permits shall be obtained through the USACE for impacts on jurisdictional aquatic resources. The Applicant shall implement/comply with all permit conditions and mitigation measures required by the resource agencies. Compensatory mitigation to offset impacts on jurisdictional aquatic resources may be implemented through off-site, permittee-responsible mitigation; in-lieu fee program or mitigation bank credit purchase (e.g., Riverpark Mitigation Bank); or a combination of these options depending on availability. The proposed mitigation strategy shall prioritize in-kind and in-watershed options per the regulatory agencies' preferences. The regulatory agencies shall make the final determination regarding compensatory mitigation requirements during the permit evaluation process. The proposed project will impact a total of 2.53 acres of aquatic resources for project site improvements, off-site improvements, and off-site roadway improvements. Total mitigation required shall be 3.8 acres of rehabilitation credits (1.5:1 mitigation ratio) from the Riverpark Mitigation Bank for project site improvements, off-site improvements, and off-site roadway improvements. Alternatively, project site improvements, off-site improvements, and off-site roadway improvements shall be mitigated with the purchase of 5.06 acres of preservation credits (2:1 mitigation ratio) from the Barry Jones Skunk Hollow Preservation Bank.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-35 through 4.4-41.

**Impact 4.4-3: Less than Significant Impact with Mitigation Incorporated**

The Project contains riparian/riverine habitat as defined in Section 6.1.2 of the MSHCP. Implementation of the proposed project would impact non-wetland waters of the State and unvegetated streambed, and wetland waters of the State and associated wetland habitat. Impacts to RWQCB- and CDFW-jurisdictional aquatic resources would require Waste Discharge Requirements (WDRs) from the RWQCB and a Streambed Alteration Agreement (SAA) from the CDFW. Additionally, compensatory mitigation may be required by the regulatory agencies to offset the proposed project impacts. Impacts to expected toward RWQCB- and CDFW-jurisdictional aquatic resources in the on-site, off-site, and off-site roadway improvement areas will be reduced to a less than significant level through application of mitigation measure **MM BIO-5**.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with Mitigation Measure **MM BIO-5**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, Mitigation Measure MM BIO-5 is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-41 through 4.4-47.

**Impact 4.4-4: Less than Significant Impact with Mitigation Incorporated**

The Project site is not within an area identified by the MSHCP as an important migratory or native resident wildlife corridor area. No fish species occur at the Project site or within the wider biological study area (BSA). Potential habitat for nesting birds does exist in the area. Increases in noise, construction traffic, and human activities during construction activities may temporarily deter movement of wildlife within the project vicinity. However, significant impacts to wildlife corridors or nursery sites are not expected from construction or operational activities of the proposed project. Impacts to potential nesting bird habitat in the on-site, off-site, and off-site roadway improvement areas will be reduced to a less than significant level through application of Mitigation Measure **MM BIO-2**.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measure MM BIO-2.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, Mitigation Measure MM BIO-2 is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-47 through 4.4-49.

**Impact 4.4-5: Less than Significant Impact with Mitigation Incorporated**

The Project site lies within the MSHCP boundaries. The proposed Project as designed, with mitigation applied, would comply with all applicable policies and ordinances protecting biological resources. With implementation of mitigation measures, impacts to burrowing owl at the Project site and jurisdictional waters would be less than significant. In addition, the proposed Project is subject to all applicable federal, State, and local policies and regulations related to the protection of biological resources and tree preservation. Additionally, the Project is required to comply with the Menifee Landscape Standards (Section 9.2 of the Municipal Code) and Section 9.205 of the City Municipal Code establishing Tree Preservation Ordinance. It was determined that no protected trees exist on the Project site; therefore, the Project will not be subject to the City of Menifee's tree removal ordinance. Implementation of the proposed Project would not conflict with any local policies or ordinances protecting biological resources. Implementation of mitigation measures **MM BIO-1 through BIO-5** would ensure that the proposed Project would not conflict with or obstruct applicable policies and ordinances protecting biological resources in the on-site, off-site, and off-site roadway improvement areas.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measures **MM BIO-1 through BIO-5**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, Mitigation Measures **MM BIO-1 through BIO-5** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-50 through 4.4-52.

**Impact 4.4-6: Less than Significant Impact with Mitigation Incorporated**

The Project site lies within the MSHCP. The site is within MSHCP designated survey areas for burrowing owl and the burrowing owl has the potential to occur at the Project site and adjacent areas. The Project site is not within an MSHCP designated amphibian or mammal survey area or CASSA for plants. The Project site is not within any MSHCP Criteria Cells, Cell Groups, Cores, or Linkages. Implementation of Mitigation Measures **MM BIO-1 through BIO-5** would ensure that the proposed Project would not conflict with or obstruct implementation of the MSHCP in the on-site, off-site, and off-site roadway improvement areas.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measures **MM BIO-1 through BIO-5**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.4, Biological Resources of the Draft EIR, which is incorporated herein by reference, Mitigation Measures **MM BIO-1 through BIO-5** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-52 through 4.4-54.

## 5.5 Cultural Resources

### **Impact 4.5-1 and 4.5-2: Less than Significant Impact with Mitigation Incorporated**

Cultural resource assessments from 2019 and 2022 found no historical resources pursuant to Section 15064.5 of the State CEQA Guidelines on the Project site. The assessments found two prehistoric archaeological resources on the Project site (CA-RIV-3429 and CA-RIV-12345). CA -RIV-3429 does not meet any of the four criteria for listing on the NRHP or CRHR. CA-RIV-12345 is not associated with events that have made a significant contribution to the broad patterns of history and therefore is not recommended as eligible to the NRHP/CRHR.

The project as represented in the Specific Plan has been designed to avoid the cultural resources CA-RIV-12345 and CA-RIV-3429, and therefore, there is no potential for encountering any known archaeological materials and/or historical resources. **RCM CUL-1**, **RCM CUL-2**, and **RCM CUL-3** have been identified to reduce impacts to archaeological resources that may inadvertently be found during construction activities. **RCM TCR-1**, **RCM TCR-2**, **RCM TCR-3**, and **RCM TCR-4** which are listed under Section 4.18 in the Draft EIR, Tribal Cultural Resources, have also been identified to reduce impacts to tribal cultural resources that may inadvertently be found during construction activities.

A supplemental assessment of the potential cultural resource impacts to off-site areas was prepared for the proposed project, in which three historic period cultural resources were identified. Two of these resources, Meniffee Road and Briggs Road, were evaluated for listing on the California Register, and neither resource meets the criteria for listing. The third cultural resource, a 590-foot-long segment of the San Jacinto Railroad starting at Matthews Road and extending southeast, has been previously determined eligible for listing on the California Register under Criterion 1. The portion of the railroad within the proposed off-site improvement area retains sufficient integrity to convey its significance, and thus, must be avoided by project construction activities. The proposed pedestrian bridge would cross over the railroad and would not physically impact the railroad or result in significant impacts to the railroad. However, to ensure that impacts remain less than significant mitigation measure **MM CUL-1** is proposed. With implementation of **MM CUL-1**, impacts would be less than significant. The supplemental cultural resource study identified no archaeological resources within the off-site improvement areas.

The supplemental cultural resource study for the off-site roadway improvement areas along Matthews Road (Case Road), McCall Boulevard, and McLaughlin Road identified no cultural resources. A prehistoric lithic scatter and a historic railway are mapped adjacent to the off-site improvement areas along McCall Boulevard and Matthews Road, respectively. However, the survey of these areas found no evidence that cultural materials associated with the resources extended into the proposed off-site improvement areas. As such, Project activities within the proposed off-site improvement areas are not expected to impact these identified cultural resources.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of

significance with regulatory compliance measures **RCM CUL-1 through CUL-3**, **RCM TRC-1 through TRC-4**, and mitigation measure **MM CUL-1**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.5, Cultural Resources of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure **MM CUL-1** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM CUL-1** Prior to the construction of any bridge structure over the existing San Jacinto Valley Railroad, the developer shall submit evidence to the City for review and approval that any such construction activity avoids physical impacts to the existing rail feature. Furthermore, prior to any bridge construction, the developer shall submit to the City for review and approval plans detailing (but not limited to) the location, orientation, design, and/or materials proposed for any bridge construction to ensure bridge features to not adversely affect the integrity of the existing rail feature.

**Supportive Evidence:** Please refer to Draft EIR pages 4.5-9 through 4.5-16.

## 5.6 Energy

No impacts were concluded to be potentially significant.

## 5.7 Geology and Soils

### Impact 4.7-6: Less than Significant Impact with Mitigation Incorporated

A record search and field studies performed for the proposed Project indicated that no fossil localities are known from within the Project site, Project area, or within 1 mile of the Project's boundaries. However, just outside the 1-mile boundary of the Project site, hundreds of fossil localities associated with the Diamond Valley Lake Project were documented. Given the underlying soils within the off-site improvement areas and results of the fossil locality record search, the off-site improvement areas are considered to have a low to high paleontological sensitivity. According to the City of Menifee General Plan EIR, the Project site is located within a high sensitivity area for paleontological resources.<sup>1</sup> As excavation for construction gets under way, it is possible that unanticipated paleontological resources might be encountered at depths between 4 feet and 10 feet below ground surface, and possibly beyond. Implementation of mitigation measures **MM GEO-1 through GEO-3** would ensure potential impacts to scientifically significant, nonrenewable paleontological resources would be reduced to less than significant. Although there are no known paleontological resources within the Project site, the paleontological resource studies conducted for the Project site and off-site improvement areas concluded there is potential to inadvertently uncover paleontological resources during construction activities. **RCM CUL-1 through CUL-3** would be implemented to reduce impacts to paleontological resources that may inadvertently be found during construction activities.

**Finding:** The City adopts CEQA Finding 1.

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<sup>1</sup> City of Menifee. City of Menifee General Plan Draft Environmental Impact Report. State Clearinghouse #2012071033. Section 5 Environmental Analysis Cultural Resources. Figure 5.5-1. Paleontological Resources Sensitivity and Page 5.5-12. September 2013.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM CUL-1 through RCM CUL-3** and mitigation measures **MM GEO-1 through GEO-3**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.7, Geology and Soils of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM GEO-1** Prior to the start of construction, all field personnel shall be briefed regarding the types of fossils that could be found in the Project area and the procedures to follow should paleontological resources be encountered. This training shall be accomplished at the pre-grade kickoff meeting or morning tailboard meeting and shall be conducted by the Project Paleontologist or his/her representative. Specifically, the training shall provide a description of the fossil resources that may be encountered in the Project area, outline steps to follow in the event that a fossil discovery is made and provide contact information for the Project Paleontologist and on-site monitor(s). The training shall be developed by the Project Paleontologist and may be conducted concurrently with other environmental training (cultural and natural resources awareness training, safety training, etc.).

**MM GEO-2** Prior to the commencement of ground-disturbing activities, a qualified professional paleontologist shall be retained to prepare and implement a Paleontological Resource Impact Mitigation Program (PRIMP) for the Project. Initially, full-time monitoring is recommended for grading and excavation activities 4 feet below ground surface that will disturb previously undisturbed Quaternary older alluvium (Qof) and very old fan deposits (Qvof). Due to soil development and previous agricultural disturbances, monitoring shall not be required in Project areas where construction activities disturb native sediments at depths less than 4 feet below ground surface. Spot-checking may occur in previously undisturbed young alluvial deposits (Qya) in order to determine if Project activities are impacting the underlying highly sensitive Pleistocene units. Monitoring shall not be required in Project areas underlain by geologic units with no paleontological resource potential (i.e., the granodiorite to tonalite, Kdvg).

Monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. In the event that a paleontological resource is discovered, the monitor shall have the authority to divert temporarily the construction equipment around the find until it is assessed for scientific significance and collected. In areas of high sensitivity, monitoring efforts can be reduced or eliminated at the discretion of the Project Paleontologist if no fossil resources are encountered after 50 percent of the excavations are completed.

**MM GEO-3** Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped paleontology laboratory to a point ready for curation. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing



and repairing specimens, as necessary. Following laboratory work, all fossil specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to the Western Science Center for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the Project owner.

At the conclusion of laboratory work and museum curation, a final report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the Project. The report shall include a summary of the field and laboratory methods, an overview of the Project area geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the Western Science Center.

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-28 through 4.7-34

### 5.8 Greenhouse Gas Emissions

Impact 4.8-1 was concluded to be significant and unavoidable.

Impact 4.8-2 was concluded to be less than significant.

### 5.9 Hazards and Hazardous Materials

#### **Impact 4.9-3: Less than Significant Impact with Mitigation Incorporated**

Both Heritage High School and Planning Area 6 (potential elementary school site) are adjacent to or within proximity to future uses and off-site improvement areas that may emit hazardous emissions during construction and/or operation. Construction of the on-site improvements would not result in a significant construction health risk impact to schools but operations would exceed SCAQMD significance thresholds, particularly for maximum cancer risk. Construction of off-site improvements along SR-74 and Briggs Road and off-site roadway improvements may involve emissions and handling of hazardous materials, substances, and waste typical of construction activities. Additionally, the off-site improvements and off-site roadway improvements would not be significant sources of long-term operational emissions. Implementation of **MM AIR-1** (CARB diesel-engine requirements) would reduce substantial pollutant concentrations during project construction. **MM AIR-2** and **MM AIR-3** would be implemented to reduce substantial pollutant concentrations during project operation to reduce hazardous emissions to achieve compliance with SCAQMD health risk thresholds. Additionally, implementation of **RCM HAZ-1** and **RCMs WQ-1** through **WQ-4** are required to comply with the waste discharge permit requirements to ensure construction contractors maintain equipment and supplies on site for containing and cleaning up hazardous materials spills and would train workers to deal with containment and cleanup.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM HAZ-1** and **RCM WQ-1** through **RCM WQ-4**, and Mitigation Measures **MM AIR-1** through **AIR-3**.



**Mitigation Measures:** Based upon the analysis presented in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, which is incorporated herein by reference, Mitigation Measures MM AIR-1 through MM AIR-3 are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-17 through 4.9-20.

**Impact 4.9-4: Less than Significant Impact with Mitigation Incorporated**

The government records database search, completed as part of the offsite Phase I ESA determined that the on-site, off-site, and off-site roadway improvement areas are not included on any queried database compiled pursuant to Government Code Section 65962.5 that could create a significant hazard to the public or the environment. The Phase I ESA identified several listings for adjacent or nearby properties on databases potentially indicative of a contamination concern. One listing, the Arco Station 1212 located at 27181 McCall Boulevard approximately 20 feet south of the off-site improvement area along McCall Boulevard, was determined to represent a REC in connection with the off-site roadway improvement area. Implementation of mitigation measure **MM HAZ-1** would ensure that a Soil Management Plan (SMP) be developed in order to properly dispose of any contaminated soil uncovered during earthwork operations. Implementation of **MM HAZ-1** would ensure potential impacts are less than significant.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with mitigation measure **MM HAZ-1**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM HAZ-1 Soil Management Plan.** The Applicant shall develop and implement a Soil Management Plan (SMP) to the satisfaction of the Director of Public Works, or designee, prior to the commencement of any ground disturbing or earthwork activities associated with the construction of off-site roadway improvements along McCall Boulevard.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-20 through 4.9-22.

**Impact 4.9-5: Less than Significant Impact with Mitigation Incorporated**

The Project site is within Zone E of MARB's Airport Land Use Compatibility Plan (ALUCP). The Riverside County ALUC provided an approval letter, which found the proposed project consistent with the 2014 MARB ALUP, subject to conditions as described in mitigation measure **MM HAZ-2**. Implementation of mitigation measure **MM HAZ-2** would ensure that on-site, off-site, and off-site roadway improvements would have a less than significant impact on an airport land use plan and would not result in a safety hazard for people residing or working in the project area.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with Mitigation Measure **MM HAZ-1**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM HAZ-2 Riverside County ALUC Condition of Approval.** Prior to commencement of any construction activities, the project applicant shall provide proof to the City of Menifee Community Development Director, or designee, of compliance with the following ALUC conditions as included in their approval letter dated November 16, 2022:<sup>2</sup>

- **Outdoor Lighting.** Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing. Installation of future rooftop solar panels will require solar glare studies and ALUC review.
- **Prohibition of Certain Uses/Activities:**
  - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in initial takeoff or final landing procedure other than an FAA-approved navigational signal light or visual approach slope indicator;
  - Any use which would cause sunlight to be reflected towards an aircraft engaged in initial takeoff or final landing procedure towards an airport;
  - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;
  - Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation;
  - Highly noise-sensitive outdoor nonresidential uses; and

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<sup>2</sup> Riverside County Airport Land Use Commission. November 16, 2022. *RE: Airport Land Use Commission (ALUC) Development Review-Director's Determination.*

- Any use which results in a hazard to flight, including physical (tall objects), visual, and electronic forms of interference with the safety of aircraft operations.
- **“Notice of Airport in Vicinity”:** A “Notice of Airport in Vicinity” (attached to the ALUC approval letter, **Appendix H-4**) shall be provided to all prospective purchasers and occupants of the property.
- **Stormwater Basins:** Any proposed stormwater basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention following the design storm, and remain totally dry between rainfalls. Vegetation in and around the stormwater basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the stormwater basins shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the stormwater basin, if not rip-rap, should be in accordance with the guidance provided in ALUC “Landscaping Near Airports” brochure, and the “Airports, Wildlife, and Stormwater Management” brochure available at RCALUC.org, which list acceptable plants from the Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign (attached to the ALUC approval letter, **Appendix H-4**) shall be permanently affixed to the stormwater basin with the following language: “There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes.” The sign will also include the name, telephone number or other contact information of the person or entity responsible to monitor the stormwater basin.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-22 through 4.9-25

## 5.10 Hydrology and Water Quality

### **Impact 4.10-1: Less than Significant with Mitigation Incorporated**

During soil-disturbing construction activities, excavated soil would be exposed and there would be an increased potential for soil erosion and sedimentation compared to existing conditions. Pollutants of concern could have a detrimental effect on groundwater, on-site surface water, and off-site downstream receiving waters. Groundwater dewatering activities could affect surface water quality through the discharge of polluted groundwater to surface water bodies. Operation of the project also has the potential to produce pollutants of concern that may pollute runoff. Construction and operation have the potential to effect water quality in the on-site, off-site, and off-site roadway improvement areas. The project would comply with existing NPDES regulations (as specified in **RCM**

**WQ-1, RCM WQ-2, and RCM WQ-3**), which include preparation of a SWPPP and Erosion Control Plan, implementation of Construction BMPs to target and reduce pollutants of concern in storm water runoff and compliance with all applicable provisions in the Groundwater Discharge Permit. Operational activities on site would be required to comply with the requirements of the MS4 Permit, including preparation of a Final WQMP and incorporation of operational BMPs to target pollutants of concern (as specified in **RCM WQ-4**). Additionally, the proposed bioretention and detention basins would be subject to conditions imposed by the Riverside County Airport Land Use Commission (ALUC). ALUC requires stormwater basins to be designed and maintained to provide for a maximum 48-hour drawdown following the design storm and remain totally dry between rainfalls as detailed in **MM HAZ-2**. With implementation of regulatory compliance measures **RCM WQ-1 through WQ-4** and Mitigation Measure **MM HAZ-2**, impacts related to a violation of any water quality standards or waste discharge requirements or degradation of surface or groundwater water quality during Project operation would be less than significant.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM WQ-1 through WQ-4** and Mitigation Measure **MM HAZ-2**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.10, Hydrology and Water Quality of the Draft EIR, which is incorporated herein by reference, **Mitigation Measure MM HAZ-2** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.10-27 through 4.10-38.

**Impact 4.10-3 (i through iv): Less than Significant with Mitigation Incorporated**

During Project construction activities, soil would be exposed and disturbed, and drainage patterns would be temporarily altered during grading and other construction activities. Therefore, there would be an increased potential for soil erosion and siltation compared to existing conditions. A SWPPP (**RCM WQ-1**) and Erosion Control Plan (**RCM WQ-2**) would be prepared to minimize erosion and retain sediment on site. The proposed Project would increase impervious area on the Project site, which would result in a net increase in storm water runoff that can lead to downstream erosion in receiving waters. The proposed bioretention and detention basins would be subject to conditions imposed by the ALUC and mitigation measure **MM HAZ-2**. With implementation of **RCM WQ-4**, which requires the proposed Project to comply with hydromodification requirements, and **RCM WQ-5**, which requires the preparation of a Final Hydrology and Hydraulic Analyses that provides BMPs and Low Impact Developments (LIDs), operation impacts related to substantial on- or off-site erosion or siltation would be less than significant.

Implementation of the proposed Project would alter the on-site drainage pattern when compared to existing conditions. With implementation of **RCM WQ-4 and RCM WQ-5** as well as **MM HAZ-2**, impacts related to an increase in the rate or amount of surface runoff in a manner that would result in on- or off-site flooding and impacts related to creation or contribution of storm water runoff that

would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff would be less than significant.

Construction of the proposed off-site improvements would also include implementation of **RCM WQ-1 and RCM WQ-2** to ensure that construction impacts related to (1) on- or off-site erosion or siltation; (2) a substantial increase in the rate or amount of surface runoff that would result in flooding and impede or redirect flood waters; or (3) creation or contribution of runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff would be less than significant.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM WQ-1 through RCM WQ-5** and Mitigation Measure **MM HAZ-2**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.10, Hydrology and Water Quality of the Draft EIR, which is incorporated herein by reference, **Mitigation Measure MM HAZ-2** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.10-41 through 4.10-47.

**Impact 4.10-4: Less than Significant with Mitigation Incorporated**

The Project site, as well as off-site and off-site roadway improvement areas, are not located in a tsunami hazard zone and are not susceptible to impacts associated with a seiche. The proposed project would not result in the release of pollutants due to inundation caused by dam failure. According to FEMA maps, portions of the northeastern, central, and southwestern areas of the Project site are located in Flood Hazard Zone X. Although small portions in the center of the Project site are within Flood Hazard Zone A, which includes areas located within the 100-year floodplain subject to inundation by the 1-percent-annual-chance flood event, the proposed structures would be constructed so they are located above the 100-year floodplain and would be required to obtain a CLOMR from FEMA. During construction, BMPs would be implemented to ensure that during a rain event, pollutants would be retained on site and be prevented from reaching downstream receiving waters in accordance with **RCM WQ-1** and **WQ-2**. During operations, the Project would include seven bioretention basins pursuant to **RCM WQ-4** that would result in a reduction to post-project flow rates to less than pre-project flows under all the hydrological conditions evaluated. Operational activities associated with the proposed off-site improvements would be required to comply with the requirements of the MS4 Permit (**RCM WQ-4**). In addition, the proposed bioretention and detention basins would be subject to conditions imposed by the ALUC and **MM HAZ-2**.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of

significance with regulatory compliance measures **RCM WQ-1, RCM WQ-2, and RCM WQ-4** and Mitigation Measure **MM HAZ-2**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.10, Hydrology and Water Quality of the Draft EIR, which is incorporated herein by reference, Mitigation Measure **MM HAZ-2** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-47 through 4.9-50.

**Impact 4.10-5: Less than Significant with Mitigation Incorporated**

The proposed Project would comply with the Santa Ana Region MS4 Permit requirements and would implement construction and operational BMPs to reduce pollutants of concern in storm water runoff (**RCM WQ-1 through RCM WQ-4**). Additionally, the proposed bioretention and detention basins would be subject to conditions imposed by the ALUC and **MM HAZ-2**. As such, the proposed Project would not result in water quality impacts that would conflict with the Santa Ana RWQCB Santa Ana River Water Quality Control Plan (Basin Plan). The Project site is in the San Jacinto Groundwater Basin, which is designated as a high priority basin. Groundwater dewatering activities could affect surface water quality through the discharge of polluted groundwater to surface water bodies. As specified in **RCM WQ-3**, groundwater dewatering activities would comply with the Waste Discharge Requirements (WDR) Permit ensure that construction impacts related to a decrease in groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be less than significant. There are adequate water supplies from groundwater sources during normal, dry year, and multiple dry year demands to serve the proposed Project's needs. The increase in impervious surface areas would not substantially decrease infiltration compared to existing conditions and the proposed Project would be designed to collect storm water flows and contribute to infiltration to the groundwater basin at Lake Elsinore. The proposed Project would not conflict with or obstruct the implementation of a sustainable groundwater management plan. Implementation of **RCM WQ-1 through RCM WQ-4** and **MM HAZ-2** would ensure that the proposed project would not conflict with a water quality control plan or groundwater management plan.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM WQ-1 through RCM WQ-4** and Mitigation Measure **MM HAZ-2**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.10, Hydrology and Water Quality of the Draft EIR, which is incorporated herein by reference, Mitigation Measure **MM HAZ-2** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.10-50 through 4.10-54

**5.11 Land Use and Planning**

Impact 4.11-1 was concluded to be less than significant.

Impact 4.11-2 was concluded to be significant and unavoidable.

## 5.12 Mineral Resources

No impacts were concluded to be significant.

## 5.13 Noise

### **Impact 4.13-2: Less than Significant with Mitigation Incorporated**

The closest residential, utility, and school buildings would not experience vibration exceeding the FTA's community annoyance thresholds or vibration damage thresholds. Other building structures that surround the Project site would experience lower vibration levels because they are farther away and would be constructed equivalent to or better than non-engineered timber and masonry. Once operational, the proposed Project would not generate vibration. Construction equipment expected to be used for off-site roadway and infrastructure improvements would not generate vibration except for loaded trucks and bulldozers. The closest residential buildings along Menifee Road north of SR-74 are approximately 10 feet from loaded trucks at the Project construction boundary for off-site roadway and infrastructure improvements, would experience vibration exceeding the FTA's community annoyance threshold of 78 VdB for daytime residences. The implementation of mitigation measure **MM N-1** would reduce construction vibration levels from off-site roadway and infrastructure improvements.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with Mitigation Measure **MM N-1**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.13, Noise and Vibration of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM N-1:** Prior to issuance of grading or building permits, the City of Menifee shall confirm that construction specifications indicate that the construction contractor shall restrict loaded trucks or require the use of light pick-up trucks within 15 feet of the residential structures along Menifee Road north of State Route 74 (SR-74). In addition, the City of Menifee shall confirm that construction specifications indicate that the construction contractor shall restrict large bulldozers and loaded trucks or require the use of small rubber-tired bulldozers and light pick-up trucks within 15 feet of the residential structures along McCall Boulevard between Durant Street and Junipero Road.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-54 through 4.13-59.

## 5.14 Population and Housing

No impacts were concluded to be significant.



### 5.15 Public Services

No impacts were concluded to be significant.

### 5.16 Recreation

No impacts were concluded to be significant.

### 5.17 Transportation

Impacts 4.17-1 and 4.17-2 were concluded to be significant and unavoidable.

Impacts 4.17-3 and 4.17-5 were concluded to be less than significant.

### 5.18 Tribal Cultural Resources

#### **Impact 4.18-1(i): Less than Significant with Mitigation Incorporated**

An updated review of the sacred Lands File (SLF) conducted by the Native American Heritage Commission (NAHC) was completed with negative results. The Tribal Historic Preservation Office noted that previous surveys in the area had been positive for cultural resources and several other tribes noted that the project location and adjacent areas are considered sensitive to the tribes. Although the proposed project would not cause a substantial adverse change in the significance of a known tribal cultural resource, regulatory compliance measures are required for the proposed project. **RCM TCR-1** through **TCR-4** would be implemented to reduce impacts to tribal cultural resources that may inadvertently be found during construction activities. **RCM CUL-1** through **CUL-3** would also be implemented to reduce impacts to archaeological resources that may inadvertently be found during construction activities.

A supplemental cultural resources study was completed in which three historic period cultural resources were identified. Two of these resources did not meet the criteria for listing on the California Register. The third cultural resource, a 590-foot-long segment of the San Jacinto Railroad starting at Matthews Road and extending southeast, has been previously determined eligible for listing on the California Register under Criterion 1. The portion of the railroad within the proposed off-site improvement area retains sufficient integrity to convey its significance, and thus, must be avoided by project construction activities. The proposed pedestrian bridge would cross over the railroad and would not physically impact the railroad or result in significant impacts to the railroad. However, to ensure that impacts to the sites remain less than significant, Mitigation Measures **MM TRC-1**, **MM TRC-2**, and **MM CUL-1** would be implemented.

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with regulatory compliance measures **RCM TRC-1 through TRC-4** and **RCM CUL-1 through CUL-3**, and Mitigation Measures **MM CUL-1**, **MM TRC-1** and **MMTRC-2**.

**Mitigation Measures:** Based upon the analysis presented in Section 4.13, Noise and Vibration of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM TCR-1: Cultural Resource ESA Fencing.** Prior to any ground disturbing activities of the area that encompasses CA-RIV-3249, the Project Archaeologist and Tribal monitors shall ensure that appropriate temporary fencing is installed (i.e., orange fabric/barrier fencing) around the resource to prevent any unintentional disturbances during ground disturbing activities on the Project site. The fencing will be installed before clearing and grubbing and will not be removed until all earthmoving activities within the immediate vicinity of the resource have been completed. The Project Archaeologist and Pechanga Tribal monitor will be on site to monitor the fence installation and removal and will conduct daily inspections of the fencing to make sure that it is intact and has not been breached.

**MM TCR-2: Relocation and Reburial of CA-RIV-12345.** Prior to ground disturbance of the area that encompasses CA-RIV-12345, the Project Archaeologist and Tribal Monitors shall identify and collect elements of the site for reburial in open space. It is anticipated that reburial can occur within the Project's designated open space; however, given that there is an existing cultural resource site within the open space, the reburial location shall be reviewed by the Tribe to confirm it is located outside of the existing site boundary.

**Supportive Evidence:** Please refer to Draft EIR pages 4.18-5 through 4.18-15.

### 5.19 Utilities and Service Systems

No impacts were concluded to be significant.

### 5.20 Wildfire

No impacts were concluded to be significant.

## 6.0 FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS WHICH CANNOT BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

### 6.1 Aesthetics

No impacts were concluded to be significant and unavoidable.

### 6.2 Agriculture and Forestry Resources

No impacts were concluded to be and significant and unavoidable.

### 6.3 Air Quality

#### **Impact 4.3-1: Significant and Unavoidable Impact**

Per the South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook, there are two main indicators of a project's consistency with the Air Quality Management Plan (AQMP). Because the Project would create a new Specific Plan with provisions for the development of up to 1,718 units housing up to approximately 5,220 persons, as already considered in SP 301, it would not result in any unplanned population growth, and would serve to improve the City's housing-jobs balance. As such, the Project would be consistent with AQMP Indicator 2, which pertains to whether the Project would exceed the assumptions in the AQMP. However, the Project would be inconsistent with AQMP Indicator 1, which pertains to increased or new air quality violations as well as delayed

attainment of Ambient Air Quality Standards (AAQS) or emission reductions. This inconsistency would be due to the project's significant and unavoidable long-term operational pollutant emissions, as discussed further under Threshold 4.3-2. The Project would implement mitigation measures pertaining to future development (**MM AIR-1** and **MM AIR-2**), but even with the implementation, the inconsistency with AQMP Indicator 1 would remain. Roadway improvements are consistent with the City's planned roadway network and would not result in indirect unplanned growth within the city. The proposed roadway improvements and utility connections would not include housing or employment growth that would exceed growth assumptions in the SCAG's RTP/SCS or the AQMP, and impacts to air quality would therefore be less than significant.

**Mitigation Measures:** Based upon the analysis presented in Section 4.3, Air Quality, of the Draft EIR, which is incorporated herein by reference, Mitigation Measures **MM AIR-1** and **MM AIR-2**, listed below under Impact 4.3-2, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-21 through 4.3-25.

#### **Impact 4.3-2: Significant and Unavoidable Impact**

The maximum daily emissions of most pollutants that would result from construction of the on-site improvements would not exceed the SCAQMD regional significance thresholds; however, NO<sub>x</sub> emissions would exceed SCAQMD thresholds. Therefore, **MM AIR-1** was identified, which would reduce construction emissions to a less than significant level. Buildout of the proposed Project would generate a total of approximately 60,570 average daily trips. In addition, CalEEMod assumes that the proposed Project would utilize contemporary energy-efficient technologies and operational programs. Operational emissions associated with implementation of the proposed Project would not exceed the SCAQMD's threshold for SO<sub>x</sub>; however, emissions of VOCs, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> would exceed SCAQMD thresholds. Since operational emissions would exceed SCAQMD thresholds, it is assumed that combined emissions with other projects in the vicinity would also exceed the significance threshold established by the SCAQMD for daily project emissions. **MM AIR-2**, which would require the implementation of all feasible measures to reduce operational impacts associated with the proposed Project, was identified. **MM TRA-1**, identified in Draft EIR Section 4.17, Transportation, was identified to further reduce impacts pertaining to emissions. However, without quantification to guarantee a less than significant finding, future development projects may still exceed the SCAQMD regional significance thresholds. As such, on-site operational emissions would be considered significant and unavoidable.

Project construction and operational emissions associated with the off-site improvements would be minimal and would not exceed the SCAQMD emissions thresholds. However, when these emissions are combined with the on-site construction and operational emissions, emissions would exceed SCAQMD's thresholds. Mitigation Measures were identified in this analysis (**MM AIR-1** and **MM AIR-2**) that would require the implementation of all feasible measures to reduce construction and operational impacts associated with the proposed project. Incorporation of **MM AIR-1** would ensure that the short-term construction emissions improvements would not exceed the SCAQMD's thresholds. **MM TRA-1**, identified in Draft EIR Section 4.17, Transportation, would further reduce

impacts; however, the emission reduction associated with some operational measures, including those that would reduce Project-related VMT, cannot be quantified. Without quantification to guarantee a less than significant finding, operations of future development projects may still exceed the SCAQMD regional significance thresholds. Therefore, off-site operational emissions would be considered significant and unavoidable.

**Mitigation Measures:** Based upon the analysis presented in Section 4.3, Air Quality, of the Draft EIR, which is incorporated herein by reference, Mitigation Measures **MM AIR-1** and **MM AIR-2**, listed below, are feasible and are made binding through the MMRP. Additionally, **MM TRA-1**, identified in Section 4.17, Transportation, of the Draft EIR, would also apply. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

**MM AIR-1** During construction of the on-site improvements associated with the proposed Project, the Project contractor shall ensure all 50 horsepower or more off-road diesel-powered construction equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Final engines or the equivalent, except where the Project Applicant establishes to the satisfaction of the City of Menifee (City) that Tier 4 Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available within Southern California and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the extent feasible.

**MM AIR-2** 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 following emission reduction measures. Implementation of the following measures is considered to be applicable, feasible, and effective in reducing criteria pollutant emissions generated by the Project:

- All Project Applicants shall consider all feasible alternatives to minimize emissions from diesel equipment (e.g., trucks, construction equipment, and generators).
- For high density and mixed-use developments, Project Applicants shall consult with the local transit agency and incorporate all appropriate and feasible transit amenities into the plans, consistent with Section 3.1.4 Bus Rail and Transit Options in the Menifee Valley Specific Plan.
- All Project Applicants shall implement walkable neighborhoods by siting parks and community centers near residential areas consistent with Section 2 Land Use Designations and Planning Areas in the Menifee Valley Specific Plan.
- 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 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.
- All Project Applicants shall provide bicycle parking/storage facilities on site. Bicycle parking facilities should be near destination points and easy to find. At least one bicycle parking space for every 20 vehicle parking spaces should be provided.
- All Project Applicants shall install Class I or II bike lanes on arterial/collector streets, or where a suitable route exists consistent with Figure 3-7 Bicycle Mobility Plan of the Menifee Valley Specific Plan.
- All Project Applicants shall provide building access and paths which are physically separated from street parking lot traffic and that eliminate physical barriers such as walls, berms, landscaping and slopes that impede the use of pedestrians, bicycle facilities, or public transportation vehicles.
- All Project Applicants shall provide continuous sidewalks separated from the roadway by landscaping and on-street parking where provided, consistent with Section 3.1.1, Roadway Design Standards, Section 3.2.1, Pedestrian Mobility, and Figure 3-7 Bicycle Mobility Plan of the Menifee Valley Specific Plan.
- All Project Applicants shall link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
- All Project Applicants shall provide traffic reduction modifications to residential roads, such as: narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds and to encourage pedestrian and bicycle travel.
- For all parking lots, Project Applicants shall provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.
- All Project Applicants shall provide pedestrian access between bus service and major transportation points and to destination points within the Project.

- For all high-density residential, mixed-use, business/commercial park, and commercial uses, Project Applicants shall provide a display case or kiosk displaying transportation information in a prominent area accessible to employees, residents, or visitors such as bike route maps, bus schedules, and carpooling and car sharing in a prominent area accessible to employees, residents, or visitors.
- For all high-density residential, mixed-use, business/commercial park, and commercial uses, Project Applicants shall provide a display case or kiosk displaying transportation information in a prominent area accessible to employees, residents, or visitors such as bike route maps, bus schedules, and carpooling and car sharing in a prominent area accessible to employees, residents, or visitors.
- All Project Applicants shall design street block patterns consistent with the Menifee Valley Specific Plan and City of Menifee Standards and Ordinances.
- For all mixed-use, business/commercial park, and commercial uses Project Applicants shall provide preferential parking spaces near the entrance of buildings for those who carpool/vanpool/rideshare and provide signage.
- All Project Applicants shall improve the thermal integrity/efficiency of buildings and reduce the thermal load with automated and timed temperature controls or occupant sensors.
- 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 for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- 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).
- 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.

- 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.
- Project Applicants shall maximize the planting of trees in landscaping and parking lots, consistent with the Menifee Valley Specific Plan and City of Menifee Standards and Ordinances.
- Project Applicants shall use light-colored paving and roofing materials.
- Project Applicants shall install outdoor electrical outlets to promote the use of electric lawn mowers and leaf blowers.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-25 through 4.3-39.

#### 6.4 Biological Resources

No impacts were concluded to be and significant and unavoidable.

#### 6.5 Cultural Resources

No impacts were concluded to be and significant and unavoidable.

#### 6.6 Energy

No impacts were concluded to be and significant and unavoidable.

#### 6.7 Geology and Soils

No impacts were concluded to be and significant and unavoidable.

#### 6.8 Greenhouse Gas Emissions

##### **Impact 4.8-1: Significant and Unavoidable Impact**

When amortized over the 30-year life of the Project as required by the SCAQMD, on-site construction activities would result in annual emissions of 1,478.8 MT CO<sub>2</sub>e. However, construction emissions would be temporary in nature and would only occur for the duration of the construction period. Buildout of the proposed Project would generate a total of approximately 60,570 average daily trips. Based on the analysis results, the proposed Project would result in 68,683.8 MT CO<sub>2</sub>e per year, which would exceed the scaled SCAQMD threshold of 2,109.0 MT CO<sub>2</sub>e per year. The proposed Project would result in per service population emission of 6.0 MT CO<sub>2</sub>e per year per service population, which exceeds the SCAQMD's scaled screening threshold of 3.4 MT CO<sub>2</sub>e per year per service population. As such, Mitigation Measures **MM AIR-2** and **MM GHG-1** were identified, which would require the implementation of feasible GHG reduction measures to reduce GHG emissions. However, GHG emission impacts would remain significant and unavoidable because compliance with future efficiency targets cannot be ensured.

When amortized over the 30-year life of the Project as required by the SCAQMD, annual off-site emissions generated during off-site construction activities would be 6.0 MT CO<sub>2</sub>e, but would be temporary in nature and would only occur for the duration of the construction period. GHG emissions



associated with operational off-site improvements would be minimal. However, when these emissions are combined with the on-site emissions, emissions would exceed SCAQMD's thresholds. While **MM AIR-2** and **MM GHG-1** were identified to reduce GHG emissions associated with build out of the proposed Project, including off-site improvements, GHG emission impacts would remain significant and unavoidable because compliance with future efficiency targets under the Project cannot be ensured. As such, impacts would remain significant and unavoidable.

**Mitigation Measures:** Based upon the analysis presented in Section 4.3, Air Quality, and Section 4.8, Greenhouse Gas Emissions of the Draft EIR, which is incorporated herein by reference, Mitigation Measure **GHG-1**, listed below, is feasible and are made binding through the MMRP. In addition, **MM AIR-2**, identified in Section 4.3, Air Quality, of the Draft EIR would also be applicable. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable. Additionally, the following mitigation measures apply:

**MM GHG-1** Prior to issuance of a building permit, the City of Menifee shall identify Project design details and specifications, where feasible, to document implementation and compliance with the following emission reduction measures. Implementation of the following measures is considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by the Project:

- Exceed Title 24 standards by 20 percent.
- Install programmable thermostat timers and smart meters.
- Develop Basis of Design (BOD) documents, commissioning plans, and commissioning reports for heating, ventilation, and air conditioning (HVAC) systems. Perform functional performance testing and system operations training.
- Install energy efficient appliances and high-efficiency electric hot water heaters.
- Provide electric vehicle (EV) chargers in parking lots.
- Provide necessary infrastructure to allow use of 50 percent recycled water for outdoor irrigation.
- Adopt a water conservation strategy.
- Use water-efficient landscape irrigation systems, reduce turf in landscapes and lawns, and plant native or drought-resistant trees.
- Prohibit gas powered landscape equipment and install outdoor electrical outlets.
- Use low VOC architectural coatings.
- Require cool roof materials (albedo  $\geq 30$ ) or install green roofs.

- Maximize interior day light.
- Install rainwater collection systems.
- Restrict the use of water for cleaning outdoor surfaces/prohibit systems that apply water to non-vegetated surfaces.
- Plant shade trees within 40 feet of the south side or within 60 feet of the west sides of properties.
- Create new vegetated open space.
- Institute or extend recycling and composting services.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-22 through 4.8-33.

#### 6.9 Hazards and Hazardous Materials

No impacts were concluded to be and significant and unavoidable.

#### 6.10 Hydrology and Water Quality

No impacts were concluded to be and significant and unavoidable.

#### 6.11 Land Use and Planning

##### **Impact 4.11-2: Significant and Unavoidable**

The proposed Project includes a General Plan Amendment, a Specific Plan Amendment, and a Zoning Change to accommodate for the Specific Plan uses and eliminate potential land use and planning inconsistencies. Based on the consistency analysis with the City of Menifee General Plan, the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP), and the Multiple-Species Habitat Conservation Plan (MSHCP), the only applicable goal or policy that the proposed Project would conflict with is Policy C 1.2 of the General Plan Circulation Element. Policy C 1.2 pertains to mitigating traffic impacts and requiring development to achieve the City's aspirational goal of peak hour LOS D or better at intersections. Under the Project, several intersections would operate at deficient Level of Service (LOS) due to a lack of right-of-way for recommended improvements, resulting in an inconsistency with Policy C 1.2 incapable of being mitigated to less than significance. A mitigation measure requiring the payment of fees or implementation of intersection improvements (**MM LU-1**) was identified to reduce this significant impact; however, impacts to these intersections would remain significant and unavoidable.

The proposed legislative actions such as the General Plan Amendment, Zoning Change, and Specific Plan Amendment as part of the Project do not apply to the areas in which the off-site improvement areas would occur. Further, the off-site improvements would be consistent with the existing land use and zoning designations of the City's General Plan and other planning documents. Implementation of the General Plan, which includes the off-site roadway improvements as identified in the Circulation

Element, was analyzed for consistency with applicable land use and planning documents in the Certified 2013 EIR and it was determined that impacts would be less than significant.

**Mitigation Measures:** Based upon the analysis presented in Section 4.11, Land Use and Planning, of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure **MM LU-1** is feasible and is made binding through the MMRP. Imposition of this mitigation measure will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

**MM LU-1 Circulation Element Consistency.** At intersections and roadway segments where the project contributes to an unsatisfactory LOS that conflicts with Circulation Element policies that strive to maintain desired LOS (Policy C.1.2), the Project Applicant shall be responsible for improvements identified by the City as a part of the Project's Conditions of Approval. The timeline for implementation of these improvements will also be identified in the Project's Conditions of Approval. Where there is a funding mechanism (fee program) for the recommended improvements, payment into the fee program shall be considered sufficient for mitigation of project-related operational deficiencies. At study locations where the addition of project traffic creates an operational deficiency and there is no funding mechanism in place, the project shall be responsible for the implementation of the improvement. At locations where the project adds to or creates a forecast deficiency and there is no funding mechanism in place, the project shall be responsible for its fair share payment, as calculated based on project traffic as a percentage of total growth from existing to Horizon Year (2045) plus Project scenario conditions. The timing for payment of fees or physical improvements shall be established through the Project's Conditions of Approval.

**Supportive Evidence:** Please refer to Draft EIR pages 4.11-9 through 4.11-14.

#### 6.12 Mineral Resources

No impacts were concluded to be and significant and unavoidable.

#### 6.13 Noise

No impacts were concluded to be and significant and unavoidable.

#### 6.14 Population and Housing

No impacts were concluded to be and significant and unavoidable.

#### 6.15 Public Services

No impacts were concluded to be and significant and unavoidable.

#### 6.16 Recreation

No impacts were concluded to be and significant and unavoidable.

#### 6.17 Transportation

#### **Impact 4.17-1: Significant and Unavoidable**

All on-site transportation improvements under the Project would be required to conform with City standards and conceptual design specifications for perimeter, interior residential, and commercial/business park/commercial-business park roadways. Improvements would be subject to change based on engineering review and approval by the City Engineer at the time subdivision maps are brought forward for approval. The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system except for Circulation Element Policy C 1.2 (intersection LOS), as discussed above under 6.11, Land Use and Planning. Even with payment of the Project's fair share, implementation of local improvements, or implementation of recommended intersection improvements as required in **MM LU-1**, existing or forecasted operational deficiencies cannot be fully improved to an acceptable LOS at several intersections due to right-of-way constraints. As such, the proposed Project would not be able to improve the LOS at all intersections to meet the City's aspirational General Plan standards (Policy C 1.2), and this inconsistency would result in a significant and unavoidable impact.

The General Plan Certified 2013 EIR found that traffic volumes associated with General Plan buildout, which includes the off-site roadway improvements along Matthews Road/Case Road, McLaughlin Road, and McCall Boulevard, would exceed roadway capacity at various locations throughout the City. As such, the Certified 2013 EIR prescribed mitigation to reduce impacts to less than significant levels, including the implementation of intersection improvements and the payment of Traffic Impact and TUMF fees. The Project Traffic Study analyzed impacts associated with buildout of the proposed Project and included improvement recommendations to Matthews Road/Case Road, McLaughlin Road, and McCall Boulevard that would address traffic impacts in conflict with the General Plan policies as identified in the Circulation Element. As the proposed Project would implement these roadway improvements and roadway improvements would be implemented to the satisfaction of the City Engineer, implementation of the off-site roadway improvements along Matthews Road/Case Road, McLaughlin Road, and McCall Boulevard would be consistent with Goal C 2 of the Circulation Element. Further, the proposed pedestrian bridge would also be consistent with Goal C 2, and rights-of-way conflicts with utilities would be resolved with the appropriate agencies. Therefore, the off-site roadway improvements would not conflict with a program, plan, ordinance, or policy addressing the circulation system.

**Mitigation Measures:** Based upon the analysis presented in Section 4.17, Transportation, of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure LU-1, identified in Draft EIR Section 4.11, Land Use and Planning, would be applicable. Imposition of this mitigation measure will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

**Supportive Evidence:** Please refer to Draft EIR pages 4.17-12 through 4.17-18.

#### **Impact 4.17-2: Significant and Unavoidable**

The City's Traffic Impact Assessment (TIA) Guidelines include a numerical value of 33.6 as the County of Riverside General Plan Buildout VMT per service population or threshold. Therefore, based on the guidelines, the Project will have a significant impact if the Project VMT per service population is greater than 33.6. According to the *VMT Memo* prepared for the proposed Project, the Project's VMT per service population is 20.3 percent higher and 11.6 percent higher than the threshold in the base year and build out scenarios, respectively. Based on the City guidelines, the Project would result in a

significant VMT impact for Project-generated VMT. Project design features and a mitigation measure (**MM TRA-1**) were identified to reduce Project-generated VMT but cannot be guaranteed to reduce the industrial and service component's VMT per employee and retail component's total VMT to a less than significant level.

No new land use would occur in the off-site improvement areas, as the proposed improvements pertain to utility installations and roadway improvements; therefore, no additional VMT outside of what is analyzed in the VMT Memo prepared for the proposed Project and discussed above would occur. As such, VMT impacts associated with the off-site improvements along Briggs Road, Meniffee Road, and SR-74 would be less than significant. Implementation of the Project would also result in off-site roadway improvements, which include widening and additional turn lanes as required. However, because no new land use would occur in the off-site roadway improvement areas, no additional VMT outside of what is analyzed in the VMT Memo prepared for the proposed Project and discussed above would occur. As such, VMT impacts associated with the off-site improvements along Matthews Road/Case Road, McLaughlin Road, and McCall Boulevard would be less than significant.

**Mitigation Measures:** Based upon the analysis presented in Section 4.17, Transportation, of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

**MM TRA-1** Prior to issuance of building permit/occupancy permits, the Project Applicant shall prepare a Transportation Demand Management (TDM) strategy report for review and approval by the City Traffic/Transportation Manager. The TDM strategy shall include measures to reduce Project vehicle miles traveled (VMT), including but not limited to:

- Construction of an additional 44.8 miles of sidewalks. CAPCOA transportation measure "T-18: Provide Pedestrian Network Improvement" was deemed applicable to estimate the VMT reduction due to Project pedestrian features. Based on CAPCOA estimates, the pedestrian features have a potential to reduce 6.4 percent of the Project VMT, which is the cap or maximum for the measure.
- Construction of interconnecting Class I, Class II, and Class III bike lanes throughout the interior and perimeter of the Project site). Specific Plan uses would also provide appropriate bicycle facilities (i.e., racks and lockers) as required by the latest California Green Building Standards (CALGreen Code 5.106.4 Bicycle Parking).
  - CAPCOA transportation measure "T-19A: Construct or Improve Bike Facility" was deemed applicable to estimate the VMT reduction due to Project bicycle features. Based on CAPCOA estimates, the Project bicycle design features have a potential to reduce 0.5 percent of the Project VMT for all the bicycle facilities combined.
  - CAPCOA transportation measure "T-10: Provide End-of-Trip Bicycle Facilities" was deemed applicable to estimate the VMT reduction due to end-of-trip bike facilities. A total of six facilities were assumed:

- One facility in Planning Area 6 for the proposed school site;
  - One facility each for the Business Park uses in Planning Areas 10, 11, and 12; and
  - Two facilities in Planning Area 13 for Commercial uses (both sides of Malaga Road). Based on CAPCOA estimates, the Project end-of-trip bicycle facilities at all six locations have a combined potential to reduce 0.4 percent of the Project VMT.
- Provide Electric Vehicle Parking and EV Charging Infrastructure. CAPCOA transportation measure "T-14: Provide Electric Vehicle Charging Infrastructure" was deemed applicable to estimate VMT reduction via reduced GHG emissions. Based on CAPCOA estimates, provision of EV charging infrastructure has a potential to achieve a maximum VMT reduction of up to 11.9 percent, dependent on the number of EV charging stations the Project may provide (in addition to CALGreen requirements).
  - Unbundle Residential Parking Costs from Property Costs. CAPCOA transportation measure "T-16: Unbundle Residential Parking Costs from Property Cost" was deemed applicable to estimate VMT reduction by charging for additional residential parking space. Based on CAPCOA estimates, fee implementation of additional parking space has a potential to achieve a maximum of up to 15.7 percent VMT reduction for the Project's multifamily uses.

**Supportive Evidence:** Please refer to Draft EIR pages 4.17-18 through 4.17-23.

### 6.18 Tribal Cultural Resources

No impacts were concluded to be and significant and unavoidable.

### 6.19 Utilities

No impacts were concluded to be and significant and unavoidable.

### 6.20 Wildfire

No impacts were concluded to be and significant and unavoidable.

## 7.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

Section 15126.2(d) of the *State CEQA Guidelines* requires that an EIR:

“Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.”

Additionally, *State CEQA Guidelines* Section 15126.2(e) specifies that growth does not necessarily imply impacts that are beneficial, detrimental, or of little significance to the environment. A project that meets any of these criteria may be considered growth inducing. To address these issues, potential growth-inducing effects were examined through analysis of the following questions:

- Would the project remove obstacles to, or otherwise foster, population growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development)?
- Would the project foster economic growth?

Here, the Project would not result in significant growth-inducing impacts.

Implementation of the proposed Project transfers up to 1,718 single-family and multi-family residential homes and residential neighborhood amenities previously approved under Menifee Valley Ranch Specific Plan No. 301 to the Project site. Although these units were previously approved for the Menifee Valley Ranch Specific Plan No. 301, the proposed Project would result in direct population growth in the city through development of up to 1,718 units, with a corresponding population increase of approximately 5,220 persons.<sup>3</sup> The population growth induced by the proposed Project has previously been accounted for since the Project would transfer 1,718 residential units approved under Menifee Valley Ranch Specific Plan No. 301 to the Project site. In addition, although the Project site is located adjacent to existing infrastructure that would provide adequate service connections for the proposed Project, the proposed Project would also include infrastructure improvements to water facilities, sanitary sewer facilities, natural gas utilities, and stormwater drainage facilities as well as connection to existing utility infrastructure per the applicable connection requirements and easement agreements established by the respective utility providers. While the proposed Project requires additional water, sewer, electricity, and natural gas lines on site compared to existing conditions, such improvements would be intended to meet Project-related demand and would not necessitate substantial utility infrastructure improvements.

The proposed Project would also provide jobs close to home for current and future city residents, and thus the Project would serve to improve the housing-jobs balance in the northeastern portion of the city. As of June 2022, the city had a labor force of 42,700, and the county had a labor force of 1,146,300, with approximately 1,700 and 45,300 people unemployed, respectively.<sup>4</sup> The June 2022 unemployment rate was 4.0 percent for the city and 4.0 percent for the county.<sup>5</sup> These elevated

<sup>3</sup> 87.2 percent of residential development is single-family; 12.8 percent of residential development is multi-family (per the Menifee Valley Specific Plan).

- ♦  $87.2\% \times 1,718 = 1,498$  single-family units;  $12.8\% \times 1,718 = 220$  multi-family units
- ♦  $3.12 \text{ persons per unit} \times 1,498 \text{ units} = 4,674$  persons (single-family households)
- ♦  $2.48 \text{ persons per unit} \times 220 \text{ units} = 546$  persons (multi-family households)
- ♦  $4,674 + 546 = 5,220$  persons

<sup>4</sup> California Employment Development Department. 2022. Labor Market Information Division, Monthly Labor Force Data for Cities and Census Designated Places June 2022. Website: <https://www.labormarketinfo.edd.ca.gov/data/unemployment-and-labor-force.html> (accessed July 31, 2022).

<sup>5</sup> Ibid.



unemployment figures reflect the economic slowdown associated with the widespread shelter-in-place orders in effect throughout much of 2020 and 2021 due to the ongoing COVID-19 pandemic. Although there is a great deal of uncertainty regarding the pandemic's effect on the economy, it has resulted in reduced business activity and related higher unemployment in the area. This suggests an ample available local and regional labor pool to serve the long-term employment opportunities offered by the Project and makes it unlikely that the Project's labor demand would need to draw a substantial number of employees from outside the region to meet the need for employees resulting from development of the Project site. Therefore, short-term employment opportunities offered by the construction phases of the proposed Project would likely be met by the available local and regional labor pool. Further, the proposed Project would provide long-term jobs close to home for current and future city residents, and thus the Project would serve to improve the housing-jobs balance in the northeastern portion of the city.

In addition, the Land Use Buildout Summary (Exhibit LU-4) provided in the Land Use Element of the City's General Plan has identified future urban uses and development on the Project site. The proposed Project would remain consistent with the land use buildout calculations provided by the General Plan and therefore would not lead to unplanned growth not previously anticipated by the City and the utility companies.

Further, the Project site in its existing condition does not currently generate substantial tax revenue for the City as the site is undeveloped and vacant. With implementation of the proposed Project, up to 5,600,000 square feet of development at a maximum of 0.5 Floor Area Ratio (FAR) would be developed for a mix of light industrial, manufacturing, warehouse/storage, and e-commerce operations, and up to 260,000 square feet of development at a maximum of 0.25 FAR would be developed for a mix of commercial, retail, small-scale light industrial, warehouse/storage, and manufacturing. In addition to the long-term employment that the proposed Project would provide at Specific Plan build out, the proposed Project would generate a small number of temporary construction-related jobs in Menifee during the construction period. Construction workers are anticipated to be drawn from the existing regional work force, and construction of the proposed Project would not be growth inducing from an employment standpoint. As described above, the proposed Project would generate new permanent employment opportunities. Therefore, the proposed Project would result in significant economic growth.

Although the proposed Project would result in the development of 1,718 dwelling units, which is expected to increase the population in Menifee by approximately 5,220, this would not result in a net increase in the number of residents and employees on the Project site from the originally anticipated increase associated with development of the northern portion of the Menifee Valley Specific Plan No. 301. Additionally, given that the employment opportunities generated by construction and operation of the proposed Project would be filled by people who would commute to the Project site, the potential population growth associated with Project employees would be minimal.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project does not directly result in any significant growth-inducing impacts. The Project would not result in a net increase in the number of residents and employees on

the Project site from the originally anticipated increase associated with development of the northern portion of the Menifee Valley Specific Plan No. 301.

**Supportive Evidence:** Please refer to Draft EIR pages 6-5 through 6-7.

## 8.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The following alternatives were addressed in the Draft EIR:

- Alternative 1: No Project
- Alternative 2: Residential/Commercial-Office Alternative
- Alternative 3: Reduced Business Park Alternative

### 8.1 No Project Alternative (Alternative 1)

**Description:** State CEQA Guidelines § 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Under Alternative 1: No Project Alternative (Alternative 1), the Project site would be developed as currently entitled under the existing Menifee Valley Ranch Specific Plan (SP 301). Per the current SP 301 (Amendment No. 3), the 590.3-acre Project site would be developed with 1,718 residential units of varying densities and 213.1 acres of open space and recreational uses, including three parks, greenbelts, a recreation area (golf course), storm water detention, and conservation uses. This alternative substantially increases the amount of open space and recreational uses provided within the Project site when compared to the proposed Project (44.5 acres).

**Finding** – The City adopts Finding 3.

The City finds that while Alternative 1 would be less impactful than the proposed Project in almost all of the environmental impact areas, and would likely eliminate the significant and unavoidable land use and planning and transportation and traffic impact, the elimination of the business park and commercial uses would likely increase the average VMT per service population and would not achieve the primary Project objectives of balancing housing needs and community amenities with job-producing uses, attracting economic investment to the City of Menifee, or providing goods, services, and job opportunities to the surrounding community and region.

**Supporting Evidence** – Please see Draft EIR Pages 5-12 through 5-20.

### 8.2 Residential/Commercial-Office Alternative (Alternative 2)

**Description:** The Residential/Commercial-Office Alternative envisions the development of 1.250 million square feet of commercial and office uses along SR-74. Based on a target floor to area ratio (FAR) of 0.30, approximately 96.7 acres would be devoted to these uses. It is anticipated this area would allow the development of neighborhood, local, and regional serving retail, service, office-related (e.g., legal, financial, insurance, engineering and similar professions) uses, and/or hotel uses currently permitted in the City’s Commercial Retail (CR) and Commercial Office (CO) zones. This

alternative includes a similar amount of open space (44.5 acres) as the proposed Project to accommodate greenbelts, active recreation, and conservation uses as well as a similar amount of land (32.4 acres) for the improvement of perimeter and primary interior roadways. Approximately 15.5 acres would be reserved for a potential future school site. The balance of land, approximately 402.3 acres, would be dedicated for development of 1,718 dwelling units with an average density of 4.3 dwellings per acre. Under this alternative, the 5.51 million square feet of business park/commercial business park uses would not be developed.

It is expected that some off-site infrastructure and landscape improvements would be required for this alternative and would have similar impacts as the proposed Project. In addition, it is expected that the off-site roadway improvements would still be required in order to reduce impacts associated with conflicts with aspirational General Plan land use and transportation policies.

**Finding –** The City adopts Finding 3.

The City finds that Alternative 2 would result in less than significant impacts in most of the environmental impact areas and could be less impactful in Energy and Hazards and Hazardous Materials. However, this alternative would likely result in significant and unavoidable impacts to Air Quality, Greenhouse Gas Emissions, Land Use and Planning, and Transportation and Traffic. Although both the proposed Project and Alternative 2 would exceed the City's VMT threshold, Alternative 2 would significantly increase VMT when compared to the proposed Project. Therefore, Alternative 2 would not reduce or eliminate significant and unavoidable impacts associated with the proposed Project.

Alternative 2 would meet most of the Project objectives; however, by eliminating business park and commercial business park uses, this alternative would meet the Project objectives of attracting economic investment to the City and providing goods, services, and job opportunities to the surrounding community and region to a lesser extent than the proposed Project. Additionally, this alternative would not meet the Project objective of providing a public facility/civic node (e.g., fire station, transit stop) on the Project site.

**Supporting Evidence –** Please see Draft EIR Pages 5-21 through 5-28.

### 8.3 Reduced Business Park Alternative (Alternative 3)

**Description:** This alternative would reduce business park uses by 25 percent (approximately 1,377,500 million sf), resulting in development of approximately 4,132,500 million sf of business park and commercial-business park uses. Based on a FAR of 0.50, this reduction would reduce the area devoted to these uses by approximately 63.3 acres. The commercial, open space, roadway, and public facility/school components of the proposed Project would remain unchanged.

When added to the residential area identified under the proposed Project, the 63.3 acres gained through the reduction in business park uses would increase the total residential area of the site to 250.1 acres. This alternative includes development of the same number of residential units (1,718); therefore, overall residential density would be approximately 6.9 units per acre.

It is expected that some off-site infrastructure and landscape improvements would be required for this alternative and would have similar impacts as the proposed Project. In addition, it is expected that the off-site roadway improvements would still be required in order to reduce impacts associated with conflicts with aspirational General Plan land use and transportation policies.

**Finding** – The City adopts Finding 3.

Alternative 3 would be located on the same site as the proposed Project and therefore would have similar impacts to land-based CEQA resource topics as the proposed Project, including Agricultural and Forestry Resources, Biological Resources, Cultural Resources, Geology and Soils, Mineral Resources, Tribal Cultural Resources, and Wildfire.

**Supporting Evidence** – Please see Draft EIR Pages 5-28 through 5-34.

## 9.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code requires that when making findings required by Section 21081(a) of the Public Resources Code, the Lead Agency approving a project shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval, in order to ensure compliance with project implementation and to mitigate or avoid significant effects on the environment. The City hereby finds that:

- 1) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and the mitigation measures are included therein. The MMRP is incorporated herein by reference and is considered part of the record of proceedings for the Project.
- 2) The MMRP designates responsibility for implementation and monitoring of proposed mitigation measures. The City's Community Development Director will serve as the overall MMRP coordinator and will be primarily responsible for ensuring that all mitigation measures are complied with.
- 3) The MMRP prepared for the Project has been adopted concurrently with these Findings. The MMRP meets the requirements of Section 21021.6 of the Public Resources Code. The City will use the MMRP to track compliance with mitigation measures. The MMRP will remain available for public review during the compliance period.

## 10.0 OTHER FINDINGS

The City hereby finds as follows:

- 1) The foregoing statements are true and correct;
- 2) The City is the "Lead Agency" for the Project evaluated in the CEQA Documents and independently reviewed and analyzed in the Draft EIR and Final EIR for the Project;
- 3) The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

4) The public review period for the Draft EIR was for 45 days between October 19, 2023 and December 4, 2023. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and notices of availability of the Draft EIR were published by the City. The Draft EIR was available for review on the City's website. Physical copies of the environmental documents are available at the City of Menifee Community Development Department, Sun City Library, and the Menifee Library;

5) The CEQA Documents were completed in compliance with CEQA;

6) The CEQA Documents reflect the City's independent judgment;

7) The City evaluated comments on environmental issues received from persons and organizations who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provided adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR.

8) The City finds that the CEQA Documents, as amended, provide objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;

9) The CEQA Documents evaluated the following impacts: (1) aesthetics; (2) agriculture and forestry; (3) air quality; (4) biological resources; (5) cultural resources; (6) energy; (7) geology and soils; (8) greenhouse gas emissions; (9) hazards and hazardous materials; (10) hydrology and water quality; (11) land use and planning; (12) mineral resources; (13) noise; (14) population and housing; (15) public services; (16) recreation; (17) transportation and circulation; (18) tribal cultural resources; (19) utilities and service systems; (20) wildfire. Additionally, the CEQA Documents considered, in separate sections, significant irreversible environmental changes and growth-inducing impacts of the Project, as well as a reasonable range of project alternatives. All of the significant environmental impacts of the Project were identified in the CEQA Documents;

10) The MMRP includes all of the mitigation measures identified in the CEQA Documents and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;

11) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City's Community Development Director will serve as the MMRP Coordinator;

12) In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;

13) The impacts of the Project have been analyzed to the extent feasible at the time of certification of the CEQA Documents;

14) The City made no decisions related to approval of the Project prior to the initial recommendation of certification of the CEQA Documents. The City also did not commit to a definite course of action with respect to the Project prior to the initial consideration of the CEQA Documents.

15) Copies of all the documents incorporated by reference in the CEQA Documents are and have been available upon request at all times at the offices of the City of Menifee Community Development Department, the custodian of record for such documents or other materials;

16) The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR;

17) Having reviewed the information contained in the CEQA Documents and in the administrative record, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the Final EIR; and

18) Having received, reviewed and considered all information in the CEQA Documents, as well as all other information in the record of proceedings on this matter, these Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency.

## 11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to PRC § 21081(b), and CEQA Guidelines § 15093(a) and (b), the decision-making agency is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (14 CCR § 15093 (a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (14 CCR § 15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs; see *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; and *Markley v. City Council* (1982) 131 Cal App.3d 656.

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program (MMRP), when implemented, would avoid, or substantially lessen all of the significant effects identified in the Final EIR for the Menifee Valley Specific Plan (Project). However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures.

These significant unavoidable impacts would result from air quality impacts due to the potential to conflict or obstruct implementation of applicable air quality plans under AQMP Indicator No. 1 and exceedance of criteria air pollutant emissions during Project operational activities. The Project would

implement development-specific air quality mitigation measures identified in this analysis (**MM AIR-1** through **MM AIR-3**), acting to generally reduce the Project's operational-source air pollutant emissions. In addition, implementation of **Mitigation Measure TRA-1** identified in **Section 4.17** would further reduce impacts; however, the emission reduction associated with some measures, including those that would reduce Project-related VMT, cannot be quantified. Based on the analysis presented here, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria and operational thresholds, resulting in a significant and unavoidable impact. Additionally, greenhouse gas emissions would exceed the SCAQMD's scaled screening threshold of 3.4 MT CO<sub>2</sub>e per year per service population. Because compliance with future efficiency targets cannot be ensured, GHG emission impacts would remain significant and unavoidable, even with implementation of **Mitigation Measure AIR-2** in **Section 4.3, Air Quality**, and **GHG-1** in **Section 4.8, Greenhouse Gas Emissions**. Development of the proposed Project would result in a conflict with the General Plan Circulation Element. Despite payment of fees or implementation of intersection improvements identified in **MM LU-1**, in **Section 4.11, Land Use and Planning**, land use impacts would remain significant and adverse. Further, Project-related traffic would conflict with the aspirational goals for desired level of service in the General Plan Circulation Element. Even with implementation of **MM LU-1**, in **Section 4.11, Land Use and Planning**, development of the Project would conflict with the aspirational level of service goals of the General Plan Circulation Element. The Project could also conflict with State CEQA Guidelines Section 15064.3, Subdivision(b) related to VMT. **Mitigation Measure TRA-1** identified in **Section 4.17** would help reduce VMT impacts but cannot be guaranteed to reduce the industrial and service component's VMT per employee and retail component's total VMT to a less than significant level. VMT impacts would be reduced but not entirely eliminated with the implementation of **Mitigation Measure TRA-1** identified in **Section 4.17**.

The City finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the City would be implemented with the Project. As identified below, the City further finds that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits, based upon the facts set forth above, the Final EIR, and the record.

The City finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the Project. This determination is based on the findings herein and the evidence in the record. The following economic, legal, social, or technological benefits, independent of the other benefits, override the potential significant unavoidable adverse impacts and render acceptable each of the unavoidable adverse environmental impacts. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the City hereby adopts this Statement of Overriding Considerations for the following reasons:

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project.
2. Consistency with and contribution to achieving the goals and objectives established by the General Plan.



3. Create employment-generating opportunities for citizens of Menifee and surrounding communities through construction, operation, and indirect jobs off-site within the City. Additional employment (estimated at more than 5,800 jobs) will improve the jobs-housing balance.
4. Attract businesses that can expedite the delivery of essential goods to consumers and businesses in Menifee and beyond the City's boundary.
5. Increase in property taxes through development of vacant and unused parcels, payment of Development Impact Fees (DIF) and Transportation Uniform Mitigation Fees (TUMF) (estimated at more than \$65M), investment in infrastructure spurring growth leading to more permanent City jobs and increased economic output. The sales tax revenues generated on behalf of the City by the local employees and residents within the Project and extended benefit areas would represent a boost to the City's economy.
6. Improvement of infrastructure will enhance the quality of life for the City's residents by linking land use, transportation and infrastructure development.
7. Provide high-quality and sustainable development meeting CalGreen Building Code energy efficiency requirements.
8. Supply a range of housing opportunities (up to 1,718 homes) which will help to satisfy the City's housing needs.
9. Development of incubator space designed specifically for small business along Highway 74.
10. Development of a Community Farm valued at approximately \$3M.
11. Development of a retail commercial center at the intersection of State Route 74 and Malaga Road.
12. Development of a community park, aquatics center, and trails for bicycles and pedestrians.
13. Public benefits over \$37M established through a Development Agreement between the applicant and the City that would establish early and additional transportation improvements, and a \$10m cash contribution/land dedication for a City fire station, park, and pedestrian bridge.
14. Payment of fair share fees of more than \$4.7M for offsite improvements.
15. Net fiscal benefit estimated at over \$1M per year to the City of Menifee General fund.

## 12.0 CITY GENERAL PLAN GOALS AND POLICIES

The following General Plan Goals and Policies are applicable to the Project, were included in the Draft EIR.

Goals and policies from the **Land Use Element** applicable to the Project include:

**Goal LU 1: Land uses and building types that result in a community where residents at all stages of life, employers, and visitors have a diversity of options where they can live, work, shop, and recreate within Menifee.**

**Policy LU 1.2:** Provide a spectrum of housing types that match the jobs in the City and make it possible for people to live and work in Menifee and maintain a high quality of life.

**Policy LU 1.4:** Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions between these neighborhoods and adjoining areas.

**Policy LU 1.7:** Ensure neighborhood amenities and public facilities are distributed equally throughout the City.

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

**Policy LU 1.10:** Buffer sensitive land uses from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, and similar uses.

**Policy LU 1.12:** Implement the policies of the Housing Element that promote a range of housing options, types and affordable housing units, that will enable the City to achieve its share of the RHNA.

**Goal LU 3: A full range of public utilities and related services that provide for the immediate and long-term needs of the community.**

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

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

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

**Policy LU-3.4:** Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.

**Policy LU 3.5:** Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.

**Goal LU 4: Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**

**Policy LU 4.1:** Ensure that land use decisions within the March Air Reserve Base areas of influence are consistent with applicable ALUCP. Comply with State law regarding projects subject to review by the Riverside County Airport Land Use Commission.

Goals and policies from the **Circulation Element** applicable to the Project include:

**Goal C-1: A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.**

**Policy C-1.1:** Require roadways to comply with federal, state, and local design and safety standards; meet the needs of multiple transportation modes and users; be compatible with the streetscape and surrounding land uses; and be maintained in accordance with best practices.

**Policy C-1.2:** Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.

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

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

**Policy C-2.1:** Require on- and off- street pathways to comply with federal, state, and local design and safety standards; meet the needs of multiple types of users; be compatible with the streetscape and surrounding land uses; and be maintained in accordance with best practices.

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

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

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

**Policy C-2.5:** Work with the Western Riverside Council of Governments to implement the Non-Motorized Transportation Plan for Western Riverside County.

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

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

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

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

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

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

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

**Policy OSC 1.1:** Provide parks and recreational programs to meet the varied needs of the community residents and make these facilities and services easily accessible and affordable to all users.

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

**Policy OSC 1.3:** Locate and distribute parks and recreational facilities throughout the community so that most residents are within walking distance of a public open space.

**Policy OSC 1.4:** Enhance the natural environment and viewsheds through park design and site selection while preserving sensitive biological, cultural, and historic resources.

**Policy OSC 1.5:** Make parks as safe as possible by promoting the latest developments in facility design and equipment technology.

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

**Goal OSC-3: Undisturbed slopes, hillsides, rock outcroppings, and other natural landforms that enhance the City's environmental setting and rich cultural and historical past and present.**

**Policy OCS-3.1:** Identify and preserve the view corridors and outstanding scenic vistas within the city.

**Policy OCS-3.2:** Promote thoughtful hillside development that respects the natural landscape by designing houses that fit into the natural contours of the slope and sensitive development that preserves and protects important cultural and biological resources.

**Policy OCS-3.3:** Encourage the use of clustered development and other site planning strategies to facilitate the preservation of the city's natural landforms, boulders, and rock outcroppings.

**Policy OCS-3.4:** Support the preservation of natural vegetation and rock outcroppings during and after the construction process.

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

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

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

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

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

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

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

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

**Policy OSC-5.2:** Work with local schools, organizations, appropriate Native American tribes with ancestral territories located within the city and other agencies to educate the public about the rich archaeological, historic, and cultural resources found in the city.

**Policy OSC-5.3:** Preserve sacred sites identified in consultation with the appropriate Native American tribes whose ancestral territories are within the city, such as Native American burial locations, by avoiding activities that would negatively impact the sites, while maintaining the confidentiality of the location and nature of the sacred site.

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

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

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

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

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

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

**Policy OCS-7.1:** Work with the Eastern Municipal Water District to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.

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

**Policy OCS-7.3:** Coordinate with the Eastern Municipal Water District to educate the public on the benefits of water conservation and promote strategies residents and businesses can employ to reduce their water usage.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Policy OSC 8.7:** Manage the recreational use of the city's unimproved open space areas for compatibility with sensitive biological resources as well as MSHCP Conservation Areas.

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

**Policy OCS-9.1:** Meet State and federal clean air standards by minimizing particulate matter emissions from construction activities.

**Policy OCS-9.2:** Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses.

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

**Policy OCS-9.4:** Support the Riverside County Regional Air Quality Task Force, the Southern California Association of Government's Regional Transportation Plan/Sustainable Communities Strategy, and the South Coast Air Quality Management District's Air Quality Management Plan to reduce air pollution at the regional level.

**Policy OCS-9.5:** Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

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

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

**Policy OCS-10.2:** Align the City's long term GH reduction goals consistent with the statewide GHG reduction goal of Executive Order S-03-05.

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

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

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



**Goal CD 1: A unified and attractive community identity that complements the character of the City's distinctive communities.**

**Policy CD 1.1:** Enhance the city's identity through the use of distinct city graphics, such as the city seal, in the design of gateways, street signs, city signage, public facilities and public gathering spaces, and other areas where appropriate.

**Policy CD 1.2:** Support the development and preservation of unique communities and rural and suburban neighborhoods in which each community exhibits a special sense of place and quality of design.

**Policy CD 1.3:** Strengthen the identity of individual neighborhoods/communities with entry monuments, flags, street signs, and/or special tree streets, landscaping, and lighting.

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

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

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

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

**Policy CD 3.5:** Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.

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

**Policy CD 3.8:** Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.

**Policy CD 3.9:** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.

**Policy CD 3.10:** Employ design strategies and building materials that evoke a sense of quality and permanence.

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

**Policy CD 3.13:** Utilize architectural design features (e.g., windows, columns, offset roof planes, etc.) to vertically and horizontally articulate elevations in the front and rear of residential buildings.

**Policy CD 3.14:** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.

**Policy CD 3.15:** Require property owners to maintain structures and landscaping to high standards of design, health, and safety.

**Policy CD 3.16:** Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal articulation achieved through stamping, colors, materials, modulation, and landscaping.

**Policy CD 3.18:** Require setbacks and other design elements to buffer residential units to the extent possible from the impacts of abutting roadway, commercial, agricultural, and industrial uses.

**Policy CD-3.19:** Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.

**Policy CD-3.20:** Avoid the blocking of public views by solid walls.

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

**Policy CD 3.22:** Incorporate visual buffers, including landscaping, equipment and storage area screening, and roof treatments, on properties abutting either Interstate 215 or residentially designated property.

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

**Policy CD 4.1:** Recognize, preserve, and enhance the aesthetic value of the city's enhanced landscape corridors and scenic corridors.

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

**Policy CD 4.4:** Frame views along streets through the use of wide parkways and median landscaping.

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

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

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

**Policy CD-4.10:** Seek to preserve and maintain, through acquisition or regulation, areas or sites that are found to have exceptional scenic value.

**Goal CD 6: Attractive landscaping, lighting, and signage that conveys a positive image of the community.**

**Policy CD 6.1:** Recognize the importance of street trees in the aesthetic appeal of residential neighborhoods and require the planting of street trees throughout the city.

**Policy CD 6.2:** Ensure that all public landscaping is adequately maintained.

**Policy CD 6.4:** Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.

**Policy CD 6.5:** Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.

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

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

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

Goals and policies from the **Economic Development Element** applicable to the Project include:

**Goal ED 1: A diverse and robust local economy capable of providing employment for all residents desiring to work in the city.**

**Policy ED 1.2:** Diversify the local economy and create a balance of employment opportunities across skill and education levels, wages and salaries, and industries and occupations.

**Policy ED 1.4:** Provide sufficient infrastructure to serve the full build out of the city.

**Goal ED 3: A mix of land uses that generates a fiscal balance to support and enhance the community's quality of life.**

**Policy ED 3.3:** Utilize the following parameters on general plan amendments that are not part of a city-initiated comprehensive amendment or update:

- Because retail uses provide retail sales taxes and lodging uses provide transient occupancy taxes, they provide the most lucrative fiscal balance. No general plan amendment changing from a land use designation that permits retail uses or lodging uses to a land use designation that does not allow retail or lodging uses shall be approved except in conjunction with a development agreement or other legally enforceable obligation on the property owner(s) that requires the subject property generate the same or better fiscal balance for the city as it would have generated with a retail or lodging use.
- Because office and industrial uses generate less demand for public facilities and services than residential uses, they provide a more lucrative fiscal balance. No general plan amendment changing from a land use designation that permits office or industrial uses to a designation that does not permit office or industrial land uses shall be approved except in conjunction with a development agreement or other legally enforceable obligation on the property owner(s) that requires the subject property generate the same or better fiscal balance for the city as it would have generated with an office or industrial use.

The city may require a fiscal impact analysis and mitigation of any negative fiscal impacts for any requested general plan amendment.

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

**Goal S-1: A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.**

**Policy S-1.1:** Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the City.

**Goal S-2: A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.**

**Policy S-2.1:** Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.

**Policy S-2.2:** Monitor losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.

**Policy S-2.3:** Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.

**Policy S-2.4:** Manage the groundwater resources in the area to prevent over-drafting of the aquifers, which in turn could result in regional subsidence.

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

**Policy S-3.1:** Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.

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

**Policy S-3.4:** Develop floodplains as parks, nature trails, equestrian parks, golf courses, or other types of recreational facilities or joint-use facilities that can withstand periodic inundation wherever feasible.

**Goal S-4: A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.**

**Policy S-4.1:** Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire. Ensure all new development and/or redevelopment in the LRA and VHFHSZ will comply with the California Fire Code (CFC) and California Building Code (CBC). All new development within the LRA Very High Fire zone will comply with Chapter 49 of the California Fire Code and Chapter 7A of the California Building Code.

**Policy S-4.2:** Ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. The City will continue to coordinate with the Riverside County Fire Department, for Interagency coordination, to respond to emergency calls in Menifee and to provide training and ongoing programs for public education.

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

**Policy S-4.6:** Coordinate with Eastern Municipal Water District to ensure adequate water availability for fire suppression. **Policy S 4.10:** Ensure all new residential development as well as all new development and redevelopment within the LRA and VHFHSZ will comply with the most current version of the California Building Codes and California Fire Code.

**Policy S-4.8:** When feasible locate new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods

or other methods to minimize damage if these facilities are located in a state responsibility area or VHFHSZ.

**Policy S-4.10:** Ensure all new residential development as well as new development and redevelopment within the LRA and VHFHSZ will comply with the most current version of the California Building Codes and California Fire Code.

**Policy S-4.14:** All new parcel maps and tentative maps in the LRA, SRA, and VHFHSZ shall provide two points of access to the project in conformance with the California Building Code and California Fire Code and CA GC 65302 (g)(5). Approval of parcel maps and tentative maps in LRAs, SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.).

**Policy S-4.17:** The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

**Goal S-5: A community that has reduced the potential for hazardous materials contamination.**

**Policy S-5.1:** Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.

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

**Policy S-5.3:** Continue to support the operation of programs and recycling centers that accept hazardous substances, such as paint, paint thinner, used waste oil, etc.

**Policy S-5.4:** Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.

**Policy S-5.5:** Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.

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

**Goal S 7: A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.**

**Policy S 7.1:** Continue to require environmental analysis for proposed projects which may produce harmful levels of greenhouse gas.

**Policy S 7.3:** Coordinate with energy providers to ensure reliable energy availability for the City's residents.

**Policy S 7.9:** Promote drought resistant landscaping to continue reducing water consumption and potential fuel sources.

Goals and policies from the **Noise Element** applicable to the Project include:

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

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

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

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

**Policy N 1.6:** Coordinate with the County of Riverside and adjacent jurisdictions to minimize noise impacts from adjacent land uses along the city's boundaries, especially its rural edges.

**Policy N 1.7:** Mitigate exterior and interior noises to the levels listed in Table N-1 of the Noise Element to the extent feasible, for stationary sources adjacent to sensitive receptors.

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

**Policy N 1.9:** Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land be designed with adequate noise abatement measures.

**Policy N 1.10:** Guide noise-tolerant land uses into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors adjacent to the I-215 or within the projected noise contours of any adjacent airports.

**Policy N 1.11:** Discourage the siting of noise-sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation.



**Policy N 1.12:** Minimize potential noise impacts associated with the development of mixed-use projects (vertical or horizontal mixed-use) where residential units are located above or adjacent to noise-generating uses.

**Policy N 1.13:** Require new development to minimize vibration impacts to adjacent uses during demolition and construction.

**Policy N 1.14:** Minimize vibration impacts on people and businesses near light and heavy rail lines or other sources of ground-borne vibration through the use of setbacks and/or structural design features that reduce vibration to levels at or below the guidelines of the Federal Transit Administration. Require new development within 100 feet of rail lines to demonstrate, prior to project approval, that vibration experienced by residents and vibration-sensitive uses would not exceed these guidelines.

**Policy N 1.15:** Employ noise mitigation practices and materials, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.

**Policy N 1.17:** Prevent the construction of new noise-sensitive land uses within airport noise impact zones. New residential land uses within the 65 dB CNEL contours of any public-use or military airports, as defined by the Riverside County Airport Land Use Commission, shall be prohibited.

**Policy N 1.18:** Work with the Southern California Regional Rail Authority and railroad owners and operators to reduce the noise impacts on noise-sensitive uses adjacent to railroad tracks.

**Policy N 1.20:** Adhere to any applicable Riverside County Airport Land Use Commission land use compatibility criteria, including density, intensity, and coverage standards.