

Findings of Fact and Statement of Overriding Considerations

CADO Menifee Industrial Warehouse Project

SCH No. 2022040622

Lead Agency



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1.0 INTRODUCTION

1.1 FINDINGS OF FACT

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

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

Having received, reviewed and considered the CADO Meniffee Industrial Warehouse Project (Project), State Clearinghouse (SCH) # 2022040622 as well as all other information in the record of proceedings on this matter, the following Findings Regarding the CEQA Documents for the Project are hereby adopted by the City of Meniffee (City).

1.2 DOCUMENT FORMAT

These Findings have been categorized into the following sections:

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

feasibly be mitigated to a less than significant level through the imposition of mitigation measures included in the Mitigation, Monitoring and Reporting Program (MMRP) for the Project.

- Section 6.0 sets forth findings for significant and unavoidable project impacts.
- Section 7.0 sets forth findings regarding growth-inducing impacts.
- Section 8.0 sets forth findings regarding alternatives to the Project.
- Section 9.0 contains findings regarding the MMRP for the Project.
- Section 10.0 contains other relevant findings adopted by the City with respect to the Project.
- Section 11.0 contains the Statement of Overriding Considerations for the Project.
- Section 12.0 contains information pertaining to the certification of the Final EIR.

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

1.3 CUSTODIAN AND LOCATION OF RECORDS

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

2.0 PROJECT SUMMARY

2.1 PROJECT LOCATION

The Project is generally located approximately 1.5 miles west of Interstate 215 (I-215) in the City of Menifee, County of Riverside, State of California. The Project is bounded by Kuffel Road and residential homes, outbuildings, and a stormwater detention basin to the north; Byers Road, vacant undeveloped land, and a single-family residence with associated out structures to the east; Corsica Lane, vacant undeveloped land, and a single-family residence with associated out structures to the south; and Wheat Street, vacant undeveloped land, single family residences, and nonconforming commercial development to the west.

The Project site is comprised of eight parcels total (Assessor Parcel Numbers (APNs): 330-190-002, 330-190-003, 330-190-004, 330-190-005, 330-190-010, 330-190-011, 330-190-012, and 330-190-013 totaling 40.03 gross acres. The Project site is currently composed of vacant land with two single-family residential structures and associated out buildings on a single parcel. The existing structures are proposed to be demolished.

2.2 DISCRETIONARY ACTIONS

The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the Project. It is expected that the City, at a minimum, would consider the data and analyses contained in this EIR when making their permit determinations. Prior to development of the Project,

discretionary permits and approvals must be obtained from local, state and federal agencies, as listed below.

Tentative Parcel Map (TPM) No. PLN 22-0041 proposes to consolidate 8 parcels into one (1) industrial parcel. The Project site is approximately 40.03 gross acres and 36.81 net acres.

Plot Plan (PP) No. PLN 21-0370 proposes a 700,037 square foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre (40.03 gross acre) site. The project will provide a total of 499 vehicular parking stalls and 245 trailer stalls. There will be three (3) points of access on Byers Road and two (2) points of access on Wheat Street.

Other permits required for the Project may include, but are not limited to, the following: issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking area lighting; demolition permits; building permits; grading permits; tenant improvement permits and permits for new utility connections. The Project may also require business emergency plan approval (for hazardous materials storage greater than 55 gallons, 200 cubic feet or 500 pounds or any acutely hazardous materials or extremely hazardous substances) and permits for any existing well and/or existing onsite wastewater treatment system (OWTS)/septic system removal.

2.3 STATEMENT OF OBJECTIVES

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

- **Objective 1.** Develop the site in accordance with the City General Plan and Zoning in the Economic Development Corridor Northern Gateway (EDC) which envisions more intense development at the industrial boundary of the City adjacent to Ethanac Road.
- **Objective 2.** Develop a project that will contribute to the balanced growth in the City in a responsible and strategic manner.
- **Objective 3.** Develop an area that takes advantage of the existing infrastructure and support systems including the local workforce.
- **Objective 4.** Positively contribute to the economy of the region through new capital investment and the creation of new employment opportunities.
- **Objective 5.** Expand the local and regional tax base.
- **Objective 6.** Develop a project that is economically feasible.
- **Objective 7.** Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities.
- **Objective 8.** Develop a project that will contribute to the build out of regional road and flood infrastructure that will benefit the project as well as the broader EDC area.
- **Objective 9.** Develop the Economic Development Corridor Northern Gateway (EDC-NG), through the development of a land use consistent with the development standards, and criteria relevant to the site.
- **Objective 10.** Facilitate the development of underutilized land currently planned for industrial uses that maximizes the use of the site and responds to regional market demand.

3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A Notice of Preparation (NOP) was distributed for the Project by the City on May 2, 2022. Additionally, the State of California Clearinghouse issued a project number for the Project, SCH # 2022040622. In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of 30 days, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. These NOP responses were considered in the preparation of the Draft EIR, which upon release, was made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087.

The State-mandated public review of the Draft EIR began on March 13, 2024, and concluded April 27, 2024. The Final EIR includes a Response to Comments package, which presents all written comments received during the public review period of the Draft EIR and includes responses to these comments and associated changes made to the EIR.

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

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

The City finds, based upon the analysis presented in Section 4.0 of the Draft EIR, dated March 2024, as the following environmental effects of the Project either have no impact or the impacts are less than significant, and, therefore, no mitigation measures are required. The City hereby finds that existing regulatory requirements, policies, and/or Project conditions have been identified and incorporated into the Project which avoids or substantially lessens the potentially significant effect on the environment to a less than significant level.

4.1 AESTHETICS

Impact 4.1-1: Less than Significant Impact

The City of Menifee General Plan (Menifee GP) does not designate any scenic vistas near the Project site. The Project would be designed in accordance with applicable state and local regulations including Menifee Municipal Code (Menifee MC), Industrial Design Guidelines, City of Menifee Industrial Good Neighbor Policies, and Menifee GP Policies. Furthermore, the proposed building height of 45 feet 6 inches is well within the maximum allowed building height of 100' for industrial buildings within the EDC-NG zone. The

Project would also include setbacks (i.e., berms and landscape) and the proposed warehouse building would be sited away to screen the warehouse from surrounding properties. For these reasons and the reasons discussed in the EIR, the Project's impacts on scenic vistas would be less than significant, and no mitigation relating to this issue is required. (Draft EIR, p. 4.1-9)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.1-9.

Impact 4.1-2: No Impact

As shown in the Caltrans State Scenic Highway System Map and Menifee GP Exhibit CD-8, there are no state or county scenic highways officially designated in or near the City. State Highway (SH) 74, located approximately two miles to the northeast, is currently eligible for scenic highway designation, but is not officially designated as a scenic highway. Concerning the Enhanced Landscape Corridor near the Project at Ethanac Road, construction activities would be conducted in accordance with applicable state and local standards and regulations. Furthermore, the Project's proposed components would be developed in compliance with applicable Menifee GP Policies and MC design standards and regulations to ensure no impacts to Ethanac Road would occur. For these reasons, and for the reasons discussed in the EIR, the Project would not substantially damage scenic resources within a state scenic highway, and no mitigation relating to this issue is required. (Draft EIR, pp. 4.1-9 and 4.1-10)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.1-9 and 4.1-10.

Impact 4.1-3: Less than Significant Impact

The Project is in an urbanized area and is zoned as EDC-NG. Project construction and operation would comply with the EDC-NG District development standards and design standards and guidelines. Standards and guidelines specific to scenic quality include the general standards, and lighting standards. Through compliance with the EDC-NG development standards and design standards and guidelines, and GP goals and policies, the Project would not conflict with applicable zoning and other regulations governing scenic quality. For these reasons and for the reasons discussed in the EIR, the Project would not conflict with applicable zoning and other regulations governing scenic quality. (Draft EIR, pp. 4.1-10 and 4.1-11)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.1-10 and 4.1-11.

Impact 4.1-4: Less than Significant Impact

The Project will require minimal construction-related lighting, as the majority of the construction of the Project would be during daytime hours of construction permitted by the Menifee MC Section 8.01.010 Hours of Construction. Once operational, all lighting at the Project site would be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features would be permitted that create adverse glare effects pursuant to Menifee GP Policy CD-6.4 and MC Chapter 9.205, Lighting Standards which states that all lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. Concerning glare, the proposed warehouse windows would be designed with non-reflective material to minimize glare from natural lighting. For these reasons and for the reasons discussed in the EIR, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Draft EIR. pp. 4.1-11 and 4.1-12)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.1-11 through 4.1-12.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Impacts 7.2-1, 7.2-2, 7.2-3, 7.2-4, and 7.2-5: No Impact

The Project actions were concluded to not having an impact as the site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there are no lands within the City that are currently under a Williamson Act contract or zoned for agricultural use, and there is no forest or timberland present on the Project site that could be lost from Project implementation. (Draft EIR. pp. 7-1 through 7-3)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to prime farmland, unique farmland or farmland of statewide importance beyond those concluded in the Draft EIR. No potential impacts are anticipated to occur. Consequently, no mitigation measures are required for this no impact determination.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR, pages 7-1 through 7-3.

4.3 AIR QUALITY

Impact 4.2-4: Less than Significant Impact

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. During operations, the Project does not involve any of the land uses that would result in emissions, such as those leading to odors, that would adversely affect a substantial number of people. The Project would also be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 402 to prevent occurrences of public nuisances. Therefore, the Project would not create objectionable odors, and no impact would occur. (Draft EIR, pp. 4.2-35 and 4.2-36)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the emissions of other emissions beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.2-35 and 4.2-36.

4.4 BIOLOGICAL RESOURCES

Impact 4.3-2: No Impact

Review of the United States Fish and Wildlife Service (USFWS)'s National Wetland Inventory mapper did not identify any riparian habitat on the Project site. No jurisdictional drainage features, riparian/riverine areas, or vernal pools were observed within the Project site during the field survey. Therefore, regulatory approvals from the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW) would not be required for implementation of the Project. Further, site development would not result in impacts to riparian/riverine habitats and a Determination of Biologically Equivalent or Superior Preservation would not be required under the MSHCP for the loss of riparian/riverine habitat. Further, no sensitive habitats were identified within the Project site. Thus, no sensitive natural communities will be impacted from Project implementation. Overall, no impact would occur. (Draft EIR, p. 4.3-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.3-14.

Impact 4.3-3: No Impact

Review of the USFWS's National Wetland Inventory mapper did not identify any wetlands on the Project site. No inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the Clean Water Act occur within the Project footprint. As a result, the Project would not result in any impacts or have a substantial adverse effect on state or federally protected wetlands. (Draft EIR, p. 4.3-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impact 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, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.3-14.

Impact 4.3-4: Less than Significant Impact

The Project site has not been identified as occurring in a wildlife corridor or linkage. The nearest linkage to the Project site, as identified by the Multiple Species Habitat Conservation Plan (MSHCP), occurs approximately 0.7 mile to the northwest of the Project in association with the San Jacinto River. The Project would be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors. Therefore, the Project site does not function as a major wildlife movement corridor or linkage. As such, implementation of the Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages or native wildlife nurseries, no mitigation is required. Therefore, impacts to wildlife corridors or linkages are not expected to occur and impacts would be less than significant. (Draft EIR, pp. 4.3-14 and 4.3-15)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to movement of any native resident or migratory fish or wildlife species beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.3-14 and 4.3-15.

Impact 4.3-5: Less than Significant Impact

The Project would be developed in compliance with the Menifee GP Open Space and Conservation Element's goals and policies pertaining to the conservation of biological resources. Goal OSC-8 protects

biological resources and Policy OCS-8-5 calls for the recognition of the impacts new development would have on the City's natural resources and to identify ways to reduce these impacts. The Menifee MC Chapter 9.205: Tree Preservation, requires all development to, "protect trees, considered to be a valuable community resource, from indiscriminate cutting or removal, to ensure and enhance public health, safety and welfare through proper care, maintenance and preservation of trees. Such landscaping, irrigation systems and tree preservation represent a substantial investment in and potential benefit to the community. Heritage trees such as those with certain characteristics (age, size, species, location, historical influence, aesthetic quality or ecological value) are subject to special attention and preservation efforts."

However, the Project does not contain any trees that would be subject to the Menifee MC's tree preservation ordinance. Therefore, adherence with the Menifee GP goals and policies pertaining to the protection of biological resources would ensure that impacts are less than significant. (Draft EIR, pp. 4.3-15 and 4.3-16)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with established conservation plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.3-15 through 4.3-16.

4.5 CULTURAL RESOURCES

Impact 4.4-1: No Impact

A field survey of the Project site was conducted on July 11, 2022. During the field survey, a rural residential complex consisting of two modern residences and three modern ancillary buildings was identified in the northeast corner of the Project site. This complex is not historic in age (i.e., 45 or more years old) and as such does not warrant further consideration. No other historic-age resources were observed within the Project boundaries. Overall, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. No impact would occur. (Draft EIR, p. 4.4-12)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-12

Impact 4.4-2: Less than Significant Impact

The Cultural Resources Assessment (**Draft EIR Appendix D**) did not encounter any prehistoric or archaeological resources within the Project site. Given the negative results of the assessment, no additional

work in conjunction with cultural resources was recommended for the Project. However, to avoid any inadvertent discovery of archaeological resources, monitoring of future earth-disturbing activities will be conducted according to Conditions of Approval (COA)-CUL-1 through COA-CUL-8. Additionally, a record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the area of potential effect “the Project site” and the search returned negative results. Therefore, the Project’s potential impacts concerning the significance of an archaeological resource would be less than significant with adherence to Standards Conditions of Approval COA-CUL-3 through COA-CUL-7. (Draft EIR, p. 4.4-13)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 beyond those concluded in the Draft EIR. Less than significant impacts are anticipated with compliance with applicable COAs. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-13

Impact 4.4-3: Less than Significant Impact

No formal cemeteries are on or near the Project site. Most Native American human remains are found in association with prehistoric archaeological sites. Given the very low potential for the Project’s ground-disturbing activities to encounter archaeological remains, human remains to be potentially encountered are considered low. Notwithstanding, if previously unknown human remains are discovered during the Project’s ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur. In such event, COA-CUL-1 and COA-CUL-2 would be implemented. (Draft EIR, p. 4.4-13)

Further, pursuant to Public Resources Code (PRC) § 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the NAHC shall be contacted within the period specified by law (24 hours). Subsequently, the NAHC shall identify the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in PRC § 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the Project area shall also be subject to consultation between appropriate representatives from that group and the Community Development Director. Thus, compliance with the above-referenced state laws and adherence with COA-CUL-1 and COA-CUL-2 would reduce impacts to less than significant levels. (Draft EIR, pp. 4.4-13 and 4.4-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not disturb human remains beyond those concluded in the Draft EIR. Less than significant impacts are anticipated with compliance with applicable COAs. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-13 and 4.4-14.

4.6 ENERGY

Impact 4.5-1: Less than Significant Impact

The Project would comply with applicable laws and regulations including, but not limited to, Title 24 standards. Compliance itself with applicable laws and regulations pertaining to energy usage and efficiency would ensure that the Project energy demands during construction and operations phases would not be inefficient, wasteful, or otherwise unnecessary. For these reasons and the reasons discussed in the EIR, the Project's impacts on energy resources would be less than significant, and no mitigation relating to this issue is required. (Draft EIR, pp. 4.5-8 through 4.5-15)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the wasteful or inefficient energy use beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.5-8 through 4.5-15.

Impact 4.5-2: Less than Significant Impact

The Project would be required to comply with relevant energy conservation policies and plans (i.e., California Title 24 energy standards and the CALGreen Building Code). Compliance with state and local energy efficiency standards would ensure that the Project meets all applicable energy conservation policies and regulations. As such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. Southern California Association of Government (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal integrates transportation, land use, and housing to meet GHG reduction targets set by California Air Resources Board (CARB). The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. The Project would not conflict with the stated goals of the Connect SoCal. Conformance with all applicable laws, regulations, and policies would ensure that the Project does not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts are considered less than significant. (Draft EIR. p. 4.5-15)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts stemming from conflicts with established renewable energy or energy efficiency plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.5-15.

4.7 GEOLOGY AND SOILS

Impact 4.6-1 (i) and 4.6-2 (ii): Less than Significant Impact

There are no known active or potentially active faults on or trending toward the Project site and the Project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Since there are no known faults located on or trending towards the Project site, the Project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault. Additionally, there was no evidence of faulting identified during the geotechnical investigation of the Project site. The Project site is not subject to surface rupture of a known active fault; therefore, the possibility of significant fault rupture on the Project site is considered to be low. However, the Project would be subject to regional seismicity. Part of the geotechnical report (**Draft EIR Appendix F**), 2022 California Building Code (CBC) Seismic Design Parameters were generated for the Project. Structures for human occupancy must be designed to meet or exceed 2022 CBC standards for earthquake resistance. (Draft EIR, pp. 4.6-9 and 4.6-10)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding fault rupture or strong seismic ground shaking beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.6-9 through 4.6-10.

Impact 4.6-3(iii) and 4.6-4 (iv): Less than Significant Impact

The Project site is located within a zone of low liquefaction susceptibility. Soil conditions encountered at the boring locations were not considered to be conducive to liquefaction. In addition, the static groundwater table does not exist within 50 feet of the ground surface. Therefore, Project development would not subject people or structures to liquefaction hazards, and impacts including risk of loss, injury, or death would be less than significant. (Draft EIR, p. 4.6-10)

Additionally, the Project site slopes gently downward to the north at an approximate two percent gradient. No extreme elevation differences exist in or around the Project site that would potentially lead to landslide effects. According to the City's Liquefaction and Landslides map, the Project site and the immediate area are not within a zone of generalized landslide susceptibility. The Project site is also outside of the hazard zone for rockfall/debris-flow. The relatively flat topography of the Project site along with its location outside of identified landslide susceptibility and rockfall/debris-flow hazard areas would lead to a less than significant impact. (Draft EIR, pp. 4.6-10 and 4.6-11)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not directly or indirectly cause potential substantial adverse effects due to seismic ground failure, including liquefaction or landslides beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.6-10 and 4.6-11.

Impact 4.6-5: Less than Significant Impact

The Project site was found to contain near-surface older alluvium soils. It was then concluded that the older alluvium soils would not be suitable to support the proposed structures due to the non-uniform nature and thickness, and the soils would be removed (where present) and replaced with engineered fill soils. In addition to the excavation and removal of the fill material, the development of the Project would require grading preparation, excavation, trenching and paving activities that could result in soil erosion if exposed to periods of high wind or storm-related events.

Accordingly, during construction, the Project site would be required to comply with erosion and siltation control measures. This would include measures such as sandbagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commences, and construction begins the erosion measures would be removed or relocated as necessary. Additionally, the construction on the Project site would be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (CGP). The NPDES permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management practices (BMPs). The BMPs would be required to meet or exceed measures required by the CGP to control potential construction-related pollutants and would comply with the Menifee MC Title 8, Chapter 8.26 – Grading Regulations. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. All required permits and the erosion control plan would be verified by the City prior to initiation of any construction and prior to the issuance of any grading permit. Furthermore, the Project would implement dust control measures such as watering to control the potential for erosion to occur. Construction contractors would also be required to implement a dust control plan in compliance with South Coast Air Quality Management District Rule 403 to reduce wind erosion. Conformance to these regulations would ensure that potential impacts concerning the generation of soil erosion or the loss of topsoil is less than significant. (Draft EIR, pp. 4.6-11 and 4.6-12)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in impacts due to substantial soil erosion or the loss of topsoil beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.6-11 and 4.6-12.

Impact 4.6-5: Less than Significant Impact

As stated previously, liquefaction and landslides would not be a design concern for the Project, and potential for lateral spreading would be low.

The major cause of ground subsidence is the excessive withdrawal of groundwater. According to the geotechnical report, groundwater was not encountered. Based on the conditions encountered in the borings and trenches conducted for the geotechnical report, groundwater was not encountered. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 50 feet below existing site grades. Accordingly, it is not expected that groundwater would affect excavations for the foundations and utilities. Additionally, due to the presence of shallow granitic bedrock, a negligible subsidence factor is also anticipated. Therefore, compliance with state and local standards and recommendations of the geotechnical report would ensure that impacts are less than significant. (Draft EIR, p. 4.6-13)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in impacts due to being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.6-13.

Impact 4.6-8: Less than Significant Impact

No septic tanks or other alternative wastewater disposal systems are proposed. The Project proposed a sewer infrastructure plan that includes a network of new public sewer mains that would connect to the existing Eastern Municipal Water District (EMWD) sewer system surrounding the Project boundaries. A less than significant impact would occur. (Draft EIR, p. 4.6-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts due to the use of septic tanks or alternative wastewater disposal systems, beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.6-14.

4.8 GREENHOUSE GAS EMISSIONS

Significant and unavoidable greenhouse gas impacts. Refer to **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR and the Mitigation Monitoring and Reporting Program.

4.9 HAZARDS AND HAZARDOUS MATERIALS

Impact 4.8-1: Less than Significant Impact

Construction and operational activities would include the use of hazardous materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction, industrial cleansers, greases, and oils for cleaning and maintenance purposes. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. The use, storage, transportation, and disposal of these hazardous materials would be in compliance with existing laws and regulations including the U.S. EPA, U.S. Department of Transportation, California Occupational Safety and Health Administration (OSHA), and the Riverside County Fire Protection District to ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the Project would also be operated with strict adherence to all emergency response plan requirements set forth by the Riverside County Fire Protection District. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for significant hazards to the public or the environment. Mandatory compliance with laws and regulations, would ensure that impacts would be less than significant. (Draft EIR. pp. 4.8-19 and 4.8-20)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts concerning hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-19 and 4.8-20.

Impact 4.8-2: Less than Significant Impact

Project construction and operational activities could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials. As previously stated above, the Project would comply with applicable laws and regulations concerning hazardous materials that would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable regulations, such as Resource Conservation and Recovery Act (RCRA), for the cleanup and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility under SCAQMD Rule 1166. Furthermore, strict adherence to all emergency response plan requirements set forth by Riverside County Fire Department would be required through the duration of the Project construction phase. Project construction workers would also be required to conduct safe handling of hazardous material, as stated previously. Furthermore, prior to Project approval, a Hazardous Materials Business Plans (HMBP) also would be required for approval

to show conformance with all applicable materials handling protocols. Adherence to these regulations is overseen and enforced by the Riverside County Department of Environmental Health Hazardous Materials Branch. Therefore, compliance with applicable federal, state, and local regulatory framework would ensure that the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Draft EIR, pp. 4.8-21 and 4.8-22)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-21 and 4.8-22.

Impact 4.8-3: Less than Significant Impact

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest school to the Project site is Hans Christensen Middle School located approximately 1.4 miles to the southeast at 27625 Sherman Road, Menifee, California 92585. Ethanac Road provides a direct route between the Project site and I-215. Transport associated with the Project would not pass within one-quarter mile of this school. Additionally, the Project does not propose any industrial uses which could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. Furthermore, the Project would be required to adhere to all applicable federal, state, and local regulations regarding handling, transport, and disposal of hazardous materials to reduce public safety hazards. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, a less than significant impact would occur. (Draft EIR, p. 4.8-22)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to being on a site containing hazardous materials beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.8-22.

Impact 4.8-4: Less than Significant Impact

According to the Phase I Environmental Site Assessment (ESA), the Project site is not included on the hazardous sites list compiled pursuant to Government Code Section 65962.5.9. In addition, the Phase I ESA (**Draft EIR Appendix H**) did not identify any environmental concerns for the Project site. Therefore, impacts would be less than significant. (Draft EIR, p. 4.8-25)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from hazardous materials compiled pursuant to Government Code Section 65962.5 beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-25.

Impact 4.8-5: Less than Significant Impact

The Project site is located in Zone E of the Perris Valley ALUCP. With regard to noise impacts, the Project site is beyond the 55-CNEL contour. The Project would be in accordance with the Perris Valley Compatibility Zone within each respective airport and all state, county, and local goals, policies, and regulations. Furthermore, the Project has been reviewed by the Airport Land Use Commission (ALUC) which would ensure that future development would be compatible with the Airport Land Use Compatibility Plan (ALUCP) and therefore, would not result in a significant impact. Therefore, impacts would be less than significant. (Draft EIR. p. 4.8-23)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with public or private airports beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.8-23.

Impact 4.8-6 Less than Significant Impact

The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation of the Project, adequate emergency access for emergency vehicles would be maintained along public streets that abut the Project site. The City has adopted an Emergency Operations Plan to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of the Project. Additionally, the Project site is not located along a City evacuation route, and would not obstruct evacuation. The Project proposes improvements to nearby roadways that would further improve the City's accessibility through the widening of roads, development of dedicated turn lanes, and other necessary improvements. Roadway improvements are further discussed in Draft EIR **Section 4.13, Transportation**.

Furthermore, response times from the Riverside County Fire Department Station 5 and 7 would not be impaired by Project implementation because primary access to all major roads would be provided through the improvement of Kuffel and Byers Roads and Wheat Street. Additionally, the improvement of Kuffel and Byers Roads and Wheat Street would improve future response times in this area, as these two roads are

currently unimproved. The Project would also require that the Project to pay development impact fees which constitutes as adequate mitigation because through implementation of the Development Impact Fees (DIF) program, the City of Menifee collects DIF from development projects and is mandated to use the DIF funds to construct new fire and emergency service facilities. In addition, the Project's fire safety and fire suppression features, and the Project applicant's compliance with all required design regulations, would further minimize the demand for fire protection and emergency public services impacts. Refer to Draft EIR **Section 4.12, Public Services**.

Since both Project construction and operations would not disrupt or interfere with emergency access to nearby roadways, would not interfere with the City's emergency response plan, and would comply with design standards for emergency services, impacts would be less than significant. (Draft EIR, page 4.8-24)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.8-24.

Impact 4.8-7 Less than Significant Impact

The Project site is not located within a Local Responsibility Area, State Responsibility Area or a very high fire hazard severity zone. According to the City's High Fire Hazard Areas Map, neither the California Department of Forestry and Fire Protection (CAL FIRE) nor the City identify the Project site within an area susceptible to wildland fires.

While the Project site is located in an area with vegetation that can be prone to fire, due to the presence of surrounding development, scattered nature of the existing undeveloped areas, presence of area roadways (to be improved as part of Project), lack of steep slopes, vegetation maintenance, graded nature of the development site to the north, and concrete construction of development, it is not likely to be affected by a wildfire during construction or operations. In addition, the undeveloped areas around the Project site would be separated from the Project area by roads, parking, drive aisles, and fire-resistant landscaping. This buffer would ensure an appropriate width to reduce the risk of potential fire hazards.

Prior to final plan check approval, the City in coordination with the Riverside County Fire Department and CAL FIRE would review the Project-specific site plan to ensure adequate design features are implemented to reduce the potential impacts from wildfires. Overall, with design compliance with fire codes and Menifee GP goal and policies, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant. (Draft EIR, page 4.8-25)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts involving the exposure of people or structures to the risk of wildland fires beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-25.

4.10 HYDROLOGY AND WATER QUALITY

Impact 4.9-2: Less than Significant Impact

The Project would construct on-site and off-site potable water systems in accordance with EMWD design standards to receive water services from EMWD. Thus, the Project would utilize potable water and would not use any on-site or off-site groundwater wells, nor any other groundwater extractive methods to service the Project. Furthermore, the Water Supply Assessment (WSA; **Draft EIR Appendix L**) prepared by the EMWD also determined that EMWD does not plan to develop new groundwater supplies for this Project. Therefore, the Project would not directly draw water from the groundwater basin.

Although construction activities would introduce new impermeable surfaces to the Project site, the Project would include elements to reduce the effects of the new impervious areas pursuant to design measures in the Water Quality Management Plan (WQMP). These measures include, but are not limited to, low-impact development (LID) BMPs and other stormwater drainage controls. LID BMPs have been incorporated into the site design to fully address all Drainage Management Areas (DMAs). No alternative compliance measures are required. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows water to slowly infiltrate the ground and helps facilitate recharge. In addition, LIDs that include permeable materials, enable run-off to immediately infiltrate and begin the recharge process. Lastly, the Project site also includes areas that will be landscaped with permeable surfaces in accordance with EMWD's Water Efficient Guidelines for New Development, which also would facilitate groundwater recharge. Therefore, since the Project would include BMPs to assist with the recharge of groundwater with the required measures in place, the loss of the permeable area would not be substantial. Accordingly, the Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. Impacts would be less than significant. (Draft EIR. pp. 4.9-18 and 4.9-19)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the reduction of groundwater resources beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.9-18 and 4.9-19.

Impact 4.9-6: Less than Significant Impact

The Project site is within a Flood Boundary, identified as Zone X which indicates that the Project is located in a minimal flood hazard zone. Development of the Project would change absorption rates, drainage patterns, and the rate and amount of surface water runoff that could impede or redirect flood flows. However, per the Project's Drainage Study (**Draft EIR Appendix I1**), subsurface storm drains and associated inlets would be used to convey on-site flows to the water quality bioretention basin located along the north end of the property. Off-site runoff would be conveyed to the open bioretention basin as well. The Drainage Study conducted for the Project site concluded the proposed drainage improvements would adequately convey flows to the basin and provide flood protection for the 100-year storm event. The Drainage study also concluded the Project would not impact flooding conditions to upstream or downstream properties.

The Project is located within the Perris Valley Master Drainage Plan (MDP) and the Santa Ana watershed area. On-site flows would discharge to proposed MDP Line A-14a along Ethanac Road, and discharge to existing MDP Line A before reaching the San Jacinto River. Additionally, off-site runoff would be collected on-site within the water quality basin before discharging to MDP Line A-14a. On-site flows generated by the Project would sheet flow through the Project site utilizing ribbon gutters and a storm drain network system. On-site runoff would drain from the south of the property to the northeast corner to the open bioretention basin along the north side of the property. The basin is purely a water quality basin and does not provide any flow mitigation. Off-site flows from the south side of the property would be collected by v-gutters along the retaining wall at the south end of the property and redirect the runoff to the proposed curb and gutter along Wheat Street and Byers Road. Stormwater runoff from the street improvements along Wheat Street from the center line to the easterly curb and gutter would enter a proposed catch basin located at the northwest corner of the property before discharging on-site into the open bioretention basin. Similarly, stormwater from the street improvements along Byers Road from the center line to westerly curb and gutter would enter a proposed catch basin located at the northeast corner of the property before discharging on-site to the open storage basin. Runoff from the south half of the street improvements along Kuffel Road between Wheat Street and Byers Road would also flow to a catch basin at the northeast corner of the property before discharging on-site to the bioretention basin. Discharge from the basin would flow directly to proposed storm drain Line A-14a of the Perris Valley MDP and discharge directly into Line A before reaching the San Jacinto River.

Stormwater runoff from the site discharges to MDP line A-14a before discharging directly to an engineered channel (MDP Line A). The engineered channel discharges to an adequate sump (San Jacinto River). Due to the fact that the downstream conveyance from the Project site is engineered and an MS4 facility, Hydrologic Conditions of Concern (HCOC) mitigation is not required. Therefore, a less than significant impact would occur in regard to redirecting flood flows, and no mitigation is required. (Draft EIR. pp. 4.9-23 and 4.9-24)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the alteration of the existing drainage pattern of the site or area, in a manner which would impede or redirect flood flows, beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.9-23 and 4.9-24.

Impact 4.9-8: Less than Significant Impact

The Project's components are not anticipated to obstruct groundwater facilities as groundwater facilities are not planned by EMWD for this Project. Furthermore, the Project would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies because the Project's proposed BMPs would include design features that would assist in the recharge of groundwater supplies. Thus, the Project would not conflict with the Hemet/San Jacinto Groundwater Management Plan or the West Jacinto Groundwater Basin Management Plan. Therefore, a less than significant impact would occur. (Draft EIR, p. 4.9-25)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with adopted water quality control plans or sustainable groundwater management plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.9-25.

4.11 LAND USE AND PLANNING

Impact 4.10-1 Less than Significant

The Project would not physically divide an established community, because it would use existing owned parcels that are already inaccessible for pedestrian or vehicular through traffic. In addition, although residential uses will be demolished, these are intermixed with other vacant land. As a result, there is a substantial lack of geographic neighborhood cohesion. The Project would add no additional barriers than those that already exist (i.e., fencing throughout some of the homes and portions of the Project site). Therefore, impacts would be less than significant. The Project would not involve the removal of vital roadways or points of connection for residents but would improve Project area roadways. Lastly, the Project's proposed uses would be consistent with all applicable Menifee GP goals and policies and specific development standards contained in the Menifee MC. Therefore, impacts would be less than significant. (Draft EIR, p. 4.10-5)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.10-5.

Impact 4.10-2: Less than Significant Impact

The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. As set forth in the EIR, regionally, the Project would comply with the goals and policies presented in SCAG's Connect SoCal. As further discussed in Draft EIR **Table 4.10-4**, the Project would comply with the Menifee GP's relevant goals and policies. Lastly, the Project would be designed in compliance with Menifee MC, Title 9, also referred to as the Development Code. For these reasons and the reasons set forth in the EIR, the Project would have a less than significant impact relating to this issue, and no mitigation is required. (Draft EIR, pp. 4.5- and 4.10-19)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with adopted land use policies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.10-5 through 4.10-19.

4.12 MINERAL RESOURCES

Impact 7.3-1 and 7.3-2: No Impact

The Project site would be within an area of the City which is currently disturbed and partially developed. None of the existing uses include mineral refinement or mining. No mineral resources have been identified in or around the Project site. The previous uses at the Project site did not include mining activities or mineral processing, and no active mining sites exist within the City. Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur. (Draft EIR, pp. 7-3 and 7-4).

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the loss of mineral resources beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 7-3 and 7-4.

4.13 NOISE

Impact 4.11-1: Less than Significant Impact

The Project would not result in the 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. Although sensitive uses may be exposed to elevated

noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Pursuant to Menifee MC Section 8.01.010 all construction activities would occur Monday through Saturday, except nationally recognized holidays, from 6:30 a.m. to 7:00 p.m. While the Menifee Municipal Code does not establish quantitative construction noise standards, this analysis conservatively uses the Federal Transit Administration (FTA)'s threshold of 80 dBA (8-hour Leq) for residential uses, 85 dBA (8 hour Leq) for commercial uses, and 90 dBA (8-hour Leq) for industrial uses. As concluded in Draft EIR **Table 4.11-9**, noise levels at these sensitive receptors would reach 74.0 dBA Leq and therefore do not exceed the applicable FTA 80 dBA 8-hour Leq construction threshold, resulting in a less than significant impact. During operations, Draft EIR **Table 4.11-10** shows that none of the closest sensitive receptors would experience a noise level increase greater than 4.5 dBA.

Lastly, review of Draft EIR **Table 4.11-11** shows that the Project's off-site traffic noise levels between 2024 Year without conditions and Year 2024 with Project would be insignificant and therefore, a less than significant impact would not occur. As such, traffic noise impacts from the Project would be less than significant. (Draft EIR, pp. 4.11-16 through 4.11-22)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in the 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 beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.11-16 through 4.11-22.

Impact 4.11-2: Less than Significant Impact

The Project would not generate excessive groundborne vibration or groundborne noise levels. The nearest structure to the Project construction site is approximately 50 feet away. Draft EIR **Table 4.11-12** shows that at 50 feet the vibration velocities from construction equipment would not exceed 0.0315 in/sec Peak particle velocity (PPV), which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.04 in/sec PPV annoyance threshold. (Draft EIR, p. 4.11-23). It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

Additionally, the Project's truck movements would be at low speed (not at freeway speeds) and would be over smooth surfaces (not under poor roadway conditions), Project-related vibration associated with truck activity would not result in excessive ground-borne vibrations; no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial ground-borne vibration associated with the Project, such as rail or subways. The Project would not create or cause any vibration impacts due to operations. (Draft EIR, pp. 4.11-23 and 4.11-24).

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to excessive groundborne vibrations beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.11-23 through 4.11-24.

Impact 4.11-3: No Impact

The closest airport to the Project site is the Perris Valley Aviation Airport located approximately one mile to the northwest. Although the Project is within two miles of the Perris Valley airport, it is outside of the 55 CNEL noise contour. Additionally, there are no private airstrips located within the Project vicinity. Therefore, the Project would not expose people working in the Project area to excessive airport- or airstrip-related noise levels and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts stemming from proximity to airport land use plan areas or private airstrips beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.11-24.

4.14 POPULATION AND HOUSING

Impact 7.4-1: Less than Significant Impact

Given that the current unemployment rate for Riverside County is approximately 4.0 percent (as of October 2022), it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Additionally, the Project is consistent with the SCAG's regional growth assumptions. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant. (Draft EIR, pp. 7-4 and 7-5)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from induced population growth beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 7-4 and 7-5.

Impact 7.4-2: No Impact

There are two single-family residences with associated outstructures located on the Project site. All residences appear to be manufactured homes. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, no impact would occur. (Draft EIR, p. 7-5)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the displacement of individuals or housing beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 7-5.

4.15 PUBLIC SERVICES

Impact 4.12-1: Less than Significant Impact

The Project Applicant would be required to pay Development Impact Fees (DIFs) toward new fire facilities. With payment of these fees, the Project would receive adequate fire protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. Because no fire protection facilities exist on the Project site, development of the Project would not conflict with existing fire structures or require modification of fire protection facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to fire protection services. (Draft EIR. pp. 4.12-7 and 4.12-8)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-7 through 4.12-8.

Impact 4.12-2: Less than Significant Impact

The Project would be subject to the applicable DIFs. Funding for the operation and maintenance of existing services comes from the City's General Fund, Measure DD funds, and DIFs. The Project site would be adequately served by existing Menifee Police Department (MPD) facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the Project warehouse. Additionally, development of the site would increase

property tax revenues to provide a source of funding to offset any increases in demands for public services generated by the Project. Overall, impacts would be less than significant. (Draft EIR. pp. 4.12-9 and 4.12-10)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-9 and 4.12-10.

Impact 4.12-3: Less than Significant Impact

The Project would not draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. The Project does not include residential land uses and would not directly introduce new school-age children within the Romoland Unified School District (RUSD) and Perris Union High School boundaries.

The Project, however, would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The Project is not expected to draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for additional public school services, the Project Applicant would be required to contribute DIF to the Romoland School District and the Perris Union High School District in compliance with California SB 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Payment of school fees would be required prior to the issuance of building permits and the payment of school fees constitutes complete mitigation under CEQA. Developer fees for industrial development located within the Romoland School District is \$0.56 per square foot. Developer fees for industrial development located in the Perris Union High School District (within the City) is \$0.2184 per square foot. For the foregoing reasons and the reasons discussed in the EIR, the Project would not result in a significant impact relating to this issue, and no mitigation is required. (Draft EIR. p. 4.12-10)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.12-10.

Impact 4.12-4: Less than Significant Impact

The Project would not create a direct demand for park facilities, as the subject property would contain non-residential uses that would not generate population growth requiring park facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring park facilities. Since the Project would not directly generate population growth and is not expected to indirectly introduce parkgoers to the area, the Project would not cause or contribute to a need to construct new or physically alter park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities. (Draft EIR. p. 4.12-11)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.12-11.

Impact 4.12-5: Less than Significant Impact

The Project, however, would not create a direct demand for other public facilities, as the subject property would contain non-residential uses that would not generate population growth requiring other public facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring other public facilities. Because the Project would not directly generate population growth and is not expected to indirectly introduce new population to the area, the Project would not cause or contribute to a need to construct new or physically alter other public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities. (Draft EIR. pp. 4.12-11 and 4.12-12)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-11 and 4.12-12.

4.16 RECREATION

Impact 7.5-1 and 7.5-2: No Impact

The closest parks to the Project site are Nova Park (located 25444 Nova Lane, approximately one mile southeast of the Project site) and Talavera Park located at 27931 Calle Talavera, approximately 2.5 miles southeast of the Project site. However, the Project is a warehouse building with office space and does not propose any residential development or other land use that may generate a population that would increase

the use of these parks or any existing neighborhood or regional parks or other recreational facility. Furthermore, the Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for park and recreational purposes, pursuant to Menifee MC Chapter 7.75. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, include recreational facilities, or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, no impact would occur. (Draft EIR, pp. 7-5 and 7-6)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts due to the increased demand on established parks beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

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

4.17 TRANSPORTATION

Impact 4.13-1: Less than Significant Impact

The Project would be consistent with SB 375 by complying with SCAG's Connect SoCal. The Project's consistency analysis with SCAG's Connect SoCal goals is further discussed in Draft EIR **Table 4.10-3, Project Compatibility with SCAG Connect SoCal Strategies** within Draft EIR **Section 4.10, Land Use and Planning**. The Project would also be consistent with Riverside County's CMP goals which include, but are not limited to, adhering to the CMP by maintaining and enhancing the performance of the multimodal transportation system near the Project site and minimizing travel delay (refer to the LOS analysis in the Project's Traffic Study [**Draft EIR Appendix K1**] evaluating the effectiveness of recommendation measures).

The Project would include improvements to the existing Byers Road, Wheat Street, and Kuffel Road. Internal circulation improvements would include on-site perimeter circulation in compliance with all applicable Menifee MC development standards. Furthermore, the Project would include off-site improvements for Opening Year 2024 and Opening Year 2024 Cumulative Plus Project Conditions through a combination of fee payments to help establish programs, construction of specific improvements, payment of fair-share contribution toward future improvements, or a combination of these approaches. The Project's fair share proportion at deficient study intersections is further addressed in the LOS analysis provided in the Project's Traffic Study.

Furthermore, the Project's development could result in an increased demand of public transportation as employment opportunities increase. RTA, as the public transit agency for the area, would be responsible for routinely reviewing and adjusting their ridership schedules and service destinations to accommodate public demand. Thus, implementation of the Project would not conflict with local public transit services.

Overall, the Project would not conflict with a program plan, ordinance or policy addressing the Project's circulation system. Accordingly, impacts would be less than significant. (Draft EIR, pp. 4.13-11 and 4.13-12)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.13-11 through 4.13-12.

Impact 4.13-2: Less than Significant Impact

Review of Draft EIR **Table 4.13-1** concluded that the Project's Employment-Based VMT land use does not exceed the City's VMT threshold under any Project scenario. The VMT per service population for the Project is less than the City's VMT threshold. This finding should remain consistent whether the entirety of the Project's VMT is considered, or if only the VMT within the City is considered. This is because both the Project and the rest of the City, under which the threshold was developed, will have consistent travel patterns and so the relative VMT per service population between the project and the remainder of the City should remain consistent within the City. Therefore, it can be determined that under baseline conditions, the Project effect on VMT would be considered a less-than-significant impact on VMT within the City. Therefore, under baseline conditions, the Project's effect on VMT would be less than significant impact on VMT within the City. As such, if a project is consistent with the Connect SoCal, then the cumulative impacts would be considered less than significant. The proposed land use is consistent with the Menifee GP; therefore, the Project's cumulative VMT impact is considered less than significant.

The City provides Industrial Good Neighbor Policies for new industrial project sites. Although the Project's VMT impact is considered to be less than significant, the Project would comply with the Industrial Good Neighbor Policies which require Transportation Demand Management (TDM) measures for industrial uses with over 100 employees to reduce work-related vehicle trips. Overall, impacts concerning the Project's VMT effects are less than significant. (Draft EIR, pp. 4.13-12 and 4.13-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding conflicts with CEQA transportation guidelines beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.13-12 through 4.13-14.

Impact 4.13-3: Less than Significant Impact

The Project would not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. All circulation improvements (i.e., Byers Road and Wheat Street) would be constructed as approved by the City's Public Works Department. Additionally, the Project would be constructed in accordance with Menifee MC Section 9.160.050. All structures shall be located to provide safe and

convenient access for servicing, fire protection and required off-street parking. In addition, all Project driveway intersections operate at an acceptable LOS with implementation of the recommendations and would therefore not create unsafe traffic conditions at these intersections. Sight distance at Project access points would comply with applicable sight distance standards and no sharp curves are proposed as part of the Project design (Menifee MC Section 9.160.060). Therefore, a less than significant impact would occur, and no mitigation is required. (Draft EIR, p. 4.13-14)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from hazardous design features beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.13-14.

Impact 4.13-4: Less than Significant Impact

The Project would not result in inadequate emergency access. Project access is proposed via two full-movement, 40-foot driveways on Byers Road and two full-movement, 40-foot driveways on Wheat Street. On-site drive aisles would provide two-way circulation on site, connecting to the City's evacuation system. Emergency access lanes would be provided around the perimeter of the building. In accordance with the City's Development Code § 9.160.050, "Every structure shall be constructed upon or moved to a legally recorded parcel with a permanent means of access to a public street or road, or a private street or road, conforming to city standards. All structures shall be located to provide safe and convenient access for servicing, fire protection and required off-street parking." Metal, manual operated gates with Knox-Padlock would be provided at each driveway per Riverside County Fire Department (RCFD) Standards. Curbs would be painted, and signage provided to inform of the fire lanes, as required by the RCFD. The RCFD would review the Project for access requirements concerning minimum roadway width, fire apparatus access roads, fire lanes, signage, access devices and gates, and access walkways, among other requirements, which would enhance emergency access to the Project site. Following compliance with RCFD access requirements, adequate emergency access to the Project site would be provided. Project impacts concerning emergency access would be less than significant. (Draft EIR, pp. 4.13-14 and 4.13-15)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from impaired emergency access beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.13-14 and 4.13-15.

4.18 TRIBAL CULTURAL RESOURCES

Impact 4.14-1: Less than Significant Impact

The City of Menifee sent letters to those interested tribes that requested notification from projects occurring within the City pursuant to Assembly Bill (AB) 52. The following are the interested tribes:

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

To date, no response from the Rincon Band of Luiseño Indians Cultural Resources Department has been received. The Agua Caliente Band of Cahuilla Indians closed consultation on August 23, 2022, following review of the cultural resources assessment. Soboba Band of Luiseño Indians requested that the Cultural Resources and Tribal Cultural Resources Section be sent to them upon completion. On October 3, 2022, during a quarterly meeting with the City, the Pechanga Tribe stated they're satisfied with the City's standard conditions of approval for cultural/tribal cultural resources and consultation is concluded. Based on consultation with local tribes, Standard Conditions of Approval (COA) COA-CUL-1 through COA CUL-8 (see Draft EIR **Section 4.4, Cultural Resources**) would ensure that any impacts to potential tribal cultural resources would be less than significant. (Draft EIR. pp. 4.14-9 and 4.14-11)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts on tribal cultural resources beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.14-9 and 4.14-11.

4.19 UTILITIES AND SERVICE SYSTEMS

Impact 4.15-1: Less than Significant Impact

The Project site is currently composed of vacant land with mixed single residential structures and associated out buildings. Adjacent and nearby uses include vacant, undeveloped land, and residential land which is served by existing utilities, including electricity, natural gas, wet and dry facilities. Existing utilities would be extended and upgraded as needed during construction of the Project to serve the anticipated demands and to accommodate operation of the Project. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway rights-of-way adjacent to the Project site. The new facilities required for the Project would be constructed within the development area, and would be placed underground as per the Menifee Development Code, Title 9. All areas adjacent to the existing roadways also are disturbed and are within the overall footprint of Project and any impacts are, therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall

Project. Therefore, impacts associated with extension of services in these areas and within the site are less than significant.

Based on land use information provided by the developer and the lead agency, the actual average water demand for the Project is estimated to be 23.75 AFY, which is well within the limits of the estimated demand considered in the 2020 UWMP. Based on the Project water usage rate, the Project would represent a nominal percentage of EMWD's present and future water supplies for both single- and multiple-dry-year scenarios. As such, the Project would have sufficient water supplies. Additionally, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant. (Draft EIR, pp. 4.15-12 and 4.15-15)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.15-12 and 4.15-15.

Impact 4.15-2: Less than Significant Impacts

The Project's water service provider is anticipated to have adequate capacity to serve the projected demands. Additionally, a Water Supply Assessment (WSA) was prepared by EMWD for the Project to evaluate the existing and future demands on the water supply needed to be supplied from EMWD (Draft EIR **Appendix L**). The WSA determined that adequate water is available to serve the Project. The Project would result in less than significant impacts on services provided by the water service provider. (Draft EIR, p. 4.15-16).

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.15-17.

Impact 4.15-3: Less than Significant Impact

The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider. (Draft EIR, p. 4.15-16).

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding wastewater treatment demand beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.15-16.

Impact 4.15-4: Less than Significant Impact

According to CalRecycle's Estimated Solid Waste Generation Rates, a warehouse facility is estimated to produce 13.82 pounds of waste per employee per day. The estimated number of employees for the Project site is 860 to operate the warehouse. This equates to approximately 11,885 pounds (5.9 tons) of waste per day from the Project site. That is approximately 0.04 percent of the El Sobrante Landfill's maximum daily throughput and 0.12 percent of Badlands Sanitary Landfill's maximum daily throughput. Therefore, the Project's solid waste disposal needs could be accommodated at one or a combination of the disposal facilities discussed above. Operational activities would be subject to compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen and Assembly Bill 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required. (Draft EIR, pp. 4.15-16 and 4.15-17)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding solid waste generation beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.15-16 through 4.15-17.

Impact 4.15-5: Less than Significant Impact

The Project would be constructed in compliance with Government Code Section 5.408.1, the more stringent of the code sections which requires that projects recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Government Code Sections 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent. As such a less than significant impact would occur. (Draft EIR, pp. 4.15-17 and 4.15-18)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with established solid waste policies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.15-17 and 4.15-18.

4.20 WILDFIRE

Impact 7.6-1, 7.6-2, 7.6-3, 7.6-4: No Impact

According to CAL FIRE's State Responsibility Areas (last updated in September 2023), the Project site is not located in a State Responsibility Area or within or adjacent to a Very High Fire Hazard Severity Zone. The Project site is located in a Local Responsibility Area (LRA). In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZ is located approximately 1.9 miles to the west of the Project site. Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur. Because the site is located within an urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Additionally, the Project would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire, nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. No impact would occur. (Draft EIR pp. 7-6 and 7-7)

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts to the following: established emergency response or evacuation plans beyond those concluded in the Draft EIR; wildfire impacts beyond those concluded in the Draft EIR; substantial impacts due to the installation of infrastructure beyond those concluded in the Draft EIR; substantial post-fire flooding or landslide impacts beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required. **Supportive Evidence:** Please refer to Draft EIR pages 7-6 and 7-7.

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

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

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

5.1 AESTHETICS

No impacts were concluded to be significant.

5.2 AGRICULTURE AND FORESTRY RESOURCES

No impacts were concluded to be significant.

5.3 AIR QUALITY

Impact 4.2-1: Less than Significant with Mitigation Incorporated

The Project is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 and 2022 AQMPs. The AQMPs establish a program of rules and regulations directed at reducing air pollutant emissions and achieving State (California) and national air quality standards. The AQMPs are a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2020 RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMPs. (Draft EIR. p. 4.2-18)

Criteria for determining consistency with the AQMPs are defined by the following indicators:

- **Consistency Criterion No. 1:** The Project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMPs.
- **Consistency Criterion No. 2:** The Project will not exceed the assumptions in the AQMPs or increments based on the years of the Project build-out phase.

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in Draft EIR **Table 4.2-8**, the Project would not exceed construction emission standards with Mitigation Measures (**MM**) **AQ-1** and **MM AQ-2**. As shown in Draft EIR **Table 4.2-10**, **MMs AQ-3** through **AQ-5** would reduce operational NO_x emissions to below operation emission standards. Thus, the Project would be consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMPs contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project's existing General Plan land use designation is EDC Northern Gateway, and the Project's existing zoning designation is EDC – NG. The Project's proposed land uses would be consistent with the EDC land use designation and the City's Zoning Code. Furthermore, the Project would also be designed consistently with all applicable planning policies and design standards as set forth within the Menifee MC.

The AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project would not result in a change of land use designations reflected in the AQMP. Therefore, the Project is assumed to be consistent with the AQMPs regional emissions inventory for the SCAB. Thus, the Project is consistent with the second criterion.

Implementation of **MMs AQ-1** through **AQ-5** would reduce construction and operational air pollutant emissions below SCAQMD's emission thresholds. Therefore, the Project would not increase the frequency or severity of an existing air quality violation or cause or contribute to new violations for these pollutants. As the Project would not exceed any of the CAAQS and NAAQS, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP. In addition, because the Project is consistent with land use projections that form the basis of the AQMPs, the Project would be consistent with the emissions forecasts in the AQMP. Impacts would be mitigated to less than significant levels. (Draft EIR, pp. 4.2-18 and 4.2-19)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality** of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

- | | |
|----------------|--|
| MM AQ-1 | Prior to the issuance of grading or building permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction. |
| MM AQ-2 | The Project's contractors shall be prohibited from idling heavy equipment for more than three minutes and prohibited from being in the "on" position for more than 10 hours per day. The Project's general contractor shall designate an officer to monitor the construction equipment operators on-site for compliance. |
| MM AQ-3 | <p>Prior to issuance of tenant occupancy permits (not building shell permits), the Project operator shall prepare and submit a 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:</p> <ul style="list-style-type: none">• 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 on-site meal options in employee break areas as well as kitchen amenities to prepare and/or heat meals. |

- Provide 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 Transit Agency schedules in conspicuous areas.
- Reference Riverside Transit Agency schedules when creating employees' operating schedules.

MM AQ-4 All outdoor cargo handling equipment (such as yard trucks, hostlers, yard goats, pallet jacks, and forklifts) shall be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse building shall include the necessary charging stations for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements.

MM AQ-5 Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have posted signage posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after three minutes of continuous idling operation (pursuant to City of Menifee's Industrial Good Neighbor Policies). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
- Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.
- Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
- The Operator shall designate an officer to monitor trucks on-site for compliance.
- To the extent feasible, the Project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head northbound to Ethanac Road (designated truck route).
- Signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.
- All signage installed as part of the Project shall be legible, durable, and weather-proof.

Supportive Evidence: Please refer to Draft EIR pages 4.2-18 through 4.2-21.

Impact 4.2-2: Less than Significant with Mitigation Incorporated

Review of Draft EIR **Table 4.2-8** shows that Project unmitigated construction emissions would exceed the SCAQMD threshold for Particulate Matter 10 (PM₁₀) (Draft EIR, p. 4.2-22). The majority of PM₁₀ emissions

are generated during the grading phase of construction and from construction vehicles accessing the Project site from unpaved roads. **MM AQ-1** requires all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction. Implementation of mitigation measures would reduce construction PM₁₀ emissions to below the SCAQMD's thresholds. Additionally, **MM HRA-1** requires that the Project Applicant, prior to issuance of grading permit, to prepare and submit documentation to the City that demonstrates that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Therefore, the Project's construction-related impact would be reduced to a less than significant level.

Review of Draft EIR **Table 4.2-9**, Project unmitigated operational emissions would exceed the SCAQMD thresholds for NO_x. However, through implementation of various mitigation measures discussed below, the Project's operational emissions would be reduced to a less than significant level. (Draft EIR, p. 4.2-23)

MM AQ-3 requires the implementation of a TDM program to reduce single occupant vehicle trips and encourage public transit. **MM AQ-4** requires that all forklifts used onsite are electric or employ other zero emission technology. **MM AQ-5** requires signage for on-site circulation and limiting idling emissions. Additionally, the Project would comply with applicable Plans, Programs, and Policies (PPP)-1 through PPP-8 which include provisions of the CBC, CalGreen Code, Menifee MC, SCAQMD Rules, etc. Therefore, implementation of **MMs AQ-1** through **AQ-5** and **MM HRA-1** and compliance with relevant PPPs would ensure that impacts are reduced to less than significant levels. (Draft EIR, pp. 4.2-21 through 4.2-26)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in Draft EIR **Section 4.2, Air Quality**, which is incorporated herein by reference, **MMs AQ-1** through **AQ-5** and **MM HRA-1** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HRA-1 Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Menifee that demonstrate the following:

- All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit

(if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.

Supportive Evidence: Please refer to Draft EIR pages 4.2-21 through 4.2-26.

Impact 4.2-3: Less than Significant Impact with Mitigation Applied

Review of Draft EIR **Table 4.2-12** shows that Project construction emissions from the Project are below SCAQMD Localized Significance Thresholds (LST) and therefore, significant impacts would not occur concerning LSTs during construction. The maximum daily emissions of these pollutants for Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors. The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The Project includes **MM HRA-1**, which requires the use of Tier 4 construction equipment or incorporation of CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Implementation of the **MM HRA-1** would reduce cancer risk to 1.8 in one million. **MM AQ-1** requires all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction. **MM AQ-2** prohibits the idling heavy equipment for more than three minutes and prohibited from being in the “on” position for more than 10 hours per day. **MM AQ-3** requires the implementation of a 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. Therefore, impacts would be reduced to less than significant levels. (Draft EIR, pp. 4.2-26 through 4.2-35)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, of the Draft EIR, which is incorporated herein by reference, **MMs AQ-1 through AQ-3 and MM HRA-1** are feasible and are made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

Supportive Evidence: Please refer to Draft EIR pages 4.3-26 through 4.3-35.

Biological Resources Impact 4.3-1: Less than Significant with Mitigation Incorporated

No special-status plant species were observed on-site during the field investigation. The Project site and surrounding area have been subject to decades of anthropogenic disturbances which have removed native plant communities that historically occurred. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the site has a low to moderate potential to support smooth tarplant (*Centromadia pungens ssp. laevis*) and paniculate tarplant (*Deinandra paniculata*). There is minimal habitat on the Project site that would support the smooth tarplant (*Centromadia pungens ssp. laevis*) and paniculate tarplant (*Deinandra paniculata*). However, these special-status plant species are not state or federally listed as threatened or endangered. (Draft EIR,

p. 4.3-10) Furthermore, no CDFW special-status plant communities occur within the boundaries of the Project site.

Special-status wildlife species observed during the field investigation include great egret and Costa's hummingbird. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a high potential to support Cooper's hawk (*Accipiter cooperii*), sharpshinned hawk (*Accipiter striatus*), great blue heron (*Ardea herodias*), northern harrier (*Circus hudsonius*), snowy egret (*Egretta thula*), white-tailed kite (*Elanus leucurus*), California horned lark (*Eremophila alpestris actia*), prairie falcon (*Falco mexicanus*), and loggerhead shrike (*Lanius ludovicianus*); and a low potential to support burrowing owl (*Athene cunicularia*) and western mastiff bat (*Eumops perotis californica*). All remaining special-status wildlife species were presumed to be absent from the Project site due to the lack of native habitat, routine on-site disturbances, and isolation of the site from suitable habitats. None of the other aforementioned species are federally or state listed as threatened or endangered, however, white-tailed kite is fully protected under CESA. The majority of the aforementioned species are not expected to occur on-site while foraging due to the absence of suitable nesting/roosting opportunities and degree and type of routine on-site and surrounding disturbance.

To ensure impacts to aforementioned avian species do not occur from implementation of the Project, a pre-construction nesting bird clearance survey would be conducted prior to ground disturbance in accordance with **MM BIO-1**.

Furthermore, based on the results of the 2023 burrowing owl focused surveys, no burrowing owls or evidence of recent or historic use burrowing owls were observed on the Project site. As a result, burrowing owls are presumed to be absent from the Project site. Nevertheless, to ensure that burrowing owl remain absent from the Project site, the Project would implement **MM BIO-2** which would require that a 30-day burrowing owl pre-construction clearance survey be conducted prior to obtaining a grading permit.

Overall, based on the Project footprint, and with the implementation of **MMs BIO-1** and **BIO-2**, none of the special-status species known to occur in the general vicinity of the Project site would be directly or indirectly impacted from implementation of the Project. A less than significant impact would occur with mitigation incorporated. (Draft EIR. pp. 4.3-10 through 4.3-13)

Finding: The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with **MMs BIO-1** and **BIO-2**.

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

MM BIO-1 If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds shall be conducted within three days of the start of

any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. 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 an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of 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. 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.

MM BIO-2

The Project Developer shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey shall be submitted to the City prior to obtaining a grading permit. If at any time there is a lapse of Project activities for 30 days or more, another burrowing owl survey shall be conducted and submitted to the City.

If burrowing owl are not detected during the pre-construction 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. 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.

Supportive Evidence: Please refer to Draft EIR pages 4.3-10 through 4.3-13.

Impact 4.3-6: Less than Significant Impact with Mitigation Incorporated

The Project site is located within the Sun City/Menifee Valley Area Plan of the MSHCP. No jurisdictional drainages, riparian/riverine and/or wetland features were observed within the Project site or off-site improvement areas during the field investigation. Therefore, a Determination of Biologically Equivalent or Superior Preservation (DBESP) would not be required for the loss of riparian/riverine habitat from development of the Project, and the Project is consistent with Section 6.1.2 of the MSHCP.

Additionally, based on the results of the literature review, the Project site has not supported natural plant communities since at least 1966. Accordingly, the Project site does not provide suitable habitat for these MSHCP listed Narrow Endemic Plant Species and thus, would not need to comply with the Protection of Narrow Endemic Plant Species.

Section 6.1.4 of the MSHCP, Guidelines Pertaining to Urban/Wildlands Interface, is intended to address indirect effects associated with development in proximity to MSHCP Conservation Areas. The Project site is not located within or in close proximity of any Criteria Cells or designated conservation areas. Therefore, the Project would not need to comply with the Urban/Wildlands Interface Guidelines.

In accordance with Section 6.3.2 of the MSHCP, Additional Survey Needs and Procedures, additional surveys may be needed for certain species in order to achieve coverage for these species. In compliance with the conservation goals of Section 6.3.2 of the MSHCP, a Part B-Focused burrowing owl survey was conducted during the breeding season. Pursuant to **MM BIO-2**, a final pre-construction burrowing owl clearance survey would be required in to ensure burrowing owl remains absent from the Project site.

The Project site is located within the Mitigation Fee Area of the SKR HCP, but is not located within or adjacent to any of the Core Reserve Areas. Since the Project site is not located within or adjacent to any of the Core Reserve Areas, no focused SKR surveys or on-site mitigation would be required. On-site mitigation is only recommended in Ordinance 663.10 when a site is located within or adjacent to a Core Reserve Area. As a result, the applicant would only be required to pay the SKR HCP Mitigation Fee prior to development of the Project site.

With completion of recommendations provided above and payment of the applicable MSHCP Local Development Mitigation Fee for industrial developments and SKR HCP Mitigation fees, and implementation of **MMs BIO-1** through **BIO-2**, development of the Project site would be fully consistent with the MSHCP. (Draft EIR. pp. 4.3-16 through 4.3-18)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.3, Biological Resources**, of the Draft EIR, which is incorporated herein by reference, **MMs BIO-1** and **BIO-2** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

Supportive Evidence: Please refer to Draft EIR pages 4.3-16 through 4.3-18.

5.4 CULTURAL RESOURCES

No impacts were concluded to be significant.

5.5 ENERGY

No impacts were concluded to be significant.

5.6 GEOLOGY AND SOILS

Impact 4.6-7: Less than Significant Impact with Mitigation Incorporated

Expansive soils are soils that expand and contract depending on their moisture level. This change can occur seasonally as water levels and precipitation changes throughout the year. These soils normally occur within the first five feet below the surface. Expansive soils can lead to structural damage as their compositions and volume changes dramatically. The near-surface soils encountered during the geotechnical investigation consisted of older alluvium which is dense to very dense silty sand or hard sandy silt or sandy clay and granitic bedrock that is locally overlain by older alluvium. Based on the results of laboratory testing for the geotechnical investigation, the older alluvial soils are considered to have a “very low” to “low” expansion potential. Although grading activities would likely involve relatively significant mixing and blending of the site materials and a reduction of the overall expansion potential of the fill soils, sandy silt soils of low expansion index would still remain beneath the fill in most areas. The Project would implement the design recommendations listed in the geotechnical reports and 2022 CBC design standards, and **MM GEO-1** to reduce impacts from expansive soils. Additionally, the Project would comply with City standard conditions of approval requiring compliance with the design recommendations listed in the geotechnical reports, 2022 CBC design standards, and City standard conditions of approval would reduce impacts from expansive soil to less than significant levels. (Draft EIR, pp. 4.6-13 and 4.6-14)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.6, Geology and Soils** of the Draft EIR, which is incorporated herein by reference, the following **MM GEO-1** is feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM GEO-1 Initial site preparation shall commence with removal of debris, deleterious materials, and vegetation within the limits of the planned improvements. These materials shall be properly disposed of off-site. Voids resulting from removing any materials shall be replaced with engineered fill materials with expansion characteristics similar to the on-site materials.

Supportive Evidence: Please refer to Draft EIR pages 4.6-13 and 4.6-14.

Impact 4.6-9: Less than Significant Impact with Mitigation Incorporated

The geologic units underlying the Project area are mapped as middle to early Pleistocene alluvial gravel, silt, sand, and clay, and as Cretaceous granodiorite and tonalite. While the granodiorite and tonalite units are considered to be of low paleontological value, the Pleistocene alluvial units are considered highly paleontologically sensitive. Based on these results, the **MM GEO-2** will be implemented. With implementation of **MM GEO-2**, impacts would be reduced to less than significant. (Draft EIR, pp. 4.6-14 and 4.6-15)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.6, Geology and Soils** of the Draft EIR, which is incorporated herein by reference, the following **MM GEO-2** is feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

- MM GEO-2** Prior to issuance of grading permits, the Applicant/Developer will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be documented in the PRIMP. The PRIMP would be submitted to the City for review and approval prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:
1. Description of the project site and proposed grading operations.
 2. Description of the level of monitoring required for earth-moving activities.
 3. Identification and qualifications of the paleontological monitor to be employed during earth moving.
 4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens.
 5. Direction for fossil discoveries to be reported to the developer and the City.
 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays.
 7. Sampling methods for sediments that are likely to contain small fossil remains, if any.

8. Procedures and protocol for collecting and processing of samples and specimens, as necessary.
9. Fossil identification and curation procedures.
10. Identification of the repository to receive fossil material.
11. All pertinent maps and exhibits.
12. Procedures for reporting of findings.
13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation.

Supportive Evidence: Please refer to Draft EIR pages 4.6-14 and 4.6-15.

5.7 GREENHOUSE GAS EMISSIONS

Significant and unavoidable greenhouse gas impacts. Refer to **Section 4.7, Greenhouse Gas Emissions** and the Mitigation Monitoring and Reporting Program.

5.8 HAZARDS AND HAZARDOUS MATERIALS

No impacts were concluded to be significant.

5.9 HYDROLOGY AND WATER QUALITY

Impact 4.9-1: Less than Significant with Mitigation Incorporated

Ground disturbing activities (e.g., clearing, grading, excavation), and construction activities associated with Project buildout may impact water quality due to sheet erosion of exposed soils and subsequent deposition of particulates in nearby drainages. The Project is required to comply with the NPDES Construction General Permit, the water quality policies of the Menifee GP and the Riverside County DAMP, all which require the preparation and implementation of a SWPPP in order to obtain grading and building permits. The SWPPP shall identify site-specific construction BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater runoff from the Project site. The Project will be subject to BMPs. Overall, the Project would not violate water quality standards or waste discharge requirements with implementation of **MM HYD-1** and **HYD-2**. (Draft EIR, pp 4.9-14 through 4.9-18)

Finding: The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

Mitigation Measures: Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, the following **MMs HYD-1** and **HYD-2** are feasible

and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HYD-1: Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board. This process requires that the applicant electronically submit Permit Registration Documents (PRDs) prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee.

The required Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Menifee Engineering Department for review and approval, identifying specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.
- B. Temporary erosion control measures shall be implemented on all disturbed areas.
- C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.
- E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.
- F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure.
- G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction.
- H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval

by the City of Menifee Engineer. The City of Menifee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.

MM HYD-2: The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with O&M Plan for submittal together with the associated grading and improvement plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City (Menifee) and County (Riverside) water quality requirements, for review and approval by the City of Menifee Engineering Department, including the following:

- i. Site Design BMPs
- ii. Source Control BMPs
- iii. Treatment Control BMPs
- iv. BMP Sizing
- v. Equivalent Treatment Control Alternatives
- vi. Regionally-Based Treatment Control BMPs
- vii. O&M Responsibility for Treatment Control BMPs

Supportive Evidence: Please refer to Draft EIR pages 4.9-14 through 4.9-18.

Impact 4.9-3: Less than Significant with Mitigation Incorporated

The Project would generate on-site and off-site flows. On-site runoff would sheet flow through the Project site utilizing ribbon gutters and storm network systems and drain from the south of the property to the northeast corner to the bioretention basin. The basin is purely a water quality basin and does not provide any flow mitigation. Off-site flows from the south of the property would be collected by v-gutters along the retaining wall at the south end of the property and redirect the runoff to the proposed curb and gutter along Wheat Street and Byers Road. Stormwater runoff from the street improvements along Wheat Street from the center line to the easterly curb and gutter would enter a proposed catch basin located at the northwest corner of the property before discharging on-site into the open bioretention basin. Stormwater from the street improvements along Byers Road from the center line to westerly curb and gutter would enter a proposed catch basin located at the northeast corner of the property before discharging on-site to the open bioretention basin. Runoff from the south half of the street improvements along Kuffel Road between Wheat Street and Byers Road would also flow to a catch basin at the northeast corner of the property before discharging on-site to the open bioretention basin. Discharge from the basin would flow directly to proposed storm drain Line A-14a of the Perris Valley MDP and discharge directly into Line A before reaching the San Jacinto River. In addition, due to the fact that the downstream conveyance from the site is engineered and an MS4 facility, the Project would not be subject to limits on the rate of stormwater flow leaving the site.

Additionally, the Project Applicant would obtain an NPDES Construction Stormwater Permit and implement a SWPPP to minimize soil erosion and siltation on and off the site; see **MM HYD-1**. BMPs as outlined in the WQMP would also be implemented during construction and operation of the site to minimize erosion and

sedimentation; see **MM HYD-2**. In addition to the SWPPP and WQMP, the Project would comply with other applicable local and regional water quality requirements. Overall drainage patterns would be captured through the proposed drainage systems, with flows directed to the Santa Ana Watershed Region and with water quality measures applicable to the respective watershed. In consideration of existing regulations, and with implementation of **MM HYD 1** and **MM HYD-2**, impacts would be less than significant. (Draft EIR, pp. 4.9-19 through 4.9-21)

Finding: The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

Mitigation Measures: Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, **MMs HYD-1** and **HYD-2** are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

Supportive Evidence: Please refer to Draft EIR pages 4.9-19 and 4.9-21.

Impact 4.9-4: Less than Significant with Mitigation Incorporated

Development of the Project would introduce more impervious surfaces on the site; therefore, increasing the amount and rate of surface runoff. The Preliminary Drainage Study (Draft EIR **Appendix I1**) shows that the proposed drainage improvements would adequately convey flows to the open bioretention basin and provide flood protection for the 100-year storm event. The Project's drainage has been designed to ensure that runoff flows leaving the site do not exceed existing conditions, thereby avoiding impacts to downstream facilities. Additionally, the Project would implement **MM HYD-3** which would require that the Project Applicant submit final grading and drainage plans for review and approval by the City and the EMWD, prior to issuance of any grading permit, to ensure that the Project does not result in increased flows off-site or otherwise significantly impact downstream drainage facilities. The drainage design would prevent flooding on- and off-site due to an increase in surface water runoff. Therefore, with proposed on-site and off-site improvements and implementation of **MM HYD-3**, the Project would not cause additional flooding or substantial runoff, exceed the capacity of existing drainage facilities, or impede or redirect flood flows such that on-site or off-site areas are significantly impacted. Impacts would be mitigated to less than significant levels. (Draft EIR, pg. 4.9-21 through 4.9-22)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, the following **MM HYD-3** is feasible and is made

binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HYD-3: Prior to issuance of grading permits, the Project Applicant shall submit final grading plans for review and approval by the City of Menifee, including final drainage design plans supported by a final drainage study. The tract maps, grading plans, and final drainage study shall demonstrate compliance with applicable City and County drainage plans, policies, design guidelines and regulations including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations.

Supportive Evidence: Please refer to Draft EIR pages 4.9-21 through 4.9-22.

Impact 4.9-5: Less than Significant with Mitigation Incorporated

As previously discussed in Impact 4.9-3, on-site runoff would sheet flow through the Project site through an extensive drainage plan utilizing ribbon gutters and a storm drain network system. An NPDES Construction Stormwater Permit shall be obtained and a SWPPP would be implemented to minimize soil erosion and siltation on and off the site; see **MM HYD-1**. BMPs as outlined in the WQMP (**Draft EIR Appendix I2**) would also be implemented during construction and operation of the site to minimize erosion and sedimentation (see **MM HYD-2**). In addition to the SWPPP and WQMP, the Project would comply with other applicable local and regional water quality requirements. The Project would include street improvements along the west, east, and north side of the property and mimic the existing drainage pattern. Overall drainage patterns would remain consistent, with flows directed to the Santa Ana Watershed Region, with water quality measures applicable to the respective watershed. In consideration of existing regulations, and with implementation of **MMs HYD 1** and **HYD-2**, a less than significant impact would occur. (Draft EIR, pp. 4.9-20 and 4.9-21)

Finding: The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

Mitigation Measures: Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, **MMs HYD-1** and **HYD-2** are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

Supportive Evidence: Please refer to Draft EIR pages 4.9-20 through 4.9-21.

Impact 4.9-7: Less than Significant with Mitigation Incorporated

The Project is inland and is not at risk for inundation due to a tsunami since it is more than 30 miles from the Pacific Ocean. The Project site is not within a seiche zone, since no large bodies of water border the Project site.

A review of the FEMA FIRMs was conducted to determine whether the Project site is largely located within a flood zone. According to Map No. 06065C2055H (effective 8/18/2014), the Project site is largely within a Flood Boundary, identified as Zone X which indicates that the Project is located in a minimal flood hazard zone, which are areas outside the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-annual-chance flood. The Project is not within a dam inundation zone, and therefore the potential for inundation from dam failure would be considered low. Additionally, BMPs have been incorporated into the site design to fully address all DMAs. Along with the implementation of the proposed DMAs, runoff would be conveyed to a proposed bioretention basin, which would be provided at the north end of the property to detain on-site and off-site runoff. Overflow from the site would discharge directly to the constructed open channel north of Ethanac Road. The Project would implement BMP's and efficient design measures pursuant to the Project's WQMP and SWPPP (**MMs HYD-1 through HYD-3**), that includes, but is not limited to, the pretreatment of runoff through the proposed open bioretention basin. Therefore, the Project's impacts regarding the risk of pollutants would be reduced to less than significant levels. (Draft EIR, pp. 4.9-24 and 4.9-25)

Finding: The City adopts CEQA Finding 1.

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

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

Supportive Evidence: Please refer to Draft EIR pages 4.9-24 and 4.9-25.

5.10 LAND USE AND PLANNING

No impacts were concluded to be significant.

5.11 MINERAL RESOURCES

No impacts were concluded to be significant.

5.12 NOISE

No impacts were concluded to be significant.

5.13 POPULATION AND HOUSING

No impacts were concluded to be significant.

5.14 PUBLIC SERVICES

No impacts were concluded to be significant.

5.15 RECREATION

No impacts were concluded to be significant.

5.16 TRANSPORTATION

No impacts were concluded to be significant.

5.17 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be significant.

5.18 UTILITIES AND SERVICE SYSTEMS

No impacts were concluded to be significant.

5.19 WILDFIRE

No impacts were concluded to be significant.

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

The City finds, based upon the threshold criteria for significance presented in the EIR, that all of the following potentially significant environmental effects of the Project, remain significant and unavoidable even with implementation of mitigation measures identified in the EIR. For each significant and unavoidable impact identified below, the City has made a finding(s) pursuant to Public Resources Code §21081. An explanation of the rationale for each finding is also presented below.

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

6.1 AESTHETICS

No impacts were concluded to be significant and unavoidable.

6.2 AGRICULTURE AND FORESTRY RESOURCES

No impacts were concluded to be significant and unavoidable.

6.3 AIR QUALITY

No impacts were concluded to be significant and unavoidable.

6.4 BIOLOGICAL RESOURCES

No impacts were concluded to be significant and unavoidable.

6.5 CULTURAL RESOURCES

No impacts were concluded to be significant and unavoidable.

6.6 ENERGY

No impacts were concluded to be significant and unavoidable.

6.7 GEOLOGY AND SOILS

No impacts were concluded to be significant and unavoidable.

6.8 GREENHOUSE GAS EMISSIONS

Impact 4.7-1: Significant and Unavoidable Impact

The Project would result in the generation of approximately 1,767 MTCO₂e throughout the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period and then added to the operational emissions. The Project's amortized construction emissions would be 59 MTCO₂e per year. Once construction is complete, the generation of these GHG emissions would cease.

GHG emissions associated with the Project are summarized in Draft EIR **Table 4.7-3: Project Greenhouse Gas Emissions**. (Draft EIR, pp. 4.7-22 and 4.7-23) As shown in Draft EIR **Table 4.7-3**, the Project's unmitigated emissions would be approximately 7,023 MTCO₂e annually from both construction and operations and would exceed the SCAQMD 3,000 MTCO₂e per year threshold. The majority of the GHG emissions (71 percent of unmitigated emissions and 79 percent of mitigated emissions) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

Accordingly, the Project would be required to comply with several Plans, Programs, and Policies (PPP)-1 through PPP-8 and implement **MMs GHG-1** through **GHG-7** and **MM AQ-3** to reduce operational GHG emissions. (Draft EIR, p. 4.7-24) As shown in Draft EIR **Table 4.7-3**, implementation of **MMs** and compliance PPPs would reduce Project emissions to 6,272 MTCO₂e per year. However, the Project's emissions would still exceed the 3,000 MTCO₂e per year threshold. Additional mitigation to further reduce these emissions is not feasible.

The City as the lead agency for the Project and the entity responsible for enforcing any mitigation measures incorporated into the Project and relied upon to reduce impacts to a less than significant level, has no enforcement authority over offset credits that fund carbon reduction projects outside of the City. Many offset credits "sell" reductions in emissions generated outside of California, which may not be genuine or verifiable. International offsets are even more difficult to verify, guarantee and enforce. Even CARB does not have enforcement authority over such reductions, let alone the City of Menifee. Thus, the purchase of offset credits is not a feasible mitigation measure to reduce the emissions impact of the Project. Therefore, despite the incorporation of all feasible mitigation, the remaining mobile emissions from the Project cannot feasibly be mitigated because neither the Project applicant nor the City has the regulatory authority to control tailpipe emissions. Since mitigated future mobile source emissions exceed the 3,000 MTCO₂e threshold and no additional feasible mitigation beyond **MMs AQ-2** through **AQ-5** and **MMs GHG-1** through

GHG-7 are available to further reduce emissions, this impact remains significant and unavoidable. (Draft EIR, pp. 4.7-21 through 4.7-27)

Mitigation Measures: Based upon the analysis presented in **Section 4.2: Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, **MMs AQ-2** through **AQ-5**, listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant greenhouse gas emissions impacts to less than significant. As such, the impact remains significant and unavoidable. Additionally, the following mitigation measures apply:

MM GHG-1 Prior to issuance of tenant occupancy permits, the Project shall be required to install a minimum 49 kwdc 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. To allow future operators to earn WAIRE Program points pursuant to SCAQMD's Rule 2305, the exact timing of the PV system installation may be modified at the discretion of 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 proposed 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, prior to building permit issuance, 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.

MM GHG-2 Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Community Development Department shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in this report and is therefore prohibited.

MM GHG-3 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.

MM GHG-4 Prior to precise grading permit issuance, the Project shall be required to show on the precise grading plans 20 percent of the employee parking stalls on-site as "EV Capable," which includes electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging. In addition, 25 percent of the EV Capable parking stalls shall have electric vehicle supply equipment (EVSE) installed and operational. EVSE includes conductors, electric vehicle connectors, attachment plugs, personal protection system, and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy to the electric vehicle.

MM GHG-5 The Project shall divert a minimum of 75-percent of landfill waste during operation. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City of Menifee 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.

MM GHG-6 All landscaping equipment used onsite shall be 100 percent electrically powered. The building manager or their designee shall be responsible for enforcing these requirements.

MM GHG-7 Prior to the issuance of precise grading permits, plans shall identify the location of future electric truck charging stations (minimum of three) and where conduit shall be installed to those spaces.

Supportive Evidence: Please refer to Draft EIR pages 4.7-21 through 4.7-27.

Impact 4.7-2: Significant and Unavoidable Impact

As shown in **Section 4.7: Greenhouse Gas Emissions**, the Project does not conflict with the applicable plans that are discussed above, and therefore, with respect to this particular threshold, the Project does not have a significant impact. However, despite plan consistency, the Project's long-term operational GHG emissions would exceed the 3,000 MTCO₂e per year threshold despite the implementation of **MMs AQ-2** through **AQ-5** and **MMs GHG-1** through **GHG-7**; thus, the Project could impede California's statewide GHG reduction goals for 2030 and 2050. A potentially significant impact would therefore occur as a result of the Project.

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, **MMs AQ-2** through **AQ-5**, and **GHG-1** through **GHG-7** listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than

significant with respect to greenhouse gas emissions. As such, the impact remains significant and unavoidable. (Draft EIR, 4.7-27 through 4.7-31)

Supportive Evidence: Please refer to Draft EIR pages 4.7-27 through 4.7-31.

6.9 HAZARDS AND HAZARDOUS MATERIALS

No impacts were concluded to be significant and unavoidable.

6.10 HYDROLOGY AND WATER QUALITY

No impacts were concluded to be significant and unavoidable.

6.11 LAND USE AND PLANNING

No impacts were concluded to be significant and unavoidable.

6.12 MINERAL RESOURCES

No impacts were concluded to be significant and unavoidable.

6.13 NOISE

No impacts were concluded to be significant and unavoidable.

6.14 POPULATION AND HOUSING

No impacts were concluded to be significant and unavoidable.

6.15 PUBLIC SERVICES

No impacts were concluded to be significant and unavoidable.

6.16 RECREATION

No impacts were concluded to be significant and unavoidable.

6.17 TRANSPORTATION

No impacts were concluded to be significant and unavoidable.

6.18 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be significant and unavoidable.

6.19 UTILITIES AND SERVICE SYSTEMS

No impacts were concluded to be significant and unavoidable.

6.20 WILDFIRE

No impacts were concluded to be significant and unavoidable.

7.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) 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.”

Under State CEQA Guidelines section 15126.2(e), a project would be considered to have a growth-inducing effect if it would result in any of the following effects:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Increases in the population that may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

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

First, the Project would not directly foster population growth as the Project does not involve the construction of residential uses. The Project would generate employment, but the four percent unemployment rate in Riverside County (as of October 2022) suggests that there is a need for local employment opportunities which are anticipated to be filled by people living in the City, surrounding cities, and unincorporated Riverside County. The estimated number of employees for the Project site is 860 to operate the warehouse.¹ Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. (Draft EIR, p. 5-5)

Second, the Project would not remove obstacles to population growth. The Project’s development is localized to the Project site. The construction of the new infrastructure would not amend the land uses or increase density on the parcels adjacent to the Project site. Additionally, the existing residential manufactured homes are proposed to be demolished. The demolition of these structures would induce population growth since they would be replaced with the proposed warehouse facilities consistent with the existing and proposed land use and zoning designations. The Project would be an allowed and expected use within these land use zones and would therefore not create or remove an obstacle for growth. While the development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections and the improvement of existing roadways, these improvements would serve the existing residences and businesses in the City and would improve services to the Project facilities

¹ The Project socio-economic data was based on median factors for Riverside County from the SCAG Employment Density Survey (October 31, 2001). The SCAG Study recommends a factor of 819 square feet per employee for warehousing uses and 598 square feet per employee for office uses.

and City connectivity. Substantial upgrades to the roadway system outside of the general Project area, which would promote further development, are not included as components of the Project. All infrastructure improvements associated with the Project are required of the Project itself, and do not contemplate future development in the area. All future projects in the general area would be subject to providing improvements to serve each project, as necessary. (Draft EIR, pp. 5-5 and 5-6)

Third, the Project would not tax existing community service facilities nor require the construction of new or expanded facilities that could cause significant environmental effects. The Project site is predominately vacant with legal nonconforming residential uses, which are subject to demolition. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and fiber optics) along the Project's frontage streets. The environmental impacts associated with the facility improvements associated with the Project have been analyzed throughout the Draft EIR. In cases where Project design features did not minimize significant impacts, mitigation measures have been implemented that would reduce potential impacts related to Project development to less than significant levels, with the exception of impacts associated with greenhouse gas emissions, which would remain significant and unavoidable. Furthermore, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. (Draft EIR, p. 5-6)

Finally, the Project would not encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. The Project would not encourage or facilitate other development such as the construction of new housing or other developments that could potentially have a significant effect on the environment. (Draft EIR, p. 5-6)

Finding – The City adopts CEQA Finding 1.

The City hereby finds that the Project does not directly result in any significant growth-inducing impacts. The Project involves the creation of opportunities for industrial development.

Supportive Evidence – Please refer to Draft EIR pages 5-5 through 5-6.

8.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The following alternatives were addressed in the Draft EIR:

- 1) The No Project Alternative
- 2) Reduced Square Feet on Two Buildings Alternative

8.1 NO PROJECT ALTERNATIVE (ALTERNATIVE 1)

Description: State CEQA Guidelines Section 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project site would not be developed,

which means there would be no warehousing facilities, landscape improvements, or surface lot improvements developed on the Project site or off-site, including street improvements.

Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development in keeping with the City’s General Plan land use, Economic Development Corridor – Northern Gateway, and zoning designations.

Finding – The City adopts Finding 3.

The City finds that Alternative 1 would not meet any of the Project objectives, as identified above as the Project site would remain in its existing condition. The Project site would not provide employment opportunities, would not facilitate the movement of goods, would not develop an industrial project/warehouse facility that is Class A and that would attract high-end tenants to increase the City’s tax base.

Supporting Evidence – Please see Draft EIR Pages 6-5 through 6-10.

8.2 REDUCED SQUARE FEET ON TWO BUILDINGS (ALTERNATIVE 2)

Description: Alternative 2 assumes the construction of two smaller warehouse buildings totaling approximately 595,031 SF of building space on the same 40.3-acres of land. Each of the two warehouse buildings would be approximately 297,515 SF. Compared to the Project, the total warehouse building space in Alternative 2 would be overall approximately 105,000 SF smaller or (15% smaller) than the Project.

Finding – The City adopts Finding 3.

The City finds that Alternative 2 would likely lead to reduced impacts in air quality, energy, greenhouse gas emissions, transportation, and utilities and service systems. The two smaller buildings would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building sizes as well, along with the associated fire hazards.

However, Alternative 2 would not significantly mitigate GHG emissions to a less than significant level as emissions would be well in excess of the significance threshold. Also, Alternative 2 does not meet Project Objectives 4,5,6,7 and 10.

Supporting Evidence – Please see Draft EIR Pages 6-10 through 6-16.

9.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

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

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

10.0 OTHER FINDINGS

The City hereby finds as follows:

- 1) The foregoing statements are true and correct;
- 2) The City is the "Lead Agency" for the Project evaluated in the CEQA Documents and independently reviewed and analyzed in the Draft EIR and Final EIR for the Project;
- 3) The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;
- 4) The public review period for the Draft EIR was for 45 days between March 13, 2024, and April 27, 2024. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and notices of availability of the Draft EIR were published by the City. The Draft EIR was available for review on the City's website. Physical copies of the environmental documents are available at the City of Menifee Community Development Department, Sun City Library, and the Menifee Library;
- 5) The CEQA Documents were completed in compliance with CEQA;
- 6) The CEQA Documents reflect the City's independent judgment;
- 7) The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provided adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;

- 8) The City finds that the CEQA Documents, as amended, provide objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;
- 9) The CEQA Documents evaluated the following impacts: (1) aesthetics; (2) agriculture and forestry; (3) air quality; (4) biological resources; (5) cultural resources; (6) energy; (7) geology and soils; (8) greenhouse gas emissions; (9) hazards and hazardous materials; (10) hydrology and water quality; (11) land use and planning; (12) mineral resources; (13) noise; (14) population and housing; (15) public services; (16) recreation; (17) transportation and circulation; (18) tribal cultural resources; (19) utilities and service systems; (20) wildfire. Additionally, the CEQA Documents considered, in separate sections, significant irreversible environmental changes and growth-inducing impacts of the Project as well as a reasonable range of project alternatives. All of the significant environmental impacts of the Project were identified in the CEQA Documents;
- 10) The MMRP includes all of the mitigation measures identified in the CEQA Documents and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;
- 11) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City's Community Development Director will serve as the MMRP Coordinator;
- 12) In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;
- 13) The impacts of the Project have been analyzed to the extent feasible at the time of certification of the CEQA Documents;
- 14) The City made no decisions related to approval of the Project prior to the initial recommendation of certification of the CEQA Documents. The City also did not commit to a definite course of action with respect to the Project prior to the initial consideration of the CEQA Documents.
- 15) Copies of all the documents incorporated by reference in the CEQA Documents are and have been available upon request at all times at the offices of the City of Menifee Community Development Department, the custodian of record for such documents or other materials;
- 16) The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR;
- 17) Having reviewed the information contained in the CEQA Documents and in the administrative record, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the Final EIR; and

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

11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

The City finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the City would be implemented with the Project, and that the mitigation measures that may be within another agency’s discretion have been, or can and should be, adopted by that other agency.

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program (MMRP), when implemented, would avoid, or substantially lessen all of the significant effects identified in the Final EIR for the CADO Menifee Industrial Warehouse Project (Project). However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts would result from greenhouse gas emissions which the Project’s operational mitigated mobile source emissions would continue to exceed the SCAQMD MTCO_{2e} threshold and even with **MM AQ-2** through **AQ-3** in **Section 4.2: Air Quality** and **MMs GHG-1** through **GHG-7** in **Section 4.7: Greenhouse Gas Emissions**, a significant impact would remain.

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

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

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.
2. The Project is consistent with and will contribute to achieving the goals and objectives established by the General Plan. Implementing the City's General Plan as a policy is a legal and social prerogative of the City. The Project would be consistent with the following General Plan Goals and Policies through the implementation of PDFs and Mitigation Measures.
3. Create employment-generating opportunities for the citizens of the City of Menifee and surrounding communities through construction and operation of the Project's industrial uses. Additional employment (estimated to be up to 860 jobs) will improve the jobs-housing balance.
4. Attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Menifee and surrounding communities.
5. Increase in property taxes through the development of underutilized parcels, payment of DIFs, Transportation Uniform Mitigation Fees (TUMF), and fair share fees, investment in regional road and flood infrastructure spurring growth leading to increased economic output and permanent City jobs. The sales tax revenues generated on behalf of the City by the local employees within the Project site would represent a boost to the economy.
6. Facilitate the development of underutilized land currently planned for industrial uses that maximize the use of the site and respond to regional market demand.
7. Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities.

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

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

Policy C-1.1: Require roadways to:

- i. Comply with federal, state, and local design and safety standards.
- ii. Meet the needs of multiple transportation modes and users.
- iii. Be compatible with the streetscape and surrounding land uses.
- iv. Be maintained in accordance with best practices.

- Policy C-1.5:** Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.
- Goal C-2:** **A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.**
- Policy C-2.1:** Require on- and off-street pathways to:
- Comply with federal, state, and local design and safety standards.
 - Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
 - Be compatible with the streetscape and surrounding land uses.
 - Be maintained in accordance with best practices.
- Policy C-2.2:** Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low-speed roadways for connectivity wherever it is safe to do so.
- Policy C-2.3:** Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- Goal C-5:** **An efficient flow of goods through the city that maximizes economic benefits and minimizes negative impacts.**
- Policy C-5.1:** Designate and maintain a network of city truck routes that provides for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses.
- Policy C-5.3:** Support efforts to reduce/eliminate the negative environmental impacts of goods movement.

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

- Goal CD-3:** **Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.**
- Policy CD-3.3:** Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes but is not limited to appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).
- Policy CD-3.5:** Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.
- Policy CD-3.8:** Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.

- Policy CD-3.9:** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
- Policy CD-3.10:** Employ design strategies and building materials that evoke a sense of quality and permanence.
- Policy CD-3.14:** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.
- Policy CD-3.15:** Require property owners to maintain structures and landscaping to high standards of design, health, and safety.
- Policy CD-3.16:** Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.
- Policy CD-3.17:** Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
- Policy CD-3.19:** Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.
- Policy CD-3.20:** Avoid the blocking of public views by solid walls.
- Goal CD-5:** **Economic Development Corridors that are visually distinctive and vibrant and combine commercial, industrial, residential, civic, cultural, and recreational uses.**
- Policy CD-5.4:** Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity in the EDC areas where appropriate.
- Policy CD-5.6:** Orient building entrance toward the street and provide parking in the rear, when possible.
- Policy CD-5.8:** Encourage adjacent commercial and industrial buildings to share open, landscaped, and/or hardscaped areas for visual relief, access, and outdoor employee gathering places.
- Goal CD-6:** **Attractive landscaping, lighting, and signage that conveys a positive image of the community.**
- Policy CD-6.3:** Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.
- Policy CD-6.4:** Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.
- Policy CD-6.5:** Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.

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

- Goal OSC-4: Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.**
- Policy OCS-4.1:** Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.
- Policy OCS-4.2:** Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.
- Goal OSC-5: Archaeological, historical, and cultural resources are protected and integrated into the city's built environment.**
- Policy OCS-5.1:** Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.
- Policy OCS-5.3:** Preserve sacred sites identified in consultation with the appropriate Native American tribes whose ancestral territories are within the city, such as Native American burial locations, by avoiding activities that would negatively impact the sites, while maintaining the confidentiality of the location and nature of the sacred site,
- Policy OCS-5.4:** Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.
- Policy OCS-5.5:** Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city.
- Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.**
- Policy OCS-7.1:** Work with the Eastern Municipal Water District (EMWD) to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.
- Policy OCS-7.2:** Encourage water conservation as a means of preserving water resources.
- Policy OCS-7.5:** Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.
- Policy OCS-7.8:** Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.
- Goal OSC-8: Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.**

- Policy OCS-8.2:** Support local and regional efforts to evaluate, acquire, and protect natural habitats for sensitive, threatened, and endangered species occurring in and around the city.
- Policy OCS-8.4** Identify and inventory existing natural resources in the City of Menifee.
- Policy OCS-8.5:** Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.
- Goal OSC-9:** **Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.**
- Policy OCS-9.1:** Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.
- Policy OCS-9.2:** Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses.
- Policy OCS-9.3:** Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.
- Policy OCS-9.5:** Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.
- Goal S-1:** **A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.**
- Policy S-1.1:** Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the city.
- Goal S-2:** **A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.**
- Policy S-2.1:** Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.
- Policy S-2.2:** Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.
- Policy S-2.3:** Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.
- Goal S-3:** **A community that is minimally disrupted by flooding and inundation hazards.**
- Policy S-3.1:** Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during

intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.

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

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

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

Goal S-5: **A community that has reduced the potential for hazardous materials contamination.**

Policy S-5.1: Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.

Policy S-5.4: Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.

Policy S-5.5: Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.

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

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

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

Policy LU-1.4: Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and adjoining areas.

Policy LU-1.6: Coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance.

Policy LU-1.10: Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, and similar uses.

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

- Policy LU-3.3:** Coordinate public infrastructure improvements through the City's Capital Improvement Program.
- Policy LU-3.4:** Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.
- Policy LU-3.5:** Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.
- Policy LU-3.6:** Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.
- Policy LU-3.18:** Require setbacks and other design elements to buffer residential units to the extent possible from the impacts of abutting roadway, commercial, agricultural, and industrial uses.
- Goal LU-4:** **Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**
- Policy LU-4.1:** Ensure that land use decisions within the March Air Reserve Base and Perris Valley Airport areas of influence are consistent with applicable Airport Land Use Compatibility Plans. Comply with State law regarding projects subject to review by the Riverside County Airport Land Use Commission (ALUC).
- Policy LU-4.2:** Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

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

- Goal N-1:** **Noise-sensitive land uses are protected from excessive noise and vibration exposure.**
- Policy N-1.1:** Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.
- Policy N-1.2:** Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the city's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.
- Policy N-1.3:** Require noise abatement measures to enforce compliance with any applicable regulatory mechanisms, including building codes and subdivision and zoning regulations, and ensure that the recommended mitigation measures are implemented.

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

Land Use (Residential)	Interior Standards	Exterior Standards
10 p.m. – 7 a.m.	40 Leq (10 minute)	45 Leq (10 minute)
7 a.m. – 10 p.m.	55 Leq (10 minute)	65 Leq (10 minute)

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

Policy N-1.9: Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land are designed with adequate noise abatement measures.

Policy N-1.13: Require new development to minimize vibration impacts to adjacent uses during demolition and construction.

Although significant impacts will remain, the City will mitigate any significant adverse impacts to greenhouse gas emissions to the maximum extent practicable. In its decision to approve the Project, the Planning Commission has considered the Project benefits to outweigh the environmental impacts.

12.0 CERTIFICATION OF THE FINAL EIR

The Planning Commission certifies that the Final EIR was prepared in compliance with CEQA and the CEQA Guidelines and that the Planning Commission has complied with CEQA's procedural and substantive requirements.

The Planning Commission further certifies that it has reviewed and considered the EIR in evaluation of the Project and that the EIR reflects the independent judgment and analysis of the Planning Commission. The Planning Commission further finds that no new significant information as defined by CEQA Guidelines Section 15088.5, has been received by the Planning Commission after the circulation of the Draft EIR that would require further recirculation.

Accordingly, the Planning Commission certifies the Final EIR for the CADO Menifee Industrial Warehouse Project.

As the decision-making body for approval, the Planning Commission has reviewed and considered the information contained in the Findings and supporting documentation. The Planning Commission determines that the Findings contain a complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations.