

EXHIBIT A

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS
FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
MURRIETA ROAD WAREHOUSE PROJECT
CITY OF MENIFEE, CALIFORNIA
STATE CLEARINGHOUSE NO. 2023110162**

1.0 INTRODUCTION

This statement of Findings of Fact (Findings) addresses the environmental effects associated with the proposed Murrieta Road Warehouse Project (Project, or proposed Project), as described in the Environmental Impact Report (EIR). These Findings are made pursuant to the California Environmental Quality Act (CEQA) Public Resources Code, Section 21000 et seq., Section 21081, and the State CEQA Guidelines Section 15091. The Draft EIR examines the full range of potential effects of construction and operation of the Project and identifies standard mitigation practices that could be employed to reduce, minimize, or avoid those potential effects.

1.1 FINDINGS OF FACT

The CEQA, Public Resources Code Section 21000 et seq. and the State CEQA Guidelines, 14 Cal. Code of Regs. Section 15000 et seq. (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091, implementing CEQA Section 21081, provides:

- (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 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 or 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”].
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Draft Environmental Impact Report (DEIR) and the Final Environmental Impact Report (FEIR) for the Murrieta Road Warehouse Project, SCH No. 2023110162 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) are hereby adopted by the City of Menifee (City) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for the development of the Project. These actions include the approval of the Development Plan (Plot Plan) Approval. This action is referred to herein as the Project.

1.2 RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the proposed Project;
- The Final EIR (includes Draft EIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the public review comment periods on the Draft EIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the Draft EIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR;
- The Ordinances and Resolutions adopted by the City in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the City, including but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

1.3 DOCUMENT FORMAT

These Findings have been organized into the following sections:

Section 1	Provides an introduction to these Findings.
Section 2	Provides a summary of the Project and overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.
Section 3	Provides a summary of previous environmental reviews related to the Project area that took place prior to the environmental review done specifically for the Project, and a summary of public participation in the environmental review for the Project.
Section 4	Sets forth that the Draft EIR reflects the City's independent judgment.
Section 5	Sets forth findings regarding environmental impacts identified in the EIR which were determined not to be significant.
Section 6	Sets forth findings regarding environmental impacts identified in the EIR which can feasibly be mitigated to a less than significant level through the imposition of project design features, regulatory requirements, and/or mitigation measures. In order to ensure compliance and implementation, all of these measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project which shall be adopted by the City together with these Findings in accordance with CEQA Section 21081.6. Where potentially significant impacts can be reduced to less than significant levels through adherence to project design features and regulatory requirements, these findings specify how those impacts were reduced to an acceptable level.
Section 7	Sets forth findings regarding environmental impacts identified in the EIR which were determined to be significant and unavoidable.
Section 8	Sets forth findings regarding growth inducing impacts.
Section 9	Sets forth findings regarding alternatives to the proposed Project.
Section 10	Sets forth findings regarding the Mitigation Monitoring and Reporting Program.
Section 11	Statement of Overriding Considerations.
Section 12	Certification of the Final EIR.
Section 13	Provides a summary of the Conclusions.

1.4 CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials which constitute the administrative record for the City's actions related to the Project are located at the City of Menifee Community Development Department, 29844 Haun Road, Menifee, CA 92586. The City is the custodian of the administrative record for the Project. This information is provided in compliance with Public Resources Code section 21081.6.

The record of proceedings for the City's decision on the Project consists of the following documents, at a minimum:

1. The NOP and all other public notices issued by the City in conjunction with the Project;
2. The Initial Study for the Murrieta Road Warehouse Project;
3. The Draft EIR for the Murrieta Road Warehouse Project, including technical appendices;
4. All comments submitted by agencies or members of the public during the 45-day comment periods on the Draft EIR;
5. The Final EIR for Murrieta Road Warehouse Project, including comments received on the Draft EIR, responses to those comments, and technical appendices;
6. The Mitigation Monitoring and Reporting Plan (MMRP) for the Project;
7. All findings, resolutions and ordinances adopted by the City in connection with the Murrieta Road Warehouse Project, and all documents cited or referred to therein;

8. All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Murrieta Road Warehouse Project;
9. All documents submitted to the City by other public agencies or members of the public in connection with the Murrieta Road Warehouse Project up through Project approval. Matters of common knowledge to the City, including, but not limited to federal, State, and local laws and regulations;
10. Any documents expressly cited or referenced in these findings, in addition to those cited above; and
11. Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

2.0 PROJECT SUMMARY

2.1 PROJECT LOCATION

The Project site is located in the northern portion of the City of Menifee, within Riverside County. The City of Menifee is located approximately 23 miles southeast of Downtown Riverside, 37 miles east of Irvine, and 66 miles southeast of Downtown Los Angeles. Regional access to the Project site is provided via Interstate 215 (I-215), located approximately 0.9 mile to the east, and State Route 74 (SR-74), approximately 3.2 miles to the northwest.

The Project site encompasses approximately 28.27 acres and is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road. The Project site is identified by Assessor's Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005. Additionally, the site is located within the Romoland USGS 7.5-Minute Quadrangle; Section 17, Township 5 South, Range 3 West, San Bernardino Baseline and Meridian.

2.2 PROJECT DESCRIPTION

The applicant for the Project proposes to develop a new high cube industrial warehouse facility, with related site improvements, on a 28.27-acre site. The proposed Project includes development of an approximately 517,720-square-foot (SF) speculative warehouse building with a floor area ratio (FAR) of 0.48. This environmental analysis includes a development buffer in order to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and an FAR of 0.50. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

Building and Architecture. The proposed speculative warehouse building would be approximately 55 feet tall, and include a mezzanine, loading docks, and associated vehicle and truck trailer parking spaces. The 533,252 SF warehouse building would include approximately 20,320 SF of ground floor office space, 7,000 SF of mezzanine office space, and 505,932 SF of warehouse space. The building height would vary in order to reduce massing, from 48 feet and 6 inches to a maximum height of 55 feet at the building parapet. Additionally, the proposed elevation materials would include painted concrete in multiple shades of gray and a shade of blue, blue glazing, and metal canopies. The proposed building would include two main entrances that would include extensive blue glazing.

Circulation and Street Improvements. Access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be

accessible by passenger vehicles. Trucks traveling northbound on Geary Street would have access to the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. The northern and southern driveways on Murrieta Road would be accessible by both passenger vehicles and trucks. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The Project would include a 26-foot-wide fire access road throughout the site.

Loading Docks and Parking. Truck loading docks and trailer parking would be along the northern and southern sides of the building. The Project would include 90 dock high doors and 4 grade-level truck doors, which would be set back 265 feet from the northern property line. Approximately 128 trailer parking spaces would be provided in the northern truck court and 64 trailer parking spaces would be provided in the southern truck court, within areas secured by sliding gates. The proposed Project would also provide 409 passenger car parking spaces, including 9 ADA spaces, 80 electric vehicle capable stalls, and 20 electric vehicle charging stations.

Landscaping and Walls. The Project would include approximately 137,363 SF of drought tolerant ornamental landscaping that would cover 11.0 percent of the site to screen the proposed building and truck court from offsite views.

The proposed Project includes an approximately 14-foot-high retaining and screen wall along the interior of the northern and southern truck courts (outside facing wall would be 8 feet high with a landscaping berm), which would taper to a 6-foot-high screen wall along the northern property line outside of the truck court. In addition, there would be a 25-foot setback between the screen wall and the residences to the north of the site that would screen the truck court and loading docks from the residences.

Infrastructure. The Project applicant would install 2-inch onsite water lines that would connect to the existing 27-inch diameter water line in Murrieta Road and would install a new 6-inch onsite sewer system that would connect to the existing 8-inch diameter sewer line in Murrieta Road. The Project would install onsite storm drains that would convey on-site runoff to a proposed underground storage chamber prior to discharging it for treatment at two proposed biotreatment modular wetland systems. After being treated, runoff would be discharged to a proposed 72-inch to 84-inch storm drain main (Line A-12) in Murrieta Road, which would connect to the existing Riverside County Flood Control channel, northwest of the intersection of Ethanac Road and Murrieta Road.

Offsite Improvements. The Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements. The Project would pave Geary Street along the entire 990-foot western Project site boundary to a 40-foot width. In addition, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. The roadway improvement would include paving at a width of 36 feet and would not include the construction of sidewalks or curbs.

The Project would expand the existing 12-foot southbound portion of Murrieta Road to a 31-foot width along the entire 990-foot Project frontage with a 6:1 transition to the existing edge of the pavement north of the site and a 20:1 transition to the existing edge of the pavement south of the site. In addition, the Project would include construction of a 32-foot-wide private driveway along the entire 1,233.5-foot southern boundary of the Project site. The Project would develop a 6-foot-wide sidewalk along the frontage on Geary Street, Murrieta Road and the new driveway south of the building.

As described above, the Project would also include the construction of an offsite biotreatment modular wetland system, to be maintained by the City of Menifee, located at the northeast end of the Project site adjacent to Murrieta Road. The proposed offsite modular wetland would treat runoff generated by the proposed frontage improvements on Geary Street, Murrieta Road, and the southern private driveway. The Project would also include the construction of a 72-inch to 84-inch storm drain main line in Murrieta Road that would connect to the biotreatment system at the northeast end of the Project site, northerly to Ethanac Road, and would drain northwest into the Riverside County Flood Control channel.

2.3 DISCRETIONARY ACTIONS

Implementation of the Project would require, but is not limited to, the following discretionary approvals by the City (Lead Agency):

- Development Plan (Plot Plan) Approval.
- Certification of an EIR with the determination that the EIR has been prepared in compliance with the requirements of CEQA.
- Approvals and permits necessary to execute the Project, including but not limited to, grading permit, building permit, etc.

2.4 STATEMENT OF PROJECT OBJECTIVES

The following objectives have been identified in order to aid decision makers in their review of the proposed Project and its associated environmental impacts.

1. To make efficient use of underutilized property in the City of Menifee by adding to its potential for employment-generating uses.
2. To attract new business and employment to Menifee and thereby promote economic growth.
3. To create new jobs to reduce the need for members of the local workforce to commute outside the Project vicinity to work.
4. To develop an underutilized property, as permissible under current zoning code, to help meet demand for businesses in the City and in the Inland Empire.
5. To provide a development consistent with the existing General Plan and zoning that is located along, and would utilize, a designated truck route to limit truck traffic through residential neighborhoods.
6. To develop an underutilized property consistent with the current General Plan and zoning that is conveniently located in the vicinity of I-215 and has access to available infrastructure, including roads and utilities to accommodate the growing need for goods movement within the region.

3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The Final EIR (FEIR) includes the Draft EIR dated May 2024, written comments on the Draft EIR that were received during the public review period, written responses to those comments, and changes to the Draft EIR. In conformance with CEQA and the State CEQA Guidelines, the City of Menifee conducted an extensive environmental review of the Murrieta Road Warehouse Project, including the following:

- Completion of the Notice of Preparation (NOP), which was released for an initial 30-day public review period from November 7, 2023, through December 7, 2023. The NOP was posted at the San Bernardino County Clerk office on November 6, 2023, and to the State Clearinghouse (SCH) on November 6, 2023.

The notice was mailed to reviewing agencies and to City residents and owners within a 500-foot radius from the Project Site. Copies of the NOP were made available for public review on the City's website at: <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

- Completion of a scoping process, in which the public was invited by the City to participate. The scoping meeting for the EIR was held on November 28, 2023, at 5:00 PM at Menifee City Hall, Community Development Department, 29844 Haun Road, Menifee, California 92586.
- Preparation of a Draft EIR by the City, which was made available for a 45-day public review period from May 24, 2024, to July 8, 2024. The Draft EIR consisted of the analysis of the Murrieta Road Warehouse Project and appendices, including the NOP and responses to the NOP. The Notice of Availability (NOA) for the Draft EIR was sent to all property owners and occupants within a 500-foot radius from the Project site, all persons, agencies, and organizations on the interest list interested persons, and posted to the SCH website for distribution to public agencies. The NOA was posted at the City of Menifee City Hall, Community Development Department, 29844 Haun Road, Menifee, California 92586 on May 23, 2024. Copies of the Draft EIR were made available for public review at Menifee City Hall (as listed above), Sun City Library (26982 Cherry Hills Road, Menifee, CA 92586), and Menifee Library (28798 La Piedra Road, Menifee, CA 92584) and it was available for download via the City's website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.
- Preparation of a Final EIR, including the Comments and Responses to Comments on the Draft EIR, occurred. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments, revisions to the Draft EIR, and appended documents. The Final EIR Response to Comments was released for a 10-day agency review period prior to certification of the Final EIR on October 13, 2024.
- A Planning Commission hearing was held for the proposed Project. A notice of the Planning Commission hearing for the Project was mailed on October 13, 2024 to all property owners of record within a 500-foot radius from the Project site and all individuals that requested to be notified and posted on the City's website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents> and at the Menifee City Hall, Community Development Department, 29844 Haun Road, Menifee, California 92586, as required by established public hearing posting procedures.

4.0 CEQA FINDINGS OF INDEPENDENT JUDGEMENT

4.1 INDEPENDENT REVIEW AND ANALYSIS

The Final EIR reflects the City's independent judgment. The City has exercised independent judgment in accordance with Public Resources Code 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the Draft EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

Having received, reviewed, and considered the information in the Final EIR, as well as any and all other information in the record, the City hereby makes findings pursuant to and in accordance with CEQA Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

5.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

Based upon the NOP and a review of the Project by the City, the City determined that the Project would have no impact or a less than significant impact on the following environmental topic areas and that no further, detailed analysis of these topics were required in the EIR:

- Aesthetics
- Geology and Soils
- Mineral Resources
- Population and Housing
- Recreation

The evidence in support of the finding that the Project would not have a significant impact on these environmental topic areas are set forth in the Draft EIR which is incorporated by reference:

- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
 - Wetlands
 - Local policies or ordinances
- Cultural Resources
 - Historical resources
 - Disturbance of human remains
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
 - Vibration noise levels
 - Airport noise levels
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

For those environmental impacts that were analyzed in the Draft EIR, the City determined, based upon the CEQA threshold criteria for significance, that the Project would have no impact or a less-than-significant impact to the following environmental topic areas, and that no mitigation measures were required. This determination is based upon the environmental analysis in the Draft EIR and the comments received on the Draft EIR. 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. No substantial evidence was submitted to or identified by the City which indicated that the Project would result in a significant impact related to the following.

5.1 AESTHETICS

5.1.1 SCENIC VISTAS

Impact Finding: The Project would not have a substantial adverse effect on a scenic vista (Initial Study page 34 [Appendix A of the Draft EIR]).

Facts in Support of Finding: The City of Menifee General Plan EIR designates views of the San Jacinto Mountains to the northeast and east; the San Bernardino Mountains to the north; the San Gabriel Mountains to the northwest; and the Santa Ana Mountains to the west and southwest as scenic vistas.

The Project site is comprised of vacant land. Distant views of the surrounding foothills of the San Bernardino Mountains to the north, Santa Ana Mountains to the west, and the San Jacinto Mountains to the east are available from public vantage points on Geary Street and Murrieta Road, which border the Project site. The proposed Project would develop a new warehouse totaling 533,252 SF and measure a maximum height of 55 feet. The Project would comply with setback standards as required by Section 9.140.040 of the City Municipal Code, as shown in Table AES-1, *Consistency with Site Development Standards*, of the Initial Study (Appendix A of the Draft EIR). Therefore, the Project does not encroach upon views of the neighboring mountains and foothills from pedestrians and motorists along public vantage points and impacts would be less than significant and this topic was not further analyzed in the Draft EIR.

5.1.2 SCENIC RESOURCE DAMAGE WITHIN A STATE SCENIC HIGHWAY

Impact Finding: The Project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway (Initial Study page 35).

Facts in Support of Finding: There are no officially designated State scenic highways adjacent to the Project site. The closest Eligible State Scenic Highway according to the California Department of Transportation (Caltrans) is a portion of State Route 74 (SR-74), located approximately 1.4 miles northeast of the Project site. The Project site is not visible from either of these locations. Therefore, the Project would not result in any impacts scenic resource within a State scenic highway and this topic was not further analyzed in the Draft EIR.

5.1.3 SCENIC QUALITY

Impact Finding: The Project would not conflict with applicable zoning and other regulations governing scenic quality (Initial Study page 35).

Facts in Support of Finding: The Project site is currently vacant and the proposed Project would construct a new 533,252 SF warehouse building with associated infrastructure and offsite street improvements. The Project site is bounded by undeveloped land, a commercial use property, and single-family residences. The Project site and its surrounding vicinity have a land use designation of Economic Development Corridor. As detailed in the City's Land Use background document and definitions report, this designation is intended to accommodate the majority of the City's new industrial development, in order to preserve other rural areas considered integral to the community character. The zoning designation for the Project site and its local vicinity is Economic Development Corridor – Northern Gateway (EDC-NG). The intention for this zone is to provide an industrial park area with more intensive industrial uses. Although the existing area is vacant and undeveloped, the Project is consistent with the EDC-NG zoning development standards as summarized in Initial Study Table AES-1. Therefore, the Project would not conflict with applicable zoning regulations and impacts would be less than significant and this topic was not further analyzed in the Draft EIR.

5.1.4 SOURCES OF LIGHT OR GLARE

Impact Finding: The Project would not create a new source of substantial light or glare that would adversely affect day and nighttime views in the area (Initial Study page 35).

Facts in Support of Finding: The Project site is currently vacant. Thus, there is no existing light and glare generated from the site. The Project would introduce new sources of light from new building security lighting, streetlights within the Project area, interior lights shining through building windows, and headlights from nighttime vehicular trips generated from the Project. Lighting would also be used during the construction phase for site security. Thus, the Project would increase lighting and glare compared to the existing condition. However, the Project would be subject to Sections 6.01.020 and 6.01.040 of the City Municipal Code, which requires lighting to be shielded, diffused or indirect to avoid glare to both on and offsite pedestrians and motorists. Thus, impacts would be less than significant and this topic was not further analyzed in the Draft EIR.

5.1.5 CUMULATIVE AESTHETICS IMPACTS

Impact Finding: The Project would not result in cumulative impacts to aesthetics.

Facts In Supporting Finding: The cumulative aesthetics study area for the Project is the viewshed from public areas that can view the Project site and locations that can be viewed from the Project site. Development of the Project site with industrial uses would contribute to a change in visual characteristics of the Project site and Project vicinity. However, the Project would be compliant with the City's Development Standards, which would minimize aesthetic impacts related to the planned land use.

The cumulative change in visual condition that would result from Project development and operation, in combination with future nearby projects would not be considered adverse, because the Project would implement the EDC-NG related to architecture, landscaping, signs, lighting, and other related items intended to improve visual quality. The Project would also be consistent with EDC-NG design guidelines, which would be ensured by the City through review and approval of the Project's Development Plans. Project development and operation would result in a less than significant cumulatively considerable impact related to degradation of the existing visual character or quality of the Project site and its surroundings.

The cumulative study area for light and glare includes areas immediately adjacent to the Project site that could receive light or glare from the Project or generate daytime glare or nighttime lighting that would be visible within the Project site and could combine with lighting from the Project. Project lighting would subject to Sections 6.01.020 and 6.01.040 of the City Municipal Code, which requires lighting to be shielded, diffused or indirect to avoid glare to both on and offsite pedestrians and motorists. This would minimize nighttime light pollution and reduce the potential for glare onto adjacent roadways and land uses. Other projects located throughout the EDC-NG would similarly be required to comply with these regulations as well. Cumulative projects would result in more intense development than currently exists within the EDC-NG area. However, through implementation of existing standards and applicable lighting measures, the Project, in combination with past, present, and reasonably foreseeable future projects would result in less than significant cumulative nighttime lighting and daytime glare impacts.

5.2 AGRICULTURE AND FORESTRY RESOURCES

5.2.1 CONVERSION OF AGRICULTURAL LANDS AND FORESTLANDS

Impact Finding: The Project would not involve the conversion of any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to urban uses (Draft EIR page 5.1-4).

Facts in Support of Finding: The Project site is identified by the State of California Department of Conservation's FMMP as "Farmland of Local Importance" on the western half and "Other Land" on the eastern half. The site is currently vacant. The northern portion of the site has historically been used for agricultural uses. The proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use; however, the Project would be converting Farmland of Local Importance to non-agricultural uses. Therefore, impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be less than significant and this topic was not further analyzed in the Draft EIR.

5.2.2 WILLIAMSON ACT CONTRACT

Impact Finding: The Project would not result in the cancellation of a Williamson Act contract (Initial Study page 38).

Facts in Support of Finding: The Project site is designated as EDC by the City of Menifee General Plan, which is not intended for agricultural use and is intended for business park development with more traditional industrial uses (less office). According to Menifee Municipal Code Section 9.140.030, the purpose of the EDC-NG Zone is to provide a buffer and transition between commercial and residential uses in Perris and

Menifee, respectively. Warehousing, logistics, and distribution centers are a permitted use within the EDC-NG zone. Additionally, the Project site is not under an active Williamson Act contract. Therefore, impacts related to a Williamson Act contract would not occur and this topic was not further analyzed in the Draft EIR.

5.2.3 TIMBERLAND PRODUCTION

Impact Finding: The Project would not conflict with forest land or timberland, or timberland zoned timberland production (Initial Study page 38).

Facts in Support of Finding: The Project site is designated as EDC-NG and is not zoned for forest land, timberland, or TPZ. Further, the Project site is located in an urbanizing area of the County and there is no forest land or forest resources on or in proximity to the Project site. Therefore, the proposed Project would not result in impacts to forests or timberlands and this topic was not further analyzed in the Draft EIR.

5.2.4 FORESTLAND

Impact Finding: The Project would not result in the loss or conversion of forest land (Initial Study page 39).

Facts in Support of Finding: The Project site is not zoned as forest land and is located in an urbanizing area of the County. Additionally, the land on the Project site does not qualify as forest land as defined in Public Resources Code section 12220(g). Neither the General Plan nor the City's Zoning Code provides designations for forest land. There is no forest land or forest resources on or in proximity to the Project site. Consequently, the proposed Project would not result in the loss or conversion of forest land to non-forest use and this topic was not further analyzed in the Draft EIR.

5.2.5 CONVERSION OF FARMLAND

Impact Finding: The Project would not involve the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use (Draft EIR page 5.1-4).

Facts in Support of Finding: The Project site is currently vacant and is not designated as forest land by the General Plan. Thus, the proposed Project would not convert forest land to non-forest uses. In addition, as described above the Project site is defined as "Farmland of Local Importance" on the western half and "Other Land" on the eastern half. However, California Public Resources Code § 21060.1 defines "Agricultural land" as "prime farmland, farmland of statewide importance, or unique farmland" as defined by the United States Department of Agriculture land inventory and monitoring criteria. As such, "Farmland of Local Importance," and "Other Land" is not considered agricultural land as defined by Public Resources Code (PRC) § 21060.1. Therefore, the Project would not result in the conversion of farmland to non-agricultural use despite its designation.

Additionally, as described above, the Project would be consistent with the site's zoning designation of EDC-NG. While there are surrounding areas to the east of the Project site that are designated as "Prime Farmland" by the FMMP, the General Plan EIR has zoned those sites as EDC-NG and has identified and planned for the conversion of farmland accordingly. Thus, the buildout of the Project would not influence the conversion of farmland to non-agricultural uses that has not already been planned to be converted. Therefore, impacts related to the conversion of farmland or forest land would be less than significant.

5.2.6 CUMULATIVE AGRICULTURE

Impact Finding: The Project would not result in cumulative impacts to agriculture and forest resources (Draft EIR page 5.1-5).

Facts in Support of Finding:

Agricultural Resources

The cumulative study area for agricultural resources is the County of Riverside, as these resources are regularly assessed on the countywide level as part of the State's FMMP. Throughout the County, numerous development projects exist that would result in the additional conversion of agricultural land, including Prime Farmland and Farmland of Statewide Importance, to nonagricultural uses. Consequently, the County and some incorporated cities within the County, have set forth goals and policies to protect agriculture within their individual General Plans. However, the County and incorporated cities within the County continue to plan for growth, including in the vicinity of the City of Menifee. Continued conversion of agricultural lands to urban uses would substantially reduce overall agricultural productivity in the City and the region. According to the City of Menifee General Plan EIR, the majority of the agricultural land in the City would be converted to non-agricultural uses. However, the overall decrease in farmland within the City was identified and planned for previously in the General Plan EIR. The Project would result only in the loss of "Farmland of Local Importance," which is not considered agricultural land as defined by PRC § 21060.1. As such, implementation of the Project would not contribute to the reduction of agricultural uses and farmland within the region and would not cumulatively contribute to the loss of agricultural resources. Given that the proposed conversion is consistent with the projected decline in agricultural uses by the General Plan EIR, the Project would not result in cumulatively considerable impacts to agricultural resources. Cumulative impacts would be less than significant.

Forestry Resources

The cumulative study area for forestry resources is the County of Riverside as these resources are regularly assessed and mapped at the county-wide level. There are no forest resources or woodland vegetation within the immediate vicinity of the Project site and limited forest communities within the County. As discussed, Project implementation would not directly impact forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project would not cumulatively contribute to forest resource impacts. Thus, cumulative impacts related to forest resources would not occur.

5.3 AIR QUALITY

5.3.1 CONFLICT WITH AN APPLICABLE AIR QUALITY PLAN

Impact Finding: The Project would not conflict with or obstruct implementation of an applicable air quality plan (Draft EIR page 5.2-25).

Facts in Support of Finding: The South Coast Air Quality Management District's (SCAQMD) 2022 Air Quality Management Plan (AQMP) is the applicable air quality plan for the proposed Project site. Pursuant to Criterion No.1, which evaluates the potential of the proposed Project to increase the frequency or severity of existing air quality violations; an impact related to Consistency Criterion No. 1 would occur if the long-term emissions associated with the proposed Project would exceed SCAQMD's localized and regional significance thresholds. As detailed in the Draft EIR Impact AQ-2 discussion, the Project would result in regional operational-source

emissions that would not exceed the SCAQMD thresholds of significance. Therefore, the proposed Project would not result in an impact related to Consistency Criterion No. 1.

Regarding Consistency Criterion No. 2, the SCAQMD's 2022 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the Southern California Association of Governments (SCAG) are considered to be consistent with the AQMP growth projections, since the forecast assumptions by SCAG form the basis of the land use and transportation control portions of the AQMP. Additionally, because SCAG's regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the SCAG's regional forecast projections, and thus also with the AQMP growth projections.

The proposed Project would be consistent with the City of Menifee General Plan land use designation of EDC, which allows a floor-area-ratio (FAR) of up to 1.0. The Project would be developed to a FAR of 0.48 which is within the allowed development intensity pursuant to the EDC-NG designation. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City of Menifee General Plan is considered to be consistent with the AQMP. Therefore, the Project is consistent with the SCAQMD 2022 AQMP and would not result in an impact related to Criterion No.2.

Overall, the Project would not result in an inconsistency with SCAG's regional growth forecast or result in increased regional air quality emissions that would exceed thresholds. Therefore, the proposed Project would not result in a conflict with, and would not obstruct, implementation of the AQMP and impacts would be less than significant.

5.3.2 CUMULATIVELY CONSIDERABLE NET INCREASE OF CRITERIA POLLUTANTS

Impact Finding: The Project would not result in a cumulatively considerable net increase of a criteria pollutant for which the Project region is non-attainment under and applicable federal or State ambient air quality standard (Draft EIR page 5.2-25).

Facts in Support of Finding:

Construction

Construction activities associated with the Project would result in emissions of carbon monoxide (CO), volatile organic compounds (VOCs), nitrous oxides (NO_x), sulfur oxides (SO_x), and particulate matter (PM₁₀ and PM_{2.5}). Pollutant emissions associated with construction would be generated from the following construction activities: (1) site preparation, grading, and excavation; (2) construction workers traveling to and from the Project site; (3) delivery and hauling of construction supplies to, and debris from, the Project site; (4) fuel combustion by onsite construction equipment; (5) building construction; application of architectural coatings; and (6) paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. In addition, emissions would result from the import of approximately 30,000 cubic yards of soil during the grading phase.

Construction emissions are short-term and temporary. The maximum daily construction emissions for the proposed Project were estimated using CalEEMod; and the modeling includes compliance with SCAQMD Rules 403 and 1113 (described below), which are included as PPP AQ-1 and PPP AQ-2 and would reduce

air contaminants during construction. Draft EIR Table 5.2-6, *Maximum Peak Construction Emissions*, provides the maximum daily emissions of criteria air pollutants from construction of the Project. As shown in Draft EIR Table 5.2-6, emissions resulting from Project construction would not exceed the thresholds established by the SCAQMD and impacts would be less than significant.

Operation

Implementation of the proposed Project would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as landscaping, applications of architectural coatings, and consumer products. The operation of the proposed Project would include emissions from vehicles traveling to the Project site and from vehicles in the parking lots and loading areas. Area source emissions would occur from operation of a 300-horsepower diesel fire pump, which would be regulated and require a permit from SCAQMD (PPP AQ-4). As shown in Draft EIR Table 5.2-7, *Summary of Peak Operational Emissions*, the Project's net operational activities would not exceed the numerical thresholds of significance established by the SCAQMD for emissions of any criteria pollutants and impacts would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP AQ-1: Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.

PPP AQ-2: Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

PPP AQ-3: Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. The Project is required to obtain a permit from SCAQMD for the proposed diesel fire pump and would be required to comply with Rule 1470, regulating the use of diesel-fueled internal combustion engines.

PPP AQ-4: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP AQ-5: Rule 2305 - Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 2305 and Rule 316.

5.3.3 EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS

Impact Finding: The Project would not expose sensitive receptors to substantial pollutant concentrations (Draft EIR page 5.2-28).

Facts in Support of Finding:

CO Hotspots

An adverse CO concentration, known as a “hot spot,” would occur if an exceedance of the State’s one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. The 2003 AQMP estimated traffic volumes that could generate CO concentrations to result in a “hot spot.”

Operation of the proposed Project at buildout during AM peak hour would result in a total of 65 new trips through area intersections and a total of 88 new trips in the PM peak hour through area intersections. These trips would be distributed throughout the vicinity of the Project would not result in daily traffic volumes of 400,000 vehicles per day or more. As such, Project-related traffic volumes, in combination with the regional intersections with the highest traffic volumes, are significantly less than the traffic volumes identified in the 2003 AQMP that would be considered high enough to generate a CO “hot spot.” Therefore, impacts related to CO “hot spots” from operation of the proposed Project would be less than significant.

Localized Construction Air Quality Impacts

The daily construction emissions generated onsite by the proposed Project are evaluated against SCAQMD’s localized significance thresholds (LST), which would consist of the most stringent applicable National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) at the maximally exposed receptor location for construction activities, to determine whether the emissions would cause or contribute to adverse localized air quality impacts.

The appropriate Source Receptor Area for the LST analysis is the Perris Valley (Source Receptor Area 24). The closest sensitive receptors to the Project site are residential uses at 25955 Floyd Avenue and 25875 Floyd Avenue, located approximately 47 feet north of the Project site.

As shown in Draft EIR Table 5.2-9, *Localized Significance Construction-Source Peak Emissions*, emissions during the peak construction activity would not exceed the SCAQMD’s localized significance thresholds at the nearest sensitive receptor location. In addition, all other modeled sensitive receptor locations in the study area would experience a smaller concentration than the maximally exposed receptor location and therefore a smaller impact. As such, the Project’s localized impacts during construction activities would be less than significant.

Localized Operational Air Quality Impacts

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, California Supreme Court held that an EIR’s air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As noted in Appendix 10.1 of the *Brief of Amicus Curiae* by the SCAQMD in the Friant Ranch case (April 6, 2015), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.

The SCAQMD discusses that it may be infeasible to quantify health risks caused by projects similar to the proposed Project, due to many factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). The *Brief* states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s)). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk—it does not necessarily mean anyone will contract cancer as a result of the Project. The *Brief* also cites the author of the CARB methodology, which reported that a PM_{2.5} methodology is not suited for small projects and may yield unreliable results. Similarly, SCAQMD staff does not currently know of a way to accurately quantify O₃-related health impacts caused by NO_x or VOC emissions from relatively small projects, due to photochemistry and regional model limitations. The *Brief* concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful.

On the other hand, for extremely large regional projects, the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 lbs./day of NO_x and 89,180 lbs./day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O₃.

The proposed Project would not generate anywhere near 6,620 lbs/day of NO_x or 89,190 lbs/day of VOC emissions. As shown previously in Draft EIR Tables 5.2-6 and 5.2-7:

- The Project would generate up to 29.6 lbs/day of NO_x during construction and net 28.6 lbs/day of NO_x during operations (0.45% and 0.44% of 6,620 lbs/day, respectively).
- The VOC emissions would be a maximum of 46.60 lbs/day during construction and net 22.18 lbs/day of during operations (0.05% and 0.025% of 89,190 lbs/day).

To be conservative, emissions including all on-site Project-related stationary (area) sources and on-site Project-related mobile emissions were modeled. Further, to account for on-site mobile emissions, a trip length of 0.75 miles was utilized for both trucks and passenger cars. As shown on Draft EIR Table 5.2-10, emissions during peak operational activity of the Project would not exceed the SCAQMD's localized significance thresholds for any criteria pollutant at the nearest sensitive receptor.

Further, the emissions are not sufficiently high to use a regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, this evaluation does evaluate each of the Project's development scenarios localized impacts to air quality for emissions of CO, NO_x, PM₁₀, and PM_{2.5} by comparing the onsite emissions to the SCAQMD's applicable LSTs. In addition, a Construction and Operational Health Risk Assessment was prepared, which is discussed below. As such, the proposed Project would not result in emissions that exceeded the SCAQMD's LSTs. Therefore, the proposed Project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO_x, PM₁₀, and PM_{2.5}.

Diesel Mobile Source Health Risk

A Construction and Operational Health Risk Assessment (HRA), included as Appendix G, was prepared to evaluate the health risk impacts as a result of exposure to DPM as a result of heavy-duty diesel trucks traveling to and from the site, maneuvering onsite, and entering and leaving the site during construction and operation of the proposed building.

Construction. The land use with the greatest potential exposure to Project construction-source DPM emissions is Location R3 which is located approximately 47 feet north of the Project site at an existing residence located at 25955 Floyd Avenue. R3 is placed in the private outdoor living area (backyard) facing the Project site. As shown in Draft EIR Table 5.2-11, *Summary of Construction Cancer and Non-Cancer Risks*, the maximum individual cancer risk (MICR) attributable to Project construction-source DPM emissions is estimated at 0.77 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01 , which would not exceed the applicable threshold of 1.0. Location R3 is the nearest receptor to the Project site and would experience the highest concentrations of DPM during Project construction due to meteorological conditions at the site. Because all other modeled receptors would experience lower concentrations of DPM during Project construction, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MICR identified. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. As such, construction of the Project would not cause a significant human health or cancer risk to nearby residences and impacts would be less than significant.

Operation. The residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R3 which is located approximately 47 feet north of the Project site at an existing residence located at 25955 Floyd Avenue. R3 is placed in the private outdoor living area (backyard) facing the Project site. At this location, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at 3.02 in one million under Scenario 1 and 3.04 in one million under Scenario 2, neither of which would exceed the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be ≤ 0.01 under both scenarios, which would not exceed the applicable significance threshold of 1.0.

Location R3 is the nearest receptor to the Project site and would experience the highest concentrations of DPM from Project operation due to its location and meteorological conditions at the Project site. Because all other modeled receptors would be exposed to lower concentrations of DPM, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MICR. As such, the Project would not cause a significant human health or cancer risk to nearby residences.

Residential Exposure

The residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R3 which is located approximately 47 feet north of the Project site at an existing residence located at 25955 Floyd Avenue. R3 is placed in the private outdoor living area (backyard) facing the Project site. At this location, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is estimated at 3.02 in one million under Scenario 1 and 3.04 in one million under Scenario 2, neither of which would exceed the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be ≤ 0.01 under both scenarios, which would not exceed the applicable significance threshold of 1.0.

5.3.4 OTHER EMISSIONS

Impact Finding: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (Initial Study page 41).

Facts in Support of Finding: Odors generated by the operation of the proposed Project are not expected to be significant or highly objectionable and would be required to be in compliance with MDAQMD Rule 402, which would prevent nuisances to sensitive land uses.

During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any residences, they would be diluted to well below any level of odor concern. Furthermore, short term construction-related odors are expected to cease upon the drying or hardening of the odor producing materials.

During operations, trucks and vehicles operating at the loading docks may emit odor. A southern California study (*Study of Ultrafine Particles Near a Major Highway with Heavy-Duty Diesel Traffic*, Zhu, 2002) showed measured concentrations of vehicle-related pollutants, including diesel exhaust, decreased dramatically (more than 90 percent) within approximately 300 feet. There are no sensitive receptors adjacent to the Project site or within 300 feet of proposed loading dock facilities. Therefore, by the time any diesel exhaust emissions reach the nearest receptor, they would be diluted and not generate an objectionable odor. In addition, all Project-generated solid waste would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations and would not generate objectionable odors. Therefore, impacts associated with operation- and construction-generated odors would be less than significant, and this topic was not further analyzed in the Draft EIR.

Standard Conditions, Plans, Programs, and Policies

PPP AQ-4: Rule 402. As previously listed.

5.3.5 CUMULATIVE AIR QUALITY IMPACTS

Impact Finding: The Project would not result in cumulative air quality impacts (Draft EIR page 5.2-40).

Facts In Supporting Finding: As described above and within Impact AQ-1 of the Draft EIR, the SCAQMD 2022 AQMP evaluates regional conditions within the Basin and sets regional emission significance thresholds for both construction and operation of development projects that apply to project-specific impacts and cumulatively-considerable impacts. Therefore, per SCAQMD's methodology, if an individual project would result in air emissions of criteria pollutants that exceeds the SCAQMD's thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of these criteria pollutants.

As described above and within Impact AQ-2 of the Draft EIR, emissions from construction would not exceed regional or localized air quality thresholds. As a result, emissions from construction of the proposed Project would not be cumulatively considerable, and cumulative air quality impacts would be less than significant. Additionally, emissions from Project operation would not exceed SCAQMD's thresholds for any criteria pollutant at the regional or local level after implementation of existing regulations. Therefore, operational source emissions would not be cumulatively considerable and would be less than significant.

As discussed above and within Impact AQ-3 of the Draft EIR, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction or operation activity. Therefore, impacts on human health risks would not be cumulatively considerable and would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP AQ-1: Rule 403. As listed previously.

PPP AQ-2: Rule 1113. As listed previously.

PPP AQ-3: Rule 1470. As listed previously.

PPP AQ-4: Rule 402. As listed previously.

5.4 BIOLOGICAL RESOURCES

5.4.1 WETLANDS

Impact Finding: The Project would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Initial Study page 44).

Facts in Support of Finding: No known federally or State protected wetlands are present on the Project site as seen on the National Wetlands Inventory Wetlands Mapper. Therefore, there are no impacts to wetlands and this topic was not further analyzed in the Draft EIR.

5.4.2 LOCAL POLICIES AND ORDINANCES

Impact Finding: The Project would not conflict with any local policies or ordinances protecting biological resources (Initial Study page 44).

Facts in Support of Finding: The City of Menifee Municipal Code Chapter 9.200 regulates tree protection and care with the purpose of maintaining a healthy urban forest in the city and to ensure the protection of trees during development and redevelopment of properties in the City. However, there are no trees located on the Project site. Therefore, the proposed Project activities would not impact heritage or protected trees and no conflict with local policies or ordinances protecting biological resources would occur. This topic was not further analyzed in the Draft EIR.

5.5 CULTURAL RESOURCES

5.5.1 HISTORICAL RESOURCES

Impact Finding: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5 (Initial Study page 46).

Facts in Support of Finding: The proposed Project area had been previously developed with modular residential structures in the southeast portion of the site. The residences have since been demolished and the Project site is currently vacant. Due to the lack of onsite structures or distinctive characteristics of the site buildout of the proposed Project would not result in any impacts to historical resources. This topic was not further analyzed in the Draft EIR.

5.5.2 DISTURBANCE OF HUMAN REMAINS

Impact Finding: The Project would not disturb any human remains, including those interred outside of formal cemeteries. (Initial Study page 47).

Facts in Support of Finding: The Project site is not known to include any burial grounds, graveyards, or dedicated cemeteries. However, it is possible that human remains are buried outside of formal cemeteries. Therefore, should human remains be unearthed during grading and excavation activities, the Project would

be required to comply with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5, which provide guidance on the discovery of human remains and their treatment or disposition with appropriate dignity. Through mandatory compliance with these required regulations, impacts would be less than significant. This topic was not further analyzed in the Draft EIR.

5.6 ENERGY

5.6.1 WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY

Impact Finding: The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation (Draft EIR page 5.5-6).

Facts in Support of Finding:

Construction

During construction of the proposed Project, energy would be consumed in three general forms, petroleum-based fuels, electricity, and energy used in the production of construction materials. Construction activities related to the proposed Project and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. Also, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. The energy analysis modeling for construction of the Project (included as Appendix E of the Draft EIR) details that the total construction would utilize 185,669 kWh of electricity, 41,371 gallons of diesel fuel, 34,457 gallons of fuel would be used by automobiles, and 78,582 gallons of fuel would be used by vendor trucks as detailed in Draft EIR Table 5.5-1 through 5.5-4.

Operation

Once operational, the proposed Project would generate demand for electricity, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of the building, water heating, operation of electrical systems and plug-in appliances within the building, parking lot and outdoor lighting, and the transport of electricity, and water to the areas where they would be consumed. This use of energy is typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

As detailed in Draft EIR Table 5.5-5, *Project-Generated Traffic Annual Fuel Consumption*, operation of the Project is estimated to result in an annual VMT of 6,613,608 miles and a fuel consumption of 434,971 gallons per year. CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of vehicles to no more than 5 minutes. The idling restrictions would preclude unnecessary and wasteful consumption of fuel due to unproductive idling of trucks. As presented in the Draft EIR Table 5.5-6, *Stationary Source Equipment Fuel Consumption Estimates*, Project stationary sources would consume an estimated 592 gallons of diesel fuel.

Project building operations and Project site maintenance activities would result in the consumption of electricity. The proposed buildings would not utilize natural gas. As shown on the Draft EIR Table 5.5-7, *Project Annual Operational Energy Demand Summary*, the Project would utilize approximately 816,024 kWh

per year of electricity. Furthermore, the Project buildings would be solar ready in compliance with current Title 24 requirements, which would allow for the future installation of rooftop solar. As such, the Project would not inhibit the use of renewable energy.

Because this use of energy is typical for urban development, no operational activities or land uses would occur that would result in extraordinary energy consumption, and through City permitting assurance would be provided that existing regulations related to energy efficiency and consumption, such as Title 24 regulations and CCR Title 13, Motor Vehicles, section 2449(d)(3) related to idling, would be implemented. Therefore, impacts related to operational energy consumption would be less than significant.

5.6.2 CONFLICT WITH PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY

Impact Finding: The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (Draft EIR page 5.5-10).

Facts in Support of Finding: The proposed Project would be required to meet the CCR Title 24 energy efficiency standards in effect during permitting of the proposed Project. The City's administration of the CCR Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. In addition, Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. The Project building would be solar ready in compliance with current Title 24 requirements, which would allow for the future installation of rooftop solar. Mitigation Measure GHG-1 requires the Project applicant to install a minimum 101.3-kW DC solar photovoltaic (PV) system or purchase an equivalent amount of renewable energy to offset demand or implement renewable measures. In addition, the Project includes implementation of Mitigation Measures GHG-2 through GHG-8 which aim to reduce energy use and increase the Project's energy efficiency, as detailed further in Section 5.1 above. Implementation of Mitigation Measures GHG-1 through GHG-8 would increase the energy efficiency of the proposed Project. Additionally, as demonstrated in the Draft EIR Table 5.6-3, *Project Generated Greenhouse Gas Emissions – With Mitigation*, and Draft EIR Table 5.9-2, *General Plan Consistency*, the proposed Project would be consistent with applicable City General Plan Goals and Policies related to energy use and energy efficiency. As such, the Project would not inhibit the use of, and would allow for future flexibility relating to renewable energy. As determined in Impact E-1 of the Draft EIR, Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur. Thus, the Project would be consistent with State goals to reduce energy consumption and lowering GHG emissions. Overall, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

5.6.3 CUMULATIVE ENERGY IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to energy. (Draft EIR page 5.5-7).

Facts in Support of Finding: The geographic context for analysis of cumulative impacts regarding energy includes past, present, and future development within southern California because energy supplies (including electricity, natural gas, and petroleum) are generated and distributed throughout the southern California region.

All development projects throughout the region would be required to comply with the energy efficiency standards in the Title 24 requirements. Additionally, some of the developments could provide for additional

reductions in energy consumption by use of solar panels, sky lights, or other LEED type energy efficiency infrastructure. With implementation of the existing energy conservation regulations, cumulative electricity consumption would not be cumulatively wasteful, inefficient, or unnecessary.

Petroleum consumption associated with the proposed Project would be primarily attributable to transportation, especially vehicular use. However, State fuel efficiency standards and alternative fuels policies (per AB 1007 Pavely) would contribute to a reduction in fuel use, and the federal Energy Independence and Security Act and the State Long Term Energy Efficiency Strategic Plan would reduce reliance on non-renewable energy resources. For these reasons, the consumption of petroleum would not occur in a wasteful, inefficient, or unnecessary manner and would be less than cumulatively considerable.

5.7 GEOLOGY AND SOILS

5.7.1 EXPOSE PEOPLE OR STRUCTURES TO FAULT RUPTURE

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State geologist for the area of based on other substantial evidence of a known fault (Initial Study page 56).

Facts in Support of Finding: The Project site is not located within an Alquist-Priolo Earthquake Fault zone according to the Fault Map included in the Menifee General Plan and the USGS U.S. Quaternary Faults Finder. There are no active or potentially active faults known on the site or in the City of Menifee. Due to the distance of the Project site from the closest fault zone, there is no potential for the Project to be subject to rupture of a known earthquake fault. Impacts related to a fault zone would not occur from implementation of the proposed Project and this topic was not further analyzed in the Draft EIR.

5.7.2 EXPOSE PEOPLE OR STRUCTURES TO STRONG SEISMIC GROUND SHAKING

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking (Initial Study page 57).

Facts in Support of Finding: According to the Menifee General Plan Fault Map and the USGS U.S. Quaternary Faults Finder there are no active or potentially active faults known on the site or in the City of Menifee. However, ground shaking could still occur as a result from faults in the Elsinore Fault zone approximately 10 miles southwest, the San Jacinto zone approximately 11 miles northeast, and the San Andreas fault zone located 25 miles to the northeast. The proximity of the site to the active faults would result in ground shaking during moderate to severe seismic events. However, structures built in the City are required to be built in compliance with the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) that provides provisions for earthquake safety based on factors including building occupancy type, the types of soils onsite, and the probable strength of ground motion.

The proposed Project would also be developed in compliance with the Menifee Municipal Code, the recommendations of the Geotechnical Investigation (included as Appendix A to the Initial Study, which is Appendix A of the Draft EIR), and all other ordinances adopted by the City related to construction and safety. The Menifee Building and Safety Division would review the building plans through building plan checks, issuance of a building permit, and inspection of the building during construction, which would ensure that all required CBC seismic safety measures are incorporated into the building. With compliance to the

CBC as verified by the City's review process, impacts related to strong seismic ground shaking would be less than significant. This topic area was not further analyzed in the Draft EIR.

5.7.3 EXPOSE PEOPLE OR STRUCTURES TO LANDSLIDES

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides, lateral spreading, subsidence, liquefaction or collapse (Initial Study page 59).

Facts in Support of Finding: According to the Geotechnical Investigation, the Project site is located in a flat area that does not contain nor is adjacent to steep slopes, and the Project would not generate large slopes. As a result, implementation of the Project would not expose people or structures to substantial adverse effects involving landslides, and impacts related to landslides would not occur.

According to Exhibit S-3, Liquefaction and Landslides, of the Menifee General Plan Safety Element, the Project site is not identified as being within an area susceptible to liquefaction. In addition, the subsurface conditions encountered at the boring locations for the Geotechnical Investigation are not considered to be conducive to liquefaction. As such, the Geotechnical Investigation concluded that the potential for lateral spreading on the site is considered very low. In addition, the proposed Project would be required to adhere to CBC requirements to limit risk associated with lateral spreading.

According to the Geotechnical Investigation, an estimated shrinkage potential on the order of 7 to 17 percent is expected during removal and recompaction of native alluvial soils. A subsidence of 0.1 feet may be anticipated within the Project site. However, risk of subsidence would be lowered through adherence to CBC grading and earthwork operation recommendations. Also, groundwater extraction is managed by groundwater management plans, which limits the allowable withdrawal of water and potential of subsidence. In addition, compliance with the CBC would be required by the Menifee Building and Safety Division, as implemented as a condition of approval.

In addition, the Geotechnical Investigation describes that site soils consist of artificial fill soils and native alluvial soils. The near-surface native alluvial soils within the upper six feet generally consist of silty clays and silty fine sands which possess variable strength and unfavorable consolidation/collapse characteristics. The Geotechnical Investigation describes that the recommended remedial grading would remove all artificial fill soils and the upper portion of the near-surface native alluvium, including collapsible/compressible soils, and replace these soils as compacted structural fill. Therefore, any potential impacts related to collapsible soils would be minimized by standard geotechnical engineering practices. As such, impacts would be less than significant and this topic area was not further analyzed in the Draft EIR.

5.7.4 SOIL EROSION OR LOSS OF TOPSOIL

Impact Finding: The Project would not result in substantial soil erosion or the loss of topsoil (Initial Study page 58).

Facts in Support of Finding:

Construction

Construction of the proposed Project has the potential to contribute to soil erosion and the loss of topsoil. Grading activities that would be required for the proposed Project would expose and loosen topsoil, which could be eroded by wind or water. To reduce the potential for soil erosion and the loss of topsoil, construction

activities would require a Storm Water Pollution Permit (SWPPP), which is mandated by the National Pollution Discharge Elimination System (NPDES) General Construction Permit (included as PPP WQ-1) and enforced by the Santa Ana Regional Water Quality Control Board (RWQCB). The SWPPP is required to address site-specific conditions related to specific grading and construction activities that could cause erosion and the loss of topsoil and provide erosion control best management practices (BMPs) to reduce or eliminate the erosion and loss of topsoil. Erosion control BMPs include use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding, etc. Compliance with State and federal requirements would ensure that the Project would have a less than significant impact related to soil erosion or loss of topsoil.

Operation

Additionally, the proposed Project includes installation of landscaping adjacent to the proposed building and throughout the proposed parking areas. With this landscaping, areas of loose topsoil that could be eroded by wind or water would not exist upon operation of the proposed Project. In addition, the hydrologic features of the Project have been designed to slow, filter, and retain stormwater within landscaping and the proposed underground storage chamber system which would also reduce the potential for stormwater to erode topsoil. Furthermore, implementation of the proposed Project requires County approval of a Water Quality Management Plan (WQMP), which would ensure that RWQCB requirements and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. As a result, with implementation of existing requirements, impacts related to substantial soil erosion or loss of topsoil would be less than significant.

5.7.5 EXPANSIVE SOIL

Impact Finding: The Project would not be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial risks to life or property (Initial Study page 60).

Facts in Support of Finding: Table 18-1-B of the Uniform Building Code mandates that special foundation design consideration be employed if the Expansion Index of soils is 20 or greater. The Geotechnical Investigation describes that the Project site's near-surface soils consist of very stiff to hard silty clay, medium dense to dense silty fine sand and silty fine to coarse. They also found native alluvium which consists of medium dense to very dense silty fine sand, silty fine to coarse sand, fine to coarse sand and stiff to hard silty clay. According to the Geotechnical Investigation, these materials have low to medium expansion potential. However, as described previously, compliance with the CBC would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that the proposed Project structures would withstand effects related to ground movement, including expansive soils. Therefore, impacts would be less than significant, and this topic was not further analyzed in the Draft EIR.

5.7.6 SOILS INCAPABLE OF SUPPORTING SEPTIC TANKS

Impact Finding: The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (Initial Study page 60).

Facts in Support of Finding: The proposed Project would install new onsite and offsite sewer lines and would not include the use of septic tanks or alternative wastewater disposal systems. No impacts related to septic

tanks or alternative wastewater disposal systems would occur from implementation of the Project and this topic was not further analyzed in the Draft EIR.

5.7.7 CUMULATIVE GEOLOGICAL HAZARDS AND SOILS IMPACTS

Impact Finding: The Project would not result in cumulatively considerable impacts to geology and soils.

Facts in Support of Finding: Geotechnical impacts are site-specific rather than cumulative in nature. Direct and indirect impacts related to geology and soils would be avoided through mandatory conformance with the California Building Code, City of Menifee Municipal Code, and site-specific geotechnical recommendations, which will be incorporated as part of the Project's design and construction efforts. With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions are unique to each project site, and inherently restricted to the developments proposed. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) the development, are specific to conditions on the property, and are not influenced by or additive with the geologic and/or soils hazards that may occur on other, off-site properties. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects at the Project site.

Impacts related to erosion and loss of topsoil could be cumulatively considerable. However, mandates related to the NPDES permit, preparation of a WQMP, and SWPPP, as well as compliance with SCAQMD Rule 403 incorporate measures during construction activities to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and related projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

5.8 HAZARDS AND HAZARDOUS MATERIALS

5.8.1 ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS

Impact Finding: The Project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials (Initial Study page 58).

Facts in Support of Finding:

Construction

Construction contractors would be required to comply with existing federal, State, and local laws and regulations regarding the transport, use, storage and disposal of hazardous materials. Applicable laws and regulations include CCR, Title 8 Section 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP); CFR, Title 29 - Hazardous Waste Control Act; CFR, Title 49, Chapter I; and Hazardous Materials Transportation Act requirements as imposed by the USDOT, CalOSHA, CalEPA and DTSC. Additionally, construction activities for the proposed Project would involve routine transport, use, and disposal of hazardous materials which are not acutely hazardous, and would be required to adhere to existing federal, State, and local laws and regulations. As a result, the routine transport, use, or disposal of hazardous materials during construction activities for the proposed Project would be less than significant.

Operation

The proposed Project would operate one industrial warehouse with additional truck trailer parking, which generally use limited hazardous materials, such as: lubricants, solvents, cleaning agents, wastes, paints and related wastes, petroleum, wastewater, batteries, (lead acid, nickel cadmium, nickel, iron, carbonate), scrap metal, and aerosol cans. Normal routine use of these products would not result in a significant hazard to residents or workers in the vicinity of the proposed Project.

Also, should any future business that occupies the proposed building handle acutely hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) the business would require a permit from the Riverside County Department of Environmental Health Hazardous Materials Branch. Such businesses are also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the County Hazardous Materials Branch and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business. In addition, any business handling at any one time, greater than 500 pounds of solid, 55 gallons of liquid, or 200 cubic feet of gaseous hazardous material, is required, under Assembly Bill 2185 (AB 2185), to file a Hazardous Materials Business Emergency Plan with the County. A Hazardous Materials Business Emergency Plan is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. The intent of the Hazardous Materials Business Emergency Plan is to satisfy federal and state right-to-know laws and to provide detailed information for use by emergency responders.

Therefore, if future businesses that use or store hazardous materials occupy the proposed building, the business owners and operators would be required to comply with all applicable federal, state, and local regulations, as permitted by the County Department of Environmental Health Hazardous Materials Branch to ensure proper use, storage, and disposal of hazardous substances. Overall, operation of the proposed Project would result in a less than significant impact related to the routine transport, use, or disposal of hazardous materials and this topic was not further analyzed in the Draft EIR.

5.8.2 RELEASE OF HAZARDOUS MATERIALS AND THE POTENTIAL FOR UPSET CONDITIONS

Impact Finding: The Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment (Initial Study section 5.9).

Facts in Support of Finding:

Construction

Construction of the proposed Project would involve the limited use and disposal of hazardous materials. Equipment that would be used in construction of the Project has the potential to release gas, oils, greases, solvents, and spills of paint and other finishing substances. However, the amount of hazardous materials onsite would be limited, and construction activities would be required to adhere to all applicable regulations regarding hazardous materials storage and handling, as well as to implement construction BMPs (through implementation of a required SWPPP by the National Pollution Discharge Elimination System General Construction Permit). Implementation of BMPs through an SWPPP would minimize potential adverse effects to workers, the public and the environment.

Historical Use

In May 2021, Hillmann Consulting completed a Phase I Environmental Assessment of all the parcels that comprise the Project site (Appendix C of the Initial Study). From a review of the historical aerial photographs, the Project site had been developed for agricultural uses as what appears to be dry farming from 1938 to 2002. In 1985, small residential structures were constructed on a portion of the land but have since been demolished. Dry farming is not considered to be a concern. Additionally, the proposed Project is zoned for industrial development, and the area of the subject property would largely either be paved over or covered by improvements that make direct contact with the soil unlikely. Therefore, the impacts involving the release of hazardous materials related to historic uses is less than significant.

Recognized Environmental Conditions.

The 2021 Phase I ESA identified one Recognized Environmental Condition (REC) and one *de minimis* condition related to the Project Site:

Soil Stockpiles. Several stockpiles of soil were observed on the vacant southwest portion of the site. A tenant indicated that the soil is off-site. As recommended by the Phase I ESA, a Limited Phase II Subsurface Investigation Report was prepared by Hillmann Consulting in September 2021 (Appendix D of the Initial Study). Soil sampling included screenings for organo-chlorine pesticides (OCPs), Title 22 Metals, Total Petroleum Hydrocarbons (TPHcc), Volatile Organic Compounds (VOCs), and Polycyclic Aromatic Hydrocarbons (PAHs). Results indicated there were no detectable levels of OCPs, TPHcc, or PAHs. Detected levels of VOCs and Title 22 Metals did not exceed conservative screening levels for residential applications. Therefore, impacts related to the soil stockpiles in the event of their removal would be less than significant.

De Minimis Condition. A greasy/oily stain was observed at the residential building on 26399 Murietta Road, likely associated with passenger vehicle parking. However, the Phase I ESA considered the stain a *de minimis* condition. As the Project would include development of the site with an industrial use, impacts related to the greasy/oily stain would be less than significant.

Thus, this topic area was not discussed further in the Draft EIR.

5.8.3 HAZARDOUS MATERIALS WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL

Impact Finding: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school (Initial Study Section 5.9).

Facts in Support of Finding: There are no schools within a one-quarter mile radius of the Project site. The nearest school to the Project site is I Can Preschool and Child Care located at 26704 Murrieta Road, Menifee, CA 92585, approximately 0.3 miles southeast of the Project site. Therefore, there are no schools located within a 0.25 mile of the Project site.

Additionally, the use of hazardous materials related to the proposed industrial warehouse uses would be limited used and disposed of in compliance with federal, State, and local regulations, which would reduce the potential of accidental release into the environment. Thus, the proposed Project would not emit hazardous or handle acutely hazardous materials, substances, or waste within 0.25 mile of school, and no impacts would occur. Thus, this topic area was not discussed further in the Draft EIR.

5.8.4 CORTESE LIST

Impact Finding: The Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment (Initial Study page 62).

Facts in Support of Finding: The Phase I ESA (included as Appendix C of the Initial Study) conducted database searches to determine if the Project area or any nearby properties are identified as currently having hazardous materials. The record searches determined that the Project site is not included on a list of hazardous materials sites pursuant to Government Code Section 65962.5. However, three nearby properties were identified on the State Hazardous Waste Site list. The Phase I ESA determined none of the nearby listings constituted a REC for the Project site. As a result, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the proposed Project. As such, no impacts related to hazardous materials sites would occur. Thus, this topic area was not discussed further in the Draft EIR.

5.8.5 NEAR AN AIRPORT OR WITHIN AN AIRPORT LAND USE PLAN

Impact Finding: The Project would not result in a safety hazard or excessive noise for people residing or working in the Project area for a project area for a project located within an airport land use plan or, where such a plan has not been adopted, be within two miles of a public airport or public use airport (Initial Study Section 5.9).

Facts in Support of Finding: The Project site is located approximately 1.43 miles southeast of the Perris Valley Airport, a privately owned and operated airport within the City of Perris. The proposed Project is within influence area Zone E, governed by the Riverside County Airport Land Use Commission (ALUC). The proposed Project is located within Zone E of the March Air Reserve Base, located over 10 miles northwest of the Project site. Additionally, the proposed Project is not located in any existing noise contours for either the Perris Valley Airport or March Air Reserve Base.

The Riverside County Airport Land Use Compatibility Plan (ALUCP) established policies applicable to land use compatibility planning in the vicinity of airports throughout Riverside County. The proposed Project is not required by ALUC as the City of Menifee is consistent with the Perris Valley Airport ALUCP and March Air Reserve Base ALUCP. The proposed Project does not apply to any of the conditions requiring ALUC review under Policies 1.5.1 or 1.5.2 of the Riverside County ALUCP. Additionally, the Project does not propose any legislative actions that would require ALUC review. The proposed warehouse facility is consistent with the existing EDC land use designation for the Project site and is also consistent with the EDC – NG zoning development standards. Thus, the Project would not result in a safety hazard or excessive noise for people residing or working in the area. As such, no impact would occur. Thus, this topic area was not discussed further in the Draft EIR.

5.8.6 IMPAIR OR INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN

Impact Finding: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (Initial Study Section 5.9)

Facts in Support of Finding: The City of Menifee has adopted an Emergency Management program intended to provide comprehensive procedures and guidance for the City to prepare and respond to emergencies and disasters in the community. Specific plans under this program include the Emergency

Operations Plan (EOP) and the Local Hazard Mitigation Plan (LHMP). In addition, the City of Menifee is part of the Riverside County Operational Area Emergency Operations Plan. Emergency responses are coordinated through various offices within City and County government and aligned agencies.

Construction

The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. During construction of the Project, installation of driveways, connections to existing infrastructure systems, Murrieta Road widening, and related improvements would require temporary construction on Murrieta Road but would not require the closure of the roadway. Additionally,, construction activities within the Project site that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the safe passage of persons and vehicles during required temporary road restrictions. In accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), prior to any activity that would encroach into a right-of-way, the area of encroachment must be safeguarded through the installation of safety devices to ensure that construction activities would not physically interfere with emergency access or evacuation. Compliance with Section 503 of the California Fire Code would be specified by the City's Building and Safety Division during the construction permitting process. Therefore, the Project would not block any evacuation routes or conflict with an emergency response plan, and impacts related to interference with an adopted emergency response of evacuation plan during construction activities would be less than significant.

Operation

Project access would be provided via five new driveways, two off Geary Street and three off Murrieta Road. Both driveways off Geary Street would be accessible via passenger vehicles. All trucks traveling northbound on Geary Street would have access to the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. As described in Draft EIR Section 5.12, *Transportation*, these driveways and roadways would provide adequate and safe circulation to, from, and through the Project site and would provide a variety of routes for emergency responders to access the site and surrounding areas. Additionally, the Project would comply with Municipal Code standards, which require design and construction specifications to allow adequate emergency access to the site and ensure that roadway improvements would meet public safety requirements. Furthermore, drivers are expected to comply with all State driving laws, roadway signage, as well as restrictions related to vehicle stopping and parking. Therefore, the Project would not impair implementation or interfere with adopted emergency response or evacuation plans. Impacts would be less than significant. Thus, this topic area was not discussed further in the Draft EIR.

5.8.7 WILDLAND FIRES

Impact Finding: The Project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires (Draft EIR Section 5.7-5).

Facts in Support of Finding: The Project is currently vacant and undeveloped. According to the CAL Fire Hazard Severity Zone Map, the Project site is categorized as a State Responsibility Area (SRA) and is within a High Fire Hazard Severity . As indicated in the General Plan Safety Element, the City of Menifee has areas of moderate-, high- and very high- fire hazard severity areas. Areas south and southwest of the Project site are located within a State Responsibility Area (SRA) and are designated as Moderate to Very High FHSZ. Areas south and southwest of the Project site are located within a State Responsibility Area (SRA)

and are designated as Moderate to Very High FHSZ (CAL FIRE, 2024). However, surrounding areas to the north and to the east are not within a Fire Hazard Severity Zone.

While the Project site is located within a High fire Hazard Severity Zone, Project implementation would require adherence to Chapter 8.20 Fire Code of the City Building and Construction Code which contains the adoption of the California Fire Code to reduce potential fire hazards. Additionally, applicable State and local standards include requirements such as fire-retardant features for new building construction, roadway design and fire access standards, and general building considerations to reduce the potential threat of fire hazard. The Project would also be required to comply with guidelines from the Menifee Fire Department related to fire prevention and would be subject to review during the plan check process by the City's Building and Safety Department. Further, the Project would be consistent with the General Plan buildout—which includes the development of neighboring sites in the foreseeable future that would further reduce wildfire risk due to reduction of open land. Compliance with these requirements would ensure that the Project would not expose people or structures, directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death from wildfires, and impacts would be less than significant.

5.8.8 CUMULATIVE HAZARDS AND HAZARDOUS MATERIALS IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to hazards or hazardous materials (Draft EIR Section 5.7-7).

Facts in Support of Finding: The cumulative study area for the purposes of hazardous materials and waste would be considered the City of Menifee. This cumulative impact analysis for hazards and hazardous materials considers development of the proposed Project in conjunction with other development projects as well as the projects identified in Draft EIR Section 5.0, *Environmental Impact Analysis*, Table 5-1, *Cumulative Projects List*. None of the projects identified in Draft EIR Table 5-1 are proposed adjacent to the Project site. However, there are multiple cumulative projects within the Menifee area, in the general vicinity of the Project.

Cumulative land use changes within the City of Menifee would have the potential to expose future area residents, employees, and visitors to chemical hazards through the transport, storage, or use of hazardous materials. The severity of potential hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. However, all hazardous materials users and transporters, as well as hazardous waste generators and disposers are subject to regulations that require proper transport, handling, use, storage, and disposal of such materials to ensure public safety. Thus, if hazardous materials are found to be present on future project sites, appropriate remediation activities would be required pursuant to standard federal, State, and regional regulations. Compliance with the relevant federal, State, and local regulations, during the operation and construction throughout the Project site, as well as during the construction and operation of related projects would ensure that cumulative impacts from hazardous materials would be less than significant.

5.9 HYDROLOGY AND WATER QUALITY

5.9.1 VIOLATE WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS

Impact Finding: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Draft EIR page 5.8-8).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP WQ-1 and WQ-2. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding:*Construction*

The nearest surface water is the San Jacinto River, located approximately 1.3 miles west of the Project site. Receiving waters for the Project site are San Jacinto River Reach 3, Canyon Lake, San Jacinto River Reach 1, and Lake Elsinore. San Jacinto River Reach 1 and Reach 2 are not classified as impaired water bodies and are not placed on the 303(d) list. However, Canyon Lake is on the 303(d) list of impairments for nutrients; and Lake Elsinore is on the 303(d) list of impairments for PCBs, Toxicity, DDT, Nutrients, Organic Enrichment/Low Dissolved Oxygen.

Pollutants of concern during construction activities generally include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction, which would have the potential to be transported via storm runoff into nearby receiving waters and eventually may affect surface or groundwater quality. During construction activities, excavated soil would be exposed, thereby increasing the potential for soil erosion and sedimentation to occur compared to existing conditions. In addition, during construction, vehicles and equipment are prone to tracking soil and/or spoil from work areas to paved roadways, which is another form of erosion that could affect water quality.

However, pursuant to the City of Menifee Municipal Code Chapter 15.01, the proposed Project would be required to comply with the NPDES construction regulations and the SWRCB Construction General Permit (Order 2009-0009, as amended by Orders 2010-0014-DWQ, 2012-006-DWQ, and 2022-0057-DWQ) that requires development and implementation of a SWPPP (PPP HYD-1). The SWPPP is required during the City's plan check and permitting process and would include construction BMPs to minimize potential pollutants from entering stormwater during Project construction activities.

Therefore, compliance with the State Construction General Permit, City of Menifee Municipal Code, and other applicable requirements including the CWA, which would be verified during the City's construction permitting process, would ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant.

Operation

Project operation would introduce the potential for pollutants such as chemicals from cleaners, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. However, stormwater runoff would be treated onsite by two proposed biotreatment modular wetland linear systems. The two proposed biotreatment modular wetland systems would have a treatment capacity of approximately 50,240 cubic feet and the underground storage chamber would have a storage capacity of 154,076 cubic feet. In addition, the Project would include an offsite underground biotreatment modular wetland system with a treatment capacity of 0.693 cubic feet per second to treat off-site runoff, to be maintained by the City of Menifee. The drainage system would overflow into a proposed 72-inch to 84-inch storm drain (Line A-12) in Murrieta Road, and would eventually be discharged into the San Jacinto River, Reach 3.

As shown in the Draft EIR on Table 5.8-1, *Drainage Management Areas*, the Project site includes six drainage management areas (DMAs). Runoff from DMA 1 would be collected and treated by the proposed on-site biotreatment modular wetland system and would eventually discharge into the proposed underground storage chamber in the northeastern portion of the site. Runoff from DMA 6 would flow east to a proposed cross-gutter and then north along Murrieta Road to the proposed off-site modular wetlands linear system located on the northeast corner of the site; treated runoff from DMA 6 would then be discharged to the proposed storm drain main. DMAs 2 through 5 would be self-treating landscaped areas with natural soils that naturally drain offsite and would not require BMPs.

Additionally, in accordance with State Water Resources Board Order R8-2010-0036, NPDES No. CAS618033, the proposed Project would be required to incorporate a WQMP with post-construction (or permanent) Low Impact Development (LID) site design, source control, and treatment control BMPs, included as PPP HYD-2. As stated in the Project WQMP (Appendix J) the underground biotreatment LID BMPs were determined to be the best choice for both on and off-site stormwater runoff because the Geotechnical Report determined that infiltration is infeasible.

Implementation of the proposed Project would comply with BMPs pursuant to the NPDES requirements, and the City of Menifee Municipal Code, as verified by the City's development review and permitting process. Post construction BMPs and LID included in the Project WQMP would avoid potential quality degradation of receiving waters resulting from proposed development. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations. Plans for grading, drainage, erosion control, and water quality would be reviewed by the City's Department of Public Works prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation of the Project.

Additionally, BMPs would include non-structural water quality controls to further minimize potential of water quality degradation of receiving waters. Overall, adherence to the existing regulations as implemented by the City Code would ensure that Project impacts related to degradation of water quality from operational activities would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP WQ-1: NPDES/SWPPP. As previously listed.

PPP WQ-2: WQMP. As previously listed.

5.9.2 DEplete Groundwater Supplies or Interfere with Groundwater Recharge

Impact Finding: The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the Basin (Initial Study page 64).

Facts in Support of Finding: Water is provided to the Project site by the Eastern Municipal Water District (EMWD). EMWD has prepared the 2020 Urban Water Management Plan (UWMP), which includes a characterization of water supply. As described in Section 4.1.1 of the UWMP, EMWD intends to utilize recycled water for the needs of the industrial sector, as much as possible. Additionally, the proposed Project is located within the San Jacinto Groundwater Basin and the West San Jacinto Groundwater Sustainability Agency Plan Area. The plan manages groundwater extraction, supply, and quality. Because the groundwater basin is managed through this plan, which limits the allowable withdrawal of water from the basin by water

purveyors, and the proposed Project would not pump water from the Project area (as water supplies would be provided by EMWD), the proposed Project would not result in a substantial depletion of groundwater supplies. Further discussion of impacts to water supply is included in the Draft EIR Section 5.19, Utilities and Service Systems.

Upon development, a large portion of the site would become impervious, which could change the infiltration rates. However, as described in the Draft EIR under Section 3, Project Description, buildout of the Project would include on- and off-site storm drain systems. Under the MS4 permit of the Santa Ana River Watershed in Riverside County, these systems are required to accommodate runoff from 85th percentile storm events. Therefore, with the inclusion of the proposed infiltration systems, impacts related to groundwater supply and recharge would be less than significant. This topic was not further analyzed in the Draft EIR.

5.9.3 EROSION OR SILTATION

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (Draft EIR page 5.8-11).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP WQ-1 and WQ-2. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding:

Construction

Construction of the proposed Project would require excavation, grading, and other site preparation activities that would loosen soils, which has the potential to result in erosion and the loss of topsoil. The Project site is generally flat and does not contain substantial slopes that could induce significant erosion or siltation.

Project construction would be permitted under the NPDES Construction General Permit (PPP WQ-1), which requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer (QSD) for construction activities that disturb 1-acre or more of soils. The SWPPP is required to address site specific conditions related to potential sources for sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of drainage pattern during construction activities.

The proposed Project would implement existing construction regulations that would be verified by the City during the permitting approval process, therefore, impacts related to alteration of an existing drainage pattern during construction would be less than significant.

Operation

As described previously, the proposed Project would result in an increase in impervious area onsite, and the Project would increase surface flows compared to existing conditions. However, the Project would include installation of new stormwater facilities, including an underground storage chamber, pervious landscaped areas, and new storm drains. The use of the drainage facilities and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge.

The proposed underground storage chamber would capture the 500-year, 24-hour storm volume requirement. Overall, the proposed Project's storm drain system would be sized to convey the 100-year storm event, per the County's LID requirements. In addition, landscaped areas would accept runoff water from impervious surfaces and regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. Overall, the drainage facilities proposed for the Project have been sized to be consistent with the County MS4 permit requirements and the City's WQMP requirements. Thus, implementation of the Project would not substantially increase the rate or amount of surface runoff, such that flooding would occur, and impacts would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP WQ-1: NPDES/SWPPP. As previously listed.

PPP WQ-2: WQMP. As previously listed.

5.9.4 SURFACE RUNOFF

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (Draft EIR page 5.8-12).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP WQ-1 and WQ-2. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding:

Construction

As described previously, the proposed Project would result in an increase in impervious area onsite, and the Project would increase surface flows compared to existing conditions. However, the Project would include installation of new stormwater facilities, including an underground storage chamber, pervious landscaped areas, and new storm drains. The use of the drainage facilities and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge.

Operation

As described previously, the proposed Project would result in an increase in impervious area onsite, and the Project would increase surface flows compared to existing conditions. However, the Project would include installation of new stormwater facilities, including an underground storage chamber, pervious landscaped areas, and new storm drains. The use of the drainage facilities and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge.

The proposed underground storage chamber would capture the 500-year, 24-hour storm volume requirement. Overall, the proposed Project's storm drain system would be sized to convey the 100-year storm event, per the County's LID requirements. In addition, landscaped areas would accept runoff water from impervious surfaces and regulate the rate and velocity of stormwater flows and would help to control the amount of discharge into the off-site drainage system. Overall, the drainage facilities proposed for the Project have been sized to be consistent with the County MS4 permit requirements and the City's WQMP

requirements. Thus, implementation of the Project would not substantially increase the rate or amount of surface runoff, such that flooding would occur, and impacts would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP WQ-1: NPDES/SWPPP. As previously listed.

PPP WQ-2: WQMP. As previously listed.

5.9.5 STORMWATER SYSTEM CAPACITY

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (Draft EIR page 5.8-13).

Facts in Support of Finding: As described previously, stormwater runoff from the addition of impervious surfaces would be conveyed into 2 DMAs (DMA 1 and DMA 6 in Table 5.8-1) comprised of one onsite underground storage chamber, two onsite above ground biotreatment modular wetland systems, and one offsite biotreatment modular wetland system. DMAs 2 through 5 would be self-treating landscaped areas with natural soils that naturally drain offsite and would not require BMPs. The drainage facilities have been sized to capture and treat stormwater while providing peak storm mitigation. The proposed underground storage system would capture the 5-year 24-hour storm event volume requirements. Overall, the drainage facilities would be sized to convey storm flows for the 100-year storm peak flows in the final design. Additionally, runoff would be treated for pollutants in the proposed onsite and offsite biotreatment modular wetland systems before being conveyed to a proposed storm drain. Therefore, the Project would result in a less than significant impact on the capacity of existing or planned stormwater drainage systems and/or additional sources of polluted runoff.

5.9.6 IMPEDE OR REDIRECT FLOOD FLOWS

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows (Initial Study page 66).

Facts in Support of Finding: According to the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency (FEMA) (06065C2055H), the northeastern portion of the Project site is located in Zone X, which is classified as a moderate to low-risk flood area. All development within special flood hazards zones must comply with the applicable construction standards listed in Section 4.2.050 of the City Municipal code. Within these provisions, new buildings are required to include flood openings so as to not impede flood flows. Therefore, with compliance with the City Municipal Code, the proposed Project would not impede or redirect flood flows, and impacts would be less than significant. This topic was not further analyzed in the Draft EIR.

5.9.7 FLOOD HAZARD, TSUNAMI, OR SEICHE ZONES

Impact Finding: The Project would not be located in flood hazard, tsunami, or seiche ones, and risk release of pollutants due to Project inundation (Initial Study page 66).

Facts in Support of Finding: As previously stated, the proposed Project is within a moderate to low-risk flood zone. According to the California Department of Water Resources Inundation Maps, the northeast portion of the Project site is subject to inundation from failure of the Lake Perris dam and low-level outlet located approximately 7.6 miles northeast of the Project. The downstream hazard from the failures is classified as extremely high. In addition, the northeast portion of the Project site is subject to inundation from Lake Hemet located approximately 29 miles southeast of the site. Failure of the main dam would result in an extremely high downstream hazard that could flood the Project site. However, proper hazardous materials storage requirements, which include flood-specific provisions, as set by Cal/OSHA would be implemented in order to limit the risk of release of pollutants due to inundation of the proposed Project. Therefore, impacts related to the release of pollutants due to inundation would be less than significant.

The Project site is located approximately 7.6 miles southwest of Lake Perris and 29 miles northwest of Lake Hemet. The spillway path for both Lake Perris and Lake Hemet would flow into the San Jacinto River which flows 1.10 miles northwest of the Project site. The water would likely remain in the San Jacinto River as it passes the site vicinity and would not impact the proposed Project. Thus, the Project site would not risk release of pollutants as a result of a seiche from the lakes.

The Project site is located 32 miles northeast of the Pacific Ocean and separated by the Santa Ana Mountains. Therefore, the Project site would not have the potential to expose people or structures to a tsunami. This topic was not further analyzed in the Draft EIR.

5.9.8 CONFLICT WITH WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN

Impact Finding: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Draft EIR page 5.8-13).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP WQ-1 and WQ-2. Consequently, no mitigation measures are required for this less-than-significant impact.

Facts in Support of Finding: The One Water One Watershed (OWOW) program was developed in effort by the Santa Ana Watershed Project Authority (SAWPA), mandated to manage water quality within the Santa Ana River Watershed for multiple beneficial purposes, and is the result of an integrated planning process convened for the management of the Santa Ana River Watershed. Through compliance with the applicable NPDES permits, the Project would be consistent with the OWOW program developed for the region. The Project applicant would be required to prepare and implement a SWPPP during Project construction to avoid potential construction-related water quality impacts (PPP HYD-1 and PPP HYD-2) per the Construction General Permit. The Project applicant would also be required to prepare and implement a WQMP to treat and capture post-construction stormwater runoff as part of Project operation per the County's MS4 NPDES permit. Through implementation of the applicable construction and post-construction permitting requirements, the Project would not conflict with or obstruct implementation of a water quality control plan.

Pursuant to the Sustainable Groundwater Management Act (SGMA), each high and medium priority basin, as identified by the California Department of Water Resources (DWR), is required to have a Groundwater Sustainability Agency (GSA) that is responsible for groundwater management and development of a Groundwater Sustainability Plan (GSP). EMWD Board of Directors is the GSA for the San Jacinto Groundwater Basin (west) that underlies the Project site and is responsible for development and implementation of a GSP. Based on the 2020 UWMP for EMWD, it is anticipated that existing and future

water entitlements from groundwater, surface water, and purchased or imported water sources, plus recycling and conservation, would be sufficient to meet the forecast demand for EMWD's entire service area. As discussed above, the Project's components are not anticipated to obstruct groundwater facilities as groundwater facilities are not planned by EMWD for this Project. As described above, the proposed onsite and offsite storm drain system is sized to adequately accommodate increased stormwater flows from the Project area and would maintain the existing drainage pattern of the site. Therefore, the Project would not conflict with the SGMA. Therefore, the Project would be consistent with the groundwater management plan and would not conflict with or obstruct its implementation.

Standard Conditions, Plans, Programs, and Policies

PPP WQ-1: NPDES/SWPPP. As listed previously.

PPP WQ-2: WQMP. As listed previously.

5.9.9 CUMULATIVE HYDROLOGY AND WATER QUALITY IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to hydrology and water quality (Draft EIR page 5.8-14).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP WQ-1 and WQ-2. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding: The areas considered for cumulative impacts to hydrology and water quality are the Santa Ana River Watershed for drainage and water quality impacts, and the San Jacinto Groundwater Basin for groundwater impacts.

Water Quality

The geographic scope for cumulative impacts related to hydrology and water quality includes the Santa Ana River watershed because cumulative projects and developments pursuant to the proposed Project could incrementally exacerbate the existing impaired condition and could result in new pollutant-related impairments.

Related developments within the watershed would be required to implement water quality control measures pursuant to the same NPDES General Construction Permit that requires implementation of a SWPPP (for construction), and BMPs to eliminate or reduce the discharge of pollutants in stormwater discharges, reduce runoff, reduce erosion and sedimentation, and increase filtration and infiltration. The NPDES requirements have been set by the SWRCB and implemented by the RWQCB (and PMC) to reduce incremental effects of individual projects so that they would not become cumulatively considerable. Therefore, overall potential impacts to water quality associated with present and future development in the watershed would not be cumulatively considerable upon compliance with all applicable laws, permits, ordinances and plans. As detailed previously, the proposed Project would be implemented in compliance with all regulations, as would be verified during the permitting process. Therefore, cumulative impacts related to water quality would be less than significant.

Drainage

The geographic scope for cumulative impacts related to stormwater drainage includes the geographic area served by the existing stormwater infrastructure for the Project area, from capture of runoff through final discharge points. As described above the proposed Project includes installation of an underground storage chamber system that would detain the 5-year 24-hour storm event volume. Overall, the proposed drainage facilities would be sized to convey storm flows for the 100-year storm peak flows in the final design. In addition, pursuant to State and regional regulations that require development projects to maintain pre-project hydrology, no net increase of off-site stormwater flows would occur. As a result, the proposed Project would not generate runoff that could combine with additional runoff from cumulative projects that could cumulatively combine to impact erosion, siltation, flooding, and water quality. Thus, cumulative impacts related to drainage would be less than significant.

Groundwater Basin

The geographic scope for cumulative impacts related to the groundwater basin is the San Jacinto Groundwater Basin. As described above, the proposed Project includes installation of an onsite underground storage chamber, two onsite biotreatment modular wetland systems, and one offsite biotreatment modular wetland system. Additionally, groundwater below the Project site would not be used to serve the proposed Project nor involve direct or indirect withdrawals of any groundwater over and above the EMWD's groundwater withdrawals that are self-governed by appropriate groundwater management practices as well as adjudicated groundwater management practices. Therefore, the Project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies. As a result, the proposed Project would not generate impacts related to the groundwater basin that have the potential to combine with effects from other projects to become cumulatively considerable. Therefore, cumulative impacts related to the groundwater basin would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP WQ-1: NPDES/SWPPP. As listed previously.

PPP WQ-2: WQMP. As listed previously.

5.10 LAND USE AND PLANNING

5.10.1 DIVISION OF AN EXISTING COMMUNITY

Impact Finding: The Project would not physically divide an established community (Initial Study page 76).

Facts in Support of Finding: The physical division of an established community could occur if a major road (expressway or freeway, for example) was built through an existing community or neighborhood, or if a major development was built which was inconsistent with the land uses in the community such that it divided the community.

The proposed Project would construct a warehousing facility on a vacant, previously developed site. The proposed Project's use would be consistent with the EDC – NG zoning designation and would be developed adjacent to the existing roadway system. The proposed Project would also include the offsite roadway improvement of extending the existing dirt road of Geary Street. Geary Street would be paved and widened along the project frontage and north to Ethanac Road. However, the existing dirt road of Geary Street is already utilized by the residents north of the Project site. Thus, while the proposed Project would pave and extend the exiting dirt road, it would not result in the physical division of an established community and the disruption of or access to services, schools, or shopping areas. Therefore, impacts related to

physically dividing an established community would be less than significant and this topic was not further analyzed in the Draft EIR.

5.10.2 CONFLICT WITH LAND USE PLANS

Impact Finding: The Project would not cause a significant environmental impact due to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect (Draft EIR page 5.9-12).

Facts in Support of Finding: SCAG's RTP/SCS policies focus largely on regional transportation and the efficiency of transportation, which are implemented by counties and cities within the SCAG region, as part of the overall planning and maintenance of the regional transportation system. The policies are not directly applicable to the Project. Notwithstanding, as shown in Table 5.9-1, *SCAG RTP/SCS Consistency Analysis*, of the Draft EIR, the Project would not conflict with the adopted RTP/SCS and impacts would be less than significant.

The Project site has a Menifee General Plan Land Use Designation of EDC and a Zoning Designation of EDC-NG. The General Plan states that the EDC-NG designation is intended to allow for development of a business park area with more intensive industrial uses with less office than envisioned for the Scott Road EDC area. The proposed Project would be consistent with the existing General Plan designation and the maximum allowed Floor Area Ratio (FAR) of 1.0. Furthermore, as shown in Table 5.9-2, *General Plan Consistency*, of the Draft EIR, the proposed Project would be consistent with applicable City General Plan Goals and Policies and impacts would be less than significant.

The Project would comply with the Development Code provisions of the Good Neighbor Policies and the supplemental general performance standards concerning site design, access, layout, and signage. The Project would also comply with environmental considerations policies pertaining to air quality, greenhouse gas (GHG) emissions, noise, and traffic. The Project's environmental impacts associated with the environmental topics have been analyzed in their appropriate section in the Draft EIR. Applicable mitigation measures, laws, ordinances, and regulations, and payment of fees have been implemented to reduce impacts. As shown in Table 5.9-3, *Good Neighbor Guidelines Consistency Analysis*, of the Draft EIR, the Project would not conflict with the City's Good Neighbor Policies and impacts would be less than significant.

5.10.3 CUMULATIVE LAND USE IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to land use and planning (Draft EIR page 5.9-33).

Facts in Support of Finding: The proposed Project would be consistent with the General Plan land use designation and zoning designation and would be consistent with the surrounding uses. Past and present cumulative projects do not involve amendments that would eliminate application of policies that were adopted for the purpose of avoiding or mitigating environmental effects. Determining whether any future project might include such amendments and determining the cumulative effects of any such amendments would be speculative since it cannot be known what future applications might request. Thus, it is expected that the land uses of cumulative projects would be consistent with policies that avoid an environmental effect; therefore, cumulatively considerable impacts from cumulative projects related to policy consistency would be less than significant.

5.11 MINERAL RESOURCES

5.11.1 LOSS OF KNOWN MINERAL RESOURCES

Impact Finding: The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (Initial Study page 77).

Facts in Support of Finding: There are no known mineral resources either on the Project site or in the immediate vicinity of the Project site that would be impacted by the Project. According to the General Plan EIR, in order to protect the availability of mineral resources of value, the California Department of Conservation identifies sites to which continuing access is important to satisfying mineral production needs of the region and the State.

The California Department of Conservation is primarily interested in preservation of access to significant resources areas included in MRZ-2. Based on the General Plan EIR Figure 5.11-1, *Mineral Resource Zones*, the Project site is designated as an Urban Area. Due to existing development, Urban Areas are not classified as mineral resource zones. Therefore, impacts related to known mineral resources would not occur from implementation of the proposed Project, and this topic was not further analyzed in the Draft EIR.

5.11.2 LOSS OF RESOURCE RECOVERY SITES

Impact Finding: The Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the general plan, specific plan, or other land use plan (Initial Study page 77).

Facts in Support of Finding: As stated above, the Project site is not within a mineral resource zone as defined by the City of Menifee General Plan EIR. Therefore, impacts related to known mineral resources that are delineated on a land use plan would not occur from implementation of the proposed Project, and this topic was not further analyzed in the Draft EIR.

5.11.3 CUMULATIVE MINERAL RESOURCE IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to mineral resources.

Facts in Support of Finding: The proposed Project would result in less than significant impacts related to mineral resources. The proposed Project is not located within the vicinity of a known mineral resource or a locally important mineral resource recovery site. Thus, the development of the proposed Project and cumulative projects would not result in a significant impact to mineral resources. Therefore, impacts to mineral resources would be cumulatively less than significant.

5.12 NOISE

5.12.1 EXCESSIVE GROUNDBOURNE VIBRATION OR GROUNDBOURNE NOISE LEVELS

Impact Finding: The Project would not result in generation of excessive ground borne vibration or ground borne noise levels (Draft EIR page 5.10-40).

Facts in Support of Finding:

Construction

Construction activities for development of the Project would include excavation, and grading activities, which have the potential to generate low levels of ground borne vibration. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Site ground vibrations from construction activities very rarely reach the levels that can damage structures, but they can be perceived in the audible range and be felt in buildings very close to a construction site.

Excavation and grading activities are required for implementation of the Project and can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Based on the reference vibration levels provided by the FTA, a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec peak particle velocity (PPV) at 25 feet, as shown in the Draft EIR Table 5.10-22, *Vibration Source Levels for Construction Equipment*.

Draft EIR Table 5.10-23, *Project Construction Vibration Levels*, presents the expected Project-related vibration levels at the adjacent receiver locations. At distances ranging from 24 to 1,506 feet from Project construction activities, construction vibration velocity levels are estimated to range from 0.003 to 0.081 in/sec PPV and would not exceed the FTA's most stringent threshold of 0.3 in/sec PPV threshold at any receiver locations. Other building structures surrounding the Project site are farther away and would experience reduced levels of vibration. Therefore, impacts related to construction vibration would be less than significant.

Operation

Operation of the proposed industrial warehouse building would include heavy trucks for loading dock activities, deliveries, and moving trucks, and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, typical vibration levels for heavy truck activity at normal traffic speeds, such as trucks traveling within the speed limit on highways and designated truck routes, would be approximately 0.006 in/sec PPV, based on the FTA's *Transit Noise Impact and Vibration Assessment*. Truck movements onsite and on Murrieta Road, Ethanac Road, Geary Street, and the proposed private driveway along the southern boundary of the Project site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than FTA's vibration standard of 0.2 in/sec PPV, and therefore, would be less than significant.

5.1.2.2 EXPOSE PEOPLE RESIDING OR WORKING IN AIRPORT LAND USE PLAN TO EXCESSIVE NOISE LEVELS

Impact Finding: The Project is not located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, or within two miles of a public airport or public use airport and would not expose people residing or working in the project area to excessive noise levels (Draft EIR page 5.10-41).

Facts in Support of Finding: The Project site is located approximately 1.3 miles south of the Perris Valley Airport. The Project site is within the Perris Valley Airport Influence Area and is therefore subject to the Riverside County Airport Land Use Compatibility Plan Policy Document (RC ALUCP). As shown on Map PV-3 of the RC ALUCP, the Project site is located outside the 55 dBA CNEL noise level contour boundaries and is considered a *clearly acceptable* land use. Therefore, based on the RC ALUCP compatibility criteria, "the activities associated with the specified land use can be carried out with essentially no interference from the noise exposure." Thus, implementation and development of the Project would not result in a safety hazard

or exposure to excessive noise for people residing or working in the area, and impacts would be less than significant.

5.13 POPULATION AND HOUSING

5.13.1 INDUCEMENT OF POPULATION GROWTH

Impact Finding: The Project would not induce substantial unplanned population growth in an area, either directly or indirectly (Initial Study page 80).

Facts in Support of Finding: The proposed Project would develop a new industrial warehouse on a vacant, previously developed site that would be consistent with the General Plan. The site is located in a developed area of the City adjacent to existing roads and in close proximity to infrastructure and utilities.

The proposed Project would provide an increase of employment on the Project site that could lead to a potential population increase in the surrounding area. However, because SCAG regional growth forecasts are based upon, among other things, land uses designated in land use plans, a project that is consistent with the land use designated in a General or Specific Plan would also be consistent with the SCAG's growth projections. The proposed warehouse facility is consistent with the existing Economic Development Corridor land use designation for the Project site. According to the SCAG, the generation rate for employees required for operation of industrial warehouse uses is 1 employee for every 819 SF of building space. As the proposed Project would operate 533,252 SF of building area, operation of the Project would require approximately 652 employees.

The employees that would fill these roles are anticipated to come from the region, as the unemployment rate of the City of Menifee in January 2023 was 4.9 percent, and the City of Perris was 5.8 percent according to the US Census Bureau. Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not generate needs for any housing. In addition, should the proposed Project require employees to relocate to the area for work, there is sufficient vacant housing available within the region. Within the City of Menifee, 36,308 of 38,734 total housing units are occupied, resulting in a vacancy rate of 6.3 percent according to the State Department of Finance. Thus, impacts related to unplanned population growth from the proposed Project would be less than significant.

In addition, development of the Project would require expansion of infrastructure to serve the proposed uses at the site, including installation of new onsite water, sewer, and stormwater drainage lines as well as improved roadways. The improvements have been designed and proposed to serve the operations of the proposed development. Therefore, the proposed Project would not induce unplanned population growth either directly or indirectly that could cause substantial adverse physical changes in the environment, and impacts would be less than significant. This topic was not further analyzed in the Draft EIR.

5.13.2 DISPLACEMENT OF EXISTING HOUSING AND PEOPLE

Impact Finding: The Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Initial Study page 81).

Facts in Support of Finding: The Project site is currently vacant and previously developed and does not contain any housing. Thus, the proposed Project would not displace a substantial number of people or housing units that would require construction of replacement housing. Therefore, no impacts would occur and this topic was not further analyzed in the Draft EIR.

5.13.3 CUMULATIVE POPULATION AND HOUSING IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to population and housing.

Facts in Support of Finding: Cumulative impacts regarding population and housing would occur from the development of a combination of projects that induce population growth. Although the Project would result in minimal population growth in the City, the proposed Project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency on site. Therefore, the proposed Project would not induce substantial unplanned population growth in an area, either directly or indirectly, and this impact would be considered less than significant. The Project would not involve development of infrastructure or roadways that would indirectly lead to population growth.

The cumulative growth induced by the Project combined with other approved and proposed projects within the City, would not result in substantial population growth beyond that which the City and region has planned. Therefore, impacts related to population and housing would be cumulatively less than significant.

5.14 PUBLIC SERVICES

5.14.1 NEW OR PHYSICALLY ALTERED GOVERNMENT FACILITIES

Fire Protection Services

Impact Finding: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services (Draft EIR page 5.11-4).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP PS-1. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding: Construction and operation of the proposed Project would increase the number of structures and employees in the Project area, which may increase demand for fire protection and emergency medical services. According to the Menifee General Plan EIR, an increase in 8,000 residential units would result in an additional 2,000 fire and emergency service calls per year. The operation of the proposed Project is estimated to generate a need for 652 employees; however, it is anticipated that these employees would come from within the region and thus would not contribute to a large increase in population. In addition, the proposed Project is consistent with the existing General Plan land use designation of Economic Development Corridor and below the maximum allowed FAR. Thus, buildout of the Project site has been accounted for and would not result in unanticipated growth within the City. As such, the proposed Project would not result in additional fire service calls due to an increase in residential units.

The Project applicant would be required to demonstrate sufficient fire flow and to comply with the most current provisions of the Fire Fee Schedule which requires a fee payment that the City applies to the funding of fire protection facilities. The Project would reduce existing fire hazards by removing dry vegetation and improving emergency access, subject to Community Development Department and Office of the Fire Marshall review. The concrete tilt-up warehouse, with low fire hazard risk, would include fire extinguishers, wet sprinkler systems, and other fire safety measures as per the California Fire Code. Accordingly, the Project is unlikely to generate a large number of new service calls.

Station 7 cannot expand due to lack of resources; however, the proposed Project is not anticipated to result in an increase in service calls and would be required to pay DIFs pursuant to PPP PS-1. The Project would comply with local and State regulations including the DIF program and design requirements, ensuring maintained fire protection services, this compliance would prevent additional impacts on public services and response times, resulting in less-than-significant impacts on fire services. Therefore, Project impacts to fire services would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP PS-1: Development Impact Fees. Prior to the issuance of building permits, the Applicant shall provide payment of the appropriate fees set forth by in Ordinance No. 2022-364 by the City of Menifee related to the funding of public safety and other public facilities.

Police Services

Impact Finding: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios and response times or other performance objectives for police services (Draft EIR page 5.11-6).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP PS-1. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding: Crime and safety issues during Project construction may include theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. During operation, the proposed Project may generate a typical range of police service calls, such as burglaries, thefts, and employee disturbances. The proposed Project would address typical operational security concerns by providing low-intensity security lighting and fencing. Pursuant to the City's existing permitting process, the Police Department would review and approve the final site plans to ensure that the City's CPTED measures (General Plan Policy CD-3.9) are incorporated appropriately to provide a safe environment.

Growth resulting from the proposed Project has been accounted for within the 2030 General Plan, as the proposed Project is consistent with the General Plan land use designation. Since the proposed Project would not contribute to a large population increase, the proposed Project would not result in the need for new or expanded police services or facilities to support the Project. Additionally, the proposed Project would be required to pay public facility DIFs pursuant to the City of Menifee Municipal Code, Chapter 17.01, included as PPP PS-1. Therefore, Project impacts to police services would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP PS-1: Development Impact Fees. As described previously.

Schools

Impact Finding: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts (Initial Study page 83).

Facts in Support of Finding: The light industrial uses would not be expected to generate impacts requiring the construction of new school facilities as the proposed Project would not construct residential development

or directly result in an increase of residents. Nevertheless, pursuant to Government Code Section 65995 et seq., new residential and commercial/industrial development are required to pay school impact mitigation fees in the form of development fees, as adopted by the affected school district. According to Section 65996 of the Government Code, fees acquired under SB 50 constitute full mitigation of potential impacts upon the affected school districts, the Romoland Elementary and Middle School District and Perris Union High School District. Therefore, impacts would be less than significant, and this topic was not further analyzed in the Draft EIR.

Parks

Impact Finding: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, the construction of which could cause significant environmental impacts (Initial Study page 83).

Facts in Support of Finding: The proposed Project would create a new warehouse facility and would not directly provide new housing opportunities and new residents in the area. The nearest park to the Project is Nova Park located 0.4 miles southeast of the site, at 25444 Nova Lane, Menifee, CA 92585. Although new employees may occasionally use local parks, such an increase in use would be limited and would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Therefore, any increased demand on the public parks within the city would be considered a less than significant impact. This topic area was not further analyzed in the Draft EIR.

Other Public Facilities

Impact Finding: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios and response times or other performance objectives for police services (Initial Study page 83).

Facts in Support of Finding: The proposed Project involves the development of a warehouse and would not provide new housing opportunities to the area or result in a direct increase in the population of the Project area. As described previously, the employees needed to operate the Project are anticipated to come from the Project region and commute to the Project site. Thus, the proposed Project is not likely to create a significant increase in the use of other public facilities such as libraries, community centers, post offices or animal shelters. Therefore, impacts would be less than significant and was not further discussed in the Draft EIR.

Cumulative Public Services Impacts

Impact Finding: The Project would not result in cumulative impacts related to public services. (Draft EIR page 5.11-6).

The City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP PS-1. Consequently, no mitigation measures are required for this less than significant impact.

Facts in Support of Finding: The proposed Project would have less-than-significant impacts on public services. Potential cumulative effects may arise from the aggregation of service demands from development of the proposed Project and with other approved and proposed projects within the City. However, projects within the City including the proposed Project would be required to contribute development fees specific to

public services including fire and police services, schools, parks, and other facilities. As a result, the Project's cumulative impacts on public services are less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP PS-1: Development Impact Fees. As described previously.

5.15 RECREATION

5.15.1 EXISTING RECREATIONAL FACILITIES

Impact Finding: The Project would not result in increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (Initial Study page 84).

Facts in Support of Finding: The proposed Project would construct a new industrial warehouse. Implementation of the proposed Project would not directly increase housing or population, which typically cause an increase in the use of existing neighborhood parks and other citywide recreational facilities. The nearest park to the Project is Nova Park located 0.4 miles southeast of the site, on 25444 Nova Lane, Menifee, CA 92585. Although new employees may occasionally increase the use of existing local parks, neighborhood and regionals parks, employees' limited use would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Any impacts related to the physical deterioration of existing recreation parks or facilities would be less than significant, and this topic was not further analyzed in the Draft EIR.

5.15.2 EXPANDED AND NEW RECREATIONAL FACILITIES

Impact Finding: The Project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (Initial Study page 84).

Facts in Support of Finding: The proposed Project would construct a new industrial warehouse facility. The Project applicant does not propose the construction or expansion of recreational facilities. As described above, the indirect increase in population as a result of new employment opportunities would not result in use of recreational facilities sufficient to cause deterioration such that the construction or expansion of recreational facilities would be necessary. Therefore, there would be less than significant impacts associated with recreational facilities and this topic was not further analyzed in the Draft EIR.

5.15.3 CUMULATIVE RECREATIONAL IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to recreation.

Facts in Support of Finding: Combined projects would lead to a significant cumulative impact in the use of parks and recreational facilities. However, the indirect increase in population as a result of new employment opportunities from combined development including the proposed warehouse facility would not result in use of recreational facilities sufficient to cause deterioration such that the construction or expansion of recreational facilities would be necessary. As previously discussed, the growth projection would be consistent with SCAG's growth projections for the City. Thus, would not result in substantial physical deterioration of existing facilities or require expansion of recreational facilities. As a result, cumulative impacts related to recreation would be less than significant.

5.16 TRANSPORTATION

5.16.1 CONFLICT WITH CIRCULATION SYSTEM PLAN, ORDINANCE, OR POLICY

Impact Finding: The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant (Draft EIR page 5.12-7).

Facts in Support of Finding:

Transit

The Project vicinity is served by RTA and there are no bus stops within one mile of the Project site. The nearest RTA bus stop is located near the Murrieta Road and McCall Boulevard intersection, approximately 1.5 miles southeast of the Project site. This existing transit service would continue to serve its ridership in the area and may also serve employees of the Project. The proposed Project would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

Bicycle Facilities

The nearest bicycle facility to the Project site is a Class II bike lane on Ethanac Road, located approximately 0.2 mile north. In addition, the City's General Plan Circulation Element identifies Murrieta Road east of the Project site as a proposed Class II bike lane. Implementation of the proposed Project would not alter or conflict with existing or planned bike lanes or bicycle transportation, including the ultimate buildout of Murrieta Road as a Class II bike lane, which the proposed Project would be required to construct. Full buildout of Murrieta Road would include striping for on street bicycle lanes, which would be reviewed and approved by the City Menifee Engineering Department. Additionally, the proposed Project would include on-site long-term and short-term storage for bikes including bike racks. Thus, impacts related to bicycle facilities would not occur.

Pedestrian Facilities

There are currently no sidewalks within the vicinity of the Project site. The Project would develop a 6-foot-wide sidewalk along the frontage on Geary Street, Murrieta Road, and the new driveway south of the building. Because no sidewalks currently exist along the Project site frontages, the Project would improve pedestrian facilities and the sidewalk network along the Project frontages. The proposed Project would not conflict with pedestrian facilities, but instead would provide additional facilities.

Truck Route Facilities

The existing truck routes that currently serve the Project vicinity include Ethanac Road to the North, Menifee Road to the East, McCall Boulevard (east of I-215) to the Southeast. No aspect of the proposed Project would require a change to the truck route network. Therefore, the Proposed Project is consistent with the truck routes identified in the City's General Plan Circulation Element.

Roadway Facilities

Operations. Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that currently serve the Project vicinity. The proposed Project is estimated to generate approximately 1,135 daily trips, 65 AM (50 inbound and 15 outbound) peak hour trips, and 88 PM (25

inbound and 63 outbound) peak hour trips, as shown in the Draft EIR Table 5.12-2, *Proposed Project Trip Generation*.

Construction. Construction of the proposed Project is anticipated to occur over an 11-month period, beginning in the first quarter of 2025. Construction-related trips generated on a daily basis throughout various construction activities would be derived from construction workers and delivery of materials. It is anticipated Project construction would also generate haul trips distributed throughout the site preparation and grading period. During construction, there would also be passenger car construction trips associated with crew arrivals and departures. The weekday AM peak period is 7:00 a.m. to 9:00 a.m., and the weekday PM peak period is 4:00 p.m. to 6:00 p.m. It is anticipated the majority of construction crews would arrive and depart outside the peak hours, while delivery trucks would arrive and depart throughout the day. As shown on the Draft EIR Table 5.12-3, *Daily Construction Vehicle Trips*, the building construction phase of construction would generate the most vehicular trips per day from approximately 224 workers and 67 vendors per day.

In addition, as part of the grading and building plan review processes, the City construction permits would require appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures (as applicable). Therefore, construction impacts related to conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system would be less than significant.

5.16.2 VEHICLE MILES TRAVELED

Impact Finding: The Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision 9B) regarding Vehicle Miles Traveled (Draft EIR page 5.12-9).

Facts in Support of Finding: State CEQA Guidelines Section 15064.3(b) focuses on determining the significance of Vehicle Miles Traveled (VMT)-related transportation impacts. As detailed previously, the City of Menifee's guidelines for the preparation of VMT Analysis contain the following screening thresholds to assess whether a project has the potential to result in an impact and further VMT analysis is required. If the Project meets any of the following screening thresholds, then the VMT impact of the Project is considered less than significant and further VMT analysis is not required:

1. The project is located within a Transit Priority Area (TPA).
2. The project is located in a low VMT generating area.
3. Project Type - the project is a local-serving land use or generates less than 110 daily vehicle trips.

The proposed Project would not meet any of the screening criteria of the City of Menifee's guidelines for the preparation of VMT Analysis. Since the Project fails to meet the screening criteria, a more comprehensive VMT analysis was prepared. RIVCOM has adopted the County of Riverside General Plan Buildout VMT/Service Population (SP) as the threshold of significance for industrial projects. County of Riverside General Plan Buildout VMT/SP is 35.68. As shown in the Draft EIR Table 5.12-4, *VMT Analysis Summary*, the Project VMT/SP would be 25.94 for the Baseline (2018) scenario and 27.12 for the Cumulative (2045) scenario. As such, the Projects VMT/SP would be below the threshold for both the Baseline (2018) and Cumulative (2045) scenarios. Therefore, Project VMT impacts would be less than significant.

5.16.3 DESIGN HAZARD

Impact Finding: The Project would not result in not substantially increase hazards due to a geometric design feature (E.G., sharp curve or dangerous intersections) or incompatible uses (E.G., farm equipment). Impacts would be less than significant (Draft EIR page 5.12-10).

Facts in Support of Finding:*Construction*

The Project proposes development of the site in one phase lasting approximately 11 months. During construction, worker vehicles, haul trucks, and vendor trucks would be staged on the portion of the Project site under construction for the duration of the construction period. As part of the grading plan and building plan review processes, City permits would require appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable). As a result, impacts related to vehicular circulation design features and incompatible uses during construction of the proposed Project would be less than significant.

Operation

As previously stated, access to the Project site would be provided via five driveways, including two on Geary Street and three on Murrieta Road. Additionally, the Project would include a 26-foot-wide fire access road throughout the site. Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that currently serve the Project area as described in the Draft EIR Section 3.0, *Project Description*.

Off-site improvements for the proposed Project would include the paving of Geary Street along the entire western Project site boundary to a 40-foot width. In addition, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. This portion of the roadway improvement not abutting the Project site boundary would include paving at a width of 36-feet and would not include the construction of sidewalks or curbs. Furthermore, the Project would expand the existing 12-foot southbound portion of Murrieta Road to a 31-foot width along the entire Project frontage with a 6:1 transition to the existing edge of the pavement north of the site and a 20:1 transition to the existing edge of the pavement south of the site consistent with the Manual on Uniform Traffic Control Devices (MUTCD) guidelines. In addition, the Project would include construction of a 32-foot-wide private driveway along the entire 1,233.5-foot southern boundary of the Project site. Lastly, the Project would develop a 6-foot-wide sidewalk along the frontage on Geary Street, Murrieta Road and the new driveway south of the building.

Trucks accessing and leaving from the Project site would be routed away from roadways with significant passenger vehicle usage and trucks would be required to utilize existing City-designated truck routes to access I-215 and SR-74 and I-15, which would limit potential safety conflicts between passenger vehicles and trucks.

Onsite traffic signing and striping would also be implemented in conjunction with detailed construction plans with implementation of the Project. Additionally, sight distance at the Project's access points would be reviewed with respect to City standards at the time of final grading, landscape, and street improvement plan reviews. Additionally, Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the City of Menifee General Plan Circulation Element. Compliance with existing regulations would be ensured through the City's construction permitting process. As a result, impacts related to vehicular circulation design features would be less than significant.

5.16.4 EMERGENCY ACCESS

Impact Finding: The Project would not result in inadequate emergency access (Initial Study page 78).

Facts in Support of Finding: Operation of the proposed Project would not result in inadequate emergency access. Access to the Project site would be provided via two driveways from Geary Street and three driveways from Murrieta Road. The proposed Project would include a 26-foot-wide fire access road throughout the site. The Project would also be required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with Chapter 8.20 of Title 8 of the Municipal Code. The Office of the Fire Marshal would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in the Uniform Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). As such, the proposed Project would not result in inadequate emergency access, and impacts would be less than significant. This topic was not further analyzed in the Draft EIR.

5.17 UTILITIES AND SERVICE SYSTEMS

5.17.1 REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER, WASTEWATER TREATMENT, STORMWATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES

Impact Finding: The Project would not require or result in the relocation or construction of new water facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects (Draft EIR page 5.14-7 through 5.14-18).

Facts in Support of Finding: The Project includes the development of a new 533,252 SF warehouse building on the 28.27-acre site. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways.

Water

The Project site would be served by the EMWD water utility. The Project would connect to the existing 27-inch water main and 8-inch sewer line in Murrieta Road. The Project would not require the construction of new public water utilities infrastructure to serve the Project site. New onsite and existing onsite water system would convey water supplies to the proposed industrial uses, and landscaping through plumbing/landscaping fixtures that are compliant with the CALGreen Plumbing Code for efficient use of water. Additionally, the District would have sufficient water supplies to serve the Project during dry, and multiple dry years as shown in Table UT-1, *Eastern Municipal Water District Projected Water Supply and Demand (acre-feet)*, in the Initial Study, included as Appendix A of the Draft EIR. The UWMP provides conservative estimates of demand conditions over a five-year drought. The supply availability paired with the slightly increased demand conditions demonstrate that the EMWD would have sufficient water supplies to meet five consecutive dry year conditions through 2045. Therefore, the proposed Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Wastewater

Sewer services would be provided to the Project by EMWD. Wastewater generated from the Project would be conveyed to the Perris Valley Regional Water Reclamation Facility (RWRP), which has a treatment

capacity of 22 million gallons per day (gpd), with a typical daily flow of 15.5 million gpd (EMWD, 2021). Thus, the remaining daily capacity of the Perris Valley RWRF is approximately 6.5 million gpd. RWRF existing facilities would have sufficient wastewater treatment capacity to serve the Project. Therefore, the proposed Project would not result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Stormwater Drainage

The proposed Project would include installation of a storm drain system that would detain and treat runoff. Additionally, the proposed Project would construct an off-site biotreatment modular wetland system which would drain to a proposed 72-inch to 84-inch storm drain line to be constructed in Murrieta Road. Runoff would be conveyed from the underground biotreatment system to a proposed storm drain main which discharges to the San Jacinto. The construction activities related to the new off-site stormwater infrastructure that would be needed to serve the proposed warehouse facility are included as part of the proposed Project and would not result in any physical environmental effects beyond those identified throughout the Draft EIR.

Solid Waste

The Project would be served by Waste Management solid waste services. Solid waste would be transported to the El Sorbante landfill and the Badlands landfill. The Project would comply with California Code of Regulations Title 24, Part 11; the California Green Building Code, which requires that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Existing solid waste facilities would have sufficient capacity to serve the Project. Therefore, the proposed Project would not result in the construction of new solid waste facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Energy and Communications Utilities

Regulated electrical and communication utilities would be extended to the site from existing facilities along Murrieta Road. The Project would be served by a private telecommunication company as requested. Utility providers have existing capacity to serve the Project site. Construction of utility connections to existing utility infrastructure along Murrieta Road is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout the Draft EIR. Therefore, the proposed Project would not result in the construction of new utility services or expansion of existing utility facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Conclusion

Construction activities related to on-site water, sewer, and dry utilities service connections have also been analyzed as a part of the proposed Project. For example, analysis of construction emissions for excavation and installation of the wastewater infrastructure is included in the Draft EIR Sections 5.3, *Air Quality*, and 5.8, *Greenhouse Gas Emissions*, and noise related to construction activities is included in Draft EIR Section 5.12, *Noise* and greenhouse gas mitigation measures have been recommended, as necessary. Therefore, impacts would be less than significant.

5.17.2 SUFFICIENT WATER SUPPLIES

Impact Finding: The Project would have sufficient water supplies available to serve the Project and reasonably foreseeable development during normal, dry, and multiple dry years (Initial Study Section 5.19).

Facts in Support of Finding: Water service to the Project site would be provided by the EMWD. EMWD's 2020 UWMP assesses long-term water supply sources, demands, reliability, and conservation strategies. As shown in the Initial Study Table UT-1, *EMWD Projected Water Supply and Demand (Acre-Feet)*, EMWD has projected a balanced water supply through 2045. Additionally, the UWMP verified that it has the water supplies available during dry and multiple-dry years within a 20-year projection that would meet the projected demand associated with the Project, in addition to existing and planned future uses.

The proposed Project is consistent with the EDC land use designation, which would be classified as industrial use under the sectors analyzed within the UWMP. Therefore, water demands have been accounted for within the 2020 UWMP and it is anticipated that existing and future water entitlements from groundwater and purchased or imported water sources, plus recycling and conservation, would be sufficient to meet the Project's demand at buildout, in addition to forecast demand for EMWD's entire service area. Thus, impacts related to the need for new or expanded water supplies and entitlements would be less than significant. Thus, this topic area was not discussed further in the Draft EIR.

5.17.3 ADEQUATE CAPACITY FOR WASTEWATER TREATMENT

Impact Finding: The Project would not result in a determination by the wastewater treatment provider that would serve the Project that it has inadequate capacity to serve the projects projected demand in addition to the providers existing commitments (Initial Study Section 5.19).

Facts in Support of Finding: The Project is within the boundaries of the EMWD, subservice area of the RWRF and has a treatment capacity of 22.0 million gallons per day (mgd) which is equivalent. The facility has a typical daily flow of 15/5mgd. Leaving a remaining capacity of 6.5mgd. According to the City's General Plan EIR, industrial uses have a wastewater generation factor of 13.6 gallons per capita per day (gpd). Assuming the Project would employ 652 people, the Project would produce approximately 8,867 gpd of wastewater.

Therefore, the proposed Project's wastewater generation would be within the current capacity for the San Bernardino Water Reclamation Facility. As such, the wastewater treatment plant has ample capacity, and the Project would not create the need for any new or expanded wastewater facility (such as conveyance lines, treatment facilities, or lift stations) to serve the proposed Project. Therefore, impacts related to wastewater infrastructure would be less than significant. Thus, this topic area was not discussed further in the Draft EIR.

5.17.4 GENERATION OF SOLID WASTE

Impact Finding: The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Initial Study Section 5.19).

Facts in Support of Finding:

The City of Menifee contracts with Waste Management, Inc. and transports solid waste to both El Sobrante and the Badlands Landfills. EL Sobrante Landfill is permitted to accept 16,054 tons of solid waste per day,

while Badlands Sanitary Landfill is permitted to accept 5,000 tons of solid waste per day. As of January 2023, El Sobrante Landfill had a peak disposal of 13,692 tons with an additional capacity still available of 2,362 tons of daily solid waste. Additionally, in January 2023, Badlands Landfill had a peak disposal tonnage of 4,382 tons with an additional capacity still available of 618 tons of daily solid waste. Thus, using a conservative estimate based on peak disposal, the combined landfills have an additional capacity of 2,980 tons per day of solid waste. average disposal of 1,595.56 tons per day and an average remaining capacity of 1,404 tons per day.

Construction

Utilizing a construction waste factor of 3.89 pounds per square foot, construction of the proposed Project would result in the generation of approximately 1,037 tons of waste during construction from packaging and discarded materials. However, the 2022 California Green Building Standards Code requires construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the construction solid waste that would be disposed of at the landfill would be approximately 363 tons from the waste generated. As discussed in the Draft EIR Section 3.0, *Project Description*, construction activities would occur over a 10-month period. This equates to approximately 1.21 tons of solid waste per day. Therefore, the El Sobrante and Badlands Sanitary Landfill would be able to accommodate the addition of 1.21 tons of waste during construction.

Operation

The City of Menifee General Plan EIR utilizes an industrial solid waste generation rate of 1.42 pounds per 100 square feet per day. Based on the City's generation rate, the proposed Project would generate approximately 3.79 tons per day of solid waste. Additionally, pursuant to Assembly Bill 52, the proposed Project would be required to implement a commercial recycling program in order to help meet the statewide goals of at least 75 percent solid waste disposal reduction by the year 2020.

Thus, the proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and the Project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant. Thus, this topic area was not discussed further in the Draft EIR.

5.17.5 SOLID WASTE STATUTES AND REGULATIONS

Impact Finding: The Project would comply with federal, State, and local statutes and regulations related to solid waste (Initial Study Section 5.19).

Facts in Support of Finding: The proposed Project would result in new development that would generate an increased amount of solid waste. AB939, the Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000 et seq.) requires all local governments to develop source reduction, reuse, recycling, and composting programs to reduce tonnage of solid waste going to landfills. Cities must divert at least 50 percent of their solid waste generation into recycling. Compliance with AB 939 is measured for each jurisdiction, in part, as actual disposal amounts compared to target disposal amounts. Actual disposal amounts at or below target amounts comply with AB 939. Furthermore, as previously mentioned, all solid waste-generating activities within the city is subject to the requirements set forth in the 2022 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed Project would be consistent with all State regulations, as ensured through the County's development project

permitting process. Therefore, the proposed Project would comply with all solid waste statute and regulations; and impacts would not occur. Thus, this topic area was not discussed further in the Draft EIR.

5.17.6 CUMULATIVE UTILITY AND SERVICES SYSTEM IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to utility and service systems (Draft EIR Section 5.14-7).

Facts in Support of Finding: Cumulative water supply impacts are considered on a water purveyor basis and are associated with the capacity of the infrastructure system and the adequacy of the water purveyor's infrastructure and primary sources of water that include groundwater, surface water, and purchased or imported water.

As described previously, the Project site would be served by the District's water utility and connect to existing adjacent water infrastructure. The construction activities related to connecting to the existing water lines that would be needed to serve the proposed Project is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. Additionally, the District has shown that they have sufficient water supplies to serve the Project during normal, dry, and multiple dry years as part of their UMWP planning efforts. Water facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable water utility impacts.

The Project's wastewater would be treated by EMWD and conveyed to the Perris Valley Regional Water Reclamation Facility. The construction activities related to connecting to the existing sewer lines that would be needed to serve the proposed Project is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. The District has determined through their UWMP long term planning efforts that VVWRA would have sufficient capacity to serve wastewater flows generated by the Project. Wastewater facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable wastewater utility impacts.

The proposed storm water management system would consist of a storm drain system that would detain and treat runoff on-site. Runoff would ultimately be conveyed from the underground biotreatment system to a proposed storm drain main which discharges to the San Jacinto River. Santa Ana RWQCB permit conditions require a hydrology/drainage study to demonstrate that proposed storm drain systems are able to detain a minimum "Design Capture Volume," which is dependent on the specific characteristics of each site. The Project would not result in the addition of stormwater runoff and pollutants that would exceed capacity of existing stormwater facilities. Additional stormwater facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable stormwater utility impacts.

Solid waste removal would be provided by Waste Management and solid waste would be transferred to the El Sobrante and the Badlands Landfills. The landfill is anticipated to have sufficient long-term capacity to serve the Project. Solid waste facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable solid waste facility impacts.

The Project would be served by Southern California Edison for electricity. Additionally, the Project would be served by a private telecommunication utilities company in the Project area. These providers would have sufficient capacity to serve the Project. Additional telecommunication facilities would not need to be

expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable telecommunication utility impacts.

5.18 WILDFIRE

5.18.1 IMPAIR AN ADOPTED EMERGENCY RESPONSE PLAN

Impact Finding: The Project is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones and would not substantially impair an adopted emergency response plan or emergency evacuation plan (Initial Study Section 5.20).

Facts in Support of Finding: According to the CalFire Fire Hazard Severity Zone Map for the City of Menifee and the High Fire Hazards Areas Map in the City's General Plan EIR, the proposed Project site is within a State Responsibility Area (SRA) High Fire Hazard Severity Zone (FHSV). The Proposed Project would provide access via two driveways from Geary Street and three driveways via Murrieta Road. The two driveways along Geray Street would provide access to both passenger vehicles and trucks. Additionally, the proposed Project would include a 26-foot-wide fire access road throughout the site and would comply with the City's design standards stated in the Menifee Development Code Chapter 9,160.050 to ensure adequate emergency access and evacuation. The proposed Project would also comply with The Office of the Fire Marshal and/or Engineering Department as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). As previously stated in Section 5.9, Hazards and Hazardous Materials, Murrieta Road is designated as an evacuation route. However, the proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Project does not include any characteristics (e.g., permanent road closures or long-term blocking of road access) that would substantially impair or otherwise conflict with an emergency response plan or emergency evacuation plan. Further, the proposed Project would not obstruct or alter any transportation routes that could be used as evacuation routes during emergency events as the proposed Project would be required through the City's permitting process to implement appropriate measures to facilitate vehicle circulation, as included within construction permits. Impacts were determined to be less than significant. Thus, this topic was not further analyzed in the Draft EIR.

5.18.2 EXACERBATE WILDFIRE RISK DUE TO SLOPE, PREVAILING WINDS, AND OTHER FACTORS

Impact Finding: The Project is not located in or near State responsibility areas or lands classified as a VHFHSZ, and would not involve slope, prevailing winds, and other factors, that could exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire (Draft EIR Section 5.15.6).

Facts in Support of Finding: As described above, the Project site is located in an SRA and is within a High FHSZ. Additionally, areas south and southwest of the Project site are located within an SRA and are designated as Moderate to Very High FHSZ. However, surrounding areas to the north and to the east are not within a Fire Hazard Severity Zone. No significant slopes occur onsite or in the immediate vicinity. Elevations on the site range from 1,420 feet AMSL in the northeastern corner of the site to 1,440 feet AMSL in the southwestern corner of the site. The nearest slopes are located approximately 1 mile southeast of the Project site at the base of the Roy W. Kaban Memorial Park across Goetz Road. The predominant wind direction at the Project site area is south and west. This suggests that a fire burning in the foothills of the Roy W. Kaban Memorial Park southeast of the Project site would be unlikely to be blown across the site during

normal prevailing wind conditions. Therefore, the Project site and adjacent areas are sparsely vegetated, flat, and do not contain other major factors that could exacerbate wildfire risks.

Furthermore, the proposed Project would also be required to comply with the 2022 California Fire Code, 2022 California Building Code, and City of Menifee Municipal Code Chapter 8.20, Fire Code. Overall, after further analysis into the existing wind conditions in the vicinity of the Project site, previous fire history, as well as the slope and vegetation conditions, it was determined that the Project would not be susceptible to wildland flames. Therefore, the Project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors. Impacts would be less than significant.

5.18.3 EXACERBATE FIRE RISK FROM INSTALLATION OR MAINTENANCE OF ASSOCIATED INFRASTRUCTURE

Impact Finding: The Project is not located in or near State responsibility areas or lands classified as a VHFHSZ and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment (Draft EIR Section 5.15.6).

Facts in Support of Finding: As described above, the Project site is located in an SRA and is within a High FHSZ. Additionally, areas south and southwest of the Project site are located within an SRA and are designated as Moderate to Very High FHSZ. However, surrounding areas to the north and to the east are not within a Fire Hazard Severity Zone. The Project would comply with the California Building Code, California Fire Code, City of Menifee Municipal code and development standards. Additionally, the Project design including on-site and off-site infrastructure improvements would require compliance with applicable regulations and standards as identified above.

5.18.4 EXPOSE PEOPLE OR STRUCTURES TO SIGNIFICANT RISKS

Impact Finding: The Project is not located in or near State responsibility areas or lands classified as a VHFHSZ and would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes (Initial Study Section 5.20).

Facts in Support of Finding: As described above, the Project site is located in an SRA and is within a High FHSZ. Additionally, areas south and southwest of the Project site are located within an SRA and are designated as Moderate to Very High FHSZ. However, surrounding areas to the north and to the east are not within a Fire Hazard Severity Zone. The Project site is located in a generally flat area that does not contain or is adjacent to large slopes, and the Project would not generate large slopes. The nearest slopes are located approximately 1 mile southeast of the Project site at the base of the Roy W. Kaban Memorial Park across Goetz Road. Furthermore, the Project includes installation of onsite and off-site drainage facilities. Thus, the Project would not result in risks related to wildfires or risks related to downslope or downstream flooding or landslides after wildfires, and this topic was not further analyzed in the Draft EIR.

5.18.5 CUMULATIVE WILDFIRE IMPACTS

Impact Finding: The Project would not result in cumulative impacts related to wildfire.

Facts in Support of Finding: Cumulative wildfire impacts associated with the proposed Project site includes the City of Menifee area. As shown in the Draft EIR Table 5-1, *Cumulative Projects List*, there are multiple cumulative projects proposed within the City of Menifee; however, the proposed projects are not adjacent

to the Project site. The proposed Project and any cumulative project that is proposed to be constructed adjacent to or within a FHSZ, either in a local responsibility area or SRA, would be required to adhere to the requirements set forth in the California Fire Code, California Building Code, and Menifee Municipal Code. Furthermore, combined projects including the proposed are required to not conflict or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, cumulative impacts related to wildfire would be less than significant.

6.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

The following potentially significant environmental impacts were analyzed in the Draft EIR and were determined to be less than significant with implementation of project design features, compliance with existing laws, codes and statutes, regulatory requirements, and implementation of identified feasible mitigation measures. The City has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a) (1) that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment,” which is referred to herein as “Finding 1.”

Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features, standard conditions, and plans, programs, or policies, these measures are considered “incorporated into the project,” which mitigate or avoid the potentially significant effect, and in these situations, the City also makes “Finding 1” even though no mitigation measures are required. Based on substantial evidence, the City finds that adoption of the mitigation measures set forth in this section would reduce the identified significant impacts to less than significant levels:

- Biological Resources
 - Candidate, Sensitive, or Special-Status Species
 - Adverse Impacts on Wildlife Movement
 - Conflict with Biological Resources Protection Policies and Ordinances
 - Cumulative Biological Resource Impacts
- Cultural Resources
 - Archaeological Resources
 - Cumulative Cultural Resource Impacts
- Geology and Soils
 - Paleontological impacts
- Tribal Cultural Resources

6.1 BIOLOGICAL RESOURCES

6.1.1 CANDIDATE, SENSITIVE, OR SPECIAL-STATUS SPECIES

Impact Finding: The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Draft EIR page 5.3-18).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Mitigation Measure BIO-1.

Facts in Support of Finding:

Plant Species

No special-status plants were detected on the Project site during the field survey and no special-status plant species are expected to occur on the Project site due to the absence of suitable habitat. As a result, construction and operation of the proposed Project would not result in a substantial adverse effect either directly or indirectly, or through habitat modification, on any plant species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulation or by the CDFW or USFWS.

Animal Species

No animal species listed as State and/or federal Threatened, Endangered, or Candidate were detected on the Project site or within the offsite improvement area during the reconnaissance surveys. Furthermore, only one sensitive animal species, burrowing owl (*Athene cunicularia*) BUOW, was determined to have the potential to occur on the Project site. Suitable habitat for BUOW was not present within the offsite improvement area.

In accordance with the Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Area, focused burrow and focused BUOW surveys were conducted on the Project site with a 500-foot buffer. The focused surveys were conducted on four separate days during the breeding season. Approximately 12 suitable burrows were identified and recorded on the Project site. However, burrowing owl signs were not found. Further, no burrowing owls were observed within the survey area. Based on the absence of burrowing owl and burrowing owl evidence within the survey area, it was concluded that the study area is not currently in use by burrowing owl.

However, due to the fact that the Project site is located within the Western Riverside County MSHCP burrowing owl survey area, a 30-day preconstruction survey is required prior to the commencement of project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding the proposed Project activities. This requirement is included as Mitigation Measure BIO-1 and is described in detail below.

Therefore, with implementation of mitigation measure BIO-1 development of the proposed Project would not result in a substantial adverse effect, either directly or through habitat modification, on any animal species identified as a Threatened, Endangered, or Candidate species in local or regional plans, policies, regulation or by the CDFW or USFWS.

Mitigation Measures

Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. A 30-day preconstruction survey is required prior to the commencement of project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding project activities. A qualified biologist shall conduct the survey and submit the results of the survey to the City of Menifee Planning Division prior to obtaining a grading permit.

If burrowing owl are not detected during the preconstruction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed within the established buffer area. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer

active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.

If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a preconstruction survey will again be required to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above shall be required.

6.1.2 ADVERSE IMPACTS ON WILDLIFE MOVEMENT

Impact Finding: The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Draft EIR page 5.3-19).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Mitigation Measures BIO-2.

Facts in Support of Finding: No wildlife corridors are located on the Project site; however, the Project site contains shrubs that can support nesting birds and raptors protected under the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code during the nesting season. The Biological Assessment prepared for the Project site indicates that grading activities or vegetation removal during the nesting bird season of February 1 through September 15 might result in potential impacts to nesting birds. Therefore, if vegetation is required to be removed during nesting bird season, mitigation measure BIO-2 has been included to require a nesting bird survey to be conducted three days prior to initiating vegetation clearing. If an active nest is observed, mitigation measure BIO-2 would require buffering and other adaptive mitigation techniques deemed necessary by a qualified biologist to ensure that impacts to nesting birds are avoided until the nest is no longer active. Therefore, with implementation of mitigation measure BIO-2, impacts related to nesting birds would be reduced to a less than significant level.

Mitigation Measures

Mitigation Measure BIO-2: Nesting Bird Survey. Vegetation removal is recommended to be conducted during the non-nesting season for migratory birds to avoid direct impacts. The non-nesting season is between September 1 and January 31. If vegetation removal occurs during the migratory bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal or ground disturbing activities. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If active nests are found during nesting bird surveys, they shall be flagged and a no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet for raptors and special status species) shall be determined by the biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. A biological monitor shall visit the site a minimum of once a week during ground disturbing activities to ensure all fencing is in place and no sensitive species are being impacted. Once the

young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

6.1.3 CONFLICT WITH BIOLOGICAL RESOURCES PROTECTION POLICIES AND ORDINANCES

Impact Finding: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation ordinance (Draft EIR page 5.3-20).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Mitigation Measure BIO-1.

Facts in Support of Finding: The Project site is located within Western Riverside County MSHCP Meniffee Valley Area Plan but is not located within a Criteria Cell or Cell Group. The Project site is also not located within plan-defined areas requiring surveys for amphibian species, or mammalian species.

However, the Project site is located within the Western Riverside County MSHCP NEPSSA pursuant to Section 6.1.3 of the MSHCP. Consistent with the MSHCP NEPSSA, Hernandez Environmental Services conducted focused botanical surveys on four non-consecutive days during the 2023 growing season for twelve special status plant species. The focused botanical surveys found that the Project site contains marginally suitable habitat for San Diego Ambrosia; however, none of the NEPSSA species of concern were observed during the focused botanical surveys. Therefore, the proposed Project would not conflict with Section 6.1.3 of the MSHCP.

As described previously, the Project site is within the additional survey area for BUOW and focused BUOW surveys were conducted by Hernandez Environmental Services. Based on the absence of burrowing owl and burrowing owl evidence within the study area, it was concluded that the Project site is not currently in use by BUOW. However, since the proposed Project is within the MSHCP BUOW survey area and burrows were identified on the Project site, mitigation measure BIO-1 has been included to require pre-construction BUOW surveys prior to Project activities. With implementation of and compliance with mitigation measure BIO-1, the proposed Project would be consistent with the Western Riverside County MSHCP, and no conflicts would occur. Impacts would be less than significant with mitigation.

Mitigation Measures

Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. As described previously.

6.1.4 CUMULATIVE BIOLOGICAL RESOURCE IMPACTS

Impact Finding: The Project would not result in cumulative impacts to biological resources with mitigation (Draft EIR 5.3-20).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Mitigation Measure BIO-1 and MM BIO-2.

Facts in Support of Finding: The cumulative study area for purposes of biological resources would be the area surrounding the Project site, as well as the larger General Plan planning area and City of Meniffee. The cumulative impact analysis for biological resources considers development of the proposed Project in

conjunction with other development projects as well as the projects identified in the Draft EIR Section 5.0, *Environmental Impact Analysis*, Table 5-1, *Cumulative Projects List*. None of the projects identified in Draft EIR Table 5-1 are proposed adjacent to the Project site. However, there are multiple cumulative projects within the Menifee area, in the general vicinity of the Project.

The proposed Project would not have significant impacts related to jurisdictional waters, wildlife movement, local ordinances or regulations protecting biological resources, habitat conservation plans, plant communities, and habitat fragmentation. In addition, although the proposed Project could have significant impacts to burrowing owls and nesting birds, compliance with mitigation measures BIO-1 and BIO-2 would reduce impacts to less than significant levels. Furthermore, as discussed above, the proposed Project is also consistent with the Western Riverside County MSHCP Menifee Valley Area Plan.

The cumulative projects would be required to comply with applicable survey requirements pursuant to the MBTA, the City of Menifee, and applicable mitigation for biological resources. Additionally, cumulative projects would also require compliance with the Western Riverside County MSHCP Menifee Valley Area Plan. Since all projects would be required to implement their respective mitigation measures, their contribution would not be cumulatively considerable. There are no projects that would, in combination with the Project, produce a significant impact to biological resources.

Mitigation Measures

Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. As described previously

Mitigation Measure BIO-2: Nesting Bird Survey. As described previously.

6.2 CULTURAL RESOURCES

6.2.1 ARCHAEOLOGICAL RESOURCES

Impact Finding: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 (Draft EIR page 5.4-5).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Standard Condition CUL-1 through Standard Condition CUL-4 and Mitigation Measure CUL-1.

Facts in Support of Finding: The Cultural Resources Study prepared for the Project included an archaeological records search. The records search indicated that five resources (three prehistoric and two historic) have been recorded within one mile of the Project area with none of the previously recorded resources occurring onsite. Furthermore, the cultural resources survey conducted on May 17, 2021, found no existing archaeological resources at the site.

Additionally, the Project site has been disturbed by historic agricultural use, discing, and a former residential use noted along Elm Street (demolished October 2022), and no historical aged structures exist onsite. However, due to the Project site's prior use, there is still a potential to encounter deposits associated with the prehistoric and historic uses of the Project site. Therefore, Mitigation Measure CUL-1 has been included to require a qualified professional archeologist to prepare and implement a Cultural Resources Monitoring Program (CRMP) that would include measures to ensure the proper treatment of any unknown resources that might be identified during construction activities as previously discussed. In addition, the City of Menifee has standard conditions for the inadvertent discovery of archeological and cultural resources, included as

Standard Conditions CUL-1 through CUL-4 below. Therefore, with implementation of Mitigation Measure CUL-1 and standard conditions, impacts to archaeological resources would be reduced and would be less than significant.

Standard Conditions, Plans, Programs, and Policies

Standard Condition CUL-1: Inadvertent Archaeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- a) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s), and the Community Development Director to discuss the significance of the find.
- b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- c) Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- d) Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- e) Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, and recommendations of the project archaeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

Standard Condition CUL-2: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
 - ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods, and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents

- and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
- iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

Standard Condition CUL-3: Archaeologist Retained. Prior to issuance of a grading permit the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.

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

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

In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:

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

Standard Condition CUL-4: Archaeology Report - Phase III and IV. Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archaeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

Mitigation Measures

Mitigation Measure CUL-1: Cultural Resources Monitoring Program. Monitoring during ground-disturbing activities, such as grading or trenching, by a qualified archaeologist is required to ensure that if buried features (i.e., human remains, hearths, or cultural deposits) are present, they will be handled in a timely and proper manner. The scope of the monitoring program is provided below:

- Prior to issuance of a grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency.
- The project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials.
- The certified archaeologist shall attend the pregrading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
- During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on-site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.
- Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.
- A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site Forms.

6.2.2 CUMULATIVE CULTURAL RESOURCE IMPACTS

Impact Finding: The Project would not result in cumulative impacts to cultural resources. (Draft EIR page 5.4-5).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Standard Condition CUL-1 through Standard Condition CUL-4 and Mitigation Measure CUL-1.

Facts in Support of Finding:

The cumulative study area for purposes of cultural resources is the area surrounding the Project site, as well as the larger General Plan planning area and City of Menifee. This cumulative impact analysis for cultural resources considers development of the proposed Project in conjunction with other development projects as well as the projects identified in the Draft EIR Section 5.0, *Environmental Impact Analysis*, Table 5-1, *Cumulative Projects List*. None of the projects identified in Draft EIR Table 5-1 are proposed adjacent to the Project site. However, there are multiple cumulative projects within the Menifee area, in the general vicinity of the Project.

Archaeological Resources

The Project's impact to prehistoric archaeological resources was analyzed in the context of the Menifee region of Riverside County, which is identified as sensitive for archaeological resources. Construction activities within the Project site – as with other development projects in the region – may uncover subsurface prehistoric archaeological resource that meet the CCR § 15064.5 definition. However, mitigation has been included to reduce the potential of the Project to contribute to a significant cumulative impact to archaeological resources. With compliance with Project-specific mitigation, the Project's contribution to cumulative impacts would not be cumulatively considerable.

Standard Conditions, Plans, Programs or Policies

Standard Condition CUL-1: Inadvertent Archaeological Find. As described previously.

Standard Condition CUL-2: Cultural Resources Disposition. As described previously.

Standard Condition CUL-3: Archaeologist Retained. As described previously.

Standard Condition CUL-4: Archaeology Report - Phase III and IV. As described previously.

Mitigation Measures

Mitigation Measure CUL-1: Cultural Resources Monitoring Program. As described previously.

6.3 GEOLOGY AND SOILS

6.3.1 PALEONTOLOGICAL RESOURCES AND UNIQUE GEOLOGIC FEATURES

Impact Finding: The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (Initial Study page 61).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of Mitigation Measure GEO-1.

Facts in Support of Finding: The Paleontological Resource Assessment (Appendix B of the Initial Study) included a locality records search, literature review, and a field pedestrian survey. The records search indicates that no known fossil localities are present within the Project boundaries or within one mile of the Project site. However, the records search found that the closest-known fossil localities are approximately five to seven miles southeast of the Project site and are associated with improvements to the Diamond Valley Lake Reservoir Project and consist specimens of Pleistocene mammal bones. Geologically, the Project site is mapped as very thin, roughly 30 feet in depth, middle to early Pleistocene very old alluvial deposits that overlies granitic bedrock. Pleistocene deposits are considered to have high paleontological resource sensitivity. Due to the existence of Pleistocene very old alluvial fan deposits at and near the Project site and the presence of previously recorded fossil specimens less than five to seven miles from the site, it is possible that there are fossils underlying the Project site as research has confirmed high paleontological sensitivity at the Project site.

Thus, Mitigation Measure GEO-1 would be included in the Project's mitigation monitoring and reporting program (MMRP), which requires full-time monitoring of undisturbed very old alluvial fan deposits during grading activities, starting at a depth of five feet below the surface, to mitigate impacts in the event that paleontological resources or unique geologic features are unearthed. Mitigation Measure GEO-1 also requires a Paleontological Resource Impact Mitigation Program (PRIMP) be implemented before the issuance of a grading permit. Therefore, with the implementation of mitigation measure GEO-1 the proposed Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature and impacts would be less than significant with mitigation.

Mitigation Measure

Mitigation Measure GEO-1: Prior to issuance of grading permits, the applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a PRIMP, subject to specific guidelines, and the guidelines of the Society of Vertebrate Paleontology (2010) for any mass grading and excavation-related activities, including utility trenching, during construction within the property. This PRIMP, when implemented, would reduce potential impacts to paleontological resources to a level below significant.

6.4 TRIBAL CULTURAL RESOURCES

6.4.1 REGISTER OF HISTORICAL RESOURCES

Impact Finding: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (Draft EIR page 5.13-4).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP TCR-1, Standard Condition TCR-1 and TCR-2, Mitigation Measure TCR-1, and Mitigation Measure CUL-1.

Facts in Support of Finding: On June 3, 2021, a Sacred Lands File search and a list of Native American tribes who may have knowledge of cultural resources in the Project area was requested from the NAHC. On June 25, 2021, the NAHC responded with a list of Native American tribes and indicated that the SLF search yielded negative results for known TCRs or sacred lands within a 1-mile radius of the Project site. To identify if any TCRs are potentially located within the Project site, the City sent notices regarding the Project in November 2022, to the Native American tribes provided by the NAHC.

Responses were received for the Project from the Pechanga Band of Indians, Rincon Band of Luiseno Indians, and the Agua Caliente Band of Cahuilla Indians which concluded in no further comment on the Project, as described below.

A response was received from the Pechanga Band of Indians on December 1, 2022, requesting consultation on the Project. However, the City maintains quarterly consultation meetings with Pechanga and therefore discussed the Project on January 23, 2023, and on April 13, 2023, whereby the tribe concluded they had no further comment as the Project would be required to comply with the City's standard conditions of approval, included as Standard Condition TCR-1 and TCR-2, as well as the City's standard mitigation measure (MM), included as MM TCR-1. Additionally, the City maintains quarterly consultation meetings with the Soboba Band of Luiseno Indians and therefore discussed the Project on January 26, 2023, and on April 18, 2023, whereby the tribe confirmed they had no further comment. The Cultural Resources Study was also provided to the Soboba Band of Luiseno Indians on April 5, 2023.

Further, on December 21, 2022, the Rincon Band of Luiseño Indians also requested more information and applicable documents related to the Project. On June 12, 2023, a follow-up response was received from the Rincon Band of Luiseño Indians in which they agreed with the Cultural Resource Assessment's proposed Mitigation Measure CUL-1 and stated they had no further comment.

On December 22, 2022, a response was received from the Agua Caliente Band of Cahuilla Indians requesting more information. Thereafter, on April 11, 2023, the Agua Caliente Band of Cahuilla Indians provided a follow-up response confirming they had no further comment after reviewing the provided documents.

During the course of the tribal consultation process, no Native American tribe provided the City with substantial evidence indicating that TCRs were found previously on the Project site. However, due to the Project site's location being in an area where Native American tribes are known to have a cultural affiliation, there is the possibility that archaeological resources, including TCRs, could be encountered during ground disturbing construction activities. As such, Mitigation Measure CUL-1 is included to require a qualified professional archeologist to prepare and implement a Cultural Resources Monitoring Program as described previously. Preparation and implementation of the Cultural Resources Monitoring Program by the Project Archaeologist would be conducted in tandem with the tribal monitor(s) as specified in MM TCR-1. In addition, the proposed Project would be subject to Standard Conditions TCR-1 and TCR-2 for human remains and non-disclosure of location reburials. With implementation of MM CUL-1 and MM TCR-1, impacts to TCRs would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP TCR-1: Human Remains. Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are

determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.

Standard Condition TCR-1: Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The county Coroner must be notified of the find immediately. The remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) within the period specified by law (24 hours). The NAHC will determine and notify a "most likely descendant." With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. This inspection shall be completed within 48 hours of notification by the NAHC. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Standard Condition TCR-2: Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code section 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code section 7927.000.

Mitigation Measures

Mitigation Measure CUL-1: Cultural Resources Monitoring Program. As described previously.

Mitigation Measure TCR-1: Native American Monitoring (Soboba Band of Luiseño Indians and Pechanga Band of Indians). Tribal monitor(s) from both tribes shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseño, as well as the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

6.4.2 PUBLIC RESOURCE CODE SECTION 5024.1

Impact Finding: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, that considers the significance of the resource to a California Native American tribe (Draft EIR 5.13-6).

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP TCR-1, Standard Condition TCR-1 and TCR-2, Mitigation Measure TCR-1, and Mitigation Measure CUL-1.

Facts in Support of Finding: The Project site does not meet any of the criteria listed above from PRC Section 5024.1(c). There are no resources onsite that meet the criteria for the CRHR. None of the Native American tribes contacted by the city provided the City with substantial evidence indicating that TCRs, as defined in Public Resources Code Section 21074, are present on the Project site or have been found previously on the Project site. The Project site contains no known resources significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. However, Mitigation Measure CUL-1 has been included to require a qualified professional archeologist to prepare and implement a Cultural Resources Monitoring Program that would include measures to ensure the proper treatment of any unknown resources that are unearthed during construction activities. Additionally, MM TCR-1 has been included to require Native American monitoring during ground-disturbing activities. With implementation of Mitigation Measure CUL-1 and MM TCR-1, impacts to TCRs would be less than significant.

In the unlikely event that human remains are encountered during grading or soil disturbance activities, compliance with the established regulatory framework (i.e., California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98), included as PPP TCR-1, would ensure that any potential impacts to human remains and TCRs would be less than significant. Additionally, compliance with Standard Conditions TCR-1 and TCR-2 would further ensure that any potential impacts to human remains would be less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP TCR-1: Human Remains. As described previously.

Standard Condition TCR-1: Human Remains. As described previously.

Standard Condition TCR-2: Non-Disclosure of Location Reburials. As described previously.

Mitigation Measures

Mitigation Measure CUL-1: Cultural Resources Monitoring Program. As described previously.

Mitigation Measure TCR-1: Native American Monitoring (Soboba Band of Luiseño Indians and Pechanga Band of Indians). As described previously.

6.4.3 CUMULATIVE TRIBAL CULTURAL RESOURCES IMPACTS

Impact Finding: The Project would not result in cumulative impacts to tribal cultural resources. (Draft EIR page 5.13-6)

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby makes Finding 1 and determines that this impact is less than significant with implementation of PPP TCR-1, Standard Condition TCR-1 and TCR-2, Mitigation Measure TCR-1, and Mitigation Measure CUL-1.

Facts in Support of Finding: The Project's potential to result in cumulatively considerable impacts to TCRs were analyzed in conjunction with other projects located in the influence areas of the tribes in the region. There is potential for TCRs to be uncovered during construction activities from the Project. Other development

projects within the region would have a similar potential to uncover TCRs. Cumulative impacts would be reduced by each development project's compliance with applicable regulations, consultations required by AB 52 and project-specific mitigation. Project implementation of Mitigation Measure CUL-1 would reduce Project-level impacts to less than significant, and the Project's contribution to cumulatively significant impacts related to inadvertent discoveries of TCRs would also be reduced to less than significant.

Standard Conditions, Plans, Programs, and Policies

PPP TCR-1: Human Remains. As described previously.

Standard Condition TCR-1: Human Remains. As described previously.

Standard Condition TCR-2: Non-Disclosure of Location Reburials. As described previously.

Mitigation Measures

Mitigation Measure CUL-1: Cultural Resources Monitoring Program. As described previously.

Mitigation Measure TCR-1: Native American Monitoring (Soboba Band of Luiseño Indians and Pechanga Band of Indians). As described previously.

7.0 IMPACTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

This section identifies the significant and unavoidable impacts that require a statement of overriding considerations to be issued by the City, pursuant to CEQA Guidelines Section 15093, if the Project is approved.

Public Resources Code section 21002 states that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

Section 15364 of the State CEQA Guidelines defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

The City hereby finds that, despite the incorporation of feasible measures outlined in the Final EIR, the following impacts cannot be fully mitigated to a less than significant level.

7.1 GREENHOUSE GAS EMISSIONS

7.1.1 GENERATION OF GREENHOUSE GAS EMISSIONS

Impact Finding: The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (Draft EIR page 5.6-11).

Facts in Support of Finding:*Construction*

The SCAQMD has an adopted threshold of significance for construction related GHG emissions. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. The SCAQMD also requires construction GHG emissions to be amortized over the life of the project, defined by SCAQMD as 30 years, added to the operational emissions, and compared to the applicable interim GHG significance threshold tier. Implementation of the proposed Project would generate GHG emissions from construction activities, operational transportation, energy, waste disposal, and area sources (such as onsite equipment). It is estimated that the Project would generate approximately 1,072 metric tons (MT)/year CO₂ equivalents (CO₂e) during construction of the Project. When amortized over the 30-year life of the Project, annual emissions would be 35.73 MT/year CO₂e.

Operation

Long-term operations of uses proposed by the Project would generate greenhouse gas emissions from the following primary sources: area source emissions, energy source emissions, mobile source emissions, on-site cargo handling equipment emissions, stationary source emissions, water supply, treatment, and distribution emissions, and solid waste emissions. A project would have less than significant GHG emissions if it would result in operational-related GHG emissions of less than 3,000 MT/year CO₂e. GHG emissions generated from the proposed Project at buildout are primarily associated with non-construction related mobile sources, such as vehicle and truck trips. Annual GHG emissions associated with the proposed Project are summarized in the Draft EIR Table 5.6-2, *Project Generated Greenhouse Gas Emissions*. Construction and operation of the Project would generate a net total of approximately 4,805.13 metric tons of carbon dioxide equivalent (MTCO₂e) per year, thereby exceeding the screening threshold of 3,000 MTCO₂e per year.

Due to the GHG emissions exceedance, the proposed Project would have the potential to generate direct or indirect GHG emissions that would result in a significant impact on the environment, thereby requiring mitigation. As discussed in detail below, implementation of Mitigation Measures GHG-1 through GHG-8 aim to reduce the Project's GHG emissions to the maximum extent feasible.

The annual GHG emissions associated with the Project with mitigation incorporated are summarized in the Draft EIR Table 5.6-3, *Project Generated Greenhouse Gas Emissions – With Mitigation*. With implementation of MMs GHG-1 through GHG-8, construction and operation of the Project would generate a total of 4,796.13 MTCO₂e/yr. Therefore, there are no feasible Project measures that would reduce substantially vehicular emissions, and more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The Project would install electric vehicle supply equipment in accordance with the California Building Code which would allow charging stations to be supplied based on demand; however, the timing of this demand and corresponding availability is uncertain. Therefore, though the Project would implement mitigation measures to mitigate its GHG emissions to the maximum extent feasible, impacts related to GHG emissions would be significant and unavoidable.

Project Design Features

PDF GHG-1: Tier 4 Interim Construction Equipment. In order to comply with the City of Menifee Good Neighbor Policies, the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. Prior to grading permits, the City of Menifee Building and Safety Division shall confirm that the Project utilizes, at minimum, Tier 4 Interim compliant construction equipment (or electric) as well as Tier 4 Interim compliant final engines. Offroad construction equipment shall be consistent with, and meet, at minimum, Tier 4 Interim standards as specified in Title 40 of the Code of Federal Regulations Part 1039. The Project shall also be required to keep construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items listed above. Maintenance records shall be kept on-site and furnished to the City upon request.

The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim 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 and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large fleets, defined by the CARB as, "a fleet with a total max hp (as defined below) greater than 5,000 hp." In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.

Mitigation Measures

Mitigation Measure GHG-1: Prior to issuance of tenant occupancy permits, the Project applicant shall be required to install a minimum 101.3 kW DC solar photovoltaic (PV) system or offset an equivalent amount of energy demand through the purchase of renewable energy or implementation of alternative renewable measures, subject to approval by the Community Development Director or his/her designee. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25 percent larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25 percent excess demand capacity.

Mitigation Measure GHG-2: Prior to issuance of tenant occupancy permits, Project operators with more than 100 employees shall prepare and submit to the Community Development Director or designee, a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.

- Incorporate bicycle parking and storage, and self-service bicycle repair areas.
- Provide employee break areas as well as kitchen amenities for employees to prepare and/or heat meals.
- Promote a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes.
- Post Riverside Transportation Authority schedules in conspicuous areas.
- Reference Riverside Transportation Authority schedules when creating employees' operating schedules.

Mitigation Measure GHG-3: Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in the analysis for the EIR and is therefore prohibited.

Mitigation Measure GHG-4: The facility operator shall provide tenants with an information packet that:

- Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.
- Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall be encouraged to use carriers that are SmartWay carriers.

Mitigation Measure GHG-5: Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready", with all necessary conduit installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed and operational. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles.

Mitigation Measure GHG-6: The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with County standards for Recyclable Collection and Loading Areas, and the facility's operator shall be required to provide the City with a copy of the Project's recycling program. This mitigation measure applies only to tenant permits and not the building shell approvals.

Mitigation Measure GHG-7: Prior to issuance of building permits, building plans shall identify the location of future electric truck charging stations (minimum of three) and install conduit to those spaces.

Mitigation Measure GHG-8: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include conveyance of natural gas utility lines and that the Project will not use natural gas cargo handling equipment and shall be electric and non-diesel powered, per contemporary industry standards and as required City of Menifee Good Neighbor Policies

7.1.2 CUMULATIVE GREENHOUSE GAS EMISSION IMPACTS

Impact Finding: The Project would result in cumulatively considerable impacts to greenhouse gas emissions (Draft EIR page 5.6-20).

Facts in Support of Finding: GHG emissions impacts are assessed in a cumulative context, since no single project can cause a discernible change to climate. Climate change impacts are the result of incremental contributions from natural processes, and past and present human-related activities. Therefore, the area in which a proposed project in combination with other past, present, or future projects, could contribute to a significant cumulative climate change impact would not be defined by a geographical boundary such as a project site or combination of sites, city, or air basin. GHG emissions have high atmospheric lifetimes and can travel across the globe over a period of 50 to 100 years or more. Even though the emissions of GHGs cannot be defined by a geographic boundary and are effectively part of the global issue of climate change, CEQA places a boundary for the analysis of impacts at the State's borders. Thus, the geographic area for analysis of cumulative GHG emissions impacts is the State of California.

Executive Order S-3-05, Executive Order B-30-15, Executive Order B-55-18, AB 1279, AB 32, and SB 32 recognize that California is a source of substantial amounts of GHG emissions; recognize the significance of the cumulative impact of GHG emissions from sources throughout the state; and set performance standards for reduction of GHGs.

The analysis of GHG emission impacts under CEQA contained in the Draft EIR effectively constitutes an analysis of the Project's contribution to the cumulative impact of GHG emissions. CEQA Guidelines Section 15183.5(b) states that compliance with GHG-related plans can support a determination that a project's cumulative effect is not cumulatively considerable. As described previously, the estimated GHG emissions from development and operation of the Project would exceed SCAQMD thresholds. Despite implementation of Mitigation Measures GHG-1 through GHG-8, impacts would remain significant. Therefore, the Project would result in cumulatively considerable GHG impacts and cumulative GHG impacts would be significant and unavoidable.

Mitigation Measures

Mitigation Measure GHG-1 through GHG-8. As described previously.

7.2 NOISE

7.2.1 TEMPORARY AND PERMANENT NOISE IMPACTS

Impact Finding: The Project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (Draft EIR page 5.10-20).

Facts in Support of Finding:

Onsite Construction

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. Construction is expected to occur in the following stages: site preparation, grading, building construction, paving and architectural coating. Noise levels generated by heavy construction equipment range from approximately 68 dBA Leq to 81 dBA

Leq at 50 feet from the noise source, as shown on Draft EIR Table 5.10-4, *Construction Reference Noise Levels*. Consistent with FTA guidance for general construction noise assessment, Draft EIR Table 5.10-4 presents the combined noise levels for the loudest construction equipment, assuming they operate at the same time.

Construction noise would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. The typical operating cycle for a piece of construction equipment involves one or two minutes of full power operation followed by three or four minutes at lower power settings.

As shown on Draft EIR Table 5.10-5, *Construction Equipment Noise Level Summary*, construction noise from the Project at the nearby receiver locations would range from 52.2 to 68.8 dBA Leq. As detailed in Draft EIR Table 5.10-5, the nearest receiver locations would satisfy the reasonable daytime 80 dBA L_{eq} significance threshold during Project construction activities. Therefore, impacts related to construction noise would be less than significant.

Offsite Construction

To support the Project development, there would also be grading, trenching, and paving for off-site improvements associated with roadway construction and utility installation for the Project. The loudest phase of construction associated with off-site roadway and utility improvements would likely be grading/excavation activities, which would generate similar noise levels compared to the grading/excavation phase of the proposed Project's on-site construction activities.

It is expected that the off-site construction activities would not take place at any one location for the entire duration of construction due to the nature of the linear construction activity. Construction noise from this off-site work would, therefore, be relatively short-term and the noise levels would be reduced as construction work moves linearly along the selected alignment and farther from sensitive uses. Therefore, due to the temporary nature of Project construction, impacts related to the construction of off-site roadway and utility improvements would be less than significant. However, in order to further reduce noise levels for nearby sensitive receptors, the Project would implement the Project Design Features (PDFs). PDF NOI-1 through PDF NOI-6 are described in detail below.

Additionally, as shown in Draft EIR Figure 3-11, *Offsite Improvements*, a portion of the Project's off-site improvements would occur within Ethanac Road, adjacent to the Perris city limits. Thus, consistent with Plan, Program, or Policy (PPP) NOI-2, construction associated with off-site improvements on Ethanac Road would adhere to the construction noise hours permitted by Section 7.34.060 of the Perris Municipal Code which states:

All other construction is required to comply with Section 9.210.060(C) of the Menifee Development Code which permits construction to occur within the hours of 6:30 a.m. and 7:00 p.m., with no activity allowed on Sundays and nationally recognized holidays. Therefore, the off-site roadway and utility improvement construction activities would result in a less than significant impact.

Nighttime Concrete Pour

Nighttime concrete pouring activities would occur as part of the Project construction. The pouring activities would be limited to within the actual building footprint. Since the nighttime concrete pours would take place outside the permitted time allowed in the City of Menifee Development Code, Section 9.210.060(C) which permits construction activities between the hours of 6:30 a.m. and 7:00 p.m. with no activity allowed on

Sundays and nationally recognized holidays, the Project Applicant would be required to obtain authorization for nighttime work from the City of Menifee.

As shown on Draft EIR Table 5.10-6, *Construction Noise Level Compliance*, concrete pouring activities would range from 37.2 to 53.5 dBA L_{max} at the nearby receiver locations. With the authorization from the City of Menifee, the nighttime concrete pour activities would satisfy the 70 dBA Leq nighttime residential noise level threshold at all the nearest noise sensitive receiver locations. Therefore, impacts from nighttime concrete pouring activities onto nearby receptors would be less than significant.

Operation

To present the potential worst-case noise conditions, the Draft EIR analyzed the proposed warehouse building as operational 24 hours per day, seven days per week. Consistent with similar warehouse uses, the business operations of the proposed Project would primarily be conducted within the enclosed building, except for traffic movement, parking and loading and unloading of trucks at designated loading bays. The on-site Project-related noise sources are expected to include loading dock activity, roof-top air conditioning units, parking lot vehicle movements, diesel fire pump, trash enclosure activity, and truck movements. As described previously, the Project site is located within the vicinity of existing residences, which are sensitive receivers. The locations of operational noise sources are shown in Draft EIR Figure 5.10-5, *Operational Noise Sources*.

Draft EIR Table 5.10-8, *Daytime Operational Noise Levels*, shows that the daytime hourly noise levels at the off-site sensitive receiver locations are expected to range from 41.3 to 49.1 dBA Leq. Draft EIR Table 5.10-9, *Nighttime Operational Noise Levels*, shows the operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the sensitive receptor locations would range from 41.2 to 49.1 dBA Leq.

To evaluate if noise from operation of the proposed Project would result in a substantial increase in ambient noise levels, operational noise levels were combined with the existing ambient noise level measurements at the nearby receiver locations. The difference between the combined Project operational and ambient noise levels describes the noise level increases to the existing ambient noise environment. As indicated by Draft EIR Tables 5.10-10 and 5.10-11, the increase in noise would range from 0.0 to 2.5 dBA Leq, which would not generate a significant daytime or nighttime operational noise level increase at the nearby receiver locations as compared to the significance criteria outlined in the Draft EIR Table 5.10-3, *Significance Criteria Summary*. Therefore, impacts would be less than significant.

Offsite Traffic Noise Impacts

Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic. To identify the potential of traffic from the proposed Project to generate noise impacts, noise contours were developed based on the Traffic Impact Analysis included as Appendix K. Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway.

The proposed Project includes two Project Scenarios in order to analyze the proposed provision of a traffic signal at the northern most driveway on Murrieta Road. For the first scenario (Project Scenario 1 – No Signal), only right-in, right-out turn movements for trucks would be allowed at the northern driveway on Murrieta Road. For the second scenario (Project Scenario 2 – With Signal), right-in, right-out, and left-out turn movements for trucks would be allowed at the northern most driveway on Murrieta Road and right-out turn

movements for trucks would not be allowed. Under Project Scenario 2, the northern most driveway on Murrieta Road would be a signalized intersection upon activation.

Draft EIR Tables 5.10-12 through 5.10-16 present a summary of the existing exterior dBA CNEL traffic noise levels for each traffic condition. Draft EIR Tables 5.10-17 through 5.10-21 present a summary of the Opening Year exterior dBA CNEL traffic noise levels for each traffic condition. Based on the significance criteria for off-site traffic noise presented in Draft EIR Table 5.10-3, *Significance Criteria Summary*, land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at three road segments for Existing with Project Scenario 1: Geary Street south of Ethanac Road, Murrieta south of Ethanac Road, and Ethanac Road east of Murrieta Road due to Project-related traffic noise levels. Additionally, land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at one road segment for Existing with Project Scenario 2: Geary Street south of Ethanac Road.

Based on the significance criteria for off-site traffic noise presented in the Draft EIR Table 5.10-3, land uses adjacent to the study area roadway segments would experience potentially significant level impacts for Opening Year with Project Scenario 1 at two road segments: Geary Street south of Ethanac Road and Murrieta Road south of Ethanac Road due to Project-related traffic noise levels. Additionally, land uses adjacent to the study area roadway segments would experience potentially significant level impacts for Opening Year with Project Scenario 2 at two road segments: Geary Street south of Ethanac Road and Murrieta Road south of Ethanac Road due to Project-related traffic noise levels.

To reduce the potentially significant Project traffic noise level increases on the on the impacted study area for Existing with Project Scenario 1 and 2 and Opening Year with Project Scenario 1 and 2 conditions, potential mitigation measures, including rubberized asphalt hot mix pavement and off-site noise barriers, were analyzed.

While rubberized asphalt would provide some noise reduction, the Noise Impact Analysis prepared for the Project (included as Appendix H) recognizes that this is only effective for tire-on-pavement noise at higher speeds and would not reduce truck-related off-site traffic noise levels associated with truck engine and exhaust stacks to less than significant levels. Since the use of rubberized asphalt would not lower the off-site traffic noise levels below a level of significance, rubberized asphalt is not proposed as mitigation for the Project.

Furthermore, exterior noise mitigation in the form of noise barriers is not anticipated to provide the FHWA attainable reduction of 5 dBA required to reduce the off-site traffic noise level increases. Additionally, noise barriers would also require potential openings for driveway access to individual residential lots fronting Geary Street and Murrieta Road. As such, off-site noise barriers would not be feasible and would not lower the off-site traffic noise levels below a level of significance; and therefore, noise barriers are not proposed as mitigation for the Project.

Due to reasons outlined above, neither form of mitigation is recommended for implementation as neither would reduce nor eliminate the off-site traffic noise level increases at the adjacent land uses along the following impacted roadway segments:

- Murrieta Road s/o Ethanac Road
- Geary Street s/o Ethanac Road
- Ethanac Road e/o Murrieta Road (identified as experiencing significant/unavoidable traffic noise increase by 2013 General Plan EIR)

Therefore, the Project's off-site traffic noise level increases at adjacent noise sensitive land uses under Existing with Project Scenario 1 and 2 and Opening Year with Project Scenario 1 and 2 conditions are considered a significant and unavoidable impact.

Summary

In summary, construction noise from the Project at the nearby receiver locations would range from 52.2 to 68.8 dBA Leq satisfying the reasonable daytime 80 dBA Leq significance threshold during Project construction. Concrete pouring activities would also satisfy the 70 dBA Leq nighttime residential noise level threshold at all the nearest noise sensitive receiver locations. Therefore, impacts related to construction noise would be less than significant. In terms of operation noise level, the difference between the combined Project operational and ambient noise would range from 0.0 to 2.5 dBA Leq, which would not generate a significant daytime or nighttime operational noise level increase at the nearby receiver locations as compared to the significance criteria outlined in the Draft EIR Table 5.10-3. Therefore, impacts would be less than significant for operation noise level increases. However, as described above, the Project's off-site traffic noise level increases at adjacent noise sensitive land uses under Existing with Project Scenario 1 and 2 and Opening Year with Project Scenario 1 and 2 conditions are considered a significant and unavoidable impact. Therefore, the proposed Project would generate a substantial 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. Impacts would be significant and unavoidable.

Plans, Programs, or Policies

PPP NOI-1: Construction Noise. The Menifee Municipal Code Section 8.01.010 permits construction activities Monday through Saturday from 6:30 a.m. to 7:00 p.m. and prohibits construction on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

PPP NOI-2: Off-site Construction Noise on Ethanac Road. Construction associated with the off-site storm drain line improvements, specifically the portion of construction of the offsite storm drain line improvement on Ethanac Road within the City of Perris Jurisdiction, on Ethanac Road are is required to adhere to the construction noise hours permitted by Section 7.34.060 of the Perris Municipal Code which states: construction is permitted between the hours of 7:00 a.m. of any day and 7:00 p.m. of the following day, and it not permitted on Sundays or on any legal holiday, with the exception of Columbus Day and Washington's birthday.

Project Design Features

- **PDF-1:** Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.
- **PDF-2:** All stationary construction equipment shall be placed in such a manner so that the emitted noise is directed away from any sensitive receivers.
- **PDF-3:** Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers.
- **PDF-4:** The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment (between the hours of 6:30am to 7:00pm, with no deliveries allowed on Sundays and nationally recognized holidays).
- **PDF-5:** Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment.
- **PDF-6:** No music or electronically reinforced speech from construction workers shall be allowed.

7.2.2 CUMULATIVE NOISE IMPACTS

Impact Finding: The Project would result in cumulative impacts related to noise (Draft EIR page 5.10-41).

Facts in Support of Finding: Cumulative noise assessment considers development of the proposed Project in combination with ambient growth and other development projects within the vicinity of the Project area (as shown in the Draft EIR Figure 5-1, *Cumulative Projects*, in Section 5.0, *Environmental Impact Analysis*). As noise is a localized phenomenon, and drastically reduces in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed Project to result in cumulative noise impacts. Therefore, the cumulative study area for noise impacts is the general vicinity of the Project site.

However, the City's Municipal Code Section 8.01.010 permits construction activities Monday through Saturday from 6:30 a.m. to 7:00 p.m. and prohibits construction on Sunday or nationally recognized holidays. Exceptions to these standards may be granted only by the City Building Official and/or City Engineer. Also, construction noise and vibration is localized in nature and decreases substantially with distance. In order to achieve a substantial cumulative increase in construction noise and vibration levels, more than one source emitting high levels of construction noise would need to be in close proximity to the proposed Project construction. As shown on Figure 5-1 of the Draft EIR, there are no cumulative projects adjacent to or within hearing distance of the Project site. The closest cumulative project is the Northern Gateway Commerce Center (Cumulative Project No. 14), which proposes a 1,286,607 square foot (SF) fulfillment center on 70.04-acres approximately 0.24 mile east of the Project site along Hull Street and has a planning application currently under review.

Cumulative construction could result in the exposure of people to or the generation of excessive groundborne vibration and noise increases. However, the nearest cumulative Projects are over 1,000 feet away from the proposed Project and no overlap of construction activities would occur. Construction activities for cumulative projects would also be required to adhere to Municipal Code construction noise regulations. Thus, construction noise and vibration levels from the Project would not combine to become cumulatively considerable, and cumulative noise and vibration impacts associated with construction activities would be less than significant.

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. A significant impact would result only if both the difference between existing and opening year with project (combined effects) and difference between opening year without project and opening year with project (incremental effects) thresholds have been exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility noise standard. Noise, by definition, is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the opening year cumulative traffic volumes on the roadways in the Project vicinity. The noise levels associated with these traffic volumes with the proposed Project were identified previously in Draft EIR Table 5.10-20 and 5.10-21. As shown, cumulative development along with the proposed Project would increase local noise levels above the threshold for those roadway segments, therefore cumulative impacts associated with traffic noise would also be cumulatively considerable and significant and unavoidable.

Additionally, Table 5.10-24 presents a summary of the cumulative and project incremental noise level increases for each of the study area roadway segments. The cumulative traffic noise analysis describes the future changes in noise levels in comparison to the existing baseline noise levels. As shown in Table 5.10-24, the overall increase in off-site traffic noise levels from the existing (baseline) to the Opening Year with

Project Scenario 1 conditions ranges from 0.5 to 17.6 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, nine of the study area roadway segments are shown to experience potentially significant off-site traffic noise level increases due to cumulative traffic conditions. The Project increment shown in Table 5.10-24 represents the difference between the Opening Year without Project and the Opening Year with Project Scenario 1 is shown to range from 0.0 to 17.2 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, land uses adjacent to the study area roadway segments are shown to experience potentially significant noise level impacts due to the Project-related traffic. Therefore, the Project contributions to the off-site cumulative traffic noise levels are cumulatively considerable for two of the impacted roadway segments, as identified above.

8.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

State CEQA Guidelines Section 15126.2(e), Growth Inducing Impact of the Proposed Project, 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.” The CEQA Guidelines also indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. In general terms, a project may foster spatial, economic, or population growth in a geographic area. To address these issues, potential growth-inducing effects were examined through analysis of the following questions:

- Directly or indirectly foster economic or population growth, or the construction of additional housing, in the surrounding environment;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Impact Finding: The Project would 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 site (Draft EIR page 6-2).

Facts in Support of Finding: The Project would have a workforce of up to 652 employees. According to regional population projections included in SCAG’s 2020 RTP/SCS, the City of Menifee is projected to increase employment in the City by 112 percent between 2016 and 2045 (from 13,800 jobs in 2016 to 29,200 jobs in 2045). The Project site has a General Plan land use designation of EDC and is zoned EDC-NG. The proposed Project is consistent with the site’s existing land use and zoning designations. Thus, while the Project would contribute to employment growth through the proposed development within the Project site, the projected increases in employment from the Project are within SCAG’s 2020 RTP/SCS increases. Therefore, the growth would not be unexpected or constitute substantial unplanned growth. The proposed Project would develop a new industrial warehouse on a vacant, previously developed site that would be consistent with the General Plan approved in 2013 and is therefore consistent with SCAG’s growth projections.

The proposed Project may cause an indirect economic growth as it would generate revenue to the City through taxes generated by the development. Additionally, employees (short-term construction and long-term operational employees) from the Project site would purchase goods and services in the region, but any

secondary increase in employment growth associated with meeting these incremental demands would be marginal, as these goods and services could be accommodated by existing providers. The Project is highly unlikely to result in any new or additional physical impacts to the environment based on the amount of existing and planned future commercial and retail services, which can serve Project employees, available in areas near the Project site.

In addition, the proposed Project would create jobs where the majority of jobs would likely be filled by residents of Menifee, Perris, and the surrounding Riverside County areas. Employees would live in housing either already built or that are planned for development in Menifee, Perris, and the surrounding Riverside County areas and the surrounding areas. Because it is anticipated that most of the future employees from implementation of the Project would already be living in the Inland Empire area, the Project's introduction of employment opportunities would not induce substantial growth in the area and cause the need for additional housing.

The Project would implement economic activity that would result in an improvement in the jobs-household ratio by providing employment within the largely residential area of Menifee, which is a benefit of the Project. The employees that would fill these roles are also anticipated to come from the region, as the unemployment rate of the City of Menifee in January 2023 was 4.9 percent, and the City of Perris was 5.8 percent. Most of the new jobs that would be created by the Project would be positions that do not require a specialized workforce. Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not induce an unanticipated influx of new labor into the region or the need for additional housing. In addition, should the proposed Project require employees to relocate to the area for work, there is sufficient vacant housing available within the region. According to the California Department of Finance, within the City of Menifee, 36,308 of 38,734 total housing units are occupied, resulting in a vacancy rate of 6.3 percent. Thus, the Project would not result in the influx of new labor to serve the increased economic activities that would result from implementation of the Project.

As described in the Draft EIR Section 3.0, *Project Description*, the Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements. The proposed infrastructure improvements have been designed to serve only the demands of the Project. Therefore, the Project would not expand stormwater drainage services, as well as other offsite improvements, into unplanned areas and would not result in significant growth inducing impacts. Further, the proposed infrastructure is only sized to serve the Project and would not have capacity to serve additional development projects in the area. The Project would not individually or cumulatively encourage or facilitate substantial growth.

The proposed Project would slightly increase the demand for fire protection and emergency response and police protection. However, as described in the Draft EIR Section 5.11, *Public Services*, the proposed Project would not require development of additional facilities or expansion of existing facilities to maintain existing levels of service for public services. Based on service ratios and build out projections, the proposed Project would not create a demand for services beyond the capacity of existing facilities. Therefore, an indirect growth inducing impact as a result of expanded or new public facilities that could support other development in addition to the proposed Project would not occur. The proposed Project would not have significant growth inducing consequences that would require the need to expand public services to maintain desired levels of service. Based on the foregoing analysis, the Project would not directly or indirectly result in substantial, adverse growth-inducing impacts.

9.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The City of Menifee hereby declares that it has considered and rejected as infeasible the alternatives identified in the Draft EIR and described below. Section 15126.6 of the State CEQA Guidelines requires an EIR to describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly achieve most of its basic objectives, but would avoid or substantially lessen any of the significant effects identified in the EIR analysis. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, an EIR must consider a reasonable range of alternatives that are potentially feasible; an EIR is not required to consider alternatives that are infeasible. In addition, an EIR should evaluate the comparative merits of the alternatives. Therefore, this section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the objectives of the Project, as required by CEQA

Key provisions of the State CEQA Guidelines relating to an alternatives analysis (Section 15126.6 et seq.) are summarized below:

- The discussion of alternatives shall focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly.
- The “No Project” alternative shall be evaluated along with its impact. The “No Project” analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the Project is not approved.
- The range of alternatives required in an EIR is governed by a “rule of reason;” therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative if its effects cannot be reasonably ascertained and its implementation is remote and speculative.

9.1 RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

The alternatives must include a no-project alternative and a range of reasonable alternatives to the proposed Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant project impacts. The range of alternatives discussed in an EIR is governed by a “rule of reason,” which the State CEQA Guidelines Section 15126.6(f)(3) defines as:

“ . . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.”

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control,

or otherwise have access to an alternative site. An EIR need not consider an alternative if its effects could not be reasonably identified and its implementation is remote or speculative.

For purposes of the EIR analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the proposed Project.

9.2 ALTERNATIVES CONSIDERED BUT REJECTED

Pursuant to *CEQA Guidelines* Section 15126.6(c), an EIR must briefly describe the rationale for selection and rejection of alternatives. The Lead Agency may make an initial determination as to which alternatives are potentially feasible and therefore merit in-depth consideration, and which are infeasible and need not be considered further. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (*CEQA Guidelines* Section 15126.6(f)(3)). This section identifies alternatives considered by the Lead Agency but rejected as infeasible and provides a brief explanation of the reasons for their exclusion. Alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the Project Objectives, are infeasible, or do not avoid any significant environmental effects.

9.2.1 ALTERNATE SITE ALTERNATIVE

An alternate site for the Project was eliminated from further consideration. The Project's focus is to provide for an industrial warehouse within an industrializing area of the City of Menifee that benefits from the I-215 regional transportation network and generates employment opportunities in proximity to an available labor pool. There are no other available, undeveloped properties of similar size that are zoned for industrial uses within the control of the Project applicant in close proximity to the I-215 transportation corridor. Therefore, analysis of an alternative site for the proposed Project is neither meaningful nor necessary because the impacts and need for mitigation resulting from the proposed Project would not be avoided or substantially lessened by its implementation.

9.3 ALTERNATIVES SELECTED FOR ANALYSES

The following four alternatives to the Project, have been identified for further analysis as representing a reasonable range of alternatives that attain most of the Project Objectives, may avoid or substantially lessen the Project's significant impact, avoid the need for mitigation, or are feasible from a development perspective. These alternatives have been developed based on the criteria identified in Section 9.1 and are evaluated below.

- No Project/No Development Alternative (Alternative 1)
- 30 Percent Reduced Project Alternative (Alternative 2)
- 51 Percent Reduced Project Alternative (Alternative 3)
- No Project Build Out of the Existing Zone Alternative (Alternative 4)

9.3.1 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Description

Under this alternative, the Project would not be developed, and no development would occur. The Project site would remain vacant and undeveloped. In accordance with the *CEQA Guidelines*, the No Project/No Development Alternative for a development project on an identifiable property consists of the circumstance

under which the project does not proceed. Section 15126.6(e)(3)(B) of the *CEQA Guidelines* states that, “In certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.”

Accordingly, Alternative 1: No Project/No Development provides a comparison between the environmental impacts of the Project in contrast to the result from not approving, or denying, the Project. Thus, this alternative is intended to meet the requirements of *CEQA Guidelines* Section 15126.6(e) for evaluation of a no project alternative.

Finding

The City adopts Finding 3 and finds that the No Project/ No Development Alternative is infeasible because although it is environmentally superior to the proposed Project, it does not meet any of the Project objectives and it would not realize the benefits of Project implementation.

In making this determination, the City finds that when compared to the alternatives described and evaluated in the Draft EIR, the Proposed Project, as mitigated, provides a reasonable balance between satisfying the Project objectives and reducing potential environmental impacts to an acceptable level.

Aesthetics

Under the No Project Alternative, no new development would occur within the Project site, and the visual character and quality of the site would be maintained in its existing condition, which includes distant views of the neighboring mountains and foothills. No structures or landscaping would be introduced on the site. No additional lighting or sources of glare would be installed. Thus, implementation of the No Project Alternative would not result in contrast or aesthetic incompatibilities with the existing environment. However, the visual improvements that would be introduced throughout the Project site if the proposed Project is approved include new and improved landscaping, providing a building of contemporary design, and improvements to the public realm by streetscaping would not be implemented by the No Project Alternative. Overall, the aesthetic impacts from the No Project Alternative would be less than significant and would be reduced in comparison to the Project.

Agricultural and Forestry Resources

Under this alternative no new development would occur and no new agricultural uses would be introduced to the Project site. The site would continue to be vacant with past agricultural activities and previous development. The State of California Department of Conservation’s FMMP designates the Project site as “Farmland of Local Importance” on the western half and “Other Land” on the eastern half. However, California Public Resources Code § 21060.1 defines “Agricultural land” as “prime farmland, farmland of statewide importance, or unique farmland” as defined by the United States Department of Agriculture land inventory and monitoring criteria. As such, “Farmland of Local Importance,” is not considered agricultural land as defined by PRC § 21060.1. Overall, this alternative would result in no impact to farmland and forestry resources.

Air Quality

Under this alternative no new development would occur in the Project site, and as such, no new stationary sources of air pollution would be introduced. This alternative would avoid the Project’s less than significant impacts related to conflict with the 2022 AQMP as emissions would be greatly reduced with no construction or additional trips introduced to the Project site. In addition, this alternative would also avoid the Project’s

less than significant impacts related to cumulatively considerable net increase to any criteria pollutant, as this alternative would result in no increase in emissions of criteria pollutants or diesel particulate matter (DPM) over existing conditions. Lastly this alternative would also avoid the Project's less than significant impact related the exposure of sensitive receptors to substantial pollutant concentrations. Therefore, the No Project/No Development alternative would result in less impact than the proposed Project.

Biological Resources

Under the No Project/No Build Alternative, the site would remain in its existing condition, which includes vacant and mostly undisturbed land. No grading or development would occur on the site under this alternative and there would be no potential impacts to burrowing owl or migratory and nesting birds. Although mitigation measures BIO-1 and BIO-2 required of the Project would reduce biological resource impacts to less than significant levels, this alternative would generate less impacts to biological resources as compared with the Project and would not require mitigation. Therefore, the No Project/No Build Alternative would not require implementation of mitigation and impacts under this alternative would be reduced compared to the Project.

Cultural Resources

Under this alternative, no disturbances would occur to the site. No grading for construction would occur and there would be no potential impacts to historical resources or to archaeological resources that may be buried below ground, as the current environment would remain. Although mitigation measures required of the Project would reduce cultural resource impacts to less than significant levels, this alternative would avoid impacts to cultural resources associated with the Project and would not require mitigation. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Energy

No construction activities would occur at the Project site or operation of new structures that would increase consumption of energy sources under this alternative. The Project site would continue to be vacant with no current energy usage. While this Draft EIR determined the Project's impacts to energy would be less than significant, energy use associated with this alternative would be less. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Geology and Soils

Under this alternative, no construction activities would occur at the Project site or offsite areas. As such, 100 percent less building area would be developed within the Project site. As such, potential impacts related to the potential for additional workers, building, and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site would not occur. This alternative would result in no impact related to geology and soils, and mitigation for paleontological resources would not be required. Therefore, impacts would be less than the Project's impact.

Greenhouse Gas Emissions

Under the No Project/No Build Alternative, no new development would occur, which means no new development or operational activities would generate GHG emissions. Project impacts related to greenhouse gases would be significant and unavoidable; however, this alternative would not increase greenhouse gases above existing conditions. Therefore, overall GHG impacts would be reduced in comparison to the Project.

Hazards and Hazardous Materials

No new construction activities would occur at the Project site or operation of new high-cube warehouse building that would generate, and result in transport of, hazardous materials. As there are no existing structures onsite, there would be no operation onsite that would generate hazardous materials. The No Project/No Build Alternative would not include major construction activities that would use typical construction-related hazardous materials. Thus, potential impacts related to use, disposal, and transport of hazardous materials would be avoided by this alternative. While this Draft EIR determined that the Project's impacts related to hazards and hazardous materials would be less than significant, this alternative would result in less impacts since no grading or construction would occur. Therefore, the No Project/No Development alternative would result in less impact than the proposed Project.

Hydrology and Water Quality

Existing water quality conditions, groundwater supplies, drainage patterns, and runoff water amounts would remain "as is" under this alternative as no new development would occur. This alternative would not introduce new sources of water pollutants from either the construction or operation phases of development to the Project site, because no new development would occur. This alternative would not require the storm drain facility improvements that would be necessary with the Project. Additionally, this alternative would not introduce new impervious areas. Therefore, the No Project/No Build Alternative would result in less impacts than the proposed Project.

Land Use and Planning

This alternative would not result in new development, and as such, there would be no potential for land uses to be introduced that would indirectly result in environmental impacts due to a conflict with an existing land use plan. Overall, this alternative would result in no impacts to land use and planning, and therefore, would be less than the Project's impacts.

Noise

Under this alternative, no development would occur onsite, and no new sources of noise would be introduced at the Project site. Since no new development would occur and no traffic trips would be generated, this alternative would not contribute to an incremental increase in area-wide traffic noise levels. In addition, this alternative would not result in construction onsite and no construction noise or vibration would occur. Therefore, this alternative would avoid the Project's significant and unavoidable impact related to increase in traffic noise. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Population and Housing

This alternative would not result in new development, and as such, would not result in induced growth or displacement affecting population and housing. However, this alternative would also not result in the benefit of adding new employment opportunities, which would help result in a more balanced jobs-housing ratio. Therefore, while the Project's impacts would be less than significant, this alternative would result in less impacts.

Public Services

This alternative would not result in new development, and as such, would not result in increased demand for public services such as fire and sheriff services, school services, library services, or health services that requires the new construction of public facilities. However, this alternative would also not result in the payment of the City's development impact fees. Therefore, while the Project's impacts would be less than significant through compliance with regulatory programs, this alternative would result in less impacts.

Recreation

This alternative would result in no new development. Like the proposed Project, this alternative would not increase housing and population and would not include construction or expansion of recreational facilities. Unlike the proposed Project, this alternative would not have new employees that may occasionally increase the use of existing local parks, neighborhood and regional parks. Therefore, this Alternative would result in no impact, and impacts would be less than the proposed Project.

Transportation

This alternative would not result in new development, and as such, would not result in any vehicular trips or VMT related to operation of the Project site. As the Project site would not be developed and trips would not be generated, the No Project/No Development alternative would result in no impact on transportation. As such, this alternative would avoid the Project's less than significant impacts. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Tribal Cultural Resources

The No Project/No Build Alternative would not develop the Project site. No grading or excavation would occur under this alternative and there would be no potential impacts to subsurface Tribal Cultural Resources that may exist beneath the ground surface. Although the Project would result in less than significant impacts on tribal cultural resources with implementation of mitigation measures TCR-1 and CUL-1, this alternative would avoid all potential impacts to tribal cultural resources. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Utilities and Service Systems

Under this alternative, existing conditions would remain, and no new development would occur. No additional configurations or connections to existing domestic water, wastewater, stormwater drainage, electric power, natural gas, or telecommunication facilities would be needed under this alternative, and there would be no change in the demand for domestic water or wastewater treatment services. This alternative would also not result in increased demand for solid waste collection and disposal. Selection of this alternative would result in no impact to utilities and service system providers. While the Project would result in less than significant impacts, this alternative would result in less impacts due to no change in demand of these service systems. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Wildfire

Under this alternative, existing conditions would remain, and no new development would occur. There would be construction or operation activities that would exacerbate the potential fire risks at the site or obstruct any evacuation routes. The Project site would continue to be located within a High Fire Hazard Severity Zone. However, with this alternative there would be no occupants onsite that would be exposed to fire

hazards. Therefore, the No Project/No Development alternative would result in less impacts than the proposed Project.

Conclusion

Ability To Reduce Impacts

This alternative would reduce the Project's significant and unavoidable impacts related to GHG and Noise to no impact. The No Project/No Development Alternative would eliminate less than significant impacts related to the topical sections analyzed in the EIR and would not necessitate identified MMs related to biological resources, cultural resources, geology & soils, paleontological resources, and tribal cultural resources that would result in the identified impacts being reduced to a less than significant level under the Project.

Ability To Achieve Project Objectives

Implementation of the No Project/No Development Alternative would not implement the proposed development on the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Development Alternative would not add to the City's employment-generating uses or new businesses, would not promote economic growth, would not reduce the need for commuting to employment and would not develop the site for industrial warehousing consistent with the City's land use designation.

9.3.2 ALTERNATIVE 2: 30 PERCENT REDUCED PROJECT ALTERNATIVE

Description

This 30 Percent Reduced Project Alternative consists of development of the Project site in a manner similar to the Project, but with a reduction in square footage. Specifically, the Reduced Project Alternative would result in development of one 373,275 SF speculative warehouse building with a FAR of 0.3. Development under the Reduced Project Alternative would reduce Project square footage by approximately 30 percent. The reduced square footage would allow for increased setbacks, passenger vehicle parking, truck parking, and landscape. The entire site would be developed, and thus areas planned for physical impact on and offsite (including road improvements) would be identical to those required for development of the proposed Project. Infrastructure and circulation improvements would still be required to adequately serve the development; however, stormwater facilities would be sized smaller due to the decrease in impervious areas. Development of the Reduced Project Alternative would result in approximately 795 daily trips, 46 AM trips and 62 PM trips.

Finding

The City adopts Finding 3 and finds that the 30 Percent Reduced Project Alternative is infeasible because it would require a similar level of mitigation as the proposed Project. Additionally, although the 30 Percent Reduced Project Alternative would meet some of the Project objectives, they would not be met to the extent as would be achieved by the Project.

In making this determination, the City finds that when compared to the alternatives described and evaluated in the Draft EIR, the proposed Project, as mitigated, provides a reasonable balance between satisfying the Project objectives and reducing potential environmental impacts to an acceptable level.

Aesthetics

The 30 Percent Reduced Project Alternative would develop 30 percent smaller building with less loading docks and parking and would be visually less dense than the proposed Project. The 30 Percent Reduced Project Alternative would result one building with smaller footprint, but of the same height and the same architectural character as the Project. Areas of offsite improvements would be the same as the Project. Thus, the visual character and quality of the developed portion of the site would be the similar to the Project. The visual improvements that would be introduced throughout the Project site that include new and improved landscaping, providing a building of contemporary design, and improvements to the public realm by streetscaping would be implemented similar to the proposed Project. Overall, implementation of the 30 Percent Reduced Project Alternative would result in impacts consistent with the Project and would be less than significant.

Agricultural and Forestry Resources

Under this alternative, the Project site would be developed with a 373,275 SF speculative warehouse building. The Project site is located within "Farmland of Local Importance," which is not considered agricultural land as defined by PRC § 21060.1. Therefore, this alternative would not result in the conversion of farmland to non-agricultural. Overall, this alternative would result in less than significant impact related to agriculture and forest resources and the impact would be the same in comparison to the proposed Project.

Air Quality

The 30 Percent Reduced Project Alternative would reduce the proposed industrial development on the Project site by 30 percent or 159,977 fewer SF would be developed within the Project site. The proposed Project is calculated to generate 1,135 daily trips including 70 AM peak hour trips, and 93 PM peak hour trips. This alternative would result in 340 fewer daily trips, 24 fewer PM trips and 31 fewer PM trips compared to the proposed Project. Therefore, a reduced volume of construction activities and related emissions would occur. In addition, the reduced amount of square footage that would be developed by this alternative would result in less stationary source emissions from equipment on-site, substantially less vehicular trips, and associated emissions than the Project. Therefore, overall air quality impacts would be reduced in comparison to the less than significant impacts of the Project. Thus, this alternative and cumulative impacts under this alternative would be less than the Project.

Biological Resources

Under this alternative, the Project site would be developed with a 373,275 SF speculative warehouse building on the 28.27-acre site. Development of this alternative would require removal of existing vegetation, including shrubs, which provide nesting habitat for Migratory Bird species. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. As such, the impacts to biological resources at the Project site would be similar to the Project and require mitigation measure BIO-2 to reduce potential project impacts to nesting birds. In addition, the Project site is located in the Western Riverside County MSHCP burrowing owl survey area. As such, this alternative would also require mitigation measure BIO-1 for burrowing owl pre-construction surveys. This mitigation measure would also reduce potential impacts from this alternative to a less than significant level. Overall, this alternative would result in less than significant impacts to biological resources with mitigation, and therefore, impacts would be the same as the proposed Project.

Cultural Resources

The 30 Percent Reduced Project Alternative would result in similar impacts to potential undiscovered subsurface archaeological resources within the reduced construction area. Grading and excavation would still be required as part of the construction process; therefore, the same mitigation would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from this Alternative would be similar to those associated with the proposed Project.

Energy

Under the 30 Percent Reduced Project Alternative, approximately 30 percent less building area, or 159,977 fewer SF, would be developed on the Project site. This would result in an approximately 30 percent decrease in the demand for energy in comparison to the proposed Project, which was determined to be less than significant. This alternative would also be required to be in compliance with Title 24 requirements. The Project would require the use of diesel fuel for trucking operations; however, operations would be reduced by 30 percent capacity as a result of reduction in facility size. Therefore, impacts to energy from the Reduced Project Alternative would be less than those associated with the proposed Project, and would remain less than significant. Therefore, energy impacts from this alternative would be reduced compared to the proposed Project.

Geology and Soils

Under this alternative, approximately 30 percent less building area would be developed within the Project site. Potential impacts related to the potential for additional workers, building, and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site would be similar to the Project. Soil erosion impacts would also be less than significant due to compliance with water quality standards, and new development would be required to comply with regulatory requirements regarding geologic considerations such as seismic hazards from ground shaking. The same mitigation measure regarding paleontological resources would be required for this alternative. This alternative would result in less than significant impacts to geology and soils, and therefore, would be consistent with the Project's impact.

Greenhouse Gas Emissions

Under the 30 Percent Reduced Project Alternative, approximately 30 percent less building area would be developed within the Project site. Therefore, a reduced volume of construction activities and related production of GHG emissions would occur. In addition, the reduced amount of development by this alternative would result in less stationary source emissions from onsite equipment, and less traffic associated GHG emissions than the proposed Project. Therefore, the overall volume of GHG emissions would be reduced in comparison to the proposed Project and from of approximately 5,377.43 MTCO₂e/yr, to approximately 3,764 MTCO₂e/yr. GHG emissions under this alternative, although less than the proposed Project, would continue to exceed the screening threshold of 3,000 MTCO₂e/yr. As such, this alternative would result in a significant and unavoidable impact on greenhouse gas emissions. However, impacts to GHG would be less than those of the proposed Project.

Hazards and Hazardous Materials

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. Like the proposed Project, construction of this alternative would be required to comply with existing regulations regarding the transport, use, and disposal of hazardous materials such as fuel, paints and solvents. In addition, this alternative would likely require the same utilization of hazardous materials during

operation, including small quantities of household cleaners, lubricants, batteries, etc. as the proposed Project. Overall, this alternative would result in less than significant impacts to hazards and hazardous materials, and therefore, would be consistent with the Project's impact.

Hydrology And Water Quality

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. Due to the decrease in square footage developed, development of this alternative would result in a decrease in impermeable surfaces compared to those required for development of the Project. Construction of the alternative would still construct the identified stormwater drainage system as the Project but would likely require a smaller sized underground storage chamber and biotreatment modular wetland systems. In addition, preparation of a SWPPP and WQMP would be required for development of this alternative. Overall, this alternative would also result in less than significant impacts related to hydrology and water quality but would result in decreased impacts in comparison to the proposed Project.

Land Use and Planning

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. Like the proposed Project, the Reduced Project alternative would be consistent with the land use designation of EDC. Potential impacts due to land use compatibility under both the Project and this alternative would be less than significant. This alternative would also not physically disrupt or divide the arrangement of an established community. Overall, impacts related to land use and planning from the Reduced Project Alternative would be less than significant; and therefore, would be consistent with the Project's impacts.

Mineral Resources

This alternative would develop the 28.27-acre site with one 373,275 SF speculative warehouse building. As discussed in the Initial Study (Appendix A), there are no known mineral resources either on the Project site or in the immediate vicinity of the Project site. Furthermore, the Project site is not within a mineral resource zone as defined by the City of Menifee General Plan EIR. Therefore, this Alternative would result in no impact, consistent with the proposed Project.

Noise

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. The operation of this alternative would result in approximately 341 fewer daily trips, including 280 car trips and 61 truck trips, in comparison to the proposed Project.

Land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at three road segments for Existing with Project Scenario 1: Geary Street south of Ethanac Road, Murrieta south of Ethanac Road, and Ethanac Road east of Murrieta Road due to Project-related traffic noise levels. Under Scenario 1, the proposed Project would have an increase of 17.6 dBA at Geary Street south of Ethanac Road, an increase of 1.8 dBA at Murrieta south of Ethanac Road, and an increase of 1.6 at Ethanac Road east of Murrieta Road, as shown in Table 5.10-15, *Existing with Project Scenario 1 – No Signal Traffic Noise Level Increases*, of the Draft EIR.

Additionally, under the proposed Project land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at one road segment for Existing with Project Scenario 2: Geary Street south of Ethanac Road. Under Scenario 2, the proposed Project would have an increase of

6.2 dBA at Geary Street south of Ethanac Road, as shown in Table 5.10-16, *Existing with Project Scenario 2 – with Signal Traffic Noise Increases*, of the Draft EIR.

Therefore, this alternative would result in a decrease in roadway noise when compared to the proposed Project and would avoid or at least greatly reduce the significant and unavoidable impact to Murrieta south of Ethanac Road and Ethanac Road east of Murrieta Road under Scenario 1. Furthermore, impacts to Geary Street south of Ethanac Road under Scenario 1 and Scenario 2 would be reduced, but would remain above the significance threshold.

Short-term noise and vibration impacts would occur during construction similar to the Project. Like the Project, long-term operational noise would not expose nearby sensitive receivers to noise levels over the City's daytime noise standards. Overall, this alternative would result in fewer operational noise-related impacts than those associated with the Project. However, impacts would remain significant and unavoidable.

Population and Housing

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. According to the SCAG, the generation rate for employees required for operation of industrial warehouse uses is 1 employee for every 819 SF of building space. As the proposed Project would operate 533,252 SF of building area, operation of the Project would require approximately 651 employees. This alternative has the potential to result in the need for approximately 455 employees in comparison to the Project's 651 estimated employees, which is a reduction of 195 employees (30 percent). Consistent with the proposed Project, the resulting employment increase from this alternative would also be within the SCAG growth projections. Thus, this alternative would also not result in unplanned growth inducing impacts or displacement of population and housing. Therefore, consistent with the proposed Project, the 30 Percent Reduced Project Alternative would result in less than significant impacts related to population and housing. However, the employment benefit of the Project would be less than that would be provided by the proposed Project.

Public Services

Construction of this alternative would result in generally similar impacts, if not a slightly decreased demand for public services based on the decreased employment generated. The same fire and sheriff's stations would serve the alternative, and the decrease in square footage developed would likely decrease the amount of service calls received by these public services compared to the Project. In addition, this alternative would also require the payment of development impact fees imposed by the City of Menifee. Through implementation of regulatory requirements, impacts would be less than significant. Therefore, this alternative would result in similar less than significant impacts as the Project.

Recreation

Like the proposed Project, this alternative would not increase housing and population and would not include construction or expansion of recreational facilities. Like the proposed Project, this alternative may result in new employees who may occasionally increase the use of existing local parks, neighborhood, and regionals parks; employees' limited use would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Therefore, this Alternative would result in less than significant impact, consistent with the proposed Project.

Transportation

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. Under this alternative, development of the Reduced Project Alternative would result in approximately 795 daily trips, as shown in Draft EIR Table 8-1, *Alternative 2 Trip Generation*. The proposed Project is calculated to generate 1,135 daily trips including 70 AM peak hour trips, and 93 PM peak hour trips. This alternative would result in 340 fewer daily trips, 24 fewer PM trips and 31 fewer PM trips compared to the proposed Project. With respect to VMT, the reduced number results in the same VMT per service population, resulting in the same impact. Therefore, this alternative would result in less than significant impacts related to VMT consistent with the proposed Project.

Tribal Cultural Resources

Under this alternative, the Project would be reduced by approximately 30 percent. Grading and excavation would still occur under this alternative, therefore, there could be similar impacts to tribal cultural resources and the same MMs would be required for the reduced construction area. Therefore, impacts that could occur under this alternative would be similar to those associated with the Project.

Utilities and Service Systems

Under this alternative, the Project would be reduced by approximately 30 percent. This would reduce the number of employees on the Project site in relation to the reduction of building square footage; and would also reduce demand for utilities from the proposed building. Under this alternative, demand for regional water supplies would be less than that of the Project. Thus, impacts related to water supplies would be less than the less than significant impacts that would occur from implementation of the Project. Similarly, EMWD would have adequate capacity to treat wastewater generated under both the Project and this alternative; however, this alternative would generate less wastewater than the proposed Project. Solid waste generation would be less than the amount of solid waste generated by the Project and require less landfill capacity. Therefore, impacts to utilities and service systems under this alternative would result in similar less than significant impacts, consistent with the proposed Project.

Wildfire

The level of development onsite would be decreased under this alternative as compared to the proposed Project. Both the Project and this alternative would be required to comply with the California Building Code and California Fire Code requirements. Development under the Reduced Project Alternative would reduce Project square footage by approximately 30 percent and would also reduce the number of occupants onsite by 30 percent. Overall, this alternative would also result in less than significant impacts related to wildfires but would result in a decrease in impacts in comparison to the proposed Project.

Conclusion

Ability to Reduce Impacts

Under this alternative, the 28.27-acre site would be developed with one 373,275 SF speculative warehouse building. Development under the Reduced Project Alternative would reduce Project square footage by approximately 30 percent. The reduced square footage would allow for increased setbacks, passenger vehicle parking, and truck parking. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. Many of the mitigation measures would still be applicable to this alternative; however, this alternative would result in lessened impacts to 8 of the 15 environmental topics analyzed in the Draft EIR (see Draft EIR Table 8-4, *Impact Comparison of the Proposed*

Project and Alternatives). Furthermore, while impacts to GHG and noise would be reduced under this alternative as compared to the Project, impacts would continue to be significant and unavoidable.

Ability to Achieve Project Objectives

As shown in the Draft EIR Table 8-5, *Comparison of the Proposed Project and Alternatives' Ability to Meet Objectives*, the 30 Percent Reduced Project Alternative would partially meet the majority of Project objectives, but not to the same extent as the proposed Project. This alternative would develop a property with industrial uses with nearby access to the freeway, by adding employment-generating uses and would attract new businesses and employment. Furthermore, the Reduced Alternative would reduce the need for the local workforce to commute outside of the Project vicinity. This alternative would develop a speculative warehouse building within close proximity to I-215. However, as shown in the Draft EIR Table 8-5, this alternative would meet the Project objectives but to a lesser extent than the proposed Project would.

9.3.3 ALTERNATIVE 3: 51 PERCENT REDUCED PROJECT ALTERNATIVE

Description

This 51 Percent Reduced Project Alternative consists of development of the Project site in a manner similar to the Project, but with a reduction in square footage and addition of manufacturing use. Specifically, the 51 percent Reduced Project Alternative would result in development of one 251,133 SF speculative warehouse building with 25,000 SF of manufacturing use and 20,000 SF of office use and a FAR of 0.2. Development under the Reduced Project Alternative would reduce Project square footage by approximately 51 percent. The reduced square footage would allow for increased setbacks, passenger vehicle parking, truck parking, and landscape. Additionally, development under this alternative would occur on the southern portion of the site, and the northern portion would be left undeveloped for future development. Areas planned for physical impact offsite would be identical to those required for development of the proposed Project. Development of the 51 Percent Reduced Project Alternative would result in approximately 506 daily trips, 56 AM trips and 59 PM trips.

Finding

The City adopts Finding 3 and finds that the 51 percent Reduced Project Alternative is infeasible because it would require a similar level of mitigation as the proposed Project. Additionally, although the Reduced Project Alternative would meet the Project objectives, they would not be met to the extent as would be achieved by the Project.

In making this determination, the City finds that when compared to the alternatives described and evaluated in the Draft EIR, the proposed Project, as mitigated, provides a reasonable balance between satisfying the Project objectives and reducing potential environmental impacts to an acceptable level.

Aesthetics

The 51 Percent Reduced Project Alternative would develop one 51 percent smaller building with less loading docks and less required parking per the City of Menifee municipal code standards and would be visually less dense than the proposed Project. The 51 Percent Reduced Project Alternative would result in one building with smaller footprint, but of the same height and the same architectural character as the Project. Areas of offsite improvements would be the same as the Project. Thus, the visual character and quality of the developed portion of the site would be the similar to the Project. The visual improvements that would be introduced throughout the Project site that include new and improved landscaping, providing a building of

contemporary design, and improvements to the public realm by streetscaping would be implemented similar to the proposed Project. Overall, implementation of the 51 Percent Reduced Project Alternative would result in impacts consistent with the Project and would be less than significant.

Agricultural and Forestry Resources

Under this alternative, the Project site would be developed with a 251,133 SF speculative warehouse building. The Project site is located within "Farmland of Local Importance," which is not considered agricultural land as defined by PRC § 21060.1. Therefore, this alternative would not result in the conversion of farmland to non-agricultural. Overall, this alternative would result in less than significant impact related to agriculture and forest resources and the impact would be the same in comparison to the proposed Project.

Air Quality

Under this alternative, approximately 51 percent less built area, or 282,119 fewer SF would be developed within the Project site. The proposed Project is calculated to generate 1,135 daily trips including 70 AM peak hour trips, and 93 PM peak hour trips. This alternative would result in 629 fewer daily trips, 14 fewer AM trips and 34 fewer PM trips compared to the proposed Project. Under this alternative, air quality impacts would be less than those under the proposed Project due to the decrease in square footage and decreased number of trips. As the Project would result in construction and operational emissions below SCAQMD thresholds, the Reduced Project Alternative would also result in emissions below SCAQMD thresholds. Therefore, this alternative would result in less overall air quality impacts compared to the Project.

Biological Resources

Development under this alternative would occur on the southern portion of the site, and the northern portion would be left undeveloped for future development. Areas planned for physical impact offsite would be identical to those required for development of the proposed Project. As such, the project impact area for biological resources would be reduced by approximately 14.14 acres under this alternative as compared to the proposed Project.

Development of this alternative would require removal of existing vegetation, including shrubs, which provide nesting habitat for Migratory Bird species. Mitigation measure BIO-2 to reduce potential project impacts to nesting birds would also be required under this alternative. In addition, the Project site is located in the Western Riverside County MSHCP burrowing owl survey area. As such, this alternative would also require mitigation measure BIO-1 for burrowing owl pre-construction surveys. This mitigation measure would also reduce potential impacts from this alternative to a less than significant level. Overall, this alternative would result in less than significant impacts to biological resources with mitigation, and therefore, would be consistent with the Project's impact.

Cultural Resources

Development under this alternative would occur on the southern portion of the site, and the northern portion would be left undeveloped for future development. Areas planned for physical impact offsite would be identical to those required for development of the proposed Project. As such, the project impact area for cultural resources would be reduced by approximately 14.14 acres under this alternative as compared to the proposed Project.

Though to a lesser extent, grading and excavation would be required for development of the Project site and require the same mitigation measure, CUL-1, to reduce potential impacts related to monitoring during

ground-disturbing activities to ensure that if buried resources are present, they would be handled in a timely and proper manner. Therefore, impacts from this alternative would be reduced when compared to the Project, and archaeological mitigation would reduce potential impacts from this alternative to a less than significant level as with the Project. Overall, this alternative would result in less than significant impacts related to cultural resources with mitigation, and therefore, would be consistent with the Project's impact.

Energy

Under the 51 percent Reduced Project Alternative, approximately 51 percent less building area, or 282,119 fewer SF, would be developed on the Project site. This would result in an approximately 51 percent decrease in the demand for energy in comparison to the proposed Project, which was determined to be less than significant. This alternative would also be required to be in compliance with Title 24 requirements. The Project would require the use of diesel fuel for trucking operations; however, operations would be reduced by 51 percent capacity as a result of reduction in facility size. Therefore, impacts to energy from the Reduced Project Alternative would be less than those associated with the proposed Project, and remain less than significant. Therefore, while Project impacts to energy were determined to be less than significant, energy impacts from this alternative would be reduced compared to the proposed Project.

Geology and Soils

Under this alternative, approximately 51 percent less building area would be developed within the Project site. Potential impacts related to the potential for additional workers, building, and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site would be similar to the Project. Soil erosion impacts would also be less than significant due to compliance with water quality standards, and new development would be required to comply with regulatory requirements regarding geologic considerations such as seismic hazards from ground shaking. The same mitigation measure regarding paleontological resources would be required for this alternative. This alternative would result in less than significant impacts to geology and soils, and therefore, would be consistent with the Project's impact.

Greenhouse Gas Emissions

Under this alternative, the Project site would be developed with a 251,133 SF speculative warehouse building with 25,000 SF of manufacturing use and 20,000 SF of office use. This alternative would result in approximately 51 percent less building area as compared to the Project site. Therefore, a reduced volume of construction activities and related production of GHG emissions would occur. In addition, the reduced amount of development by this alternative would result in less stationary source emissions from onsite equipment, and less traffic associated GHG emissions than the proposed Project.

When accounting for the reduced building footprint and addition of manufacturing uses, the overall volume of GHG emissions would be reduced in comparison to the proposed Project from approximately 5,377.43 MTCO₂e/yr to approximately 2,985.38 MTCO₂e/yr. Therefore, this alternative would not exceed the SCAQMD's numeric threshold of 3,000 MTCO₂e/yr per year and impacts would be less than significant. Thus, impacts to GHG would be less than the Project.

Hazards and Hazardous Materials

Under this alternative, the 28.27-acre site would be developed with one 251,133 SF speculative warehouse building. Like the proposed Project, construction of this alternative would be required to comply with existing regulations regarding the transport, use, and disposal of hazardous materials such as fuel, paints and solvents. In addition, this alternative would likely require the same utilization of hazardous materials during

operation, including small quantities of household cleaners, lubricants, batteries, etc. as the proposed Project. Overall, this alternative would result in less than significant impacts to hazards and hazardous materials, and therefore, would be consistent with the Project's impact.

Hydrology and Water Quality

Due to the decrease in square footage developed, development of this alternative would result in a decrease of about 14.14 acres in impermeable surfaces as compared to those required for development of the Project. Construction of the alternative would still construct the identified stormwater drainage system as the Project but would require a smaller sized underground storage chamber and biotreatment modular wetland systems. In addition, preparation of a SWPPP and WQMP would be required for development of this alternative. Overall, this alternative would also result in less than significant impacts related to hydrology and water quality but would result in decreased impacts in comparison to the proposed Project.

Land Use and Planning

Like the proposed Project, the Reduced Project alternative would be consistent with the land use designation of EDC. Potential impacts due to land use compatibility under both the Project and this alternative would be less than significant. This alternative would also not physically disrupt or divide the arrangement of an established community. Overall, impacts related to land use and planning from the Reduced Project Alternative would be less than significant; and therefore, would be consistent with the Project's impacts.

Mineral Resources

As discussed in the Initial Study (Appendix A of the Draft EIR), there are no known mineral resources either on the Project site or in the immediate vicinity of the Project site. Furthermore, the Project site is not within a mineral resource zone as defined by the City of Menifee General Plan EIR. Therefore, this Alternative would result in no impact, consistent with the proposed Project.

Noise

Noise impacts would be reduced from the noise impacts of the Project because a smaller building would be constructed, and the construction timeline would be shorter. Project operational noise impacts would be reduced because this alternative would result in fewer truck trips as the Project, and the stationary noise sources would be reduced in relation to the reduction in building square footage. Therefore, this alternative would result in a decrease in roadway noise when compared to the proposed Project and would avoid or at least greatly reduce the significant and unavoidable impact to Murrieta south of Ethanac Road and Ethanac Road east of Murrieta Road under Scenario 1. Furthermore, impacts to Geary Street south of Ethanac Road under Scenario 1 and to Geary Street south of Ethanac Road would be reduced, but would remain above the significance threshold. Overall, this alternative would result in fewer operational noise-related impacts than those associated with the Project. However, impacts would remain significant and unavoidable.

Population and Housing

According to the SCAG, the generation rate for employees required for operation of industrial warehouse uses is 1 employee for every 819 SF of building space. As the proposed Project would operate 533,252 SF of building area, operation of the Project would require approximately 651 employees. This alternative, without considering the manufacturing land use, has the potential to result in the need for approximately 306 employees in comparison to the Project's 651 estimated employees, which is a reduction of 332

employees (51 percent). Additionally, according to SCAG, the generation rate for employees required for operation of light manufacturing uses is 1 employee for every 2,221 SF. Thus, this alternative has the potential to result in the need for approximately 288 employees when considering the 25,000 SF manufacturing land uses in comparison to the Project's 651 estimated employees, which is a reduction of 363 employees (56 percent). Consistent with the proposed Project, the resulting employment decrease from this alternative would also be within the SCAG growth projections. Thus, this alternative would also not result in unplanned growth inducing impacts or displacement of population and housing. Therefore, consistent with the proposed Project, the 51 Percent Reduced Project Alternative would result in less than significant impacts related to population and housing. However, the employment benefit of the Project would be less than that would be provided by the proposed Project.

Public Services

Construction of this alternative would result in a decreased demand for public services based on the decreased employment generated. The same fire and sheriff's stations would serve the alternative, and the decrease in square footage developed would likely decrease the amount of service calls received by these public services compared to the Project. In addition, this alternative would also require the payment of development impact fees imposed by the City of Menifee. Through implementation of regulatory requirements, impacts would be less than significant. Therefore, this alternative would result in similar less than significant impacts as the Project.

Recreation

Like the proposed Project, this alternative would not increase housing and population and would not include construction or expansion of recreational facilities. Like the proposed Project, this alternative may result in new employees who may occasionally increase the use of existing local parks, neighborhood, and regionals parks; employees' limited use would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Therefore, this Alternative would result in less than significant impact, consistent with the proposed Project.

Transportation

Under this alternative, the 28.27-acre site would be developed with one 251,133 SF speculative warehouse building with 25,000 SF of manufacturing use and 20,000 SF of office use. Development of the 51 Percent Reduced Project Alternative would result in approximately 506 daily trips, as shown in the Draft EIR Table 8-2, *Alternative 3 Trip Generation*. The proposed Project is calculated to generate 1,135 daily trips including 70 AM peak hour trips, and 93 PM peak hour trips. This alternative would result in 629 fewer daily trips, 14 fewer AM trips and 34 fewer PM trips compared to the proposed Project. With respect to VMT, this alternative would result in 506 daily trips including 56 AM peak hour and 49 PM peak hour trips. Therefore, this alternative would result in less than significant impacts related to VMT consistent with the proposed Project.

Tribal Cultural Resources

Under this alternative, the project impact area for tribal resources would be reduced by approximately 14.14 acres as compared to the proposed Project.

Though to a lesser extent, grading and excavation would be required for development of the Project site and require the same mitigation measure, CUL-1 and TCR-1, to reduce potential impacts related to monitoring during ground-disturbing activities to ensure that if buried resources are present, they would be

handled in a timely and proper manner. Therefore, impacts from this alternative would be reduced when compared to the Project, and archaeological mitigation would reduce potential impacts from this alternative to a less than significant level as with the Project. Overall, this alternative would result in less than significant impacts related to cultural resources with mitigation and, and therefore, would be consistent with the Project's impact.

Utilities and Service Systems

Both the Project and this alternative would require water and sewer, electrical, and communication utilities to be extended to the site from existing facilities along Murrieta Road. Impacts associated with the provision of such facilities would be similar and would be less than significant upon compliance with existing regulatory requirements. Although impacts would be decreased under this alternative due to the decrease in building demand and associated demand for water resources, impacts to water supply would still be less than significant. Similarly, EMWD would have adequate capacity to treat wastewater generated under both the Project and this alternative; however, this alternative would generate less wastewater than the proposed Project. This alternative would result in a decrease in building square footage and would generate less solid waste than the proposed Project. Overall, this alternative would also result in less than significant impacts related to utilities and service systems but would result in a decrease in impacts in comparison to the proposed Project.

Wildfire

The level of development onsite would be decreased under this alternative as compared to the proposed Project. Both the Project and this alternative would be required to comply with the California Building Code and California Fire Code requirements. Development under the Reduced Project Alternative would reduce Project square footage by approximately 51 percent and would also reduce the number of occupants onsite by 51 percent. Overall, this alternative would also result in less than significant impacts related to wildfires but would result in a decrease in impacts in comparison to the proposed Project.

Conclusion

Ability to Reduce Impacts

Under this alternative, the 28.27-acre site would be developed with one single 251,133 SF speculative warehouse building with 25,000 SF of manufacturing use and 20,000 SF of office use. Development under the 51 Percent Reduced Project Alternative would reduce Project square footage by approximately 51 percent. The reduced square footage would allow for increased setbacks, passenger vehicle parking, and truck parking. Additionally, development under this alternative would occur on the southern portion of the site, and the northern portion would be left undeveloped for future development. Areas planned for physical impact offsite would be identical to those required for development of the proposed Project. Many of the mitigation measures would still be applicable to this alternative; however, this alternative would result in lessened impacts to 10 of the 15 environmental topics analyzed in this Draft EIR (see Table 8-4). This alternative would reduce impacts to GHG, and noise as compared to the Project. Impacts to GHG would be reduced to less than significant; however, impacts to noise would continue to be significant and unavoidable.

Ability to Achieve Project Objectives

As shown in the Draft EIR Table 8-5, the 51 Percent Reduced Project Alternative would partially meet the majority of Project objectives, but not to the same extent as the proposed Project. This alternative would develop a property with industrial uses with nearby access to the freeway, by adding employment-

generating uses and would attract new businesses and employment. Furthermore, the Reduced Alternative would reduce the need for the local workforce to commute outside of the Project vicinity. This alternative would develop a speculative warehouse building within close proximity to I-215. However, as shown in the Draft EIR Table 8-5, this alternative would meet the Project objectives but to a lesser extent than the proposed Project would.

9.3.4 ALTERNATIVE 4: NO PROJECT/BUILDOUT OUT OF THE EXISTING ZONING

Description

This No Project/Build Out of the Existing Zoning Alternative consists of development of the Project site in a manner that is consistent with the existing General Plan Land Use and zoning designation. Specifically, the No Project/Build Out of the Existing Zoning Alternative would result in development of an industrial business park with a total building area of 533,252 SF and a FAR of 0.5. This alternative assumes that all 28.27 acres of the Project site would be developed. Additional improvements would include parking lot, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements. Infrastructure and circulation improvements would still be required to adequately serve the development. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. Trip generation rates for this alternative was analyzed using the Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021, Land Use Code 130 (Industrial Park). Development of the Reduced Project Alternative would result in approximately 1797 daily trips, 179 AM trips and 179 PM trips.

Finding

The City adopts Finding 3 and finds that the No Project/Buildout Out of the Existing Zoning is infeasible because it would require a similar level of mitigation as the proposed Project and would lead to an increase in impacts to several environmental topics. Additionally, the No Project/Buildout of the Existing Zone would meet the all the Project objectives.

In making this determination, the City finds that when compared to the alternatives described and evaluated in the Draft EIR, the proposed Project, as mitigated, provides a reasonable balance between satisfying the Project objectives and reducing potential environmental impacts to an acceptable level.

Aesthetics

The No Project/Build Out of the Existing Zoning Alternative would develop the site with an industrial business park with at total building area of 533,252 SF. The total building area would be the same as the proposed Project and the buildings would have the same architectural character as the Project. Areas of offsite improvements would be the same as the Project. Thus, the visual character and quality of the developed portion of the site would be the like the Project. The visual improvements that would be introduced throughout the Project site that include new and improved landscaping, and improvements to the public realm by streetscaping, would be implemented similar to the proposed Project. Overall, implementation of the No Project/Build Out of the Existing Zoning Alternative would result in impacts consistent with the Project and would be less than significant.

Agricultural and Forestry Resources

Under this alternative, the Project site would be developed with an industrial business park with a total building area of 533,252 SF. The Project site is located within "Farmland of Local Importance," which is not

considered agricultural land as defined by PRC § 21060.1. Therefore, this alternative would not result in the conversion of farmland to non-agricultural. Overall, this alternative would result in less than significant impact related to agriculture and forest resources and the impact would be the same in comparison to the proposed Project.

Air Quality

Under this alternative, an industrial business park with a total building area of 533,252 SF would be developed with industrial business park uses on the entire 28.27-acre site. The total building area would be the same as the proposed Project; however, as this alternative would result in additional 662 daily trips, including 109 AM peak hour and 86 PM peak hour trips. It is anticipated that, while there is an increase in trips, air quality impacts would be below SCAQMD thresholds, and similar to the less-than-significant impacts from the proposed Project. Operational air quality emissions from mobile sources are expected to increase under this alternative when compared to the proposed Project due to the increase in daily trips. Therefore, impacts under this alternative would be the same or increased as compared to the proposed Project.

Biological Resources

Under this alternative, the Project site would be developed with a business park with a total building area of 533,252 SF on the 28.27-acre site. Development of this alternative would require removal of existing vegetation, including shrubs, which provide nesting habitat for Migratory Bird species. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. As such, the impacts to biological resources at the Project site would be similar to the Project and require mitigation measure BIO-2 to reduce potential project impacts to nesting birds. In addition, the Project site is located in the Western Riverside County MSHCP burrowing owl survey area. As such, this alternative would also require mitigation measure BIO-1 for burrowing owl pre-construction surveys. This mitigation measure would also reduce potential impacts from this alternative to a less than significant level. Overall, this alternative would result in less than significant impacts to biological resources, and therefore, would be consistent with the Project's impact.

Cultural Resources

Under this alternative, the entire 28.27-acre site would be developed with a business park with a total building area of 533,252 SF on the 28.27-acre site. Potential archaeological impacts would be similar to the Project due to grading and excavation required for development of the Project site and require the same mitigation measure, CUL-1, to reduce potential impacts related to monitoring during ground-disturbing activities to ensure that if buried resources are present, they would be handled in a timely and proper manner. As discussed above, areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. Therefore, impacts from this alternative would be similar compared to the Project, and archaeological mitigation would reduce potential impacts from this alternative to a less than significant level as with the Project. Overall, this alternative would result in less than significant impacts related to cultural resources and impacts would be the same as the proposed Project.

Energy

Under the No Project/Build Out of the Existing Zoning Alternative, an industrial business park with a total building area of 533,252 SF would be developed on the Project site. This would result in approximately the same energy demand in comparison to the proposed Project, which was determined to be less than significant. This alternative would also be required to be in compliance with Title 24 requirements. Therefore,

impacts to energy from the Reduced Project Alternative would be consistent with the proposed Project, and remain less than significant.

Geology and Soils

Under this alternative, the site would be developed with an industrial business park with a total building area equal to the proposed Project. Potential impacts related to the potential for additional workers, building, and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site would be similar to the Project. Soil erosion impacts would also be less than significant due to compliance with water quality standards, and new development would be required to comply with regulatory requirements regarding geologic considerations such as seismic hazards from ground shaking. The same mitigation measure regarding paleontological resources would be required for this alternative. This alternative would result in less than significant impacts to geology and soils, and therefore, would be consistent with the Project's impact.

Greenhouse Gases

Under the No Project/Build Out of the Existing Zoning Alternative, approximately the same total building area would be developed within the Project site. However, this alternative would result in an additional 662 daily trips, inclusive of 109 AM peak hour and 86 PM peak hour trips. Of the 5,377.43 MTCO₂e/yr GHG emissions from the proposed Project, 4,150.00 MTCO₂e/yr are estimated to be from mobile sources. As such, GHG emissions would increase under this alternative as compared to the proposed Project due to the increase in daily trips. GHG emissions under this alternative, would be more than the proposed Project, and would continue to exceed the screening threshold of 3,000 MTCO₂e/yr. As such this alternative would continue to result in a significant and unavoidable impact on greenhouse gas emissions.

Hazards and Hazardous Materials

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF. Like the proposed Project, construction of this alternative would be required to comply with existing regulations regarding the transport, use, and disposal of hazardous materials such as fuel, paints and solvents. In addition, this alternative would likely require the same utilization of hazardous materials during operation, including small quantities of household cleaners, lubricants, batteries, etc. as the proposed Project. Overall, this alternative would result in less than significant impacts to hazards and hazardous materials, and therefore, would be consistent with the Project's impact.

Hydrology and Water Quality

Under this alternative, the 28.27-acre site would be developed with one with an industrial business park with a total building area of 533,252 SF. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project, and the square footage developed would be consistent with the proposed Project. Construction of the alternative would still construct the identified stormwater drainage system as the Project. In addition, preparation of a SWPPP and WQMP would be required for development of this alternative. Overall, this alternative would also result in less than significant impacts related to hydrology and water and impacts would be consistent with the proposed Project.

Land Use and Planning

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF. Like the proposed Project, the No Project/Build Out of the Existing Zoning Alternative would be consistent with the land use designation of EDC. Potential impacts due to land use compatibility under both the Project and this alternative would be less than significant. This alternative would also not physically disrupt or divide the arrangement of an established community. Overall, impacts related to land use and planning from the Reduced Project Alternative would be less than significant; and therefore, would be consistent with the Project's impacts.

Mineral Resources

This alternative would develop the 28.27-acre site with an industrial business park with a total building area of 533,252 SF. As discussed in the Initial Study (Appendix A), there are no known mineral resources either on the Project site or in the immediate vicinity of the Project site. Furthermore, the Project site is not within a mineral resource zone as defined by the City of Menifee General Plan EIR. Therefore, this Alternative would result in no impact, consistent with the proposed Project.

Noise

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF. The operation of this alternative would result in approximately 662 more daily trips, including 560 car trips and 102 truck trips, in comparison to the proposed Project.

Land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at three road segments for Existing with Project Scenario 1: Geary Street south of Ethanac Road, Murrieta south of Ethanac Road, and Ethanac Road east of Murrieta Road due to Project-related traffic noise levels. Under Scenario 1, the proposed Project would have an increase of 17.6 dBA at Geary Street south of Ethanac Road, an increase of 1.8 dBA at Murrieta south of Ethanac Road, and an increase of 1.6 at Ethanac Road east of Murrieta Road, as shown in Table 5.10-15, *Existing with Project Scenario 1 – No Signal Traffic Noise Level Increases*, of the Draft EIR.

Additionally, under the proposed Project land uses adjacent to the study area roadway segments would experience potentially significant noise level impacts at one road segment for Existing with Project Scenario 2: Geary Street south of Ethanac Road. Under Scenario 2, the proposed Project would have an increase of 6.2 dBA at Geary Street south of Ethanac Road, as shown in Table 5.10-16, *Existing with Project Scenario 2 – with Signal Traffic Noise Increases*, of the Draft EIR.

This alternative would result in an increase in roadway noise in comparison to the proposed Project. Under this alternative, noise impacts would be increased for Existing with Project Scenario 1: Geary Street south of Ethanac Road, Murrieta south of Ethanac Road, and Ethanac Road east of Murrieta Road. Also under this alternative, noise impacts would be increased for Existing with Project Scenario 2: Geary Street south of Ethanac Road. Therefore, noise related impacts would be increased in comparison to the Project and impacts would continue to be significant and unavoidable.

Population and Housing

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF. The overall building area would be the same as the proposed Project. According to the SCAG, the generation rate for employees required for operation of industrial warehouse

uses is 1 employee for every 819 SF of building space. As the proposed Project would operate 533,252 SF of building area, operation of the Project would require approximately 651 employees. This alternative would result in the same number of employees as the proposed Project. Consistent with the proposed Project, the resulting employment increase from this alternative would also be within the SCAG growth projections. Thus, this alternative would also not result in unplanned growth inducing impacts or displacement of population and housing. Therefore, consistent with the proposed Project, the No Project/Build Out of the Existing Zoning Alternative would result in less than significant impacts related to population and housing.

Public Services

Construction of this alternative would result in generally similar impacts for public services. The same fire and sheriff's stations would serve the alternative. In addition, this alternative would also require the payment of development impact fees imposed by the City of Menifee. Through implementation of regulatory requirements, impacts would be less than significant. Therefore, this alternative would result in similar less than significant impacts as the Project.

Recreation

Like the proposed Project, this alternative would not increase housing and population and would not include construction or expansion of recreational facilities. Like the proposed Project, this alternative may result in new employees who may occasionally increase the use of existing local parks, neighborhood, and regional parks; employees' limited use would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Therefore, this Alternative would result in less than significant impact, consistent with the proposed Project.

Transportation

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF. The trip generation rates for this alternative were analyzed using the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition, 2021 Land Use Code 130 (Industrial Park). Development of the No Project/Build Out of the Existing Zoning Alternative would result in approximately 1797 daily trips, as shown in the Draft EIR Table 8-3, *Alternative 4 Trip Generation*.

The proposed Project trip generation was calculated using the ITE, Trip Generation, 11th Edition, 2021, High-Cube Warehouse. The proposed Project would generate 1,135 daily trips including 70 AM peak hour trips, and 93 PM peak hour trips. This alternative would result in 662 additional daily trips, 109 additional PM trips and 86 additional PM trips compared to the proposed Project. With respect to VMT, this alternative would result in the same VMT per service population, resulting in the same impact. Therefore, this alternative would result in less than significant impacts related to VMT consistent with the proposed Project.

Tribal Cultural Resources

Potential tribal cultural resources impacts would be similar to the Project due to grading and excavation required for development of the Project site and require the same mitigation measure, CUL-1 and TCR-1, to reduce potential impacts related to monitoring during ground-disturbing activities to ensure that if buried resources are present, they would be handled in a timely and proper manner. As discussed above, areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. Therefore, impacts from this alternative would be similar compared to the Project, and mitigation would reduce potential impacts from this alternative to a less than significant level as with the

Project. Overall, this alternative would result in less than significant impacts related to tribal cultural resources and impacts would be the same as the proposed Project.

Utilities and Service Systems

The level of development under this alternative would be consistent as compared to the proposed Project. Both the Project and this alternative would require water and sewer, electrical, gas, and communication utilities to be extended to the site from existing facilities along Murrieta Road. Impacts associated with the provision of such facilities would be similar and would be less than significant upon compliance with existing regulatory requirements. Impacts under this alternative would be similar to impacts under the proposed Project because the total building square footage and total disturbed acres onsite and offsite would be the same. Impacts to water supply would still be less than significant. Similarly, EMWD would have adequate capacity to treat wastewater generated under both the Project and this alternative. This alternative would generate approximately the same amount of solid waste as the proposed Project. Overall, this alternative would also result in less than significant impacts related to utilities and service systems.

Wildfire

The level of development onsite under this alternative would be consistent as compared to the proposed Project. Both the Project and this alternative would be required to comply with the California Building Code and California Fire Code requirements. Development under the Reduced Project Alternative would result in the same total building area. Overall, this alternative would also result in less than significant impacts related to wildfires consistent with the proposed Project.

Conclusion

Ability to Reduce Impacts

Under this alternative, the 28.27-acre site would be developed with an industrial business park with a total building area of 533,252 SF and a FAR of 0.5. Additional improvements would include parking lot, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements. Areas planned for physical impact on and offsite would be identical to those required for development of the proposed Project. Many of the mitigation measures would still be applicable to this alternative. This alternative would result in lessened impacts to 2 of the 15 environmental topics analyzed in this Draft EIR. This alternative would result in increased impacts to 4 of the 15 environmental topics analyzed, including GHG and noise impacts, which would continue to be significant and unavoidable under this alternative (see the Draft EIR Table 8-4, *Impact Comparison of the Proposed Project and Alternatives*).

Ability to Achieve Project Objectives

As shown in the Draft EIR Table 8-5, *Comparison of the Proposed Project and Alternatives Ability to Meet Objectives*, the No Project/Build Out of the Existing Zoning Alternative would meet the Project objectives. This alternative would develop a property with industrial uses with nearby access to the freeway, by adding employment-generating uses and would attract new businesses and employment. Furthermore, the Reduced Alternative would reduce the need for the local workforce to commute outside of the Project vicinity. This alternative would develop an industrial business park within close proximity to I-215 consistent with the current General Plan and zoning. However, while this alternative would meet all of the objectives, it does not reduce the Project's environmental impacts, as discussed above.

9.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project/No Development Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

The Environmentally Superior Alternative (other than the No Project/No Build Alternative) is the 51 Percent Reduced Project Alternative, which would involve developing the Project site with one 251,133 SF speculative warehouse building with 25,000 SF of manufacturing use and 20,000 SF of office use and a FAR of 0.2. This alternative would result in lessened impacts to 10 of the 15 environmental topics analyzed in the Draft EIR. However, this alternative would be required to implement applicable mitigation measures regarding biological resources, cultural resources, greenhouse gas emissions, and tribal cultural resources, similar to the Project. Noise impacts would continue to be significant and unavoidable under this alternative.

Regarding Project Objectives, the No Project/Existing Land Use would result in less economic gain and fewer employment opportunities than the Project. This alternative would have the ability to attract less business activity and fewer employment opportunities to area residents. In addition, the smaller development would not fully develop an underutilized property. Fewer members of the local workforce would be able to obtain local employment.

CEQA does not require the Lead Agency (the City of Menifee) to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Project, and make findings that the benefits of those considerations outweigh the harm.

10.0 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.

11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The City of Menifee is the Lead Agency under CEQA for preparation, review, and certification of the EIR for the Murrieta Road Warehouse Project. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. In making this determination the County is guided by CEQA Guidelines Section 15093 which states:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, CEQA Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to CEQA Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed Project against the unavoidable adverse impacts associated with the Project and has adopted all feasible mitigation measures with respect to these impacts. The City has also examined alternatives to the proposed Project, none of which meet the Project objectives and are environmentally preferable to the proposed Project for the reasons discussed in the Findings and Facts in Support of Findings.

The City of Menifee, as the Lead Agency for this Project, and having reviewed the EIR for the Murrieta Road Warehouse Project and reviewed all written materials within the City’s public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

11.1 OVERRIDING BENEFITS RESULTING FROM THE PROJECT

The City, after balancing the specific economic, legal, social, technological, and other benefits of the Project, has determined that the unavoidable adverse environmental impacts identified above may be considered acceptable due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the Project, each of which standing alone is sufficient to support approval of the

Project, in accordance with CEQA Section 21081(b) and CEQA Guideline Section 15093. The specific economic, legal, social, technological, or other benefits of the Project are as follows:

- **The Project enhances the local economy.** The Project enhances the local economy by providing additional jobs, and business development opportunities commensurate with forecasted growth.
- **The Project facilitates economic development.** The Project is intended to facilitate the economic development of the City by creating an expanded employment base, providing new employment opportunities, and attracting new businesses.
- **The Project provides both traditional and alternative transportation mode benefits.** The Project would implement roadway, pedestrian, and infrastructure improvements that would provide social and other benefits to the City's residents.
- **The Project transforms an underutilized site.** The Project would develop the underutilized site with an economically viable development consistent with the General Plan objectives for the Economic Development Corridor and combines employment opportunities, truck routes, and freeway access.
- **The Project creates a high-quality development.** The Project proposes a high-quality warehouse building within the Economic Development Corridor that will attract businesses and provide a variety of employment opportunities in the community of Menifee, thereby reducing the need for members of the local workforce to commute outside the area for employment.
- **The Project would be developed in line with the City General Plan.** The Project would result in development pursuant to the site's General Plan land use designation and zoning. Consistent with the General Plan, the Project facilitates the economic development of the City by creating an expanded employment base by creating building space and providing new diverse employment opportunities.
- **The Project would implement employment generating uses along the I-215 corridor.** The Project would result in development of an industrial warehouse use along the I-215 corridor, which would facilitate goods movement in Southern California.

12.0 CERTIFICATION OF THE FINAL EIR

The City of Menifee finds that it has reviewed and considered the Final EIR in evaluating the proposed Project, that the Final EIR is an accurate and objective statement that fully complies with CEQA, State CEQA Guidelines and that the Final EIR reflects the independent judgment of the City.

The City of Menifee declares that no new significant information as defined by State CEQA Guidelines, section 15088.5 has been received by the City after circulation of the Draft EIR that would require recirculation.

The City of Menifee certifies the EIR based on the entirety of the record of proceedings, including but not limited to the following findings and conclusions:

Findings:

The following significant environmental impacts have been identified in the EIR and will require mitigation as set forth in Section 10 of this Resolution but cannot be mitigated to a level of insignificance: greenhouse gas emissions (Project-level and Cumulative) and noise (Project-level and Cumulative).

Conclusions:

1. Except as to those impacts stated above relating to agriculture and forestry, greenhouse gas emissions, noise, and transportation, all significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to a level of insignificance.
2. Other alternatives to the proposed Project, which could potentially achieve the basic objectives of the proposed Project, have been considered and rejected in favor of the proposed Project.
3. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

13.0 CONCLUSION

Implemented through the MMRP, the mitigation measures previously listed, in conjunction with the above findings, will eliminate or reduce Project related environmental impacts to a less-than-significant level. The Project's significant and unavoidable impacts would be rendered acceptable by the specific economic and social benefits previously identified in Section 11, Statement of Overriding Considerations.

Collectively, the Final EIR, the PPP's, the mitigation measures, the standard conditions of approval, and the MMRP provide an acceptable rationale for approval of the proposed Project.

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