

SEPTEMBER 2024

CEQA GUIDELINES §15183 COMPLIANCE ENVIRONMENTAL CHECKLIST

GARBANI AND EVANS
TENTATIVE TRACT MAP NO. 38766 PROJECT

PREPARED FOR



PREPARED BY

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INTERNATIONAL

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**CEQA Guidelines
§15183 Compliance
Environmental Checklist
Garbani and Evans
Tentative Tract Map No. 38766 Project**

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1.0 Introduction and Background

The proposed Garbani and Evans Tentative Tract Map No. 38766 Project (“project”) is an implementing project of the City of Menifee’s General Plan, a long-term planning document that embodies the community’s vision for positive future of the City by conceiving important desired characteristics over the course of the next decade. The City of Menifee City Council adopted the General Plan and certified the associated Environmental Impact Report (herein, “General Plan EIR;” State Clearinghouse [SCH] No. 2012071033) on December 18, 2013. Three (3) addendums to the General Plan EIR have been implemented since its initial adoption in 2013. The first addendum was adopted on February 5, 2014, as a result of the City’s 5th Cycle Housing Element Update to meet Regional Housing Needs Assessment (RHNA) requirements. The second addendum addressed minor zoning and land use changes resulting from the City’s update of the General Plan Land Use Element adopted on March 18, 2020. The final and most recent addendum includes updated information associated with minor changes made to the City’s General Plan Circulation Element to alleviate a conflict between the development of Wickerd Road and the 2005 Cantalena Specific Plan.

The General Plan EIR was prepared in conformance with the California Environmental Quality Act (CEQA; California Public Resources Code, Sections 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.). Article 12 (Special Situations) of the CEQA Guidelines identifies situations for which certain CEQA-compliance procedures may apply. Specifically, Section 15183(a) of the CEQA Guidelines states that:

CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

Pursuant to Section 15183(c) of the CEQA Guidelines, “If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards...then an additional EIR need not be prepared for the project solely on the basis of that impact.”

The goal of the General Plan is to continue to enhance the community’s quality of life, promote a cycle of investment and reinvestment in the community, and provide strategies to achieve these goals across a planning horizon into the year 2030. The General Plan designates the project site’s land use as 2.1-5 du/ac Residential (2.1-5R), which falls under the General Plan’s broader “Residential” land designation category. Within the 2.1-5R designation, the General Plan permits single-family detached residences with a density range of two to five units per acre, with allowance for limited agriculture and non-intensive animal keeping. The proposed single-family for-rent housing development project, which proposes approximately 3.35 du/ac, is consistent with the General Plan’s land use designation for the project site and would also align with the City’s long-term vision for community-building by locating a comprehensive and cohesive residential community next to an existing residential neighborhood, in close proximity to an existing school and other institutional uses. The General Plan EIR assumed and analyzed a density of 4.0 du/ac on sites designated 2.1-5R.

The General Plan includes a Community Design element that is intended to enhance the current community identity through the identification of design techniques, guidelines, and features that will enhance the visual character of the city and its neighborhoods. It serves as a practical guide to developers, guidance to stimulate design creativity in the city. The City also adopted Design Guidelines to implement the goals and policies of the General Plan. These standards, guidelines, and policies apply to all new development in the City, and establish a

framework for ground floor commercial areas, neighborhood transitions, site planning, parking, and curbside access, building form and design, materials and sustainable design features, fences and walls, landscaping, private open space, and publicly-accessible open space. As an implementing project of the General Plan, the project has been designed in conformance with applicable development standards under the General Plan, Title 9, *Planning and Zoning*, of the Menifee Municipal Code, and the Design Guidelines.

Project development would occur on an approximately 20-acre vacant lot northwest of the intersection of Garbani and Evans Roads (Assessor's Parcel Number [APN] 360-180-021). The project proposes the construction of 67 two-story for-rent single-family homes with a single-story accessory dwelling unit (ADU) on each lot, resulting in 134 new housing units and a proposed density of approximately 3.35 du/ac.¹ The proposed development includes residential amenities (private recreation center, pool and spa, pocket park, and a dog park), as well as associated infrastructure (paving, parking, landscaping, and street lighting).

Accordingly, the purpose of the analysis contained herein is to evaluate whether the project is consistent with the General Plan EIR; whether the project would result in impacts that are peculiar to the project or project site; whether there are potentially significant off-site or cumulative impacts that were not previously evaluated in the General Plan EIR; whether there is substantial new information that would result in more severe impacts than anticipated by the General Plan EIR; and whether such impacts (if any) can be substantially mitigated by the imposition of uniformly applied development policies or standards.

If any impacts cannot be substantially mitigated with uniformly applied development policies or standards, or if the project results in off-site or cumulative impacts that were not previously evaluated in the General Plan EIR, then additional environmental review is required for the project. Alternatively, if the project does not result in any impacts beyond what was evaluated and disclosed as part of the General Plan EIR, then no additional environmental review is required.

2.0 Project Location

The City is located in the southwestern portion of the County of Riverside, within the Inland Empire region; refer to Exhibit 1, *Regional Vicinity*. Interstate 215 (I-215) bisects the City in a north-south orientation, and Newport Road traverses the City's central extent in an east-west orientation. The project site is approximately 20.03 acres and is located at APN 360-180-021; refer to Exhibit 2, *Site Vicinity*. Specifically, the project site is located at the northwest corner of Garbani Road and Evans Road. Regional access to the project site is provided via I-215. Local access is provided via Garbani Road and Evans Road.

3.0 Project Description

3.1 Project Characteristics

Development Concept

The proposed project consists of the development of 67 two-story for-rent single-family homes with a for-rent single-story accessory dwelling unit (ADU) on each lot, for a total of 134 units; refer to Exhibit 3, *Conceptual Site Plan*. Residential lot sizes would range from 7,200 square feet to 7,928 square feet, which conforms to the requirements of City's Low Density Residential-2 (LDR-2) zoning district, where the project site is located. Interior livable space for the primary dwellings would consist of 3- and 4-bedroom units ranging from approximately

¹ Accessory dwelling units are not considered for the purposes of evaluating the density requirements established in the General Plan. Section 9.295.020(D)(1) of the Menifee Municipal Code. Further, under state law, an ADU is an accessory use for the purposes allowable density under the general plan and zoning and does not count toward the allowable density. (Gov. Code § 66314(c)).

1,457 square feet to 1,865 square feet. The ADUs would consist of 2- and 3-bedroom units ranging from approximately 749 square feet to 1,200 square feet. The maximum building height of the residences would be approximately 29 feet.

Amenities within the development would include an approximately 3,246 square-foot private recreation center including a pool and spa, approximately 6,971 square-foot pocket park, and an approximately 9,877 square-foot dog park. Within the recreation center, the project's leasing office would operate Mondays through Saturdays from 9:00 AM to 6:00 PM. Project leasing operations are anticipated to generate three full-time employees. The project would be constructed to conform with the City of Menifee Comprehensive Development Code (Municipal Code Title 9, *Planning and Zoning*, Article 4, *Site Development Regulations and Performance Standards*) and the City's adopted Design Guidelines (amended March 2, 2022), which includes design standards related to building size, height, setback, and materials, as well as landscaping, signage, and other considerations.

Site Access and Circulation

Site access would be provided via one driveway along Evans Road, with emergency access provided at Garbani Road. The project proposes installation of a regional trail along the project's frontage on Garbani Road to further enhance connectivity. Access and circulation improvements would be designed and constructed consistent with City design and engineering standards.

Parking

The project would provide a total of 479 parking spaces, including 77 street parking spaces, 201 garage spaces, and 201 driveway spaces.

Landscaping

A conceptual landscape plan was developed for the project in accordance with the requirements of the Menifee Municipal Code Title 9, Planning and Zoning, Chapter 9.195.040, *Landscape Requirements*. Planting materials would include a mix of trees, shrubs, groundcover, and turf. The total size of landscaped areas would be approximately 322,969 square feet or approximately 37 percent of the site.

Grading

Project earthwork would involve approximately 146,000 cubic yards (cy) of cut and approximately 146,000 cy of fill. For purposes of a robust and conservative analysis, this document assumes that approximately 4,500 cy of soil export would be required.

Utilities

The following utilities and services are available to the project site:

- Water and Sewer: Eastern Municipal Water District
- Stormwater Drainage: City of Menifee Public Works Department and Riverside County Flood Control and Water Conservation District (RCFCWCD)
- Electricity: Southern California Edison
- Natural Gas: Southern California Gas Company
- Telecommunications: Verizon Communications
- Solid Waste: Waste Management

3.2 Project Phasing and Construction

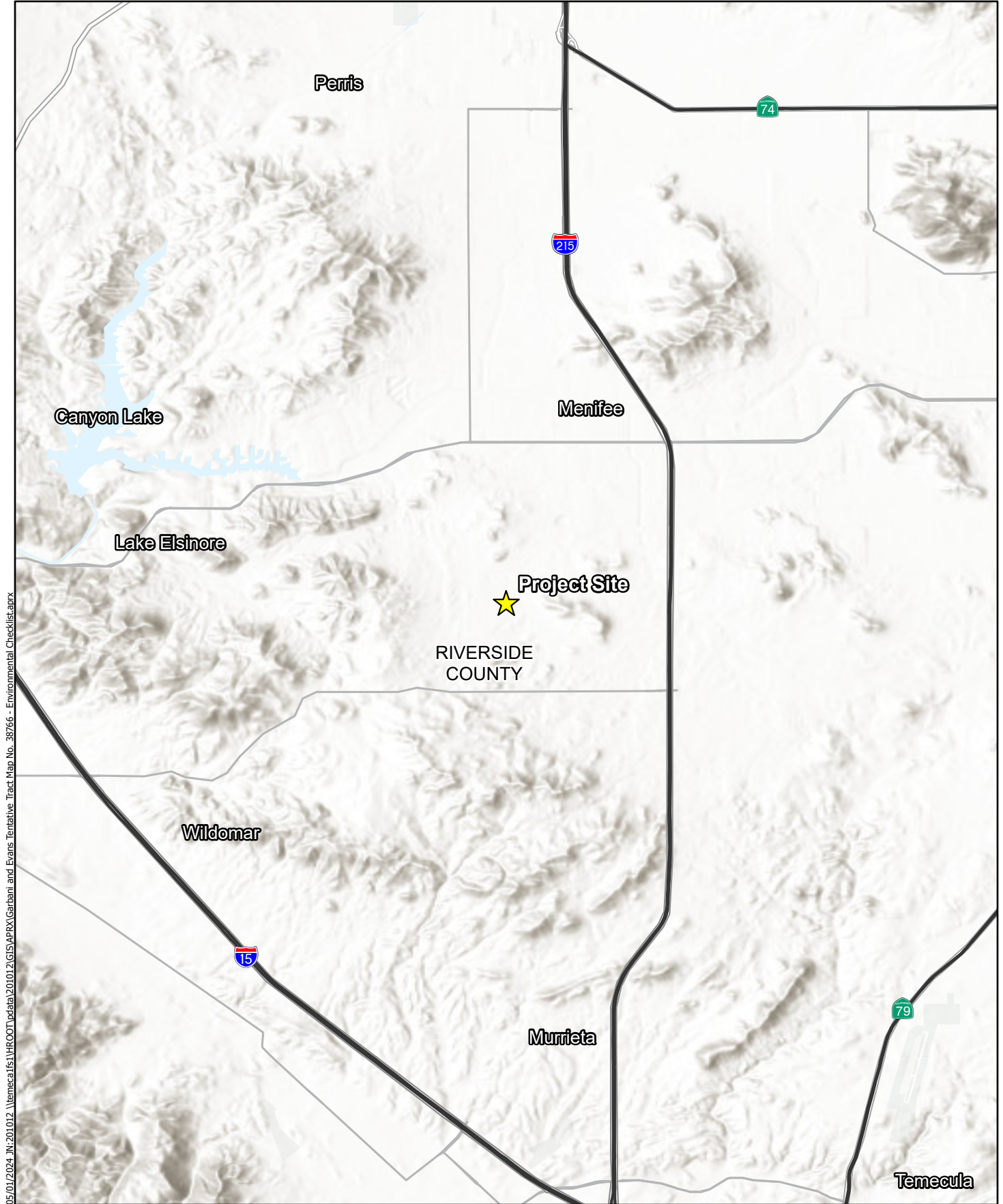
The project would be constructed in a single phase. Construction is anticipated to begin in April 2025 and would occur over a duration of approximately 19 months, with the project opening in November 2026.

3.3 Agreements, Permits, and Approvals

The City, as Lead Agency, has discretionary authority over the proposed project, which requires the following discretionary approvals:

- CEQA Clearance;
- Tentative Tract Map;
- Major Plot Plan;
- Stormwater management and associated permitting consistent with the provisions of the RCFCWCD; and
- National Pollutant Discharge Elimination System (NPDES) Permit under the Santa Ana Regional Water Quality Control Board (Santa Ana RWQCB).

Other anticipated permits include a grading permit, building permit, and encroachment permit.



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Legend

 Project Site

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0 250 500
US Feet

Source: ESRI, City of Menifee, Riverside County.

GARBANI AND EVANS TTM 38766 PROJECT
ENVIRONMENTAL CHECKLIST

Site Vicinity

Exhibit 2

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GARBANI AND EVANS TENTATIVE TRACT MAP NO. 38766 PROJECT
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NOT TO SCALE

Site Plan

Source: William Hezmalhach Architects, June 11, 2024.

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4.0 Environmental Review Conclusion

The analysis presented in Section 5.0 demonstrates that the proposed project meets the requirements of CEQA Guidelines Section 15183, and as such, no additional CEQA review, such as a Subsequent or Supplemental EIR, is required for the project. Specifically:

- The proposed project would not result in environmental impacts that are peculiar to the project or project site (CEQA Guidelines Section 15183(b)(1));
- The proposed project is fully consistent with the project site's adopted General Plan land use designation of "2.1-5 du/acre Residential," and there are no environmental effects associated with the proposed project that were not previously analyzed as significant effects by the General Plan EIR (CEQA Guidelines Section 15183(b)(2));
- There are no potentially significant off-site or cumulatively considerable impacts of the proposed project that were not discussed in the General Plan EIR (CEQA Guidelines Sections 15183(b)(3) and 15183(j));
- There is no substantial new information which was not known at the time the General Plan EIR was certified that would result in a more severe environmental impact beyond the significant impacts previously identified in the General Plan EIR (CEQA Guidelines Section 15183(b)(4));
- The General Plan EIR was certified in conjunction with the City's adoption of the General Plan, and the proposed project is fully consistent with the project site's existing General Plan land use designation of "2.1-5 du/acre Residential" (CEQA Guidelines Section 15183(d)); and
- All of the Standard Conditions of Approval (COAs), Mitigation Measures (MMs), and Regulatory Requirements (RRs) relied upon by the General Plan EIR to reduce environmental effects and that are applicable to the proposed project are feasible and would be implemented as part of the project (CEQA Guidelines Section 15183(e)).

Pursuant to CEQA Guidelines Section 15183, because the proposed project is fully consistent with the City of Menifee's General Plan, and because the proposed project would not result in any new or more severe impacts to the environment beyond what was previously evaluated and disclosed as part of the General Plan EIR, no additional environmental review is required for the proposed project.

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5.0 Analysis of Conformance with CEQA Guidelines Section 15183

5.1 Zoning Conformance

The project would conform with Title 9, *Planning and Zoning*, of the Menifee Municipal Code, which is the City's Zoning Ordinance. The Zoning Ordinance regulates the permitted land uses on all parcels in the City through assigned districts. It also identifies applicable site development criteria (e.g., lot size, density/intensity, open space, heights, parking, landscaped areas), performance standards, and general design regulations (e.g., site design, building orientation, access, parking areas, landscaping, fencing/screening, lighting, building design).

The site is zoned Low Density Residential 2 (LDR-2). The project is consistent with the zoning designation; refer to Section 5.3.11, *Land Use and Planning*.

5.2 Overview of CEQA Guidelines Section 15183

Article 12 (Special Situations) of the CEQA Guidelines identifies situations for which certain CEQA-compliance procedures may apply. Specifically, Section 15183 of the CEQA Guidelines applies to projects that are consistent with existing zoning, community plan, or general plan policies for which an EIR was previously certified. Section 15183 is intended to streamline the review of such projects and reduce the need to prepare repetitive environmental studies. CEQA mandates that Section 15183 projects shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Specifically, for projects that meet the requirements of Section 15183, the Lead Agency is required to limit its examination of environmental effects to those effects which the Lead Agency determines, in an initial study or other analysis:

- Are peculiar to the project or the parcel on which the project would be located;
- Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent;
- Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by CEQA Guidelines Section 15183(c), then an additional EIR or other environmental review need not be prepared for the project solely on the basis of that impact. Pursuant to CEQA Guidelines Section 15183(h), an environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it. Section 15183(e) allows for the analysis to be limited for those significant environmental effects which were previously identified in the prior EIR, and for which all applicable mitigation measures identified by the prior EIR are found to be feasible. For such effects, the Lead Agency is required to make a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

Pursuant to CEQA Guidelines Section 15183(f), an effect of a project on the environment shall not be considered peculiar to the project or the parcel if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate

that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision-making body of the city or county, prior to approving such a future project pursuant to Section 15183, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in Section 15183.

CEQA Guidelines Section 15183(j) states that Section 15183 does not affect any requirement to analyze potentially significant off-site or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant off-site or cumulative impact was adequately discussed in the prior EIR, then Section 15183 may be used as a basis for excluding further analysis of that off-site or cumulative impact.

5.3 Project-Specific Environmental Assessment

The following analysis addresses the potential environmental impacts from the proposed project in relation to the analysis presented in the City's General Plan EIR that was certified in December 2013 (SCH No. 2012071033). The discussion below is formatted to address each of the thresholds identified by Appendix G to the CEQA Guidelines, which also were relied upon by the General Plan EIR. The analysis assumes that the proposed project would be subject to applicable mitigation measures identified in Table ES-3, *Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation*, of the General Plan EIR, as well as applicable regulatory requirements, and applicable standard conditions of approval. Applicable mitigation measures that were relied upon to evaluate the project's potential environmental effects are listed under the appropriate environmental subject heading in the following subsections.

5.3.1 Aesthetics

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Aesthetics:

- Impact 5.1-1: Future development associated with the buildout of the General Plan would be required to comply with regulations set forth in the City's Municipal Code, General Plan policies, and other existing City policies that protect scenic vistas, scenic resources, and the intended character of the City. Upon adherence to these policies, implementation of the General Plan would have less than significant effects in regard to scenic vistas and community character.
- Impact 5.1-2: State Route 74 (SR-74), which passes through the northern part of the City, is considered an "Eligible Scenic Highway" by the California Department of Transportation. Additionally, several roadways in Menifee have been officially recognized as Eligible County Scenic Highways, identified as county highways that have outstanding scenic qualities. The City has identified three (3) County Eligible Scenic Highways: I-215 from McCall Boulevard south to the City boundary; McCall Boulevard from I-215 on the west to Menifee Road on the east; and Menifee Road from McCall Boulevard north to the City boundary. The General Plan EIR determined new and/or intensified use along these roadways associated with implementation of the General Plan would not fully obstruct visual resources such as hillsides or distant mountains. Adherence to the design standards of the City's ordinances and commercial design guidelines and implementation of the policies of the General Plan would ensure that future development that would be accommodated by the General Plan would be developed in a manner that would not cause significant impacts on scenic resources. Additionally, while views from eligible scenic highways would significantly change, because these scenic highways are not officially designated, impacts would be less than significant.
- Impact 5.1-3: New development permitted by General Plan buildout would increase nighttime light and glare within the City. Future development would be required to comply with California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations), which outlines mandatory provisions for lighting control devices and luminaires. Additionally, Municipal Code Chapter 6.01, *Dark Sky, Light Pollution* requires restrictions on outdoor lighting, including low-pressure sodium lighting as the preferred lamp type; shielding of fixtures; and limited hours of operation of most outdoor lighting to preserve nighttime views for the Mount Palomar Observatory in San Diego County. Adherence to State and City regulations and implementation of the policies of the General Plan would ensure that light and glare from new development and redevelopment projects accommodated by the General Plan would be minimized, and that less than significant impacts would occur.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to aesthetics.

Project Analysis

Threshold 5.3.1.a: Would the project have a substantial adverse effect on a scenic vista?

The General Plan EIR specifies that implementation of the General Plan is not expected to degrade views of scenic resources in the City. The project site is largely surrounded by similar two-story residential development and does not contain views towards a designated scenic vista. As the project is consistent with the site's land use and zoning, implementation of the proposed residential development would have less than significant effects in

regard to scenic vistas and community character. Impacts would be consistent with the General Plan EIR in this regard. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.1.b: *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

According to the California Department of Transportation (Caltrans), and consistent with the findings of the General Plan EIR, there are no officially designated State scenic highways within the City or adjacent to the project site.² The nearest designated scenic highway is a portion of SR-74 which is located approximately 21.6 miles northeast of the project site. Due to the distance from the project site, the proposed project would have no potential to substantially damage scenic resources within a State scenic highway, and no impact would occur. Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.1.c: *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The project site consists of a disturbed vacant lot composed of primarily non-native vegetation, and is adjacent to vacant land, residential uses, and Meniffee Valley Middle School. As such, the project site is located in an urbanizing area of the City. During construction, construction vehicles and equipment would be visible during construction activities. However, the presence of construction vehicles would be temporary and would cease upon completion of construction. Due to the temporary nature of construction activities, impacts to the visual character of the project site and its surroundings would be less than significant.

The project site is zoned Low Density Residential 2 (LDR-2) and has a General Plan land use designation of 2.1-5 du/ac Residential (2.1-5R). The project involves the construction of 67 single-family dwellings with 67 ADUs on a 20-acre lot, resulting in a proposed density of approximately 3.35 du/ac. The project would include installation of right-of-way improvements, including sidewalk, street lighting, and landscaping. The project was designed to conform with Title 9, *Planning and Zoning*, of the City's Zoning Ordinance. The Zoning Ordinance regulates the permitted land uses on all parcels in the City through assigned districts. It also identifies applicable use regulations, site development criteria (e.g., lot size, density/intensity, open space, heights, parking, landscaped areas), performance standards, and general design regulations (e.g., site design, building orientation, access, parking areas, landscaping, fencing/screening, lighting, building design).

The architectural design of the project would adhere to the requirements of applicable General Plan policies, including:

² California Department of Transportation, *California State Scenic Highway Mapping System Map*, <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, May 2, 2024.

- General Plan Policy CD-3.14, which requires that new project designs provide variation in color and materials to present aesthetically pleasing buildings and project features.
- General Plan Policy CD-3.13, which requires the use of architectural design features (e.g., windows, columns, offset roof planes, etc.) to vertically and horizontally articulate elevations in the front and rear of residential buildings.
- General Plan Policy CD-3.19 and CD-3.20, which guide the design of proposed walls and fences within the development to avoid the blocking of public views.

While project implementation would change the visual quality of the project site and its surroundings, the proposed project would not degrade the visual quality of the project area because the project is consistent with the surrounding uses and its current zoning.

Further, the project's design, including its architectural features, building materials, and landscaping would be reviewed and approved by the City during the development review process. The City would also have the ability to add conditions related to project aesthetics during the developmental review process if needed, all prior to approval of the project.

This process would verify that the project's design is compatible with development in the surrounding vicinity and that it is consistent with applicable zoning regulations. As a result, implementation of the proposed project would not conflict with applicable zoning and other regulations governing scenic quality and impacts would be less than significant. As such, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.1.d: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Light impacts are typically associated with the use of artificial light during the evening and nighttime hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas and is typically associated with mid- to high-rise buildings with exterior façades largely or entirely comprising highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source lighting that contrasts with existing low ambient light conditions.

Project construction could involve temporary glare impacts as a result of construction equipment and materials. Although there may be construction equipment and materials that produce glare, such as side mirrors or unpainted metal surfaces, the potential for glare would be short-term (hours) in duration because of the movement of either the equipment or angle of the sun. Therefore, no adverse light or glare impacts to adjacent properties are anticipated to result from construction activities.

The project would comply with Municipal Code Section 9.210.050 and 9.210.060, *Glare* and *Noise*, respectively, and for allowable construction hours, which are limited to between 6:30 a.m. to 7:00 p.m. on Monday through Saturday, except on holidays. Therefore, short-term construction-related impacts pertaining to nighttime lighting are not anticipated.

Project operations would increase lighting at the project site compared to existing conditions. Lighting would be installed throughout the project site including dark sky friendly lantern style lighting, LED accent lights, LED

decorative lighting, and LED pole lights. However, proposed lighting would be similar to the existing surrounding residential development. Further, the project would be required to comply with the exterior lighting requirements included in Municipal Code Section 9.205, *Lighting Standards*. As a standard condition, all lighting at the project would be shielded to prevent off-site illumination in accordance with the provisions of Section 6.01.040, Requirement for *Lamp Source and Shielding*, of Municipal Code Chapter 6.01, *Dark Sky; Light Pollution*.

The project would be required to comply with City's design guidelines, and it is the City's standard regulatory procedure to review the project's building materials to ensure neighboring uses are not exposed to substantial daytime glare and to ensure the project is consistent with the surrounding development. Therefore, impacts regarding light and glare would be less than significant as result of this review and confirmation process. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

5.3.2 Agriculture and Forestry Resources

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Agriculture and Forestry Resources:

- Impact 5.2-1: Implementation of the General Plan would result in the conversion of 522 acres of designated Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to a non-agricultural use. No mitigation measures are available that would reduce mapped farmland impacts to less than significant, Impacts to State-designated farmland are significant and unavoidable.
- Impact 5.2-2: General Plan land use designations would conflict with existing agricultural zoning until the zoning code is updated to accommodate the changes. There are no feasible mitigation measures that would reduce agricultural zoning and General Plan land use designation conflicts. Impacts are significant and unavoidable.
- Impact 5.2-3: General Plan buildout would not rezone or convert forest land or timberland. There are no areas within the City area that are designated for any type of forestry use, nor are there any forestland zones. Thus, there are no impacts to these resources.
- Impact 5.2-4: The General Plan would result in the conversion of farmland to nonagricultural uses. Farmland conversion impacts are not able to be mitigated to less than significant levels, and are therefore significant and unavoidable.

General Plan EIR Mitigation Measures:

The General Plan EIR did not identify mitigation measures related to agriculture and forestry resources.

Project Analysis

Threshold 5.3.2.a: *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

According to the California Department of Conservation Important Farmland Finder, the majority of the project site is designated as Unique Farmland, which is defined by the Department of Conservation as lesser quality soils used for the production of the state's leading agricultural crops.³ This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date. The eastern limits of the project site are designated Farmland of Local Importance, which is defined as land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

The General Plan EIR determined that buildout of the General Plan would result in the conversion of 522 acres of designated Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to non-agricultural uses. The project's Unique Farmland acreage was included in this figure, and implementation of the proposed project would not result in additional or worsened impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Further, the project site is currently vacant not being used for agricultural purposes, despite a history of agricultural use in the adjacent areas.

³ California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/DLRP/CIFF/>, May 2, 2024.

The project site's designated land use is 2.1-5 du/ac Residential (2.1-5 R). Since the project site is designated for residential uses as envisioned by the General Plan, impacts regarding conversion of farmlands to non-agricultural uses would be consistent with the General Plan EIR. No new impacts would occur in this regard. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.2.b: *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The project site is zoned LDR-2 with a General Plan land use designation of 2.1-5 R. The project is consistent with this zoning and this land use designation. While this land use designation allows for light agricultural uses, the designation is primarily for single-family residences. Farms and agricultural operations are not permitted in the LDR-2 zone where the project site is located; refer to Table 9.130.030-1 of the Menifee Municipal Code. Further, while there are 77 acres of land (4 parcels) under Williamson Act contracts within the City, all of which have filed nonrenewal of their contracts (expired in January 2017), and none are part of nor adjacent to the project site. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.2.c: *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

As discussed in the General Plan EIR, the City does not meet the definition of forest land in Public Resources Code Section 12220(g). The project site is not zoned for forest land, timberland, or Timberland Production. Therefore, no impacts would occur related to the loss or conversion of forest land to a non-forest use. Accordingly, and based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.2.d: *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

See Threshold 5.3.2.c above.

Threshold 5.3.2.e: *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

There are no existing agricultural uses on the project site or within areas surrounding the project site. Additionally, there are no lands surrounding the project site that are planned for agricultural uses. Therefore, there are no components of the proposed project which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. No impact would occur. Similarly, as described above, there are

no forestry uses or zoning on the project site, or within the City of Menifee. As such, the project would not involve other changes in the existing environment which, due to their location or nature, could result in the conversion of forest land to non-forest uses. No impact would occur. Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.3 Air Quality

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Air Quality:

- Impact 5.3-1: The General Plan would be inconsistent with South Coast Air Quality Management District's (SCAQMD) *2012 Air Quality Management Plan* (2012 AQMP) because buildout of the Land Use Plan would cumulatively contribute to the nonattainment designations of the South Coast Air Basin (Basin) and the 2012 AQMP does not account for emissions associated with buildout of the General Plan post Year 2035. Mitigation Measure 3-1 incorporated into future development projects for operation and construction phases would reduce criteria air pollutant emissions associated with buildout of the General Plan. Goals and policies included in the General Plan would facilitate continued City cooperation with SCAQMD and Southern California Association of Governments (SCAG) to achieve regional air quality improvement goals, promotion of energy conservation design and development techniques, encouragement of alternative transportation modes, and implementation of transportation demand management strategies. However, no mitigation measures are available that would reduce impacts associated with inconsistency with the 2012 AQMP. Therefore, Impact 5.3-1 would remain significant and unavoidable.
- Impact 5.3-2: Construction activities associated with buildout of the General Plan would generate short-term emissions that exceed SCAQMD's regional and localized significance thresholds and would cumulatively contribute to the nonattainment designations of the Basin. Implementation of Mitigation Measure 3-1 would reduce criteria air pollutant emissions from construction-related activities. However, due to the magnitude of emissions generated by future construction activities, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds. Therefore, Impact 5.3-2 would remain significant and unavoidable.
- Impact 5.3-3: Buildout in accordance with the General Plan would generate long-term emissions that would exceed SCAQMD's regional significance thresholds and cumulatively contribute to the nonattainment designations of the Basin. Goals and policies are included in the General Plan that would reduce air pollutant emissions. Measures included as part of the General Plan to reduce idling and vehicle trip lengths and encourage use of alternative forms of transportation would also reduce criteria air pollutants within the City. However, due to the magnitude of emissions generated by office, commercial, industrial, and warehousing land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds. Therefore, Impact 5.3-3 would remain significant and unavoidable.
- Impact 5.3-4: Buildout of the General Plan could site sensitive land uses near air pollution sources and therefore expose sensitive receptors to substantial pollutant concentrations. However, implementation of Mitigation Measure 3-2 would ensure that placement of sensitive receptors near major sources of air pollutants would achieve the incremental risk thresholds. Therefore, Impact 5.3-3 would be less than significant.
- Impact 5.3-5: Operation of new stationary/area sources and truck idling within the City from buildout of the General Plan could expose sensitive receptors to toxic air contaminant (TAC) concentrations. Buildout of the General Plan could result in new sources of criteria air pollutant emissions and/or toxic air contaminants near existing or planned sensitive receptors. Goals and policies are included in the General Plan that would reduce concentrations of criteria air pollutant emissions and TACs generated by new development. Review of projects by SCAQMD for permitted sources of air toxics (e.g., industrial facilities, dry cleaners, and gasoline dispensing facilities) would ensure health risks are minimized. Mitigation

Measure 3-3 would ensure that mobile sources of TACs not covered under SCAQMD permits are considered during subsequent project level environmental review. Development of individual projects may achieve the incremental risk thresholds established by SCAQMD. However, the incremental increase in health risk associated with individual projects is considered cumulatively considerable and would contribute to already elevated levels of cancer and noncancer health risks in the Basin. Therefore, Impact 5.3-5 would remain significant and unavoidable.

- Impact 5.3-6: Buildout of the General Plan could potentially expose substantial numbers of people to nuisance odors. Mitigation Measure 3-4 would ensure that odor impacts are minimized, and facilities would comply with SCAQMD Rule 402. Therefore, Impact 5.3-6 would be less than significant.

General Plan EIR Mitigation Measures:

3-1 If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD adopted thresholds of significance, the City of Menifee Community Development Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include, but are not limited to:

- Requiring fugitive dust control measures that exceed SCAQMD's Rule 403, such as:
 - a) Requiring use of nontoxic soil stabilizers to reduce wind erosion.
 - b) Applying water every four hours to active soil-disturbing activities.
 - c) Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
- Using Super-Compliant volatile organic compounds (VOC) paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.

3-2 The City shall require project applicants for residential or residential mixed-use projects within: 1) 1,000 feet from the truck bays of an existing distribution centers that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units, or where transport refrigeration unit operations exceed 300 hours per week; 2) 1,000 feet of an industrial facility which emits toxic air contaminants; or 3) 500 feet of Interstate 215 (I-215) to submit a health risk assessment (HRA) prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD).

- The HRA shall be submitted to the Community Development Director or designee prior to approval of any future discretionary residential or residential mixed-use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand ($1.0E-05$), the appropriate noncancer hazard index exceeds 1.0, or if the PM_{10} or $PM_{2.5}$ ambient air quality standard increment exceeds $2.5 \mu g/m^3$, the HRA shall identify the level of high-efficiency Minimum Efficiency Reporting Value (MERV)

filter required to reduce indoor air concentrations of pollutants to achieve the cancer and/or noncancer threshold.

- The applicant shall be required to install high efficiency MERV filters in the intake of residential ventilation systems, consistent with the recommendations of the HRA. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit power designed to force air through the MERV filter. To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:
 - a) Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.
 - b) For rental units, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacturer's recommendations. The property owner shall inform renters of increased risk of exposure to diesel particulates when windows are open.
 - c) For residential owned units, the Homeowner's Association (HOA) shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA shall inform homeowners of increased risk of exposure to diesel particulates when windows are open.
 - d) Outdoor active-use public recreational areas associated with development projects shall be located more than 500 feet from the nearest lane of traffic on the I-215 unless risk are below the thresholds identified above.

3-3 New industrial or warehousing land uses that 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a HRA to the City of Menifee Community Development Director prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the South Coast Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand ($1.0E-05$), the appropriate noncancer hazard index exceeds 1.0, or if the respirable particulate matter ten microns or less in diameter (PM_{10}) or fine particulate matter 2.5 microns or less in diameter ($PM_{2.5}$) ambient air quality standard increment exceeds $2.5 \mu g/m^3$, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, restricting idling onsite or electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

3-4 If it is determined during project-level environmental review that a project has the potential to emit nuisance odors beyond the property line, an odor management plan may be required, subject to Community Development Director or designee review. Facilities that have the potential to generate nuisance odors include but are not limited to:

- Wastewater treatment plants
- Composting, greenwaste, or recycling facilities

- Fiberglass manufacturing facilities
- Painting/coating operations
- Large-capacity coffee roasters
- Food-processing facilities

If an Odor Management Plan is determined to be required through CEQA review, the City shall require the project applicant to submit the plan prior to approval to ensure compliance with the South Coast Air Quality Management District's Rule 402, for nuisance odors. If applicable, the Odor Management Plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (e.g., air pollution control devices) at the industrial facility. T-BACTs identified in the Odor Management Plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

Project Analysis:

Threshold 5.2.3.a: *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

General Plan EIR Impact 5.3-1 analyzed the General Plan buildout's consistency with SCAQMD's 2012 AQMP, which was the latest AQMP when the General Plan EIR was prepared. The 2012 AQMP incorporated scientific and technological information and planning assumptions, including the SCAG 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories. However, these documents have since been updated, with the most recent approved iterations being the 2022 AQMP and the 2020-2045 RTP/SCS. As such, the consistency analysis for the project is based on the project's consistency with the 2022 AQMP and SCAG 2020-2045 RTP/SCS.

On December 2, 2022, the SCAQMD Governing Board adopted the 2022 AQMP. The 2022 AQMP incorporates the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions, updated emission inventory methodologies for various source categories. Additionally, the 2022 AQMP utilized information and data from SCAG and its 2020-2045 RTP/SCS. While SCAG has recently adopted Connect SoCal 2024, SCAQMD has not released an updated AQMP. As such, this consistency analysis is based off the 2022 AQMP and the RTP/SCS that was adopted at the time, the 2020-2045 RTP/SCS.

According to the SCAQMD's *CEQA Air Quality Handbook*, projects must be analyzed for consistency with two main criteria, as discussed below.

Criterion 1:

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

a) *Would the project result in an increase in the frequency or severity of existing air quality violations?*

Since the consistency criteria identified under the first criterion pertain to pollutant concentrations, rather than to total regional emissions, an analysis of a project's pollutant emissions relative to localized pollutant concentrations associated with the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) is used as the basis for evaluating project consistency. As detailed below under Threshold 5.2.3.c, localized concentrations of carbon monoxide (CO), nitrogen dioxide (NO₂), PM₁₀, and PM_{2.5}

would be less than significant during project construction and operations. Therefore, the proposed project would not result in an increase in the frequency or severity of existing air quality violations.

b) Would the project cause or contribute to new air quality violations?

As discussed under Threshold 5.2.3.b, the proposed project would result in emissions that are below the SCAQMD thresholds. Therefore, the project would not have the potential to cause or affect a violation of the ambient air quality standards.

c) Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?

The proposed project would result in less than significant impacts regarding localized concentrations during project construction and operations; refer to Threshold 5.2.3.c. As such, the project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

Criterion 2:

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

a) Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?

A project is consistent with the 2022 AQMP in part if it is consistent with the population, housing, and employment assumptions that were used in the development of the 2022 AQMP. In the case of the 2022 AQMP, three sources of data form the basis for the projections of air pollutant emissions: general plans, SCAG's regional growth forecast, and SCAG's 2020-2045 RTP/SCS. The 2020-2045 RTP/SCS also provides socioeconomic forecast projections of regional population growth.

The project site has a General Plan land use designation of 2.1-5 dwelling units per acre (du/ac) Residential (2.1-5 R) and a zoning designation of Low Density Residential-2 (LDR-2) (with a minimum lot size of 7,200 square feet (SF)). The proposed project consists of the development of 67 two-story for-rent single-family homes with a single-story accessory dwelling unit (ADU) on each lot, for a total of 134 units. The homes would include lot sizes ranging from 7,200 square feet to 7,928 square feet, which is within the City's Low Density Residential-2 (LDR-2) zoning designation allowable parcel size. The project is consistent with the site's General Plan land use designation and zoning.

The project could induce population growth in an area directly through the development of new residences. The project would construct 134 residential units. According to the California Department of Finance⁴, the population of the City was estimated to be 111,560 as of January 1, 2024, with approximately 2.85 persons per household. This would equate to approximately 382 new persons living within the City as a result of the project, based on

⁴ California Department of Finance Demographic Research Unit, *Report E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024, Sacramento, California*, May 2024.

conservative assumption for purposes of this analysis that households occupying ADUs would be as large as those occupying single-family homes.

According to the SCAG 2020-2045 RTP/SCS Demographics & Growth Forecast⁵, the number of people living within the City is anticipated to grow from 89,600 in 2016 to 129,800 in 2045. The project-related increase of 386 residents would contribute less than one percent of the City's planned growth through 2045 according to the SCAG Growth Forecast. Additionally, as the SCAQMD has incorporated these same projections into the 2022 AQMP, it can be concluded that the proposed project would be consistent with the projections included in the 2022 AQMP. A less than significant impact would occur in this regard.

As such, the proposed project is considered consistent with the General Plan, and is consistent with the types, intensity, and patterns of land use previously envisioned for the site. The population, housing, and employment forecasts, which are adopted by SCAG's Regional Council, are based on the local plans and policies applicable to the City. As the SCAQMD has incorporated these same projections into the 2022 AQMP, it can be concluded that the proposed project would be consistent with the 2022 AQMP.

b) Would the project implement all feasible air quality mitigation measures?

The proposed project would be required to comply with General Plan EIR Mitigation Measure 3-1, which include applicable emission reduction measures identified by the SCAQMD such as Rule 403 that requires control of excessive fugitive dust emissions by regular watering or other dust prevention measures, and Rule 1113 that regulates the ROG content of paint. General Plan EIR Mitigation Measure 3-1 was found to be the only feasible air quality mitigation measure for residential projects in a location similar to the project site, which is not located within 1,000 feet of an existing industrial or warehouse uses or within 500 feet of I-215. As such, the proposed project meets this AQMP consistency criterion.

c) Would the project be consistent with the land use planning strategies set forth in the AQMP?

Land use planning strategies set forth in the 2022 AQMP are primarily based on the 2020-2045 RTP/SCS. The project is an infill development and in compliance with CALGreen Code, all single-family residential units of the project would be electric vehicle (EV) capable by including a listed raceway within each dwelling unit to accommodate EV charging stations. This project design feature would encourage and support the use of EVs within the proposed residential development. Therefore, the project would be consistent with the actions and strategies of the 2020-2045 RTP/SCS. In addition, as discussed above, the project would be consistent with the General Plan land use designation. Furthermore, project consistency with the SCAG RTP/SCS and the 2022 AQMP would promote the City's goal to protect air quality by incorporating goals and policies from the Open Space and Conservation Element of the General Plan. As such, the proposed project meets this AQMP consistency criterion.

Conclusion

In conclusion, the determination of 2022 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Basin. The proposed project would not result in a long-term impact on the region's ability to meet state and federal air quality standards. Further, the proposed project's long-term influence on air quality in the Basin would also be consistent with the SCAQMD and SCAG's goals and policies and is considered consistent with the 2022 AQMP. As such, impacts resulting from the proposed project would be less than significant and less than the impacts disclosed in the General Plan EIR, which were determined to be significant and unavoidable despite inclusion of mitigation.

⁵ Southern California Association of Governments, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, September 3, 2020.

The project would not result in new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three addendums would occur. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis or project-specific mitigation measures.

The following General Plan EIR mitigation measure applies to the project:

- 3-1 If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD adopted thresholds of significance, the City of Menifee Community Development Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include, but are not limited to:
- Requiring fugitive dust control measures that exceed SCAQMD's Rule 403, such as:
 - Requiring use of nontoxic soil stabilizers to reduce wind erosion.
 - Applying water every four hours to active soil-disturbing activities.
 - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
 - Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
 - Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
 - Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
 - Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.

Impacts related to Threshold 5.2.3.a would be less than significant with implementation of General Plan EIR Mitigation Measure 3-1. Therefore, no project-specific mitigation measures are required.

Threshold 5.2.3.b: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

Short-Term Construction

The project involves construction activities associated with grading, building construction, paving, and architectural coating applications. The project would be constructed in a single phase over a period of approximately 19 months. Earthwork was conservatively assumed to be approximately 4,500 cubic yards of soil export. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model version 2022.1 (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. The analysis of daily construction emissions has been prepared using CalEEMod. Refer to Appendix A, Air Quality/Greenhouse Gas Emissions/Energy Data, for the

CalEEMod outputs and results. Table 5.2.3-a, Short-Term Construction Emissions, presents the anticipated average daily short-term construction emissions.

Table 5.2.3-a
Short-Term Construction Emissions

Construction Phase (Year)	Maximum Daily Emissions (pounds/day) ^{1, 2}					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Year 1 Construction Emissions ²	3.46	30.6	30.0	0.07	4.09	2.21
Year 2 Construction Emissions ²	9.28	11.4	18.4	0.03	1.29	0.59
Maximum Daily Emissions	9.28	30.6	30.0	0.07	4.09	2.21
<i>SCAQMD Significance Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded?	No	No	No	No	No	No
Notes: 1. Emissions were calculated using CalEEMod version 2022.1. Higher emissions between summer and winter are presented as a conservative analysis. 2. Modeling assumptions include compliance with SCAQMD Rule 403 which requires: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.						
Source: Refer to <u>Appendix A, Air Quality Emissions Data</u> , for assumptions used in this analysis.						

Fugitive Dust Emissions. Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM₁₀ generated as a part of fugitive dust emissions. PM₁₀ poses a serious health hazard alone or in combination with other pollutants. PM_{2.5} is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. PM_{2.5} is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO_x and sulfur oxides (SO_x) combining with ammonia. PM_{2.5} components from material in the earth's crust, such as dust, are also present, with the amount varying in different locations.

Construction activities would be required to comply with the General Plan EIR Mitigation Measure 3-1 and SCAQMD Rule 403, which prohibits fugitive dust from creating a nuisance off-site, and Rule 403, which requires that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. Adherence to SCAQMD Rule 403 would greatly reduce PM₁₀ and PM_{2.5} concentrations. It should be noted that these estimated reductions were applied in CalEEMod. As depicted in Table 5.2.3-a, total PM₁₀ and PM_{2.5} emissions would not exceed the SCAQMD thresholds during construction. Thus, construction-related air quality impacts would be less than significant.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions (e.g., NO_x and CO) from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As depicted in Table 5.2.3-a, exhaust emissions would be below the established SCAQMD thresholds. Therefore, air quality impacts from equipment and vehicle exhaust emission would be less than significant.

ROG Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O₃ precursors. As required, all architectural coatings for the proposed project structures would be required to comply with the General Plan EIR Mitigation Measure 3-1 and SCAQMD Rule 1113. Rule 1113 provides specifications on painting practices as well as regulates the ROG content of paint. It should be noted that these estimated reductions were applied in CalEEMod. ROG emissions associated with the proposed project would be less than significant; refer to Table 5.2.3-a.

Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are human health hazards when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by state, federal, and international agencies and was identified as a toxic air contaminant by CARB in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the California Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report* (August 2000), serpentinite and ultramafic rocks are not known to occur within the project area.⁶ Thus, there would be no impact in this regard.

Total Construction Emissions

As shown in Table 5.2.3-a, with implementation of Mitigation Measure 3-1, the daily total construction emissions would not exceed established SCAQMD thresholds. Therefore, impacts in this regard would be less than significant.

Cumulative Short-Term Construction Impacts

With respect to the proposed project's construction-period air quality emissions and cumulative Basin-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the 2022 AQMP pursuant to Federal Clean Air Act (FCAA) mandates. As such, the proposed project would comply with SCAQMD Rule 403 requirements and implement all feasible SCAQMD rules to reduce construction air emissions to the extent feasible. Rule 403 requires that fugitive dust be controlled with the best available control measures to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the proposed project. In addition, the proposed project would comply with adopted 2022 AQMP emissions control measures. Pursuant to SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects throughout the Basin, which would include related projects.

⁶ California Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report*, August 2000.

As detailed above, the project's construction emissions would be below the established thresholds and would result in less than significant air quality impacts. Thus, it can be reasonably inferred that the project's construction emissions would not contribute to a cumulatively considerable air quality impact for nonattainment criteria pollutants (i.e., O₃) in the Basin. A less than significant impact would occur in this regard.

Long-Term (Operational) Emissions

Long-term air quality impacts would consist of mobile source emissions generated from project-related traffic, and emissions from stationary area and energy sources. Emissions from each source and the total emissions are shown in Table 5.2.3-b, Long-Term Operational Air Emissions and discussed in more detail below.

**Table 5.2.3-b
Long-Term Operational Air Emissions**

Emissions Source	Pollutant (pounds/day) ¹					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Project Summer Emissions³						
Area	6.75	0.07	7.60	<0.01	<0.01	<0.01
Mobile	4.97	3.52	31.5	0.07	6.30	1.64
Total Summer Emissions²	11.7	3.59	39.1	0.07	6.31	1.64
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Project Winter Emissions³						
Area	6.08	0.00	0.00	0.00	0.00	0.00
Mobile	4.62	3.77	27.4	0.07	6.30	1.64
Total Winter Emissions²	10.7	3.77	27.4	0.07	6.30	1.64
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Notes:						
1. Emissions were calculated using CalEEMod version 2022.1.						
2. The numbers may be slightly off due to rounding.						
3. Energy emissions are not included as the project would not include natural gas consumption.						
Source: Refer to <u>Appendix A</u> for assumptions used in this analysis.						

Area Source Emissions

Area source emissions would be generated from consumer products, architectural coatings, and landscaping. The project's criteria pollutant emissions from area sources would not exceed the established thresholds; refer to Table 5.2.3-b.

Mobile Source Emissions

According to *Garbani and Evans VMT Assessment* prepared by Michael Baker International (dated May 2, 2024), the proposed project would generate 1,321 average daily trips. The project's criteria pollutant emissions from mobile sources would not exceed the established thresholds; refer to Table 5.2.3-b.

Energy Source Emissions

The primary use of electricity by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, landscaping equipment, and electronics. It should be noted that the project would not consume natural gas according to the project applicant. Criteria air pollutant emissions from electricity use were

not quantified since criteria pollutants emissions occur at the site of the power plant, which is off-site. Therefore, the project would not generate energy source emissions.

Total Operational Emissions

As shown in Table 5.2.3-b, the daily total operational emissions would not exceed established SCAQMD thresholds. Therefore, impacts in this regard would be less than significant.

Cumulative Long-Term Operational Impacts

As discussed, the proposed project would not result in long-term operational air quality impacts. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Emission reduction technology, strategies, and plans are constantly being developed. As a result, the proposed project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. Therefore, no cumulative operational impacts associated with implementation of the proposed project would result.

Air Quality Health Impacts

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O₃ precursors, VOCs and NO_x, affect air quality on a regional scale. Health effects related to O₃ are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations and, as such, translating project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. In other words, the project's less than significant increases in regional air pollution from criteria air pollutants during construction would have negligible impacts on human health.

As noted in the Brief of Amicus Curiae by the SCAQMD, the SCAQMD acknowledged it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons including modeling limitations as well as where in the atmosphere air pollutants interact and form.⁷ Further, as noted in the Brief of Amicus Curiae by the San Joaquin Valley Air Pollution Control District (SJVAPCD), SJVAPCD has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts.⁸

The SCAQMD acknowledges that health effects quantification from O₃, as an example, is correlated with the increases in ambient level of O₃ in the air (concentration) that an individual person breathes. SCAQMD's Brief of Amicus Curiae states that it would take a large amount of additional emissions to cause a modeled increase in ambient O₃ levels over the entire region. The SCAQMD further states that based on their own modeling in the SCAQMD's 2012 *Air Quality Management Plan*, a reduction of 432 tons (864,000 pounds) per day of NO_x and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O₃ levels at highest monitored site by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O₃-related health impacts caused by NO_x or VOC emissions from relatively small projects (defined as projects with

⁷ South Coast Air Quality Management District, *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and Brief of Amicus Curiae. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, April 3, 2015.

⁸ San Joaquin Valley Air Pollution Control District, *Application for Leave to File Brief of Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party In Interest and Respondent, Friant Ranch, L.P. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, April 13, 2015.

regional scope) due to photochemistry and regional model limitations. Thus, as the project would not exceed SCAQMD thresholds for construction and operational air emissions, the project would have a less than significant impact for air quality health impacts.

Conclusion

In conclusion, construction and operational impacts resulting from the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment. Project impacts would be less than significant and less than the impacts disclosed in the General Plan EIR, which were determined to be significant and unavoidable despite inclusion of mitigation.

Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.2.3.c: Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, individuals participating in vigorous physical activities outdoors (i.e., athletes), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The nearest sensitive receptors are the residential uses located approximately 25 feet to the north. The nearest institutional use is the Menifee Valley Middle School located approximately 115 feet to the south of the project site.

Construction

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. The SCAQMD provides the LST lookup tables for one-, two-, and five-acre projects emitting CO, NO_x, PM_{2.5}, and/or PM₁₀. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The project site is located within Source Receptor Area (SRA) 24, Perris Valley.

Construction LST

The SCAQMD guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely disturb per day.⁹ SCAQMD provides LST thresholds for one-, two-, and five-acre site disturbance areas; SCAQMD does not provide LST thresholds for projects over five acres. The project would actively disturb approximately three acres per day during the grading phase of construction. Therefore, the construction LST for two acres were utilized as a conservative analysis. The nearest sensitive receptors are the residential uses located approximately 25 feet to the north. These sensitive land uses may be potentially affected by air pollutant emissions generated during on-site construction activities. LST thresholds are provided for

⁹ The number of acres represent the total acres traversed by grading equipment. To properly grade a piece of land, multiple passes with equipment may be required. The disturbance acreage is based on the equipment list and days of the grading phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday.

distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. As the nearest sensitive receptors are located approximately 25 feet (7.62 meters) from the project site, the lowest available LST values for 25 meters were used.

Table 5.2.3-c, *Localized Emissions Significance*, shows the localized construction-related emissions for NO_x, CO, PM₁₀, and PM_{2.5} compared to the LSTs for SRA 24. It is noted that the localized emissions presented in Table 5.2.3-c are less than those in Table 5.2.3-a because localized emissions include only on-site emissions (e.g., from construction equipment and fugitive dust) and do not include off-site emissions (e.g., from hauling activities). As shown in Table 5.2.3-c, the project's localized construction emissions would not exceed the LSTs for SRA 24. Therefore, localized significance impacts from project-related construction activities would be less than significant.

Table 5.2.3-c
Localized Emissions Significance

Source ³	Pollutant (pounds/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Year 1 ¹	29.7	28.3	3.62	2.09
Year 2 ²	9.85	13.0	0.38	0.35
Maximum Daily Emissions	29.7	28.3	3.62	2.09
Localized Significance Threshold ⁴	170	883	7	4
Thresholds Exceeded?	No	No	No	No
Notes: 1. The grading phase emissions are presented as the worst-case scenario for NO _x , CO, PM ₁₀ , and PM _{2.5} in Year 1. 2. The building construction phase emissions are presented as the worst-case scenario for NO _x , CO, PM ₁₀ , and PM _{2.5} in Year 2. 3. Modeling assumptions include compliance with SCAQMD Rule 403 which requires properly maintaining mobile and other construction equipment; replacing ground cover in disturbed areas quickly; watering exposed surfaces three times daily; covering stockpiles with tarps; watering all haul roads twice daily; and limiting speeds on unpaved roads to 15 miles per hour. 4. The LST was determined using Appendix C of the SCAQMD's <i>Final Localized Significant Threshold Methodology</i> guidance document for pollutants NO _x , CO, PM ₁₀ , and PM _{2.5} . The LST was based on the anticipated daily acreage disturbance for construction (approximately three-acre; therefore, the two-acre threshold was used) and distance to sensitive receptor (25 meters) for SRA 24, Perris Valley.				
Source: Refer to Appendix A for assumptions used in this analysis.				

Operational LST

According to SCAQMD LST methodology, LSTs would apply to operational activities if the project includes stationary sources or attracts mobile sources that may spend extended periods queuing and idling at the site (i.e., warehouse or transfer facilities). The proposed project does not include such uses. Thus, due to the lack of such emissions, no long-term LST analysis is needed. Operational LST impacts would be less than significant in this regard.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (e.g., adversely affecting residents, school children, hospital patients, and the elderly). The Basin is designated as an attainment area for state and federal CO standards. There has been a decline in CO emissions even though VMT on U.S. urban and rural roads have increased. On-road mobile source CO emissions have declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor VMT over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997, while VMT increased 18 percent in the 1990s. Three major control programs have

contributed to the reduced per-vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Of these locations, the Wilshire Boulevard/Veteran Avenue intersection experienced the highest CO concentration (4.6 ppm), which is well below the 35-ppm 1-hr CO federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection (100,000 ADT), it can be reasonably inferred that CO hotspots would not be experienced at any locations near the project site as the project would generate nominal operational trips (1,321 average daily trips). Therefore, like the analysis in General Plan EIR Impact 5.3-5, impacts related to CO hotspots would be less than significant.

Conclusion

In conclusion, both construction and operational localized air quality impacts resulting from the proposed project would be less than significant and would be less than the impacts disclosed in the General Plan EIR and its three addendums, which were determined to be significant and unavoidable despite inclusion of mitigation.

The project would not result in new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three addendums would occur. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis or project-specific mitigation measures.

Incorporation of General Plan EIR Mitigation Measure 3-2 would ensure that placement of sensitive receptors near major sources of air pollutants would achieve the incremental risk thresholds. According to General Plan EIR Mitigation Measure 3-2, residential and mixed-use projects located within 1,000 feet of an existing industrial or warehouse use or 500 feet of I-215 would require submitting a HRA to ensure health risks are minimized. However, the proposed project is not located within 1,000 feet of an existing industrial or warehouse uses or within 500 feet of I-215. Therefore, General Plan EIR Mitigation Measure 3-2 does not apply to the project.

The General Plan EIR Mitigation Measure 3-3 would require review of projects by the SCAQMD for permitted sources of air toxics to ensure health risks are minimized. The project does not include land uses (such as industrial uses or warehouses) that would expose sensitive receptors to substantial pollutant concentrations. As such, General Plan EIR Mitigation Measure 3-3 does not apply to the project. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold 5.2.3.d: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimize the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SCAQMD Regulation XI, Rule 1113 –

Architectural Coating, which would minimize odor impacts from ROG emissions during architectural coating. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

Operations

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project involves the construction of single-family residential uses. As such, the project would not involve land uses typically associated with odor complaints. In addition, project adherence with SCAQMD Rule 402 would minimize any discharge of contaminants that could be detrimental or would cause a nuisance. As such, less than significant impacts would occur in this regard.

Conclusion

In conclusion, project-related construction and operational impacts pertaining to other air emissions (such as those leading to odors) would be less than significant and would be the same as impacts disclosed in the General Plan EIR and its three addendums, which were also determined to be less than significant.

The project would not result in new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three addendums would occur. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis or project-specific mitigation measures.

Although the General Plan EIR included Mitigation Measure 3-4, it would not apply to the project since the project would not include the development of any land uses known to generate nuisance odors.

Accordingly, and based on the foregoing analysis, there are no impacts that are particular to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR and its three addendums would occur; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR and its three addendums.

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5.3.4 Biological Resources

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Biological Resources:

- Impact 5.4-1: Development associated with implementation of the General Plan could result in the permanent loss of habitat and species by allowing future development to occur. Any area with a proposed land use designation of Residential (except for Rural Mountainous); Commercial Retail; Commercial Office; Heavy Industrial; Business Park; Economic Development Corridor; and Specific Plan areas were considered impacted throughout the land use area, with a potential for the future complete loss of all biological resources not protected under existing regulations. Payment of the mitigation fee and compliance with all applicable requirements of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) provide full mitigation under California Environmental Quality Act, National Environmental Policy Act, Federal Endangered Species Act, and California Endangered Species Act for impacts to MSHCP-covered species and habitats. Future proposed development projects would be reviewed to ensure that sensitive species are protected and impacts to their habitats are mitigated. The MSHCP also addresses indirect impacts through cores and linkages, criteria cells, and MSHCP fees. Impacts to MSHCP-covered species would be potentially significant without mitigation.
- Impact 5.4-2: General Plan buildout would result in the loss of riparian habitat. Future development projects that affect these riparian resources would be required to comply with the requirements of Section 6.1.2 of the MSHCP and prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) that would outline the mitigation to reduce impacts. The mitigation measures are required to be biologically equivalent or superior to existing conditions. Project applicants must obtain the necessary permits from the Santa Ana Regional Water Quality Control Board (RWQCB), United States Army Corps of Engineers (Corps), and the California Department of Fish and Wildlife (CDFW). Riparian habitat impacts would be significant without mitigation.
- Impact 5.4-3: General Plan buildout may impact jurisdictional waters. Canyon Lake, Lake Elsinore, and associated tributaries would fall under the jurisdiction of the Corps as Waters of the U.S. Future development projects that would directly or indirectly impact these drainages and/or tributaries would be required to obtain permits from the applicable agencies. Jurisdictional water impacts would be significant without mitigation.
- Impact 5.4-4: General Plan buildout would not affect wildlife movement. Consistency with the MSHCP will ensure that areas needed to provide a linkage or core for wildlife movement are conserved and that the project is in compliance with the Reserve Assembly of the MSHCP. Migratory wildlife corridor impacts would not be significant.
- Impact 5.4-5: General Plan Buildout may impact bird species and Stephen's Kangaroo Rat; it would not conflict with plans and policies. Payment of fees per the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) mitigates development impacts to the Stephen's Kangaroo Rat for projects within the SKR HCP boundaries. Impacts would be less than significant.

General Plan EIR Mitigation Measures

- 4-1** Prior to project approvals, project applicants shall have a habitat assessment prepared by a qualified biologist for projects on undeveloped sites. The habitat assessment report shall be submitted to the City of Menifee Community Development Department prior to project approvals.

- If the findings of the habitat assessment show no sensitive species or suitable habitat occur on site, then no additional surveys or mitigation measures are required.
- If the potential for sensitive species exists or suitable habitat exists on site, focused surveys or mitigation, if identified in the habitat assessment, shall be completed. Focused surveys conducted in the appropriate season for each species, as identified in the habitat assessment report, shall be conducted to determine presence/absence status.
- If no sensitive species are identified through focused surveys, then no additional surveys or mitigation measures are required.
- If suitable habitat for federal- or state-listed species, or if federal- or state-listed species are identified on the site, then the biologist conducting the habitat assessments shall recommend measures to avoid impacts to the affected species or provide compensatory mitigation for such impacts.
- If suitable habitat for federal- or state-listed species, or if federal- or state-listed species are identified on the site, then the project applicant must consult with the US Fish and Wildlife Service and/or the California Department of Fish and Wildlife regarding avoidance and/or mitigation of impacts to those species.

4-2 Prior to project approvals, project applicants shall have the project site assessed for potential jurisdictional waters, wetlands, and/or riparian habitat by a professional biologist qualified to conduct jurisdictional delineations.

- If potential jurisdictional area is identified on the project site, the applicant shall have a full jurisdictional delineation completed by a qualified professional. The findings of the delineation shall be presented in a report. The qualified professional shall recommend mitigation measures in the report for avoiding, or compensating for, impacts to waters, wetlands, and riparian habitats. Jurisdictional delineation reports shall be presented to the U.S. Army Corps of Engineers, Santa Ana Regional Water Quality Control Board or San Diego Regional Water Quality Control Board, and/or California Department of Fish and Wildlife for concurrence. Mitigation measures for impacts to jurisdictional waters, wetland, and riparian habitat shall be determined by those agencies.

4-3 Prior to the issuance of grading permits for private development projects or prior to construction for public agency contracts, during the nesting season, February 1 to August 31, a preconstruction/pregrading field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Wildlife Code are present in the construction zone.

- If active nests are not located within the project area an appropriate buffer shall be established (i.e., 500 foot radius of an active listed species or raptor nest, 300 foot for other sensitive or protected bird nests (nonlisted), or 100 foot for sensitive or protected songbird nests). Construction may be conducted during the nesting/breeding season outside the buffer.
- If active nests are located during the preactivity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected species under MBTA or California Fish and Wildlife Code, bird nests (nonlisted), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

4-4 Within 30 days prior to commencement of grading and construction activities, projects within the mapped Burrowing Owl survey area shall have a preconstruction survey for resident Burrowing Owls conducted by a qualified biologist. These surveys shall be required, in addition to the habitat assessment and focused surveys that would be required under Section 6.3.2 of the MSHCP. If ground-disturbing

activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls. Take of active nests shall be avoided. The preconstruction survey and any relocation activity shall be conducted in accordance with MSHCP instructions and/or guidelines and coordinated with the Regional Conservation Authority following accepted protocols.

- 4-5** The City shall continue to participate in the Stephens' Kangaroo Rat Habitat Conservation Plan including collection of mitigation fees for future projects.

Project Analysis

Threshold 5.3.4.a: *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

The project site is currently vacant. As a result of the site's agricultural past, the site features a moderate level of disturbance from partial grading activities and abandoned infrastructure associated with the prior use. In accordance with General Plan EIR Mitigation Measure 4-1, a Biological Resources Assessment was prepared and included as Appendix B1. Furthermore, as the project site occurs within the jurisdiction of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP), a MSHCP Consistency Analysis was prepared and included as Appendix B2.

Plant Species

According to Appendix B1, Biological Resources Assessment, prepared by Carlson Strategic Land Solutions (CSLS) in June 2024, the project is not located within MSHCP survey areas for Criteria Area Plant Species, Amphibians, Mammals, Urban/Wildlands Interface, Narrow Endemic Plant, or Special Linkage Areas. Additionally, neither of the two (2) special-status vegetation communities, nor eight (8) special-status plant species present within the General Plan area were found to occur on the project site. No impact to special status plant species would occur.

Wildlife Species

Of the eighteen (18) special status species known to occur within the General Plan project area, none were observed on the project site. However, suitable habitat was found to be present for a total of four (4) species: orange-throated whiptail, red-diamond rattlesnake, Stephen's kangaroo rat, and western-yellow bat – all of which are special-status species, some of which are covered under the MSHCP.

Orange-Throated Whiptail

The orange-throated whiptail is a burrowing species and prefers habitat with loose rocks and soils. While the project site features existing small mammal burrows, the soils present lack friability and are not considered suitable habitat for the orange-throated whiptail. Thus, the project site has low potential to support the species. Nonetheless, in compliance with General Plan EIR Mitigation Measure 4-1, PDF-BIO-1 would require a pre-construction survey prior to vegetation removal activities to ensure that project implementation activities affecting potential suitable habitat and loss of the species is adequately mitigated.

Red-Diamond Rattlesnake

Since there are existing small mammal burrows and rock cover present on site, Appendix B1 concluded the project site has moderate potential to support the red-diamond rattlesnake, as those features are considered suitable habitat for the species. In compliance with General Plan EIR Mitigation Measure 4-1, COA-BIO-1 would require a pre-construction survey prior to vegetation removal activities to ensure that project implementation activities affecting potential suitable habitat and loss of the species is adequately mitigated.

Western-yellow bat

As concluded in Appendix B1, suitable habitat for the western-yellow bat is present along Garbani Road. To mitigate potential adverse impacts to maternity roosting habitat for the species, and in compliance with General Plan Mitigation Measure 4-1, PDF-BIO-2 is proposed to ensure potential maternity roosting habitat are surveyed prior to the removal of suitable roosting/nesting habitat.

Stephen's Kangaroo Rat

Development of the project site would result in impacts to approximately 18 acres of ruderal/disturbed vegetation communities. While this is not a special-status community, it is known to host Stephen's kangaroo rat, and removal of such habitat could adversely affect the species. Compliance with City Ordinance No. 663 requires that the project applicant to pay fees to offset the loss of potentially suitable habitat. Additionally, the project would comply with General Plan EIR Mitigation Measure 4-5, mandating that implementing projects of the General Plan shall continue to participate in the Stephen's Kangaroo Rat Habitat Conservation Plan, including collection of mitigation fees. This program ensures the conservation of Stephen's kangaroo rat occupied habitats in order to offset the loss of potentially suitable habitat onsite. Thus, with implementation of General Plan EIR Mitigation Measure 4-5, impacts would be mitigated to be less than significant.

Burrowing Owl

As detailed in Appendix B2, the project site was evaluated for its potential to adversely impact the Western burrowing owl (Section 6.3.2). While no burrowing owls were observed on the project site during the initial survey process, the report determined the project site has the potential to host the species. Compliance with existing General Plan EIR Mitigation Measure 4-4, requiring an additional pre-construction clearance survey for burrowing owls, would reduce potential impacts to the species to less than significant levels.

MSCHP Critical Habitat

The project is not located within any designated Critical Habitat overlays (as designated within the MSHCP). The closest Critical Habitat designation is for the coastal California gnatcatcher approximately 2.3 miles east of the project site. However, there is no suitable habitat for the species present on the project site; the species is not expected to occur at the project site, and no impact to the species would occur as a result of the project.

Further, the project would comply with existing General Plan EIR Mitigation Measure 4-3 to ensure that activities affecting potential avian nesting habitat are restricted to periods outside of the avian breeding season or, where activities must occur, pre-activity surveys and avoidance measures are instituted. Therefore, impacts to avian nesting habitat would be less than significant.

In summary, while the project has the potential to support special-status wildlife species, these effects are not anticipated to be significant beyond what was previously evaluated in the General Plan EIR, and would be mitigated to less than significant levels through compliance with existing General Plan EIR Mitigation Measures 4-1 through 4-5, conditions of approval, and City Ordinance No. 663. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Conditions of Approval

COA-BIO-1 Pre-Construction Survey (Orange-Throated Whiptail and Red-Diamond Rattlesnake). No more than 24 hours prior to ground disturbance activities, a pre-construction clearance survey will be

conducted by a qualified biologist for orange-throated whiptail and red-diamond rattlesnake. If no orange-throated whiptail or red-diamond rattlesnake are detected, project-related ground disturbing activities may begin. If orange-throated whiptail or red-diamond rattlesnake are identified, the qualified biologist shall be present during all vegetation clearing activities. The qualified biologist shall have the authority to delay all project ground-disturbing or vegetation-disturbing activities until the species has left the work area voluntarily or is redirected away by the qualified biologist. If individuals cannot be redirected away and their presence on the project site is significantly delaying project activities, a qualified biologist with appropriate handling permit(s) shall have the authority to capture and relocate individuals to nearby suitable habitat. If more than 24 hours pass between the pre-construction survey and vegetation clearing activities, the qualified biologist shall conduct an additional pre-construction survey within 24 hours of vegetation clearing activities.

COA-BIO-2 Pre-Construction Survey (Western Yellow-Bat). Prior to ground disturbances and removal of suitable bat maternity roost habitat (e.g. In cavities or under loose bark) a pre-construction bat survey shall be conducted if removal activities are scheduled during maternity season (March 1 to September 30). Each potentially suitable tree shall be closely inspected by a qualified biologist within seven (7) days of tree removal.

If bats are not detected, the tree(s) may be removed. If bats are detected, trees determined to have bat maternity roosts shall be left in place until the end of the maternity season unless otherwise directed by the qualified biologist that maternity roosting is complete.

Threshold 5.3.4.b: *Would the project 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 US Fish and Wildlife Service?*

In accordance with General Plan EIR Mitigation Measure 4-2, the project site was assessed for potential jurisdictional waters, wetlands, and/or riparian; refer to Appendix B1 and Appendix B2.

As detailed above, no sensitive plant communities occur within the project site. Further, as described in Appendix B1, and Appendix B2, there are no jurisdictional water features located on the project site. While the project site is within the 500-foot buffer zone of a feature located north of the project site that is considered a Riverine/Riparian MSHCP feature and Waters of the State, each report concluded that project implementation would not affect offsite drainage, and no impact would occur to this resource. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.4.c: *Would the project have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Refer to Impact 5.3.4.b. No jurisdictional wetlands occur onsite, and no impact would occur. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.4.d: *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

According to Appendix B1, the project site does not support known wildlife corridors or linkage areas identified in the MSHCP. The project site lacks resources that are typically associated with wildlife movement areas (i.e. water features). Additionally, the site has existing perimeter fencing that further impedes movement. Furthermore, highly trafficked roads surround the project site to the east and south with residential development occurring to the north, ultimately discouraging wildlife movement.

The project site has the potential to support foraging and nesting habitat for migratory birds, raptors, and other avian species. However, as detailed above in Impact 5.3.4.a, compliance with existing General Plan EIR Mitigation Measure 4-3 would reduce potential impacts to less than significant levels.

Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.4.e: *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

As defined in Chapter 9.86 of the Menifee Municipal Code, heritage trees are trees that receive special attention and preservation efforts for inherent qualities such as age, size, species, location, historical influence, aesthetic quality, or ecological value. According to the Phase I ESA (included as Appendix E) and Appendix B2, any trees present on site are remnants of the site's agricultural past, do not occur on the property naturally, nor pose any value protected by Ordinance No. 2015-167, which aims to preserve heritage trees within the City. Thus, the project is not subject to Ordinance No. 2015-167, and would therefore not be in conflict with any local tree preservation policies or ordinances.

The project would, however, be required to comply with City Ordinance No. 663 (General Plan EIR Mitigation Measure 4-5), requiring the payment of mitigation fees to offset potential impacts to habitat for Stephen's kangaroo rat. Additionally, as outlined in Appendix B2 and the responses above, the project is consistent with the stipulations of the MSHCP, protecting biological resources. As such, the project would not conflict with any local policies or ordinances protecting biological resources, but rather comply with those applicable to the project. No impact would occur. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.4.f: *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?*

The *Western Riverside County Multi Species Habitat Conservation Plan* (MSHCP), adopted in 2004, aims to preserve and protect 146 species spanning approximately 1.3 million acres in Western Riverside County. As such, an MSHCP Consistency Analysis was conducted as part of Appendix B2. According to the MSHCP Consistency Analysis, the project site is not located within any Cell Groups, Criteria Cells, and Subunit designations of the MSHCP. As elaborated in Appendix B2, the project is not located within MSHCP survey areas for Criteria Area,

Plant Species, Narrow Endemic Plants, Amphibians, Mammals, Wildland corridor, or Special Linkage Areas. The project site is subject to Riparian and Riverine Areas pursuant to MSHCP Section 6.1.2 and Western Burrowing Owl overlay pursuant to MSHCP Section 6.3.2.

No MSHCP Riparian/Riverine features occur onsite. A v-ditch and debris basin occur to the north of the project site within the 500-foot buffer that meet the definition of riparian and/or riverine as outline within the MSHCP Section 6.1.2. The project site does not contain suitable habitat for any of the riparian/riverine vernal pool species listed in Section 6.1.2 of the MSHCP, including listed fairy shrimp. No impacts are anticipated to occur to the offsite drainage due to project implementation. Therefore, no mitigation is required, and no Determination of Biologically Equivalent or Superior Preservation (DBESP) is required. Therefore, the Project is consistent with the goals and objectives within MSHCP Section 6.1.2.

Furthermore, based on the Habitat Assessment and focused burrowing owl surveys it was determined the project site is not occupied by burrowing owl; refer to Appendix B-1. No burrowing owl, suitable sized burrows, or evidence of the species were observed within the Study Area during the focused surveys. However, with the City's participation in the MSHCP, the project would be subject to General Plan EIR Mitigation Measure 4-4, requiring an additional pre-construction clearance survey for burrowing owls. Compliance with General Plan EIR Mitigation Measure 4-4 would ensure protection for this species and compliance with the conservation goals as outlined within the MSHCP.

Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.5 Cultural Resources

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Cultural Resources:

- Impact 5.5-1: The City of Menifee General Plan policies and State and Federal regulations would ensure that impacts to historical resources would be less than significant.
- Impact 5.5-2: The potential to uncover undiscovered archeological and paleontological resources in Menifee is high. Implementation of Mitigation Measures 5-1 through 5-4 would reduce impacts to less than significant.
- Impact 5.5-3: Long-term implementation of the Menifee General Plan would allow development and redevelopment, including grading, of sensitive areas, possibly disturbing human remains, including those outside of formal cemeteries. Existing regulations, including the California Public Resources Code Section 5097.98 and SB 18 consultation, would ensure impacts to human remains would be less than significant.

General Plan EIR Mitigation Measures

- 5-1** Prior to project approvals, applicants shall provide cultural resource investigations conducted by a qualified archaeologist. The investigation shall include a records search at the Eastern Information Center at the University of California, Riverside, and a field survey for surface archaeological resources. The qualified archaeologist shall conduct monitoring for archaeological resources where required based on the investigation findings. Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director is satisfied that adequate provisions are in place to protect these resources. Unanticipated discoveries shall be evaluated for significance by a professional archaeologist. If significance criteria are met, then the project archaeologist shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. Confidential information shall be restricted to a separate report that will be held by the City of Menifee and forwarded to relevant Native American tribes, but not made publicly available.
- 5-3** A cultural resources assessment prepared by a qualified archaeologist shall be required for any Specific Plan, or for any project that requires a General Plan amendment. The assessment shall include a records search at the Eastern Information Center at the University of California, Riverside, and a field survey for surface archaeological resources. General findings of the cultural resources assessment, such as presence of resources, shall be incorporated into the CEQA documentation. Detailed information on any cultural resources identified, such as locations and types of resources, shall be documented in a separate confidential report that shall be submitted to the City of Menifee and shall not be available to the public; a copy of the report shall be forwarded to relevant Native American tribes.
- 5-4** Prior to the issuance of grading permits for a project for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the relevant Native American tribes to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Menifee and the tribal representative(s) to develop a monitoring program that addresses the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Menifee shall be the final arbiter of the conditions for projects within the City's jurisdiction.

Standard Conditions and Requirements:

SC-CUL-1 Archeologist Retained. Prior to issuance of a grading permit, the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.

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

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

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

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

SC-CUL-2 Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), parties, and Lead Agencies, will be asked to withhold public

disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

SC-CUL-3

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

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

SC-CUL-4

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

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:
 - i) Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
 - ii) Reburial of the resources on the project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
 - iii) If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

SC-CUL-5 Native American Monitoring (Pechanga). Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

SC-CUL-6 Native American Monitoring (Soboba). Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the project Archaeologist.

SC-CUL-7 Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

SC-CUL-8 Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 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 Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission 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 Public Resources Code Section 5097.98.

Project Analysis

Threshold 5.3.5.a: *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

A historic overview of the project area is provided in the *Cultural Resources Identification Report for the Garbani and Evans TTM 38766 Project, City of Menifee, Riverside County, California* (Cultural Resources Report;), refer to Appendix C. To evaluate the project's potential to support historic resources, a records search request was submitted to the Eastern Information Center (EIC). The search was conducted to identify previously recorded cultural resources and previously conducted cultural resources studies within a one-mile radius of the project site. A review was also conducted of the National Register of Historic Places (National Register), the California Register, and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. An intensive-level cultural resources field survey of the project site was conducted on May 6, 2024. The survey was conducted by walking along north-south transects spaced 15 meters apart across 100 percent of the project site. Digital photographs were taken at various points within the project boundaries and all soil exposures were carefully examined for evidence of cultural resources; refer to Appendix C.

The EIC records search revealed that 43 cultural resource studies were previously conducted within one-mile of the project site, resulting in no cultural resources identified within the research radius. Of the previous studies, three (3) have assessed portions of the project site for cultural resources, resulting in no cultural resources previously identified within the project boundaries.

During the field survey conducted on May 6, 2024, the project site was carefully inspected for evidence of cultural resources, using the methods described above. Ground visibility was poor, up to 15 percent within the eastern half of the property and less than 5 percent within the western half due to dense vegetation. The ground surface

throughout the property was disturbed by irrigation pipes and metal posts, push piles of plant clippings, and mounds of soil arranged in rows from the former nursery business. Vegetation consisted of landscaping plants and trees from the nursery landscaping business in addition to seasonal non-native grasses and weeds.

No historic resources were identified within the project site boundaries during the field survey conducted as part of the Cultural Resources Report. Although findings were negative for cultural resources, ground disturbing activities have the potential to discover historic-period artifacts or structural or building elements, particularly because ground visibility was poor during the field survey conducted for the project site. As such, potential significant impacts to buried historic-period resources could result in this regard, and Standard Condition SC-CUL-1 would require that an archaeological monitor be present during any earthmoving activities proposed within the project site boundaries. SC-CUL-3 would protect inadvertent discoveries by halting construction until a qualified archaeologist evaluates the significance of the find and recommends a course of action. With the implementation of Standard Condition SC-CUL-1 and SC-CUL-3, impacts would be less than significant.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.5.b: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Prehistoric background information on the project area is provided in the Cultural Resources Report, refer to Appendix C. According to the Cultural Resources Report, no cultural resources, including prehistoric archaeological resources or historic-period archaeological resources, were identified within the project site boundaries.

Although findings were negative for cultural resources on the surface of the project site, the potential exists for ground-disturbing activities to expose previously unrecorded cultural resources. To protect archaeological resources, Standard Condition SC-CUL-1 would require that an archaeological monitor be present during any earthmoving activities proposed within the project site boundaries. SC-CUL-3 would protect inadvertent discoveries by halting construction until a qualified archaeologist evaluates the significance of the find and recommends a course of action. With the implementation of Standard Condition SC-CUL-1 and SC-CUL-3, impacts would be less than significant.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.5.c: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

No evidence of human remains was identified as part of the Cultural Resources Report. Nonetheless, if human remains are found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5 through 7055 describe the general provisions for human remains. Specifically, State Health and Safety Code Section 7050.5 requires if any human remains are accidentally discovered during excavation of a site, the County Coroner shall be notified of the find immediately,

and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As required by State law, if the remains are determined to be Native American, the County Coroner shall notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC and shall have the opportunity to offer recommendations for the disposition of the remains (refer to Standard Condition SC-CUL-8). Further, SC-CUL-2 would ensure that Native American human remains shall not be governed by public disclosure requirements of the California Public Records Act. SC-CUL-4 would ensure inadvertent discoveries of Native American tribal cultural resource are preserved-in-place, reburied on-site, or a combination of the two in consultation with the tribes. Following compliance with the City's Standard Conditions of Approval, impacts related to the disturbance of human remains would be less than significant.

Consistent with the findings of the General Plan EIR, although soil-disturbing activities associated with development of the project as proposed could result in the discovery of human remains, mandatory compliance with existing laws and applicable Standard Conditions would ensure that significant impacts to human remains would not occur. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.6 Energy

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Energy:

- **Impact 5.17-7:** There are sufficient electricity and natural gas supplies available to the region for projected energy demands by General Plan buildout, and no additional electricity or natural gas supplies would be needed. Therefore, impacts would be less than significant.

General Plan EIR Mitigation Measures:

The General Plan EIR and its three addendums did not identify mitigation measures related to energy consumption.

Project Analysis:

Attachment F of the CEQA Guidelines

Attachment F of the CEQA Guidelines is an advisory document that assists environmental document preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis of Threshold 5.3.6.a relies upon Attachment F of the CEQA Guidelines, which includes the following criteria to determine whether this threshold of significance is met:

- **Criterion 1:** The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- **Criterion 2:** The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- **Criterion 3:** The effects of the project on peak and base period demands for electricity and other forms of energy.
- **Criterion 4:** The degree to which the project complies with existing energy standards.
- **Criterion 5:** The effects of the project on energy resources.
- **Criterion 6:** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project's energy usage is presented and addresses **Criterion 1**. The discussion on construction-related energy use focuses on **Criteria 2, 4, and 5**. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses **Criteria 2, 4, and 6**, and the building energy demand analysis discusses **Criteria 2, 3, 4, and 5**.

Threshold 5.3.6.a: ***Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency

technologies and methods. The Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more.

The impact analysis focuses on the two sources of energy that are relevant to the proposed project: electricity and transportation fuel for vehicle trips associated with project operations as well as the fuel necessary for project construction. According to the project applicant, the project would not use natural gas during operation. The analysis of operational electricity usage is based on the California Emissions Estimator Model version 2022.1 (CalEEMod) modeling results for the project. The project's estimated electricity consumption is based primarily on CalEEMod's default settings for Riverside County, and consumption factors provided by Southern California Edison (SCE), the electricity provider for the City and the project site. The results of the CalEEMod modeling are included in Appendix A, Air Quality/Greenhouse Gas Emissions/Energy Data. The amount of operational fuel consumption was estimated using CARB's EMFAC2021 website platform which provides projections for typical daily fuel usage in the County, and the project's annual vehicle miles traveled (VMT) outputs from CalEEMod. The estimated construction fuel consumption is based on the project's construction equipment list, timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.

The project's estimated energy consumption is summarized in Table 5.3.6-a, Project and Countywide Energy Consumption. As shown in Table 5.3.6-a, the project's energy usage would constitute an approximately 0.0138 percent increase over Riverside County's typical annual electricity consumption. The project's construction on-road, construction off-road, and operational vehicle fuel consumption would increase the County's consumption by 0.0040 percent, 0.1314 percent, and 0.0190 percent, respectively (**Criterion 1**).

Table 5.3.6-a
Project and Countywide Energy Consumption

Energy Type	Project Annual Energy Consumption ¹	Riverside County Annual Energy Consumption ²	Percentage Increase Countywide ²
Electricity Consumption	1,251 MWh	9,060,557 MWh	0.0138%
Fuel Consumption			
• Construction Off-road Consumption ³	36,726 gallons	27,952,744 gallons	0.1314%
• Construction On-road Consumption	37,814 gallons	951,857,132 gallons	0.0040%
• Operational Automotive Fuel Consumption ³	178,733 gallons	938,863,421 gallons	0.0190%
Notes:			
1. As modeled in CalEEMod version 2022.1.1.			
2. The project increases in electricity are compared to the residential electricity consumption in the County in 2022 (the latest year with available data). The project increases in construction off-road and on-road fuel consumption are compared with the County's off-road and on-road fuel consumption in 2025 (start of construction). The project's operational fuel consumption is compared with the County's projected on-road fuel consumption in 2026 (operational year). Riverside County electricity consumption data source: California Energy Commission, <i>Electricity Consumption by County</i> , http://www.ecdms.energy.ca.gov/elecbycounty.aspx , accessed July 25, 2023.			
3. Project fuel consumption calculated based on CalEEMod results. Countywide fuel consumption is from the CARB EMFAC2021 model.			
Refer to <u>Appendix A</u> for assumptions used in this analysis.			

Construction-Related Energy

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels for construction vehicles and other energy-consuming equipment would be used during grading, building construction, paving, and architectural coating. As indicated in Table 5.3.6-a, the project's off-road fuel

consumption and on-road fuel consumption from construction would be approximately 36,726 gallons and 37,814 gallons, respectively. Consequently, the project's off-road construction equipment diesel fuel consumption and on-road construction fuel consumption would increase Riverside County's consumption by 0.1314 percent and 0.0040 percent, respectively. As such, project construction would have a minimal effect on the local and regional energy supplies and would not require additional capacity (**Criterion 2**).

Some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off (i.e., Title 13, California Code of Regulations Section 2485). Project construction equipment would also be required to comply with the latest U.S. Environmental Protection Agency (EPA) and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Section 2449 of 13 CCR Article 4.8, Chapter 9 would minimize the idling of construction equipment used for the construction of the proposed project. In addition, because the cost of fuel and transportation is a significant aspect of construction budgets, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction (**Criterion 4**).

Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than nonrecycled materials.¹⁰ The integration of green building materials can help reduce environmental impacts associated with the extraction, transport, processing, fabrication, installation, reuse, recycling, and disposal of these building industry source material. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. Further, it is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual project characteristics that would necessitate the use of construction equipment, or building materials, or methods that would be less energy efficient than at comparable construction sites in the region or State. Therefore, fuel energy and construction materials consumed during construction would not represent a significant demand on energy resources (**Criterion 5**) and a less than significant impact would occur in this regard.

Operational Energy

Transportation Energy Demand. Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. According to *Garbani and Evans VMT Assessment* prepared by Michael Baker International (dated May 2, 2024), the proposed project would generate approximately 1,321 average daily trips. As indicated in Table 5.3.6-a, project operational daily trips are estimated to consume approximately 178,733 gallons of fuel per year, which would increase the County's automotive fuel consumption by 0.0190 percent. The project does not propose any unusual features that would result in excessive long-term operational fuel consumption (**Criterion 2**).

The key drivers of transportation-related fuel consumption are job locations/commuting distance and many personal choices on when and where to drive for various purposes. Those factors are outside of the scope of the design of the proposed project. However, in compliance with 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11) commonly referred as CALGreen Code, all single-family development projects would require all parking spaces to be electric vehicle (EV) capable. This project design

¹⁰ California Department of Resources Recycling and Recovery, *Green Building*, <https://calrecycle.ca.gov/greenbuilding/>, June 18, 2024.

feature would encourage and support the use of EVs within the proposed residential development and thus reduce the petroleum fuel consumption (**Criterion 4** and **Criterion 6**).

Therefore, fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. A less than significant impact would occur in this regard.

Building Energy Demand. The California Energy Commission (CEC) developed 2024 to 2040 forecasts for energy consumption and peak demand in support of the 2023 Integrated Energy Policy Report (IEPR) for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections. CEC forecasted baseline electricity consumption grows at a rate of about 1.7 percent annually through 2040.¹¹ The natural gas consumption grows at a rate of about 0.2 percent annually through 2035.¹²

As shown in Table 5.3.6-a, operational energy (electricity) consumption of the project would represent approximately 0.0138 percent increase over the 2022 Countywide electricity consumption, which would be significantly below CEC's forecast. According to the project applicant, the buildings would be fully powered by electricity and no natural gas would be used. As such, only electricity consumption was accounted for in the CalEEMod modeling. Therefore, the project would be consistent with the CEC's energy consumption forecasts and would not require additional energy capacity or supplies (**Criterion 2**). Additionally, the project would consume energy during the same time periods as other residential developments and would consume energy evenly throughout the day. As a result, the project would not result in unique or more intensive peak or base period electricity demand (**Criterion 3**).

Based on the information provided by the project applicant, the project would not use natural gas on-site. Further, the project would be required to comply with the most current version of the Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The project would exceed the 2022 Title 24 standards by approximately 10 percent and would significantly reduce energy usage. The Title 24 Building Energy Efficiency Standards are updated every three years and become more stringent between each update. The project would install high efficiency lighting, energy efficient appliances, and solar photovoltaics panels (**Criterion 4**).

The electricity provider for the City, SCE, is subject to California's Renewables Portfolio Standard (RPS) reflected in SB 100. The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 44 percent by the end of 2024, 52 percent by the end of 2027, 60 percent of total procurement by 2030, and 100 percent of total procurement by 2045. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects will not result in the waste of the finite energy resources. The project would install solar photovoltaics panels on the proposed single-family residences in compliance with 2022 Title 24 and CALGreen Code requirements (**Criterion 5**).

Therefore, the project would not cause wasteful, inefficient, and unnecessary consumption of building energy during project operation, or preempt future energy development or future energy conservation. A less than significant impact would occur in this regard.

¹¹ California Energy Commission, *2023 Integrated Energy Policy Report*, page 130, February 14, 2024.

¹² Based on *2023 Integrated Energy Policy Report*, the gas forecast is updated every two years, in odd years. As such, the natural gas consumption shown here is based on the California Energy Commission, *Final 2022 Integrated Energy Policy Report Update*, page 140, May 10, 2023.

Conclusion

As supported by the preceding analyses, and consistent with the findings of the General Plan EIR, project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. Further, the energy demands of the project can be accommodated within the context of available resources and energy delivery systems. The project would therefore not cause or result in the need for additional energy producing or transmission facilities. The project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. Accordingly, and consistent with the findings of the General Plan EIR, the project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR and its three addendums; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR and its three addendums; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.6.b: Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

The City currently does not have a plan pertaining to renewable energy or energy efficiency. The applicable State plans and policies for renewable energy and energy efficiency include the 2022 Title 24 standards, the 2022 CALGreen Code, the California Public Utilities Commission (CPUC's) Energy Efficiency Strategic Plan, and CEC's 2023 IEPR Update. The project would be required to comply with the latest Title 24 and CALGreen standards pertaining to building energy efficiency. Compliance with 2022 Title 24 standards and 2022 CALGreen Code would ensure the project incorporates energy-efficient windows, insulation, lighting, and ventilation systems, which are consistent with the Energy Efficiency Strategic Plan strategies, the IEPR building energy efficiency recommendations, and General Plan Goal LU-3 (Policies LU-3.1, LU-3.5), Goal OSC-4 (Policies OCS-4.1, OCS-4.2, OCS-4.3) and Goal OSC-9 (Policy OCS-9.5). Additionally, per the RPS, the project would utilize electricity provided by SCE that would procure electricity from eligible renewable energy resources to 52 percent by the end of 2027, 60 percent of total procurement by 2030, and 100 percent of total procurement by 2045. Therefore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and impacts would be less than significant.

Conclusion

Accordingly, and consistent with the conclusion reached by the General Plan EIR, implementation of the proposed project would not conflict or obstruct with the implementation of State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

In conclusion, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR and its three addendums; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR and its three addendums; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR and its three addendums.

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5.3.7 Geology and Soils

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Geology and Soils:

- Impact 5.5-2: The potential to uncover undiscovered paleontological resources in Menifee is high. Implementation of Mitigation Measure 5-2 would reduce impacts to less than significant.
- Impact 5.6-1: Buildout associated with the General Plan would increase the number of residents and overall development intensity, thereby exposing structures to substantial ground shaking. However, the project would be required to comply with seismic safety provisions set forth in the California Building Code (CBC) (Title 24, Part 2 of the California Code of Regulations) and is also required to have a geotechnical investigation conducted for the affected project site. The geotechnical investigation, prepared in January 2023, calculated seismic design parameters pursuant to CBC requirements and includes foundation and structural design recommendations, as needed, to reduce hazards to people and structures arising from ground shaking. Thus, impacts would be less than significant.
- Impact 5.6-2: There is a potential for liquefaction in parts of the City and General Plan area. However, the additional area that would be designated EDC in the Expanded EDC Scenario is not mapped as susceptible to liquefaction. Compliance with recommendations in the geotechnical investigation would be required as conditions of issuance of building and grading permits. Thus, General Plan buildout would not subject persons and structures to substantial hazards arising from seismic-related liquefaction. Impacts would be less than significant.
- Impact 5.6-3: Buildout of the general plan would not put people or structures at risk from earthquake-induced landslides. The project site is relatively flat and not adjacent to slopes or hillsides. Pursuant to the General Plan, following required geotechnical investigations and required implementation of recommendations in geotechnical investigation reports, the project would not create substantial hazards arising from earthquake related slope failures.
- Impact 5.6.4: General Plan buildout could cause soil erosion. However, best management practices (BMPs) for erosion control are required under National Pollution Discharge Elimination System (NPDES) regulations pursuant to the federal Clean Water Act. Compliance would reduce soil erosion, and impacts would be less than significant.
- Impact 5.6.5: Soil conditions could result in risks to life or property. Projects developed pursuant to the proposed General Plan would comply with Municipal Code Chapter 15.04, thus reducing the potential for landscape irrigation in the City to cause ground subsidence. Considering water supplies available in Menifee and current and planned water management efforts, substantial hazards from land subsidence are unlikely. Impacts would be less than significant.
- Impact 5.6.6: Use of septic tanks or other alternative wastewater disposal systems would be supported. Septic systems are required to comply with the California Plumbing Code, California Code of Regulations, Title 24, Part 5. Impacts would be less than significant.

General Plan EIR Mitigation Measures

- 5-2** In areas of high sensitivity for paleontological resources, each project shall retain a qualified paleontologist to monitoring ground disturbing activity. Should any potentially significant fossil resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director is satisfied that adequate provisions are in place to protect these resources.

Unanticipated discoveries shall be evaluated for significance by a professional paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers to the City of Menifee Community Development Director.

Project Analysis

In order to evaluate the project's potential to result in impacts regarding geology and soils, a site-specific Geotechnical Report was prepared for the site in 2023. The *Preliminary Geotechnical Evaluation for the Proposed Residential Development, Northwest Corner of Evans Road and Garbani Road, City of Menifee, California* (Geotechnical Report), dated January 31, 2023, was prepared by LGC Geotechnical, Inc., and is included as Appendix D of this report.

Threshold 5.3.7.a: *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
- ii) Strong seismic ground shaking?*
- iii) Seismic-related ground failure, including liquefaction?*
- iv) Landslides?*

Strong ground shaking may occur in Menifee due to earthquakes on several active faults in the region, including the San Andreas, San Jacinto, and Elsinore faults. The intensity of ground shaking and the degree of impact would depend upon the magnitude of the earthquake, distance to the epicenter, and the geology of the area between the epicenter to the project area. Additionally, the soil and geologic structure underlying the project site would influence the amount of damage that the site may experience. Impacts concerning strong seismic ground shaking would be addressed by compliance with the seismic design requirements identified in the most recent CBC. Pursuant to the CBC, structures built for human occupancy must be designed to meet or exceed CBC standards for earthquake resistance. The CBC includes earthquake safety standards based on a variety of factors including occupancy type, types of soils and rocks on-site, and strength of probable ground motion at the project site. To further improve the seismic safety of buildings in less stable soil areas, geotechnical reports are required for all developments in the City of Menifee, pursuant to Municipal Code Section 7.90.070. A site-specific Geotechnical Report was prepared to assess ground shaking hazards at the project site; refer to Appendix D. As concluded in Appendix D, the subject study area is not located within an Alquist-Priolo Earthquake Fault Zone, nor a mapped State of California Earthquake Fault Zone. Additionally, Appendix D did not discover any known active or potentially active faults are known to exist within or in the immediate vicinity of the site. Therefore, the potential for ground rupture as a result of faulting is considered very low. However, the study found that seismic hazard with the most potential for impact is ground shaking from nearby active regional faults (San Jacinto Fault, Elsinore Fault). The project site would likely experience strong seismic ground shaking during its design life. Compliance with the CBC and preparation of a site-specific geotechnical report would reduce impacts related to rupture of a known earthquake fault or strong seismic ground shaking to less than significant.

Liquefaction and seismically-induced settlement or ground failure is generally related to strong seismic shaking events where the groundwater occurs at shallow depth (generally within 50 feet of the ground surface) or where lands are underlain by loose, cohesionless deposits. Liquefaction typically results in the loss of shear strength of

a soil, which occurs due to the increase of pore water pressure caused by the rearrangement of soil particles induced by shaking or vibration. During liquefaction, soil strata behave similarly to a heavy liquid. As elaborated in [Appendix D](#), the proposed project is not mapped within a zone of seismically included hazard for liquefaction or landslide. Additionally, the report concluded that site soils are generally very dense/hard in nature; therefore, liquefaction potential is considered remote. Impacts would be less than significant.

Further, as with all development within the City, the project is required to comply with the CBC and City Building Code. These building codes include requirements to ensure that new development does not cause or exacerbate geological and soil hazards including seismic ground shaking and seismically related ground failure. Measures to minimize the risk of loss, injury, and death from the construction of new buildings are included within the CBC and City Building Code, with specific provisions for seismic design. Additionally, the project would be required to meet the most recent seismic-safety building criteria and construction design recommendations of the site-specific geotechnical report; refer to [Appendix D](#).

The project would not directly or indirectly cause substantial adverse effects involving seismic-related ground failure, including liquefaction. As a result, impacts would be less than significant.

The project site is relatively flat, as is the surrounding topography. According to the General Plan and [Appendix D](#), the project site is not identified as being located within a landslide hazard zone. The project would not directly or indirectly cause adverse effects involving landslides. As a result, impacts would be less than significant. Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.7.b: Would the project result in substantial soil erosion or the loss of topsoil?

Soil erosion typically occurs within unconsolidated alluvium and surficial soils in sloping topographies. Construction activities associated with future development would include clearing, excavation, and grading, which would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The project is currently undeveloped aside from a series of hiking and biking trails that traverse the site.

Construction Impacts

Project construction would involve the use of heavy machinery on site, including bulldozers, front loaders, track hoes, trenchers, semi-trucks, and various other large equipment, which would be used for site preparation and construction activities. Excavations and grading for the project would result in disturbance of existing sediments, such that erosion could be exacerbated during precipitation or high-wind events.

Short-term construction activities within the project area could increase soil exposure and result in limited soil erosion, depending on the extent of clearing, grading, or excavation and the length of time that disturbed soils are left exposed. However, construction activities would be required to comply with Municipal Code Section 7.90.060, requiring the formation and approval of an erosion control plan, ensuring implementation of appropriate measures during soil-disturbing activities to reduce erosion. In compliance with the NPDES program, individual projects involving one or more acres of site disturbance would be required to prepare and implement a stormwater pollution prevention plan (SWPPP) and associated best management practices (BMPs) in compliance with the Construction General Permit during grading and construction. Potential BMPs could include installing vegetated swales and sediment barriers; stabilizing soils with hydroseeding; regular dust control; implementing desilting basins and storm drain inlet protectors; and providing public education/outreach

materials. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from grading and construction activities.

Following compliance with the established regulatory framework (i.e., Municipal Code Section 7.90.060 and NPDES requirements), project construction would result in less than significant impacts involving soil erosion and loss of topsoil.

Operational Impacts

As discussed previously, the General Plan project area is largely built out in terms of available land development, and as such, development projects within the General Plan would not be expected to significantly increase impervious surface areas and thus result in soil erosion or the loss of topsoil. Nonetheless, the project would be subject to the RRs designed to minimize potential erosion and flooding that may result during construction and operational conditions. Following compliance with NPDES, Municipal Code, and Stormwater Quality BMP Guidance Manual requirements, the project's operational impacts related to erosion or loss of topsoil would be less than significant.

Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.7.c: *Would the project be 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?*

Refer to Threshold 5.3.7.a above for a discussion concerning liquefaction and landslides. According to Appendix D, while the project area is prone to strong ground shaking, no other geologic hazards are known or suspected, and planned construction performed in accordance with current design standards and report recommendations for construction would not result in geologic instability within the project area or neighboring properties. Additionally, compliance with applicable CBC regulations and geotechnical design parameters prescribed in Appendix D would ensure impacts related to unstable geologic units or soils would be less than significant. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.7.d: *Would the project be located on expansive soil, as defined in Section 1803.5.3 of the CBC (2019), creating substantial direct or indirect risks to life or property?*

According to the General Plan EIR, locally expansive soils may occur wherever clayey soils exist. As detailed in Appendix D, the surficial geology of the project site is described as older alluvium, and deposits consist of loose sandy silt, medium dense coarse silty sand, varying amounts of fine sediment, with bedrock located at depth beneath the ground surface. Thus, the report concluded finished grade soils are anticipated to have a "low" expansion potential.

The CBC and other related construction standards apply seismic requirements and address certain grading activities. The CBC includes common engineering practices requiring special design and construction methods that reduce the potential for impacts related to expansive soils. Project compliance with applicable CBC regulations would ensure the adequate design and construction of building foundations to resist soil movement.

Compliance with the CBC would reduce impacts related to expansive soils to less than significant.

Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.7.e: *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The project does not propose use of septic tanks or alternative waste water disposal sites. Further, Appendix E did not observe any wastewater treatment systems, septic systems, nor cesspools within the project site. Accordingly, no impact associated with septic tanks or alternative wastewater systems would occur with implementation of the proposed project.

Therefore, there are no impacts that are peculiar to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR.

Threshold 5.3.7.f: *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

As discussed in the General Plan EIR, the General Plan area is considered sensitive for paleontological resources. Past projects throughout the region have encountered fossilized Rancholabrean-age remains, including mammoth. The project may therefore have the potential to inadvertently destroy or remove such resources through grading, excavation, and/or construction activities. Similarly, construction could affect undiscovered paleontological resources that may be associated with the paleontologically sensitive Pleistocene-age alluvium. As discussed in Appendix C, Cultural Resources Identification Report, prepared by Michael Baker in May 2024, the surface of the project site is underlain by old alluvial fan deposits from the middle to late Pleistocene epoch (1.8 million to 11,700 years ago), comprised of coarse sandy loam soils.

In accordance with General Plan Action LT-1.10f, the City imposes a standard condition of approval requiring projects to halt all ground-disturbing activities when unusual amounts of shell or bone, isolated artifacts, or other similar features are discovered. If paleontological resources are identified during project-related ground disturbance, General Plan EIR Mitigation Measure 5-2 and General Plan Action LT-1.10f would require retention of a paleontologist during ground disturbing activities to determine the significance of the discovery and recommend a course of action. Implementation of General Plan EIR Mitigation Measure 5-2 and General Plan Action LT-1.10f would reduce impacts to paleontological resources to less than significant with mitigation incorporated.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.8 Greenhouse Gas Emissions

General Plan EIR Findings

The General Plan EIR and its three addendums made the following findings with respect to Greenhouse Gas (GHG) Emissions:

- Impact 5.7.1: Buildout under the proposed General Plan EIR would not achieve efficiency threshold of 4.0 metric tons of carbon dioxide equivalent (MTCO₂e) per service population (SP) per year. This efficiency threshold was utilized to measure the City's progress in reducing GHG emissions under the long-term GHG reduction goals outlined in Executive Order S-03-05. As such, the full buildout under the General Plan EIR would not achieve the long-term reduction goals and would cumulatively contribute to the long-term GHG emissions in the State. Even with incorporation of relevant General Plan GHG policies and measures and Mitigation Measure 3-1 under Air Quality, which would reduce overall operational and construction GHG emissions from the future buildout, impacts would still be significant and unavoidable.
- Impact 5.7.2: The General Plan EIR would be consistent with the California Air Resource Board's (CARB) *2008 Scoping Plan* and Southern California Association of Government's (SCAG) *2012 Regional Transportation Plan/Sustainable Communities Strategy*. As such, impacts would be less than significant.

General Plan EIR Mitigation Measures:

The General Plan EIR does not include mitigation measures for GHG emissions. However, Mitigation Measure 3-1 under Air Quality has the effect of reducing GHG emissions. The General Plan EIR states that the goals and policies within the Meniffee General Plan provides a vision for the City of Meniffee beyond 2035. Population and employment growth at full buildout of the General Plan would be a substantial increase from existing conditions and the increase in new emissions sources would outweigh reductions the City could achieve from state and local GHG reduction measures. Given that the General Plan EIR determined that the buildout of the General Plan project would result in GHG emissions that would be significant and unavoidable, the General Plan EIR recommends that consistency with applicable General Plan goals and policies would help reduce overall GHG emissions.

Therefore, the following are the Meniffee General Plan goals and policies and regulatory requirements applicable for the proposed project.

City of Meniffee General Plan

The Open Space and Conservation Element of the General Plan includes goals and policies that would reduce the overall GHG emissions in the City. The Open Space and Conservation Element contains the following goals that are applicable to the project:

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

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

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

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

Policy OSC-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.

Project Analysis:

CEQA Guidelines Section 15064.4 recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce GHG emissions, whether a project's emissions exceeds an applicable significance threshold, and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

However, CEQA Guidelines Section 15064.4 does not establish a threshold of significance. CEQA Guidelines Section 15064.7 provides lead agencies the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts, if any threshold chosen is supported by substantial evidence. Similarly, the SCAQMD, the Governor's Office of Planning and Research (OPR), CARB, California Air Pollution Control Officers Association (CAPCOA), or any other State or applicable regional agency has yet to adopt a numerical significance threshold for assessing GHG emissions that is applicable to the project. The SCAQMD formed a GHG CEQA Significance Threshold Working Group (Working Group) to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents and was proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is the lead agency as of the last Working Group meeting (Meeting No.15) held in September 2010; the Working Group identified a "bright-line" screening-level threshold of 3,000 MTCO₂e annually for new development projects in the residential/commercial sectors and a threshold of 10,000 MTCO₂e annually for industrial projects, which includes construction emissions amortized over 30 years and added to operational GHG emissions.¹³

The City has not adopted a numerical significance threshold for assessing impacts related to GHG emissions and neither California Air Resources Board (CARB) nor any other State or regional agency has adopted a numerical significance threshold for assessing GHG emissions that is applicable to the proposed project. However, it should be noted that the General Plan EIR discussed that SCAQMD adopted a 10,000 MTCO₂e per year threshold for permitted stationary sources. Additionally, SCAQMD was in the process of adopting a "bright-line" screening threshold of 3,000 MTCO₂e for all land use types for any projects that are not exempt from CEQA or where no qualifying GHG reduction plans are applicable. For any project that exceeds the "bright-line" screening threshold, the SCAQMD proposes an efficiency threshold per service population. Specifically, SCAQMD proposes an efficiency threshold of 4.8 MTCO₂e per year per service population (SP) for project level analysis and 6.6 MTCO₂e per year per SP for plan level projects. The General Plan EIR was compared to the efficiency threshold of 6.6 MTCO₂ per year per SP for the year 2020 and 4.0 MTCO₂ per year per SP for the year 2035.

Since the project is not exempt from CEQA and there are no qualifying GHG reduction plans, the methodology for evaluating the project's impacts related to GHG emissions would be based on the applicable thresholds (3000 MTCO₂e and 4.0 MTCO₂ per year per SP) and on the project's consistency with Statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions. However, it should be noted that

¹³ South Coast Air Quality Management District, *Board Letter – Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*, December 5, 2008.

the General Plan EIR included this “bright-line” threshold in September 2013. As previously discussed, the SCAQMD has yet to adopt this GHG threshold. If the proposed project exceeds the “bright-line” threshold, the project would be compared to the efficiency threshold of 4.0 MTCO₂e per SP per year for year 2035 to determine the City’s progress in meeting the Statewide long-term GHG reduction goals. Although the City and SCAQMD have not formally adopted the “bright-line” or efficiency threshold, to be consistent with the General Plan EIR, this analysis compares project emissions with both the “bright-line” and efficiency thresholds. The project’s consistency with Statewide, regional, and local plans adopted for reducing GHG emissions is also discussed to determine the significance of the project’s GHG-related impacts on the environment.

Threshold 5.3.8.a: *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Project-Related Sources of GHG

Direct project-related GHG emissions include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. The most recent version of the CalEEMod, version 2022.1, was used to calculate direct and indirect project-related GHG emissions. Table 5.3.8-a, Estimated Greenhouse Gas Emissions, presents the estimated GHG emissions of the proposed project. CalEEMod outputs are contained within Appendix A, Air Quality/Greenhouse Gas Emissions/Energy Data.

Direct Project-Related Source of GHG

Construction. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions.¹⁴ The project would incorporate General Plan EIR Mitigation Measure 3-1, which would require proper maintenance of construction equipment, usage of more efficient construction equipment engines, and reducing the idling of equipment. Incorporation of General Plan Mitigation Measure 3-1 would help reduce overall GHG emissions from construction equipment. As shown in Table 5.3.8-a, the proposed project would result in 22.27 MTCO₂e per year construction emissions when amortized over 30 years (or a total of approximately 668.00 MTCO₂e in 30 years).

Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. project-related area sources include exhaust emissions from landscape maintenance equipment, such as lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the site. As noted in Table 5.3.8-a, the proposed project would result in 2.31 MTCO₂e per year of area source GHG emissions.

¹⁴ The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*, October 2008).

Table 5.3.8-a
Estimated Greenhouse Gas Emissions

Source	CO ₂	CH ₄	N ₂ O	Refrigerants	CO ₂ e
	Metric Tons/year ¹				
Direct Emissions					
Construction (Amortized over 30 years)	22.03	<0.01	<0.01	<0.01	22.27
Area Source	2.30	<0.01	<0.01	0.00	2.31
Mobile Source	1,168.00	0.06	0.06	1.82	1,190.00
Refrigerants	0.00	0.00	0.00	0.31	0.31
Total Direct Emissions ²	1,192.33	0.06	0.06	2.13	1,214.89
Indirect Emissions					
Energy	197.00	0.02	<0.01	0.00	198.00
Solid Waste	11.0	1.09	0.00	0.00	38.30
Water Demand	12.80	0.18	<0.01	0.00	18.50
Total Indirect Emissions ²	220.8	1.29	0.00	0.00	254.80
Total Project-Related Emissions ²	1,469.69 MTCO ₂ e/year				
Project's Efficiency Threshold ³	3.81 MTCO ₂ e/year/SP				
"Bright-line" Threshold ⁴	3,000.00 MTCO ₂ e/year				
Efficiency Threshold	4.0 MTCO ₂ e/year/SP				
"Bright-line" and Efficiency Thresholds Exceeded?	No				
Notes: Carbon dioxide equivalent = CO ₂ e; metric tons of carbon dioxide equivalent per year = MTCO ₂ e per year; service population = SP 1. Project emissions were calculated using CalEEMod version 2022.1. 2. Totals may be slightly off due to rounding. 3. The project would result in service population of approximately 386 new residents (refer to Section 5.3.2, Air Quality). 3. As previously discussed, the General Plan EIR discussed the "bright-line" threshold of 3,000 MTCO ₂ e however, the SCAQMD has not adopted this threshold. As such, this threshold is only included for informative purposes. Refer to Appendix A, Air Quality/Greenhouse Gas Emissions/Energy Data for detailed model input/output data.					

Mobile Source Emissions. According to *Garbani and Evans VMT Assessment* prepared by Michael Baker International, the proposed project would generate 1,321 average daily trips. As such, the project would result in approximately 1,190.00 MTCO₂e per year of mobile source generated GHG emissions; refer to [Table 5.3.8-a](#).

Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are HFCs or blends thereof, which can have high GWP values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate. The proposed project would result in 0.31 MTCO₂e per year of GHG emissions from refrigerants; refer to [Table 5.3.8-a](#).

Indirect Project-Related Source of GHG

Energy Consumption. Energy consumption emissions were calculated using the CalEEMod model and project-specific land use data. The proposed project would be an all-electric development and would not utilize natural gas. Electricity would be provided to the project site via Southern California Edison (SCE). The project would also incorporate and comply with applicable General Plan GHG goals and policies that reduces overall GHG emissions; refer to [Threshold 5.3.8.b](#), below. Specifically, the proposed project would include energy efficient features in compliance with CALGreen such as high efficiency lighting, energy efficient appliances, and on-site energy generation. CALGreen refers to the 2022 California Green Building Standards Code (California Code of

Regulations, Title 24, Part 11) which provides mandatory green building standards that are sustainable and energy efficient. However, as a conservative analysis, these features were not included in the CalEEMod modeling. The project would indirectly result in 198.00 MTCO₂e per year of GHG emissions due to energy consumption; refer to [Table 5.3.8-a](#).

Water Demand. The proposed project would utilize approximately 11.71 million gallons of water per year. Emissions from indirect energy impacts due to water supply would result in 18.50 MTCO₂e per year; refer to [Table 5.3.8-a](#).

Solid Waste. Solid waste associated with operations of the proposed project would result in 38.30 MTCO₂e per year of GHG emissions; refer to [Table 5.3.8-a](#).

Total Project-Related Sources of GHG

As shown in [Table 5.3.8-a](#), the total amount of proposed project-related GHG emissions from direct and indirect sources combined would result in 1,469.69 MTCO₂e per year. As such, the proposed project would not exceed the General Plan EIR “bright-line” threshold of 3,000 MTCO₂e per year. As discussed in the General Plan EIR, the SCAQMD recommends that any project that exceeds the “bright-line” threshold would need to be compared to an efficiency threshold. Thus, the project’s GHG emissions would not need to be compared to the efficiency threshold. Nevertheless, to be consistent with the analysis done in the General Plan EIR, the project’s GHG emissions would be compared to the efficiency threshold of 4.0 MTCO₂e per year.

As discussed in [Section 5.3.2, Air Quality](#), the proposed project would construct a total of 134 residential units. According to the California Department of Finance¹⁵, there are approximately 2.88 persons per household. As such, the proposed project would result in approximately 386 new residents (134 times 2.88) and would have emissions of approximately 3.81 MTCO₂e per year per SP (1,469.69 divided by 386). As such, the project would not exceed the General Plan EIR’s “bright-line” threshold of 3,000 MTCO₂e per year and the efficiency threshold of 4.0 MTCO₂e per year per SP for the year 2035.

Conclusion

In conclusion, GHG emissions from the proposed project would not result in a cumulatively considerable net increase in GHG emissions in the project region. As discussed above, the project’s GHG emissions would be below the General Plan EIR’s “bright-line” and efficiency thresholds. As such, the project would be on track to achieve the Statewide long-term GHG reduction goals and the project’s GHG emissions would be less than significant. Thus, the project’s impact would be less than the significant and unavoidable impact disclosed in the General Plan EIR and its three addendums.

The project would not result in new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three addendums would occur. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis or project-specific mitigation measures. However, the project would be required to be consistent with the applicable goals and policies within the Menifee General Plan. [Table 5.3.8.d, Consistency with the City of Menifee General Plan](#) shows the project’s consistency with the Menifee General Plan.

¹⁵ California Department of Finance Demographic Research Unit, *Report E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024*, Sacramento, California, May 2022.

The following General Plan EIR mitigation measure applies to the project:

- 3-1** If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD adopted thresholds of significance, the City of Menifee Community Development Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include, but are not limited to:
- Requiring fugitive dust control measures that exceed SCAQMD's Rule 403, such as:
 - a) Requiring use of nontoxic soil stabilizers to reduce wind erosion.
 - b) Applying water every four hours to active soil-disturbing activities.
 - c) Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
 - Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
 - Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
 - Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
 - Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.

Impacts related to Threshold 5.3.8.a would be less than significant with implementation of General Plan EIR Mitigation Measure 3-1. Therefore, no project-specific mitigation measures are required.

Threshold 5.3.8.b: ***Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?***

The General Plan EIR analyzed the proposed buildout of the City to the *2008 Scoping Plan* and *2012 Regional Transportation Plan/Sustainable Communities Strategy*. However, these documents have since been updated, with the most recent approved iterations being the 2022 Scoping Plan and the 2020-2045 RTP/SCS. These documents have been updated to include more stringent goals and policies to ensure that existing and future developments are on track to meet Statewide GHG reduction goals. Thus, the most recent and approved iterations are more stringent compared to the *2008 Scoping Plan* and *2012 Regional Transportation Plan/Sustainable Communities Strategy*. As such, the GHG plan consistency for the project is based on the project's consistency with the 2022 Scoping Plan, SCAG 2020-2045 RTP/SCS, and applicable goals and policies from the City's General Plan. The 2022 Scoping Plan describes the approach the State will take to achieve carbon neutrality by 2045. The SCAG 2020-2045 RTP/SCS includes strategies for the region to reach the regional target of reducing GHG from transportation.. The City's General Plan contains goals and policies that would help implement energy efficient measures and would subsequently reduce GHG emissions within the City.

Consistency with 2020-2045 RTP/SCS

The 2020-2045 RTP/SCS includes performance goals that were adopted to help focus future investments on the best-performing projects and different strategies to preserve, maintain, and optimize the performance of the existing transportation system. The 2020-2045 RTP/SCS is forecasted to help California reach its GHG reduction goals by reducing GHG emissions from passenger cars by 8 percent below 2005 levels by 2020, and by 19 percent by 2035 in accordance with the most recent CARB targets adopted in March 2018. Five key SCS strategies are included in the 2020-2045 RTP/SCS to help the region meet its regional VMT and GHG reduction goals. Table 5.3.8-b, Consistency with the 2020-2045 RTP/SCS, evaluates the project's consistency with the 2020-2045 RTP/SCS strategies. As detailed, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

The latest 2024-2050 RTP/SCS (Connect SoCal 2024) was adopted on April 4, 2024. However, CARB concluded that the technical methodology SCAG used to quantify the GHG emission reductions for the Connect SoCal 2024 does not operate accurately.¹⁶ SCAG is currently working on updating the technical methodology and resubmitting for CARB's review. Until CARB approves the methodology, the Connect SoCal 2024 is not a fully adopted document, especially from the GHG reduction perspective of the proposed strategies. As such, the consistency analysis shown in Table 5.3.8-b relies upon the 2020-2045 RTP/SCS.

Table 5.3.8-b
Consistency with the 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Focus Growth Near Destinations and Mobility Options		
Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets Plan for growth near transit investments and support implementation of first/last mile strategies Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations) Identify ways to 'right size' parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking)	Center Placemaking, Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening.	Consistent. The proposed project would increase the housing supply in the region. The proposed project would be located approximately 1.40 miles south of the La Piedra and Pine Creek bus stop serviced by Riverside Transit. The proposed project would revitalize underutilized land (vacant land) with residential dwellings which would result in further connectivity with the existing neighborhood. The proposed project would also install bicycle parking stalls, which would encourage alternative modes of transportation and reduce solo car trips. Additionally, the proposed regional trail along the project's frontage on Garbani Road would further enhance connectivity. As such, the proposed project would be consistent with this strategy.
Promote Diverse Housing Choices		

¹⁶ California Air Resources Board, *RE: CARB Review of Southern California Association of Governments' 2024 SCS Senate Bill 375 Greenhouse Gas Emissions Draft Technical Methodology*, March 29, 2024.

Table 5.38-b, continued

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
<p>Preserve and rehabilitate affordable housing and prevent displacement</p> <p>Identify funding opportunities for new workforce and affordable housing development</p> <p>Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply</p> <p>Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of greenhouse gas emissions</p>	PGA, Job Centers, HQTAs, NMA, TPAs, Livable Corridors, Green Region, Urban Greening.	Consistent. As mentioned above, the proposed project would increase the housing opportunities within the City and increase housing supplies. The project includes a range of unit sizes, including 67 ADUs, which are generally considered to be “affordable by design.” therefore, the proposed project would be consistent with the strategy.
Leverage Technology Innovations		
<p>Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space</p> <p>Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments</p> <p>Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation</p>	HQTA, TPAs, NMA, Livable Corridors.	Consistent. The proposed development would exceed the most recent Title 24 Standards by 10 percent. The Title 24 standards provide minimum energy efficiency standards for future developments and every future update of Title 24 results in more stringent energy efficiency standards. As required in the 2022 Title 24 standards and CALGreen requirements, the proposed single-family residential development would require the installation of conduits in garages for future installation of electric vehicle (EV) charging stations. Additionally, the project would include bicycle parking which encourages alternative modes of transportation. The project would also install solar photovoltaic panels for on-site renewable energy production. As such, the project would be consistent with this strategy.
Support Implementation of Sustainability Policies		

Table 5.38-b, continued

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
<p>Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions</p> <p>Support Statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations</p> <p>Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space</p> <p>Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies</p> <p>Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region</p> <p>Continue to support long range planning efforts by local jurisdictions</p> <p>Provide educational opportunities to local decision makers and staff on new tools, best practices and policies related to implementing the Sustainable Communities Strategy</p>	<p>Center Focused Placemaking, Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening.</p>	<p>Consistent. The proposed project would exceed the most recent 2022 Title 24 standards by 10 percent and as such, would support sustainable development implementation that would reduce GHG emissions. The 2022 Title 24 standards provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The Title 24 Building Energy Efficiency Standards are updated every three years and become more stringent between each update and as such, the project would be more energy efficient than existing developments. Additionally, the project would incorporate other GHG reducing features such as on-site renewable energy production, bicycle parking, and energy efficient appliances. Additionally, the project would install conduits for future installation of EV charging stations, promoting a more sustainable form of transportation. As such, the project would be consistent with this strategy.</p>
Promote a Green Region		
<p>Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards</p> <p>Support local policies for renewable energy production, reduction of urban heat islands, and carbon sequestration</p> <p>Integrate local food production into the regional landscape</p> <p>Promote more resource efficient development focused on conservation, recycling, and reclamation</p> <p>Preserve, enhance, and restore regional wildlife connectivity</p> <p>Reduce consumption of resource areas, including agricultural land</p> <p>Identify ways to improve access to public park space</p>	<p>Green Region, Urban Greening, Greenbelts and Community Separators.</p>	<p>Consistent. The proposed project would revitalize vacant land that is not currently being used for agricultural purposes. Additionally, the project site is surrounded by existing development (residential and institutional uses) to the north, east, and south. The project would exceed the 2022 Title 24 standards by 10 percent, which provides minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Additionally, the project also proposes approximately 322,969 square feet of landscaping. As such, the project would be consistent with this reduction strategy.</p>
Source: Southern California Association of Governments, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal, September 3, 2020.		

Consistency with the 2022 CARB Scoping Plan

The California Air Resource Board (CARB) 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each Assembly Bill 32 inventory sector. Provided in [Table 5.3.8-c, *Consistency with the 2022 Scoping Plan: AB 32 GHG Inventory Sectors*](#), is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

Table 5.3.8-c
Consistency with the 2022 Scoping Plan: AB 32 Inventory Sectors

Actions and Strategies	Project Consistency Analysis
Smart Growth / Vehicles Miles Traveled (VMT)	
Reduce VMT per capita to 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045	Consistent. The project would comply with the 2022 Title 24 standards and CALGreen Code, which would promote alternative modes of transportation to reduce VMT. The proposed project would include short-and long-term bicycle parking. The project would also be located near public transportation stops. Thus, the project would include features that encourage alternative modes of transportation that would reduce VMT. As such, the project would be consistent with this action.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030	Consistent. As previously discussed, the proposed project would be an all-electric development and would not utilize natural gas. As such, the project would include all electric appliances. Furthermore, the project would install high efficiency lighting and appliances. The project would also include the installation of photovoltaic panels for on-site renewable energy generation. The project would be consistent with this action.
Construction Equipment	
Achieve 25% of energy demand electrified by 2030 and 75% electrified by 2045	Consistent. Currently, the City of Menifee does not have any requirements for electric construction equipment. However, if such policies are adopted by the City, the proposed project would comply with such requirements. The project would be consistent with this action
Non-combustion Methane Emissions	
Divert 75% of organic waste from landfills by 2025	Consistent. The project would comply with AB 341 which requires 75 percent of solid waste generated to be reduced, recycled, or composted. Further, the project would comply with applicable City waste reduction programs. The project would be consistent with this action.
Source: California Air Resources Board, 2022 <i>Scoping Plan</i> , November 16, 2022.	

Consistency with the City of Menifee General Plan

The General Plan Open Space and Conservation Element includes goals and policies that promote GHG reduction within the City. The project's consistency with these goals and policies is discussed in [Table 5.3.8-d, *Consistency with the City of Menifee General Plan*](#). As depicted in [Table 5.3.8-d](#), the proposed project would be consistent with the General Plan. It should be noted that policies under Goal OCS-10 are associated with City-wide planning efforts and are not applicable to individual development projects.

Table 5.3.8-d
Consistency with the City of Menifee General Plan

Goals and Policies	Project Consistency
Goal OSC-4: Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.	
Policy OSC-4.1: Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.	Consistent. The project would exceed the 2022 Title 24 by 10 percent and comply with the CALGreen Code. Compliance with these regulations would ensure the project would incorporate energy efficiency building design features. Additionally, the project would include bicycle parking which encourages alternative modes of transportation. The project would be consistent with this policy.
Policy OSC-4.2: Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.	Consistent. The project would install solar photovoltaics panels and have high efficiency electrical appliances in compliance with 2022 Title 24 and CALGreen Code requirements. With the installation of these design features, the project would have on-site generation of renewable energy and a reduction in overall energy consumption. The project would be consistent with this policy.
Goal OSC-9: Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.	
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.	Consistent. As discussed above, the project would exceed the requirements of 2022 Title 24 by 10 percent and would comply with the CALGreen Code. The 2022 Title 24 standards provide minimum energy efficiency standards for new development and become more stringent with each update. The project would exceed the applicable Title 24 standards and would be more energy efficient than what is currently required. The project would be consistent with this policy.
Source: City of Menifee, General Plan.	

Conclusion

In summary, the plan consistency analysis provided above demonstrates that the proposed project complies with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in the 2022 Scoping Plan, 2020-2045 RTP/SCS, and applicable goals and policies in the City's General Plan. Therefore, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs. Thus, the proposed project would not result in significant impacts regarding climate change.

Accordingly, and consistent with the conclusion reached by the General Plan EIR and its three addendums, implementation of the proposed project would not have significant GHG emissions impacts, conflict or obstruct implementation of the 2022 Scoping Plan, 2020-2045 RTP/SCS, and the City's General Plan, and impacts would be less than significant. Therefore, there are no impacts that are particular to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR and its three addendums; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR and its three addendums.

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5.3.9 Hazards and Hazardous Materials

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Hazards and Hazardous Materials:

- Impact 5.8-1: Future industrial and commercial development may involve the transport, use, and/or disposal of hazardous materials. Compliance with existing Federal and State regulations, City ordinances, and proposed General Plan policies would reduce risks associated with the transport, use, and/or disposal of hazardous materials. Impacts were determined to be less than significant.
- Impact 5.8-2: Based on the review of databases pertaining to hazardous materials release sites, the City identified an area that includes numerous businesses with historical releases of hazardous substances to the environment and/or are undergoing environmental investigation or remediation. However, properties contaminated by hazardous substances are regulated at the local, State, and Federal level and are subject to compliance with rigorous laws and regulations for investigation and remediation. Compliance with these regulations would reduce impacts to less than significant.
- Impact 5.8-3: General Plan buildout would not alter or interfere with land use compatibility review procedures of the Riverside County Airport Land Use Commission (RCALUC) and the Federal Aviation Administration (FAA). The RCALUC and FAA would review development plans and other land use plans considered for approval by the City. No conflict with regulations on land uses or structure heights would occur. Airport impacts would be less than significant.
- Impact 5.8-4: The Safety Element of the General Plan contains policies for reducing potential losses from disasters and for emergency response. Implementation of the General Plan would not interfere with the operations of emergency response agencies or block evacuation routes. No impact would occur.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to hazards and hazardous materials.

Project Analysis

In order to evaluate the project's potential to result in impacts regarding hazards and hazardous materials, a site-specific Phase I ESA was prepared for the project site. The *Phase I Environmental Site Assessment*, dated April 4, 2023, was prepared by Apex Companies, LLC. The Phase I ESA is included as Appendix E of this report.

Threshold 5.3.9.a: ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Exposure of the public or the environment to hazardous materials could occur through improper handling or use of hazardous materials or hazardous wastes particularly by untrained personnel, a transportation accident, environmentally unsound disposal methods, or fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors. Sensitive receptors are located north and east of the project area. However, compliance with existing laws and regulations would reduce impacts to sensitive receptors.

Construction

Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, and transmission fluid), and/or

import/export of soils. Project construction activities would be compliant with the applicable laws and regulations governing the use, storage, and transportation of hazardous materials/waste, ensuring that potentially hazardous materials are used and handled in an appropriate manner.

Operations

Hazardous materials are not typically associated with single family residential uses. Anticipated hazardous materials use may include cleaning products and the use of pesticides and herbicides for landscape maintenance. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that potentially hazardous materials are used and handled in an appropriate manner, and would minimize the potential for safety impacts to occur.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.b: Would the project 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?

One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. If not cleaned up immediately and completely, the hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure to contaminated soil, soil vapor, or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction

During project construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluids used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. As required by various State laws, the construction contractor is required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

Construction activities could also result in accidental conditions involving existing on-site contamination. However, based on the Phase I ESA ([Appendix E](#)), no evidence of Recognized Environmental Conditions (RECs) was identified in association with the project site.

Operations

Refer to Response 5.3.9.a for a description of impacts related to project operations. Upon adherence to existing regulations related to hazards and hazardous materials safety, impacts pertaining to the potential for accidental releases during project operations would remain less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the

General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.c: *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

One school – Menifee Valley Middle School – is located within 0.25-mile of the project site at 26255 Garbani Road. As described above, compliance with applicable laws and regulations related to the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Furthermore, residential land use is not typically associated with the use or release of hazardous materials. As such, impacts concerning the emission or handling of hazardous materials, substance, or waste within 0.25-mile of a school would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.d: *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Government Code Section 65962.5 requires the DTSC and SWRCB to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the CCR, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

The Phase I ESA included a review of available records from Environmental Risk Information Services (ERIS) and determined that the project site is not listed pursuant to Government Code Section 65962.5. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.e: *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The French Valley Airport is located approximately 6.75 miles southeast of the project site. According to the *Riverside County Airport Land Use Compatibility Plan*, the project site is not located within the French Valley Airport influence area and airspace protection area.¹⁷ Additionally, The Perris Valley Airport is located

¹⁷ Riverside County Airport Land Use Commission, *Riverside County Airport Land Use Compatibility Plan*, Chapter 3 (Individual Airport Policies and Compatibility Maps), March 2021.

approximately 6.9 miles northwest of the project site. The project site is not within the Perris Valley Airport influence area.¹⁸ Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Therefore, project implementation would not expose people residing or working in the project area to excessive airport noise levels or safety hazards.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.f: *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Consistent with the findings of the General Plan EIR, the proposed project would result in construction activities that could temporarily affect roadways as a result of lane closures or narrowing for roadway and/or utility improvements. This could affect emergency response times or evacuation routes. However, a Traffic Control Plan must be approved by the City to address potential construction related traffic detours and disruptions prior to project construction; refer to COA-TRA-3 in Section 5.3.17, *Transportation*. The project would also increase the number of people who may need to evacuate the project area in the event of an emergency. All internal roadways would be constructed based on industry and City design standards. With approval of the Alternate Materials and Methods request, the project also complies with the Fire Department requirements pertaining to access/egress to ensure adequate emergency access.

During project operation, implementation of City emergency response plans would not be impaired and emergency access throughout the project site would be adequately provided. The site is accessible from the existing area transportation network and is proposed to be compatible with future expansion plans on area roadways. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.9.g: *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

According to the California Department of Forestry and Fire Protection's Fire Hazard Severity Zone Map Viewer, the project site is not located within a State Responsibility Area or very high fire hazard severity zone.¹⁹ In the event of a fire, adequate access and circulation for fire trucks would be provided through the proposed neighborhood. One entry and exit point would be available from Evans Road, with access available to all of the through streets within the development. As a result, project implementation would not result in exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

¹⁸ Ibid.

¹⁹ California Department of Forestry and Fire Protection, *FHSZ Viewer*, <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>, May 6, 2024.

5.3.10 Hydrology and Water Quality

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Hydrology and Water Quality:

- Impact 5.9-1: Development and redevelopment associated with buildout of the General Plan would comply with the MS4 Permit issued by the Santa Ana Regional Water Quality Control Board (RWQCB), which requires the following: that urban runoff from 85th-percentile storm events from specific types of development categories be infiltrated, filtered or treated; the City to revise its ordinances, codes, and building and landscape design standards to promote green infrastructure/low-impact development (LID); and the incorporation of watershed protection principles into its General Plan and other land use regulations. No substantial impacts to storm drainage capacity would occur.
- Impact 5.9-2: There are no percolation basins or other areas in the City used for intentional recharge of groundwater basins. Thus, General Plan buildout would not interfere with intentional groundwater recharge. Implementation of the General Plan would not substantially reduce groundwater recharge, and impacts would be less than significant.
- Impact 5.9-3: All developments and redevelopments in association with buildout of the General Plan project would comply with provisions governing new construction, modifications of existing structures, and encroachments into special flood hazard areas. Therefore, impacts related to flood zones are considered less than significant and would not subject people or structures to substantial hazards from 100-year floods.
- Impact 5.9-4: Implementation of the General Plan would generate pollutants during the construction and operation of individual projects. Implementation of erosion control, sediment control, wind erosion control, tracking control, and waste management and control Best Management Practices (BMPs) would reduce construction generated impacts. Projects approved under the General Plan would be required to prepare water quality management plans (WQMPs) specifying BMPs to be used in project design and project operation to minimize pollution of stormwater. Impacts would be less than significant.
- Impact 5.9-5: Parts of the City are within existing dam inundation areas for three dams at Diamond Valley Lake and for Lake Perris Dam. Buildout of the General Plan would increase the numbers of residents, workers, and structures in parts of the City within the dam inundation areas. Dam failure due to earthquake is reduced through the design and construction of the dams for earthquake resistance and monitoring of the dams, including seismic strengthening work that was in process when the General Plan EIR was certified. Dam inundation impacts would be less than significant.
- Impact 5.9-6: Implementation of the General Plan would increase the numbers of residents, workers, and structures in parts of the City subject to flooding due to seiches or mudflows. Future development would undergo site-specific CEQA review to assess hazards. Impacts would be less than significant.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to hydrology and water quality.

Project Analysis

In order to evaluate the project's potential to result in impacts regarding hydrology and water quality, a site-specific *Preliminary Hydrology Analysis* and *Preliminary Water Quality Management Plan* were prepared for the project site. The *Preliminary Hydrology Analysis for Tentative Tract Map No. 38766*, dated August 21, 2024, was

prepared by Hunsaker & Associate Irvine, Inc., refer to Appendix F1 of this report. The *Preliminary Water Quality Management Plan*, dated June 7, 2024, was prepared by Hunsaker & Associates Irvine, Inc., refer to Appendix F2 of this report.

Threshold 5.3.10.a: *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

As part of Section 402 of the Clean Water Act, the EPA established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct stormwater discharge. In California, the State Water Resources Control Board (SWRCB) administers the General Construction Permit under the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCBs) to preserve, protect, enhance, and restore water quality. The City lies within the jurisdiction of the Santa Ana RWQCB.²⁰

Construction

Typical construction activities would require the use of gasoline- and diesel-powered heavy equipment, such as backhoes, water pumps, bulldozers, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would also likely be used during construction. An accidental release of any of these substances could degrade surface water runoff quality and contribute additional sources of pollution to the existing drainage system. Therefore, small quantities of pollutants have the potential to enter the storm drainage system during project construction and degrade water quality. In general, construction-related impacts to water quality could occur in the following periods of activity:

- During the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest; and
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high.

Because development of the project would disturb more than one acre of soil, construction activities would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities requirements (and all subsequent revisions and amendments). To demonstrate compliance with NPDES requirements, a Notice of Intent must be prepared and submitted to the SWRCB, providing notification and intent to comply with the Construction General Permit. The Construction General Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, a stormwater pollution prevention program (SWPPP) that governs construction activities for the project be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports.

The SWPPP would include a site map showing the construction site perimeter, proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns. The SWPPP would identify the BMPs that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for “nonvisible” pollutants to be implemented if there is a failure of BMPs. Upon completion

²⁰ California Water Boards, *Santa Ana River Basin Plan*, January 24, 1995, updated June 2019.

of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

Pursuant to Municipal Code Section 15.01.015, *Reduction of Pollutants in Stormwater*, all construction work in the City is regulated by the State Water Resources Control Board in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, State Water Resources Control Board Order Number 2009-0009-DWQ. Thus, compliance with NPDES requirements would reduce short-term construction-related impacts to water quality to a less than significant level, consistent with the General Plan EIR.

Operations

In compliance with Municipal Code Chapter 15.01, *Storm Water/Urban Runoff*, a project-specific Water Quality Management Plan (WQMP) was prepared to implement post-construction BMPs that help infiltrate or treat stormwater runoff, control peak flow discharge, and reduce post-construction pollutant discharge into the City's stormwater conveyance systems; refer to Appendix F2. According to the project's preliminary WQMP, anticipated and potential pollutants would include the following: bacterial indicators, nutrients, pesticides, sediments, trash and debris, and oil and grease. The receiving waters that the project site is tributary to include Salt Creek Channel; Canyon Lake; and Lake Elsinore.

According to the preliminary WQMP, the project site generally drains from the west to the east. Storm flows would be conveyed to onsite catch basins and to three proposed Modular Wetland Systems. Improvements to Garbani Road would be conveyed to two Modular Wetland Systems and parkway/sidewalk improvements along Evans Road would be treated by one Modular Wetland System. The Modular Wetland Systems would be maintained by the HOA.

Additional source control (i.e., structural) and non-structural measures are identified in the project's WQMP; refer to Appendix F2. Compliance with the preliminary WQMP and adherence to applicable State requirements would ensure long-term water quality impacts would be less than significant. Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.10.b: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The proposed project would increase impervious surfaces at the project site compared to existing conditions. However, implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impedes sustainable groundwater management of the basin. According to the Geotechnical Evaluation, Groundwater was encountered at a depth of approximately 19 feet below existing ground surface, and is not expected to be encountered as part of construction; refer to Appendix D, Geotechnical Report. Further, the project site is not currently used for groundwater extraction or groundwater recharge.

Eastern Municipal Water District (EMWD) would provide domestic water supply service to the project site. According to the EMWDs 2015 Urban Water Management Plan, local supplies such as recycled water, potable groundwater, and desalinated groundwater provide for half of EMWD's supply, while the other half is supplied by the Metropolitan Water District (MWD), which is imported into the EMWD service area. While local groundwater basins are currently in a state of overdraft, EMWD is contributing to the replenishment of local

groundwater basins by providing recycled water in lieu of groundwater production for outdoor irrigation water use. EMWD is also party to agreements with other local agencies to limit groundwater extraction. As such, sufficient water supplies are available from EMWD to serve the proposed project, and that local groundwater basins would not be substantially depleted as a result of serving the project. Thus, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant.

Based on the foregoing analysis, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.10.c: *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) result in substantial erosion or siltation on- or off-site;*
- ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;*
- iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
- iv) impede or redirect flood flows?*

According to Appendix F1, the project site is relatively flat with elevations ranging from about 1,496 feet at the northeasterly corner of the site to 1,518 feet at the southwesterly corner of the project site. The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river. Project compliance with the General Construction Permit requirements and Municipal Code Chapter 15.01 would minimize erosion and water quality impacts during construction to less than significant levels; refer to Response 5.3.10.a.

Although the project would increase impervious surfaces compared to existing conditions, long-term operation of the project would not have the potential to result in substantial erosion or siltation given the nature of proposed use and the urbanizing project setting. The project site would not include any large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be landscaped to minimize the potential for erosion or siltation on- or off-site. The proposed project would include operational BMPs in conformance with Municipal Code requirements in order to reduce long-term water quality impacts to less than significant levels; refer to Response 5.3.10.a.

Surface runoff on the project site would be conveyed to onsite catch basins and to three proposed Modular Wetland Systems; refer to response 5.3.10.a. All on-site storm water would be captured in accordance with Santa Ana RWQCB Order Number R8-2010-0033, National Pollutant Discharge Elimination System Permit No. CAS618033, also known as the Municipal Separate Storm Sewer System or MS4 permit. Thus, as the proposed storm drain system would meet MS4 permit requirements, impacts concerning on- or off-site flooding would be less than significant.

As previously discussed, although the proposed project would involve an increase in impervious surfaces, the project's proposed storm drain system would ensure the project's peak flow rate does not exceed the MS4 requirements. Therefore, the proposed project is not anticipated to exceed the capacity of an existing or planned stormwater drainage system. As stated in Response 5.3.10.a, operations of the proposed project would be subject to compliance with NPDES requirements and Municipal Code Chapter 15.01 standards in order to reduce long-term water quality impacts to less than significant levels. Therefore, project implementation is not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Based on a review of the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer flood zone map, the project site is within Zone X, identified as an area of minimal flood hazard.²¹ The project is not anticipated to impede or redirect flood flows in this regard.

Based on the foregoing analysis, the proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Compliance with State, Federal, and local requirements ensure that impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project site; there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.10.d: In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Based on a review of the FEMA National Flood Hazard Layer flood zone map, the project site is not mapped as a flood hazard area.²² No impact would occur in this regard.

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The project site is located over 30 miles inland from the Pacific Ocean, a sufficient distance so as to not be subject to tsunami impacts. No impact would occur in this regard.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The project site is not in the vicinity of a reservoir, harbor, lake, or storage tank capable of creating a seiche. No impacts would occur in this regard.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

²¹ Federal Emergency Management Agency, *FEMA Flood Map Service Center: Search By Address*, <https://msc.fema.gov/portal/search?AddressQuery=26255%20Garbani%20Rd%2C%20Menifee%2C%20CA%2092584>, May 6, 2024.

²² Ibid.

Threshold 5.3.10.e: *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The 2014 Sustainable Groundwater Management Act requires local public agencies and groundwater sustainability agencies in high- and medium-priority basins to develop and implement groundwater sustainability plans or prepare an alternative to a groundwater sustainability plan. The project site is located within the West San Jacinto Groundwater Management Area.²³ Therefore, the project is subject to the provisions in EMWD's West San Jacinto Groundwater Basin Management Plan. The Management Plan is intended to protect the vested interests of existing groundwater producers while providing a planning framework for new water supply projects for the benefit of groundwater producers and the public. The Management Plan goals include:

- Establishment of a Groundwater Basin Manager
- Monitoring of Groundwater Production
- Monitoring of Groundwater Level and Quality
- Development of Well Construction Policies
- Development of a Well Abandonment and Destruction Program
- Monitoring of Well Construction, Abandonment, and Destruction
- Groundwater Quality Protection
- Exchange of Agricultural and Other Non-potable Groundwater Production to Municipal Use
- Maximize Yield Augmentation with Local Resources – Local Runoff and Reclaimed Water
- Maximize Conjunctive Use
- Groundwater Treatment

As discussed, the project would be required to comply with NPDES and Municipal Code requirements regarding protection of water quality and thus would not conflict with the Management Plan. Further, the project would not substantially deplete groundwater supplies or interfere with groundwater recharge. As such, upon compliance with all applicable regulations, the proposed project is not anticipated to conflict with or obstruct implementation of the Management Plan.

The project site is located within the Santa Ana RWQCB. The Santa Ana RWQCB manages surface waters through implementation of its *Water Quality Control Plan for the Santa Ana River Basin* (Basin Plan). Basin Plan Chapter 2, *Plans and Policies*, includes a number of water quality control plans and policies adopted by the SWRCB that apply to the Santa Ana RWQCB. Basin Plan Chapter 4, *Water Quality Objectives*, includes specific water quality objectives according to waterbody type (i.e., ocean waters, enclosed bays and estuaries, inland surface waters, and groundwaters. As concluded under Responses 5.3.10.a, and 5.3.10.b, the project would result in less than significant impacts to surface water quality and groundwater quality following conformance with applicable regulations.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

²³ Eastern Municipal Water District, *West San Jacinto Groundwater Management Area 2020 Annual Report*, <https://www.emwd.org/post/west-san-jacinto-groundwater-management-area-annual-report>, May 29, 2024.

5.3.11 Land Use and Planning

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Land Use and Planning:

- Impact 5.10-1: Implementation of the Meniffee General Plan would not divide an established community. The Meniffee General Plan also contains policies that encourage the preservation or enhancement of the existing, primarily residential communities through infill development, open space opportunities, and development of compatible uses that would enhance the existing character of Meniffee. Additionally, the land use element outlines specific policies for compatibility that would reduce the amount of conflict between contrasting land uses. No impact would occur.
- Impact 5.10-2: implementation of the Meniffee General Plan would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. The Meniffee General Plan has been prepared in accordance with state planning law; it is meant to be a framework for guiding planning and development in Meniffee for the next 20 or more years and can be thought of as the blueprint for the City's growth and development. Impacts would be less than significant.
- Impact 5.10-3: implementation of the Meniffee general plan would not conflict with the adopted western riverside multiple species habitat conservation plan or Stephens' Kangaroo rat habitat conservation plan. future development that would be accommodated under the Meniffee General Plan would not conflict or interfere with the Western Riverside MSHCP or SKR HCP. No impact would occur.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to land use and planning.

Project Analysis

Threshold 5.3.11.a: Would the project physically divide an established community?

The physical division of an established community is typically associated with the construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility within an existing community or between a community and an outlying area. As a disturbed lot, the site does not currently contain any public or private trails or routes that traverse the site. Instead, connectivity in the surrounding project area is facilitated via local roadways and pedestrian facilities. The project would not impede movement within the project area, within an established community, or from one established community to another. Additionally, the project would include improvements such as new sidewalks that would improve pedestrian connectivity and safety throughout the site. Therefore, the proposed project would not divide an established community. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.11.b: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Given the nature of the project and the square footage of the proposed residential units, the project is fully consistent with the site's existing land use designation of 2.1-5 du/ac Residential (2.1-5R) and zoning of LDR-2

(Low Density Residential-2). Thus, the project would not conflict with any land use plans. Based on a review of the project's application materials by City staff, and as otherwise demonstrated throughout the analysis provided herein, the project would not conflict with applicable goals, objectives, or policies of the Menifee General Plan, zoning requirements, Menifee Municipal Code requirements, and other applicable regulations adopted for the purpose of avoiding or mitigating an environmental effect. As such, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

5.3.12 Mineral Resources

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Mineral Resources:

- Impact 5.11-1: No known significant mineral resources have been designated in the City. Implementation of the General Plan would not cause a loss of availability of known significant mineral resources. No impact would occur.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to mineral resources.

Project Analysis

Threshold 5.3.12.a: *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?*

Threshold 5.3.12.b: *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The project does not propose improvements or changes to existing land use designations that would have the potential to result in the loss of availability of a known mineral resource or of a locally important mineral resource recovery site. Further, the project would occur within the City of Menifee, which contains no known significant mineral resources or resource recovery sites. Therefore, there would be no impact.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.13 Noise

General Plan EIR Findings

The General Plan EIR and its three amendments made the following findings with respect to Noise:

- Impact 5.12-1: The operational phases of individual projects that result from the Land Use Plan would generate noise from vehicular sources. Future development in accordance with General Plan would cause increases in traffic along local roadways. Increases over individual projects associated with buildout of the Land Use Plan would occur over a period of many years, and the increase in noise on an annual basis would not be readily discernible because traffic and noise would increase incrementally. However, because substantial cumulative increases in the ambient noise environment would occur at existing uses from buildout of the Land Use Plan, impacts would be significant. No feasible mitigation measures are available.
- Impact 5.12-2: Implementation of the General Plan would not propose noise-sensitive uses that would be incompatible with operations of the March Air Reserve base, Perris Valley airport and/or French Valley airport. Therefore, impacts would be less than significant, and no mitigation measure would be required.
- Impact 5.12-3: Implementation of the General Plan would not propose noise-sensitive uses that would be incompatible with operations of the San Jacinto Branch Line Commuter Rail (Perris Valley Line). Therefore, impacts would be less than significant, and no mitigation measure would be required.
- Impact 5.12-4: An impact could be significant if the Land Use Plan designates noise-sensitive land uses in areas that would not exceed the noise compatibility criteria of the City. Goal N1 includes several policies to protect noise-sensitive land uses from noise-exposure. Policy N1.2 requires new projects to comply with noise standards of local, regional, and State building code regulations. Policy N1.11 discourages the siting of noise-sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation. Policy N1.17 prevents construction of new noise-sensitive land uses within the 65 dBA CNEL contours of any public-use or military airports. With implementation of General Plan's Noise Element policies to reduce noise impacts to sensitive uses, noise impacts from transportation sources to sensitive uses would be less than significant.

The primary stationary noise sources from residential, commercial, and institutional land uses are landscaping, maintenance activities, and air conditioning systems. In addition, future commercial uses may include loading docks. Noise generated by residential or commercial uses is generally short and intermittent, and these uses are not a substantial source of noise. The City of Menifee requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of the impacted property to reduce nuisances to sensitive land uses. The City Police or Code Enforcement Officer enforces the noise limitation of the Municipal Code. Consequently, stationary-source noise from these types of land uses would not substantially increase the noise environment and impacts would be less than significant.

- Impact 5.12-5: Implementation of the General Plan would result in construction of new residential, commercial, and industrial uses throughout the planning area. Construction of individual developments associated with buildout of the Land Use Plan would temporarily increase the ambient noise environment and would have the potential to affect noise sensitive land uses in the vicinity of each individual project. Municipal Code regulations require construction noise to occur during daytime hours, which would reduce construction noise by limiting construction hours to the less sensitive hours of the day. Through the implementation of the General Plan Noise Element and enforcement of the Municipal

Code, the proposed plan would minimize temporary or periodic impacts to ambient noise levels from construction activities to the maximum extent feasible. Subsequent projects would be subject to separate, project-level CEQA review to identify and mitigate associated impacts. Therefore, implementation of the General Plan as it relates to construction noise would result in a less than significant noise impact.

- Impact 5.12-6: New vibration-sensitive land uses, including residential land uses, would be exposed to groundborne vibration from train operations along the Burlington Northern and Santa Fe Railway (BNSF). Implementation of the General Plan would not result in change in activity of the existing freight operations in that line. Because train operations already occur and are very limited at two trains per day, and vibration levels at 50 feet from the tracks are below the thresholds for residential uses, vibration impacts to existing and future uses would be less than significant.

General Plan EIR Mitigation Measures:

No feasible mitigation measures are available. Implementation of the General Plan includes several policies to protect noise-sensitive uses from excessive noise. Although these policies could in certain cases reduce or prevent significant increases in ambient noise at sensitive land uses under implementation of the proposed plan, mitigation measures to implement these policies would not be universally feasible, and some of the most effective noise-attenuation measures, including sound walls and berms, would be infeasible or inappropriate in most locations where sensitive land uses already exist. Factors that would render these measures infeasible include but are not limited to cost, aesthetic considerations, and negative impacts to pedestrian and bicycle connectivity. Further, the General Plan EIR recommends that consistency with applicable General Plan goals and policies would help reduce noise impacts within the City.

City of Menifee General Plan

The Noise Element of the General Plan includes goals and policies aimed at the control and abatement of environmental noise and protection of citizens from excessive exposure to noise. To protect City residents from excessive noise, the Noise Element contains the following goals related to the project:

Goal N-1: Noise-sensitive land uses are protected from excessive noise and vibration exposure.

- | | |
|----------------------|---|
| <i>Policy N-1.1:</i> | <i>Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.</i> |
| <i>Policy N-1.2:</i> | <i>Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.</i> |
| <i>Policy N-1.3:</i> | <i>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.</i> |
| <i>Policy N-1.4:</i> | <i>Regulate the control of nuisances, such as residential party noise and barking dogs, through the city's Municipal Code.</i> |

Policy N-1.7: Mitigate exterior and interior noises to the levels listed in the table below (Table 5.3.13-a, Stationary Source Noise Standards; refer to General Plan Table N-1, Stationary Source Noise Standards) to the extent feasible, for stationary sources adjacent to sensitive receptors:

**Table 5.3.13-a
City of Menifee Stationary Noise Standards**

Land Use (Residential)	Interior Standards	Exterior Standards
10:00 p.m. – 7:00 a.m.	40 L _{eq} (10-minute)	45 L _{eq} (10-minute)
7:00 a.m. – 10:00 p.m.	55 L _{eq} (10-minute)	65 L _{eq} (10-minute)

Source: City of Menifee, City of Menifee General Plan, Table N-1, Stationary Source Noise Standards, adopted 2013; City of Menifee, City of Menifee Municipal Code, Section 9.210.060(D), Table 9.215.060-1, Stationary Source Noise Standards, current through Ordinance 2020-295, passed April 15, 2020.

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

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

Policy N-1.17: Prevent the construction of new noise-sensitive land uses within airport noise impact zones. New residential land uses within the 65 dB CNEL contours of any public-use or military airports, as defined by the Riverside County Airport Land Use Commission, shall be prohibited.

Policy N-1.20: Adhere to any applicable Riverside County Airport Land Use Commission Land Use Commission land use compatibility criteria, including density, intensity, and coverage standards.

Menifee Municipal Code

The City's noise regulations are contained within the *Menifee Municipal Code* (Municipal Code) and the *Comprehensive Development Code* (Development Code). The following sections of the Municipal Code and Development Code are applicable to the proposed project:

8.01.010 Hours of Construction

Any construction within the city located within one-fourth mile from an occupied residence shall be permitted Monday through Saturday, except nationally recognized holidays, 6:30 a.m. to 7:00 p.m. There shall be no construction permitted on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

9.215.060 Noise Control Regulations

B. General Exemptions. Sound emanating from the following sources are exempt from the provisions of this chapter:

8. Property maintenance, including, but not limited to, the operation of lawnmowers, leaf blowers, etc., provided such maintenance occurs between the hours of 7:00 a.m. and 8:00 p.m.

10. Heating and air conditioning equipment in proper repair.

C. Construction-Related Exemptions. Exceptions may be requested from the standards set forth in Section 9.215.060 of this chapter and may be characterized as construction-related, single event or continuous events exemptions.

1. Private construction projects, with or without a Building Permit, located one-quarter of a mile or more from an inhabited dwelling.
2. Private construction projects, with or without a building permit, located within one-quarter of a mile from an inhabited dwelling, shall be permitted Monday through Saturday, except nationally recognized holidays, 6:30 a.m. to 7:00 p.m., or specified in Section 8.01.010. There shall be no construction permitted on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
3. Construction-related exceptions. If construction occurs during off hours or exceeds noise thresholds, an application for a construction-related exception shall be made using the temporary use application provided by the Community Development Director in Chapter 9.105 of this Title. For construction activities on Sunday or nationally recognized holidays, Section 8.01.010 of this Code shall prevail.

D. General Sound Level Standards. No person shall create any sound or allow the creation of any to exceed the sound level standards set forth in Table 9.215.060-1 (refer to Table 5.3.13-a, above).

9.215.070 Vibrations

All uses shall be so operated so as not to generate vibration discernible without instruments by the average person while on or beyond the lot upon which the source is located or within an adjoining enclosed space if more than one establishment occupies a structure. Vibration caused by motor vehicles, trains and temporary construction is exempted from this standard.

Existing Condition

The project site is in an urban area. Noise sources in the project area include the use of mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] units). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Mobile Sources

Most of the existing mobile source noise in the project area is generated from vehicles traveling along Garbani Road and Evans Road.

Noise Measurements

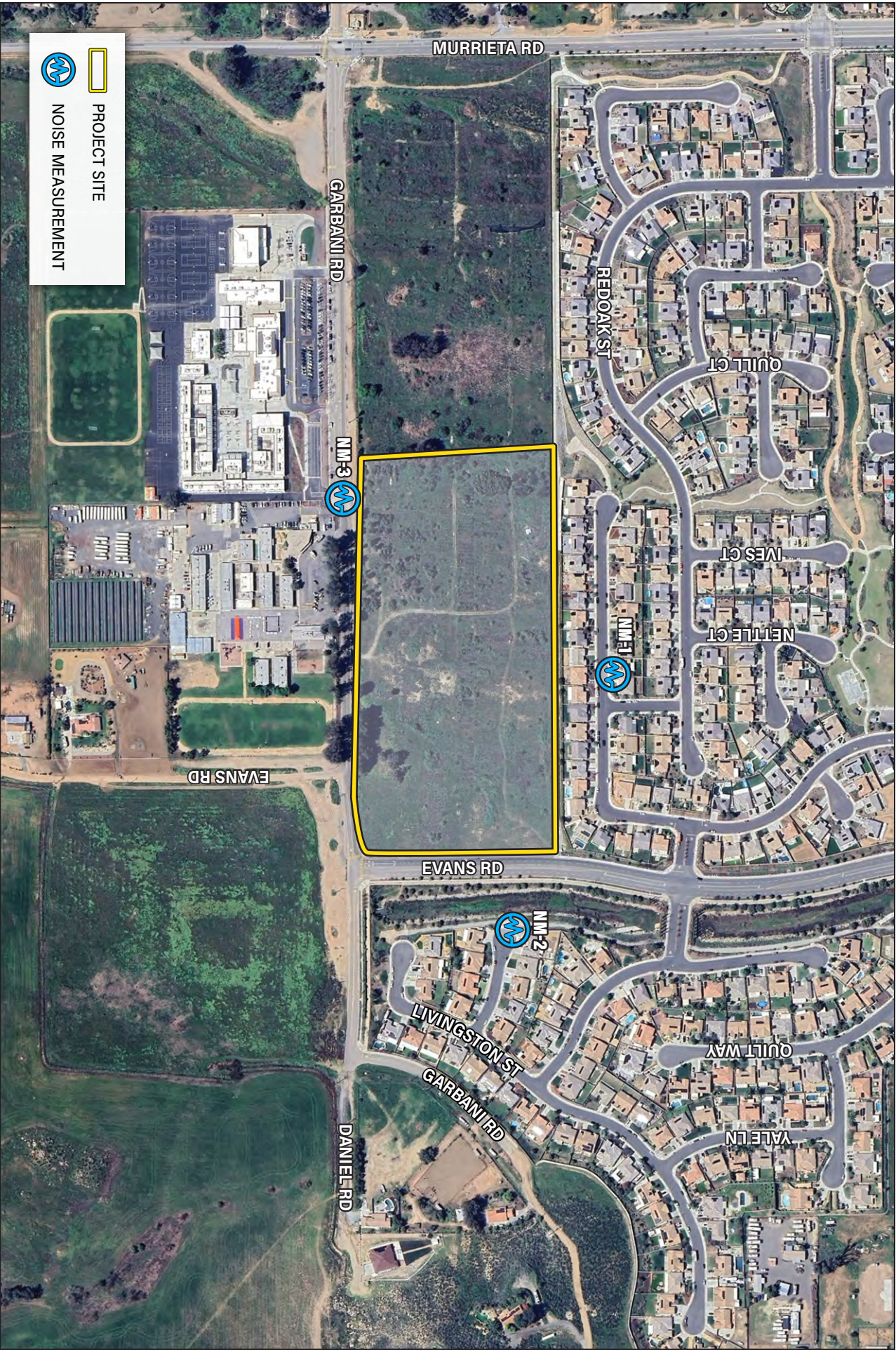
In order to quantify existing ambient noise levels in the vicinity of the project site, three noise measurements were taken on May 23, 2024; refer to Exhibit 5.3.13-a, Noise Measurement Locations, and Table 5.3.13-b, Noise Measurements. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the project site. Ten-minute measurements were taken between 9:30 a.m. and 10:30 a.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day.

**Table 5.3.13-b
Noise Measurements**

Site No.	Location	L _{eq} (dBA)	L _{min} (dBA)	L _{max} (dBA)	Time
1	In front of 26405 Mallory Court	42.2	34.0	63.1	9:58 a.m.
2	In front of 26525 Reed Court	40.6	32.9	66.2	10:12 a.m.
3	In front of 26301 Garbani Road	56.1	37.7	78.6	10:29 a.m.
Notes: dBA = A-weighted decibels, L _{eq} = Equivalent Sound Level; L _{min} = Minimum Sound Level; L _{max} = Maximum Sound Level, Peak = Highest Instantaneous Sound Level					
Source: Michael Baker International, May 23, 2024.					

Meteorological conditions were cloudy, cool temperatures, with light wind speeds (0 to 5 miles per hour). Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for sound level meters. As shown in [Table 5.3.13-b](#), the ambient recorded noise level in the project vicinity ranged between 40.6 dBA and 56.1 dBA. The results of the field measurements are included in [Appendix G, Noise Data](#).

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Source: Google Earth Pro, June 2024



NOT TO SCALE

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Noise Sensitive Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses. The nearest sensitive receptors are the residential uses located approximately 25 feet to the north. The nearest institutional use is the Menifee Valley Middle School located approximately 115 feet to the south of the project site.

Project Analysis:

Threshold 5.3.13.a: *Would the project 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?*

Construction Noise Impacts

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. The project involves construction activities associated with grading, building construction, paving, and architectural coating applications. The project would be constructed over a duration of approximately 19 months. Ground-borne noise and other types of construction-related noise impacts typically occur during the initial grading phase, which has the potential to create the highest levels of noise. Construction equipment produces maximum noise levels when equipment is operating under full power conditions (i.e., the equipment engine at maximum speed). However, equipment used on construction sites typically operates under less than full power conditions, or partial power. To characterize construction-period noise levels more accurately, the average (L_{eq}) noise level associated with each construction stage is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction stage. These noise levels are typically associated with multiple pieces of equipment simultaneously operating at partial power.

The City does not have a quantitative threshold that applies to noise levels at active construction sites. To evaluate whether the project would generate potentially significant temporary construction noise levels at off-site sensitive receiver locations, a construction-related noise level threshold was utilized from the Occupational Noise Exposure prepared by the National Institute for Occupational Safety and Health (NIOSH). As a division of the U.S. Department of Health and Human Services, NIOSH identifies a noise level threshold based on the duration of exposure to the source. The construction related noise level threshold starts at 85 dBA for more than eight hours per day, and for every 3-dBA increase, the exposure time is cut in half. For the purposes of this analysis, the lowest, most conservative construction noise level threshold of 85 dBA L_{eq} was used as an acceptable threshold for construction noise at the nearby sensitive receiver locations. Since this construction-related noise level threshold represents the energy average of the noise source over a given time, they are expressed as L_{eq} noise levels. Therefore, the noise level threshold of 85 dBA L_{eq} over a period of eight hours or more is used to evaluate the potential project-related construction noise level impacts at the nearby sensitive receiver locations.

The estimated construction noise levels at the nearest noise-sensitive receptors are presented in Table 5.3.13-c, Construction Noise Levels at Nearby Receptors. Construction equipment was based on Section 5.3.2, Air Quality, of this document. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously (refer to Appendix

G, Noise Data). Results from RCNM also assume a clear line-of-sight and no other machinery or equipment noise that would mask project construction noise. The shielding of buildings and other barriers that interrupt line-of-sight conditions would help further reduce noise levels than what is shown in Table 5.3.13-c. According to the General Noise Assessment methodology prescribed in the *FTA Transit Noise and Vibration Impact Assessment Manual*, noise can be considered as concentrated at the center of the site. In addition, construction activities would occur across the entire project site and therefore the estimated noise levels were calculated from the center of the project site. The geographic center of the project site is approximately 335 feet from the closest sensitive receptor (residential use) to the north and approximately 425 feet from the nearest institutional uses to the south.

Table 5.3.13-c
Noise Levels Generated during Construction Phases

Phase	Estimated Exterior Construction Noise Level at 335 feet (Center of Project Site) (dBA L_{eq}) ¹	Estimated Exterior Construction Noise Level at 425 feet (Center of Project Site) (dBA L_{eq}) ¹
Grading	71.7	69.6
Building Construction	69.7	67.6
Paving	64.7	62.6
Architectural Coating	57.2	55.1
Notes: 1. These noise levels conservatively assume the simultaneous operation of all heavy construction equipment at the same precise location. Modeled heavy construction equipment includes excavators, grader, dozers, and tractors during the grading phase, cranes, forklifts, generator, and tractors during the building construction phase, pavers, paving equipment, and rollers during the paving phase, and air compressor during the architectural coating phase.		
Source: Federal Highway Administration, <i>Roadway Construction Noise Model (RCNM)</i> , 2006 (see <u>Appendix A</u>).		

As shown in Table 5.3.13-c, sensitive receptors to the project site could be exposed to temporary and intermittent noise levels ranging from 55.1 to 69.6 dBA L_{eq} at the nearest institutional use to the south and approximately 57.2 to 71.7 dBA L_{eq} at the nearest residential uses to the north. As such, construction noise would not have the potential to exceed the NIOSH significance threshold of 85 dBA. Furthermore, project construction activities are exempt from the City's noise thresholds as it is a normal part of urban life and the project would be required to comply with the City's allowable construction hours (Municipal Code Section 9.215.060[C][2]). Municipal Code Section 8.01.010, *Hours of Construction*, permits construction activities between 6:30 a.m. to 7:00 p.m. Monday through Saturday. Construction activities are not allowed on Sundays or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.

Therefore, in conclusion, impacts resulting from the proposed project would be less than significant and would be similar to the impacts disclosed in the General Plan EIR and its three amendments, which were determined to be less than significant.

Long-Term Operational Noise Impacts

Off-Site Mobile Noise

Future development generated by the proposed project would result in vehicle trips on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. As determined by the California Department of Transportation (Caltrans) in the *Technical Noise Supplement to the Traffic Noise Analysis Protocol* (September 2013), a doubling in roadway traffic volumes is required to generate any noticeable increase in roadway noise levels.²⁴ According to *Garbani and Evans VMT Assessment* prepared by Michael Baker International (dated May 2, 2024), the proposed project would generate 1,321 average daily trips (ADT). The nearest roadway segment of the project vicinity currently experiences approximately 13,000 ADT along Garbani Road (East of Menifee Road).²⁵ As such, the project's minimal trip generation (approximately 1,321 ADT) would not double existing traffic volumes along nearby roadways and an increase in traffic noise along local roadways would be imperceptible. Project-related traffic noise impacts would be less than significant.

Therefore, in conclusion, impacts resulting from the proposed project would be less than significant and would be less than the impacts disclosed in the General Plan EIR and its three amendments, which were determined to be significant and unavoidable despite inclusion of mitigation.

Stationary Noise Impacts

Stationary noise sources associated with the proposed project would include mechanical equipment and an outdoor gathering area. These noise sources are typically intermittent and short in duration. Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source.²⁶ All stationary noise activities would be required to comply with the City's Noise Ordinance and the California Building Code requirements pertaining to noise attenuation.

Mechanical Equipment

Heating Ventilation and Air Conditioning (HVAC) units typically generate noise levels of approximately 66 dBA L_{eq} at 3 feet from the source.²⁷ HVAC units could be included on the side of the proposed buildings. Parcels 22 and 35 represent the closest proposed buildings to sensitive receptors to the north. Potential HVAC units of the parcels would be located as close as 75 feet from the nearest sensitive receptors to the north. At this distance, potential noise from HVAC units would be approximately 38 dBA and would not be audible above existing ambient noise levels; refer to [Table 5.3.13-b](#). Additionally, properly functioning HVAC units are exempt from the City's Noise Ordinance pursuant to Municipal Code Section 9.215.060(B.10). Therefore, the nearest sensitive receptors would not be directly exposed to substantial noise from on-site mechanical equipment and impacts would be less than significant.

Outdoor Gathering Area

The proposed project includes a dog park on Lot A in the northeastern portion of the project site and recreational center on Lot B in the eastern portion of the site as an outdoor gathering area. The dog park and recreational center has the potential to be accessed by groups of people intermittently for gathering. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away

²⁴ California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

²⁵ City of Menifee, *General Plan Environmental Impact Report*, December 18, 2013.

²⁶ Cyril M. Harris, *Noise Control in Buildings*, 1994.

²⁷ Berger, Elliott H., et al., *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.

for raised normal speaking.²⁸ This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members.²⁹ Therefore, crowd noise would be approximately 62 dBA at one meter from the source (i.e., the outdoor gathering areas).

The nearest sensitive receptors would be the residential uses to the north of the project site, located approximately 25 feet from the proposed dog park. Therefore, crowd noise at the nearest sensitive receptor would be 44 dBA, which would not exceed the City's noise standards for residential uses (i.e., 65 dBA for daytime and 45 dBA for nighttime) and would be lower than existing ambient noise levels near the site; refer to [Table 5.3.13-b](#). As such, project noise associated with outdoor gathering area would not introduce an intrusive noise source over the existing condition. Thus, a less than significant impact would occur in this regard.

Therefore, in conclusion, stationary noise impacts resulting from the proposed project would be less than significant and would be similar to the impacts disclosed in the General Plan EIR and its three amendments, which were determined to be less than significant.

Conclusion

As discussed above, implementation of the project could result in generation of a temporary or permanent increase in ambient noise levels in the vicinity of the project. However, noise levels fall within the allowable range of standards established in the Municipal Code, and the project would be subject to General Plan goals and policies, which identifies construction best practices to reduce construction noise impacts and also requires land uses to comply with applicable building codes and to be designed with adequate noise abatement measures to minimize operational noise impacts. As a result, impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR and its three amendments; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR and its three amendments; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR and its three amendments.

Threshold 5.3.13.b: Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Construction

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

This evaluation uses the FTA architectural damage criterion for continuous vibrations of 0.3 inch/second PPV for engineered concrete and masonry as the closest structures to the project site are residential use buildings.

Construction of the proposed project would occur over approximately 19 months and would include grading, paving, building construction, and architectural coatings. The project would also use vibratory rollers during

²⁸ M.J. Hayne, et al, *Prediction of Crowd Noise*, Acoustics, November 2006.

²⁹ Ibid.

construction. The nearest residential sensitive receptor building is located at approximately 25 feet to the north of the nearest project construction activities. As such, vibration impacts are analyzed at 25 feet to evaluate the architectural building damage criterion. Groundborne vibration decreases rapidly with distance. As a result, vibration velocities from the construction equipment would be barely precipitable at this distance. Typical vibration produced by construction equipment is illustrated in Table 5.3.13-d, Typical Vibration Levels for Construction Equipment.

**Table 5.3.13-d
Typical Vibration Levels for Construction Equipment**

Equipment	Approximate peak particle velocity at 25 feet (inch/sec)
Large bulldozer	0.089
Loaded trucks	0.076
Small bulldozer	0.003
Vibratory Rollers	0.210
Notes: 1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.1}$ where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the FTA <i>Transit Noise and Vibration Impact Assessment Guidelines</i> D = the distance from the equipment to the receiver	
Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Guidelines</i> , September 2018.	

As indicated in Table 5.3.13-d, vibration velocities from typical heavy construction equipment operation would range from 0.003 to 0.21 inch/second PPV at 25 feet from the source of activity. The nearest structure to the project site is the existing residential use buildings located approximately 25 feet to the north of the project site. As a result, construction groundborne vibration would not be capable of exceeding the 0.3 inch/second PPV significance threshold for vibration to the nearest structures and a less than significant impact would occur in this regard.

Long-Term Operational Vibration Impacts

Project operation would not involve railroads or warehouse operation and therefore would not result in vibration impacts at surrounding uses. The project would involve operation of residential uses and would not generate groundborne vibration that could be felt by the nearest sensitive receptor. Thus, no impact would occur in this regard.

Conclusion

In conclusion, the project's construction and operational vibration impacts would result in no new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three amendments, which were determined to be less than significant. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis, verification, or mitigation measures.

Threshold 5.3.13.c: *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The nearest airport to the project site is the French Valley Airport located approximately 6.75 miles to the southeast. The project site is not located within two miles of the airport, and the project is not located within the

French Valley Airport noise contours.³⁰ Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels associated with aircraft. As such, the impacts would be less than significant.

Conclusion

In conclusion, future sensitive uses proposed under the project would be located outside of the 60 dBA CNEL noise contour of the French Valley Airport, Perris Valley Airport, and March Air Reserve base. Impacts resulting from the airport noise would be less than significant and would be the same as the impacts disclosed in the General Plan EIR, which were determined to be less than significant. Therefore, the project would result in no new significant impacts and no substantial increase in the severity of previously identified impacts disclosed in the General Plan EIR and its three amendments, which were determined to be less than significant. Likewise, there are no changed circumstances involving new or more severe impacts and no new information of substantial importance requiring new analysis, verification, or mitigation measures.

³⁰ County of Riverside, *Riverside County Airport Land Use Compatibility Plan, French Valley Airport*, July 2010.

5.3.14 Population and Housing

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Population and Housing:

- Impact 5.13-1: Implementation of the General Plan would directly and indirectly result in population growth in the City. However, growth would not exceed existing General Plan projections. Impacts would be less than significant.
- Impact 5.13-2: Implementation of the General Plan would convert some residential uses to a mixture of commercial, office, industrial, entertainment, educational, recreational, and other uses. Each development or redevelopment project associated with buildout of the General Plan would be subject to independent CEQA review. Impacts on displacement of housing and/or residents would be assessed and mitigated to the extent feasible, as part of CEQA review for each respective project. Impacts regarding the displacement of existing housing or people would be less than significant.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to population and housing.

Project Analysis

Threshold 5.3.14.a: *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. The project would construct 67 single family units and 67 ADUs, which would be permitted under the LDR-2 zoning designation for the project site.

The proposed project is not anticipated to induce substantial unplanned population growth in the area, either directly or indirectly. Based on the City's average household size of 2.85, the project would introduce up to 382 new residents.³¹ As a residential housing development, the project would not generate new permanent jobs. Thus, the project would not result in indirect population growth from potential employees relocating to the City. Therefore, potential population growth associated with the project would represent less than one-half of one percent increase over the City's January 1, 2024 population of 111,560 persons.³² As such, although nominal, the project would induce population growth in a local context.

Potential population growth impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. The Southern California Association of Governments (SCAG) growth forecasts estimate the City's population to reach 129,800 persons by 2045, representing a total increase of 40,200 persons between 2016 and 2045.³³ SCAG's regional growth projections are based upon long-range development assumptions (i.e., General Plans) of the relevant jurisdiction. The

³¹ California Department of Finance Demographic Research Unit, Report E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024, Sacramento, California, May 2024.

³² Ibid.

³³ Southern California Association of Governments, *Current Context: Demographics and Growth Forecast Technical Report*, September 3, 2020.

project's anticipated resident population (382 persons) would represent less than one-half of one percent of the 2045 population anticipated for the City.

Although the project would result in direct population growth, the proposed project would not induce substantial unplanned population growth exceeding existing local conditions and/or regional populations projections. Additionally, buildout of the project site under the LDR-2 zoning was already contemplated in the General Plan and regional growth forecasts. Furthermore, the project is compliant with the City's Regional Housing Needs Assessment (RHNA) allocation of 6,609 units for the 2021-2029 planning period, as identified in the City's 6th Cycle Housing Element Update. California's RHNA is a methodology used to determine future housing needs by income category, based on growth in population, households, and employment. The project would result in 134 new units, to address the City's housing needs. As a result, the project would not induce substantial unplanned population growth either directly or indirectly, resulting in a less than significant impact. Therefore, there are no impacts that are peculiar to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR.

Threshold 5.3.14.b: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site is currently vacant. There are no existing residences on-site. As such, project implementation would not displace existing people or housing. Therefore, the project has no potential to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and no impact would occur. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

5.3.15 Public Services

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Public Services:

- Impact 5.14-1: The Riverside County Fire Department (RCFD) would expand in response to the increase in demand resulting from implementing development of the Menifee General Plan. Additionally, in compliance with development mitigation fees for Riverside County, developers would be required to pay Development Impact Fees to offset the project-related demand on existing fire services, which would be used to fund construction of additional stations, hire additional employees, and purchase required equipment. Impacts to fire protection services would be less than significant.
- Impact 5.14-2: The Riverside County Sheriff's Department would expand in response to the demand from implementing development of the Menifee General Plan. The number of sworn officers across all positions is anticipated to increase by 31 employees. The City would provide increased personnel and vehicles needed to service the growing population by development of a Menifee Sheriff's station, or expansion of the existing Perris Sheriff's Station. Implementing projects would be reviewed by the City on an individual basis and would be required to comply with regulations in effect at the time building permits are issued (i.e., payment of applicable impact fees). The need for additional structures and personnel would be financed through the General Fund, and the impacts of General Plan Update on police services would be less than significant.
- Impact 5.14.3.2: General Plan buildout would generate new students who would impact the enrollment capacities of area schools. The projected student generation accounts for several types of residential development, inclusive of single-family detached and attached units, as well as multi-family units. Across all unit types, elementary schools are estimated to increase by 9,068 students, and middle schools are estimated to increase by 4,419 students. General Plan buildout is projected to increase the total number of enrolled high school students by 3,918 – incurring a total net increase of 17,405 total students across all public education institutions utilized by Menifee residents. Students within the City of Menifee are served by three different school districts: Menifee Union School District (MUSD), Romoland School District (RSD), and Perris Union High School District (PUHSD). Together, MUSD and RSD estimate that 11 new elementary schools and two new middle schools would be needed to serve the forecast net increase in student generation. The PUHSD estimates that 2.5 new high schools would be needed to conservatively accommodate the forecasted enrollment increase. Implementation of existing regulatory requirements and standard conditions of approval would ensure impacts to schools would be less than significant due to General Plan buildout.
- Impact 5.14-4: Demand for library services would increase with the population associated with General Plan implementation. The subsequent increase in library space, items, and staff would be funded by City and County tax revenues generated from new dwelling units through the payment of Development Impact Fees pursuant to Riverside County Ordinance 659 and Riverside County Code Chapter 4.60. Additionally, the increase in library services would be funded through tax revenues generated from new businesses in Menifee. Further, current and future Menifee residents would be accommodated by the County library system. Thus, implementation of the General Plan would not result in significant impacts to library services in Menifee.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to public services.

Project Analysis

Threshold 5.3.15.a: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

The project would entail development of the project site with 67 two-story for-rent single-family homes with a single-story accessory dwelling unit (ADU) on each lot, which is consistent with the existing General Plan land use designation of 2.15 du/acre Residential and zoning of LDR-2 (Low Density Residential 2). The proposed project is also consistent with the development contemplated in the General Plan EIR. As discussed in Threshold 5.3.14.a, the project's future residential population and commercial development was analyzed for the project site by the General Plan EIR, thereby indicating that the project's demand for fire protection, police protection, schools, parks, and other public facilities was assumed in the analysis of impacts to public services presented in the General Plan EIR. The project's impacts related to public facilities is discussed below.

Fire Protection

Construction

Construction activities associated with the proposed project would create a temporarily increased demand for fire protection services at the project site. All construction activities would be subject to compliance with all applicable State and local regulations, as well as General Plan Policy S-4.2 in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. As a result, project construction would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, and would not adversely impact service ratios, response times, or other Riverside County Fire Department performance standards. A less than significant impact would occur in this regard.

Operation

As disclosed in the General Plan EIR, the proposed project and other anticipated residential development would create an increased demand for fire protection services with the addition of new residents to the area. However, the project would not induce significant population growth and this increase would not result in the need for new or physically altered fire protection facilities; refer to Section 5.3.14, Population and Housing. It is the City's policy to ensure that new developments provide appropriate improvements or resources to meet the future infrastructure and public facility needs of the City; refer to General Plan Policy S-4.2. The proposed project would be required to comply with City of Menifee requirements for emergency access, turn radii, fire flow, fire protection standards, fire lanes, and other site design/building standards. The project would be subject to General Plan Policy S-4.10, ensuring all new residential development is in compliance within the California Fire Code, which is adopted by reference within Chapter 8.20.010 of the Menifee Municipal Code. The California Fire Code includes site access requirements and fire safety precautions. The City would also collect a one-time development impact fee in accordance with Riverside County Ordinance 659 and Riverside County Code Chapter 4.60, which is imposed on all new development to help pay its fair share of costs in upgrading City fire facilities,

as needed. Payment of these fees would help fund the acquisition, design, and construction of new fire facilities and would minimize the project's operational impacts to fire protection services to the greatest extent practicable. Collection of development impact fees and compliance with all Riverside County Fire Department standards and Riverside County Code provisions would ensure operational impacts concerning fire protection services are less than significant.

There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Police Protection

Construction

Construction activities associated with the proposed project would create a temporarily increased demand for Menifee Police Department protection services at the project site, potentially affect response times, and potentially require the allocation of police department resources to ensure adequate level of service is maintained throughout construction. However, all construction activities would be subject to compliance with General Plan Goal S-8, aiming to provide high-quality police services and effective police response. Additionally, Menifee Municipal Code Chapter 8.04, Building Code. Specifically, Chapter 8.04 adopts by reference the California Building Code (CBC). CBC Chapter 33, Fire Safety During Construction and Demolition, includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. As a result, project construction would not result in the need for new or physically altered police protection facilities, and would not adversely impact service ratios, response times, or other performance standards. A less than significant impact would occur in this regard.

Operation

Project operations would increase demands for police protection services above existing conditions. However, this increase would not require the construction of any new or physically altered City of Menifee police protection facilities. It is the City's policy to ensure that new development provide appropriate improvements or resources to meet the future infrastructure and facility needs of the City; refer to General Plan Policy S-4.2. Project implementation would be subject to compliance with applicable local regulations to reduce impacts to police protection services, such as Municipal Code Chapter 8.04, Building Code. Specifically, Municipal Code Chapter 8.04.010 adopts by reference the CBC, which includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. In addition, the City would collect a one-time development impact fee in accordance with Municipal Code Chapter 8.04, Building Code, which is imposed on all new development to help pay its fair share of costs in upgrading City police facilities, as needed. Payment of these fees would help fund the acquisition, design, and construction of new City of Menifee Police Department operational impacts to police protection services to the greatest extent practicable. Collection of development impact fees and compliance with all Municipal Code provisions would ensure operational impacts concerning police protection services are less than significant.

There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Schools

According to the General Plan EIR, Menifee residents are served by three public school districts: Menifee Union School District, Romoland School District, and Perris Union High School District.

As indicated in Section 5.3.14, the proposed project would increase the area's population by introducing 134 new residential units. The project would result in an increased demand for school services, the project would be required to comply with Senate Bill (SB) 50 requirements, which allow school districts to collect impact fees from developers of new residential and commercial projects. According to Section 65996 of the California Government Code, payment of statutory fees is considered full mitigation for new development projects. Thus, upon payment of required fees by the project applicant consistent with existing State requirements, impacts in this regard would be less than significant. Therefore, no physical impacts associated with the provision of school services would occur. There are no impacts that are peculiar to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR.

Parks

The project would increase the area's population by introducing 134 new residential units, which was anticipated in the General Plan EIR based upon project consistency with the applicable land use and zoning designations. Pursuant to the Menifee Municipal Code Chapter 9.55, which adopts the Quimby Act by reference, and requires that new residential development would also be required to dedicate land, pay a fee in lieu thereof, or both, for park or recreational purposes at a ratio of 5 acres per 1,000 residents. The development fees would be applied toward the acquisition and development of local and community park facilities throughout the City. Payment of the development fees would be made prior to issuance of building permits or final map recordation, whichever comes first. Therefore, payment would offset the increase in demand of parks and recreational facilities generated by the proposed project, such that existing facilities would not substantially deteriorate. The project would not require the construction of new or alteration of existing park or recreational facilities to maintain an adequate level of service to the project area. Therefore, no physical impacts associated with the provision of parks would occur. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Other Public Facilities

Other public facilities that could potentially be impacted by the proposed project include library services. The nearest library to the project site, Menifee Library, is operated by the Riverside County Library System. It is located at 28798 La Piedra Road, located approximately 2.5 miles northeast of the project site. The project's nominal population increase is not anticipated to result in a significant impact on library services. Nonetheless, the City would collect a one-time development impact fee in accordance with Municipal Code Chapter 17.01, so that the project would pay its fair share of costs in maintaining and upgrading library facilities, as needed. Payment of these fees would help fund the acquisition, design, and construction of new library facilities and would minimize the project's operational impacts to library facilities to the greatest extent practicable. Impacts would be less than significant in this regard. Therefore, no additional library services are anticipated to be necessary, and no physical impacts associated with the provision of library services or other public facilities would occur. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative

impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

5.3.16 Recreation

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Recreation:

- Impact 5.15-1: Implementation of the general plan would generate additional residents that would increase the use of existing park and recreational facilities. However, the General Plan also designates 725 acres for the development of new parks. As a result, under the General Plan, development of park facilities would keep pace with the anticipated increase in population, and no significant impacts would occur.
- Impact 5.15-2: Project implementation would not result in environmental impacts to provide new and/or expanded recreational facilities.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to recreational facilities.

Project Analysis

Threshold 5.3.16.a: *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Threshold 5.3.16.b: *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Refer to Response 5.3.15.a. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.17 Transportation

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Transportation:

- Impact 5.16-1: Traffic volumes associated with General Plan buildout would exceed existing roadway capacity at several locations throughout the City. Traffic and circulation deficiencies were analyzed within the General Plan EIR in future 2035 and post-2035 scenarios. Four intersections would experience unacceptable Level of Service (LOS) during the post-2035 scenario. Impacts would be reduced to less than significant levels with implementation of General Plan EIR Mitigation Measures 16-1 and 16-2.
- Impact 5.16-2: There are three (3) mainline segments of Interstate 215 (I-215) from McCall Boulevard to south of Scott Road that would experience traffic volumes exceeding those outlined in the Congestion Management Program criteria for Riverside County. The County has adopted a minimum LOS standard of “E”. Impacts would be significant and unavoidable, even with implementation of General Plan EIR Mitigation Measure 16-3, unless a deficiency plan (containing mitigation, alternatives, Transportation Demand Management strategies, and a mitigation schedule) is prepared in coordination among a local agency (Caltrans, in the case of I-215), the City of Menifee, and the County of Riverside.
- Impact 5.16-3: Circulation improvements associated with General Plan buildout would adequately address potential hazards (sharp curves, etc.), conflicting uses, and emergency access through design features. Compliance with existing design standards outlined in the Circulation Element of the General Plan would reduce potential impacts to less than significant levels.
- Impact 5.16-4: Buildout of the General Plan would comply with adopted policies, plans, and programs for alternative transportation methods, inclusive of automobile, walking, bicycling, public transit, Neighborhood Elective Vehicles (NEVs) and golf carts. No impact to current policies, plans, or programs regarding alternative transportation would occur as a result of General Plan implementation.
- Impact 5.16-5: Air traffic patterns would not be affected by General Plan buildout. There are no direct conflicts to applicable Airport Land Use Commission (ALUC) plans as adopted by the Perris Valley Airport Land Use Compatibility Plan, Riverside County ALUC, or the provisions of the March Air Reserve Base Joint Land Use Study. Thus, impacts would be less than significant.

General Plan EIR Mitigation Measures

16-1 As development occurs, the City of Menifee shall implement intersection improvements identified below. When applicable, implementation of transportation improvements shall be conducted in coordination with Caltrans and/or the County of Riverside. The intersection improvements are ultimately subject to the review, approval, modification, and implementation of the City. Further environmental review may be required on a project-specific basis for certain intersection improvements.

- Bradley Road at McCall Boulevard
 - Add a second northbound right-turn lane
 - Add a third eastbound through lane
 - Add a third westbound through lane
- Haun Road at Newport Road
 - Add a fourth eastbound through lane

- Add a fourth westbound through lane
- Remove both the northbound (east leg) and southbound (west leg) crosswalks
- Menifee Road at State Route 74 (SR-74)
 - Add a second northbound right-turn lane
- Menifee Road at McCall Boulevard
 - Add a southbound right-turn overlap phase
 - Add a second westbound right-turn lane

16-2 Prior to issuance of each building permit, appropriate Traffic Impact and TUMF fees shall be paid by the property owner/developer in amounts determined by the City Council Resolution in effect at the time of issuance of the building permit.

16-3 The City of Menifee shall contribute to the preparation of the deficiency plan, which will consider mitigation measures, including Transportation Demand Management (TDM) strategies and transit alternatives, and a schedule for mitigating deficiency to reduce impacts at the I-215 mainline segments. Once the need for improvements has been identified by Caltrans for a particular freeway mainline segment and a program for implementing the required improvements has been developed, the City will coordinate with Caltrans, as appropriate. Contributions may be in the form of developer fees, freeway improvements, development in lieu of fees, state or federal funds, or other programs, as appropriate. Contributions required of individual development projects will be determined on a project-by-project basis at the time of development application review and will be based on a traffic analysis undertaken for individual development project applicants.

Project Analysis

This section is primarily based upon the following technical reports:

- *Transportation Impact Analysis Garbani and Evans TTM 38766*, prepared by Michael Baker International, dated August 27, 2024, and;
- *Garbani and Evans TTM 38766 – Vehicle Miles Traveled Assessment*, prepared by Michael Baker International, dated July 26, 2024.

Refer to Appendix H1, Traffic Impact Analysis, and Appendix H2, VMT Assessment.

Threshold 5.3.17.a: *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

This section discusses the project's potential impacts to the circulation system, including transit system, bicycle system, and pedestrian facilities.

Transit

Existing transit services in Menifee are offered by the Riverside Transit Agency (RTA). The nearest RTA bus stop to the project site is the La Piedra Road and Pine Creek Drive stop, located approximately 1.7 miles northeast of the project site. Based on the distance from the project site, the project is not anticipated to result in impacts to transit facilities.

Roadways

The circulation system serving Menifee consists of roadways, bicycle and pedestrian facilities, and a public transit system. Regional and local access to the project site is provided by Evans Road, a four-lane divided secondary granting access to the project site. The speed limit on Evans Road is 40 miles per hour in the vicinity of the project site. The project would not induce significant population growth and is consistent with the anticipated land use for the project site; refer to [Section 5.3.11, *Land Use and Planning*](#), and [5.3.14, *Population and Housing*](#). As a result, it is anticipated that existing roadways in the project area would be able to adequately accommodate the increase in project-generated trips. Thus, project impacts on existing roadways in the project area are expected to be less than significant.

Bicycle and Pedestrian Facilities

The City's bikeway network includes four types of facilities and are discussed below.

- **Class I Bike Path** is a bicycle trail or path that is essentially off-street and separated from automobiles. Class I Bike Paths are a minimum of eight feet in width for two-way travel and include bike lane signage and designated street crossings where needed.
- **Class II Bike Lane** can be either located next to a curb or parking lane. If located next to a curb, a minimum width of five feet is recommended. However, a Class II Bike Lane adjacent to a parking lane can be four feet in width. Bike Lanes are exclusively for the use of bicycles and include bike lane signage, special lane lines, and pavement markings that delineate the right-of-way assigned to bicyclists along roadways.
- **Class III Bike Street** is a street providing for shared use by motor vehicles and bicyclists. While bicyclists have no exclusive use or priority, signage—both by the side of the street and stenciled on the roadway surface—alerts motorists to bicyclists sharing the roadway. Class III Bike Streets are enhancements of the standard Class III Bike Route, which is only indicated by small wayside signs.
- **Class IV Separated Bikeway or Cycle Track** provides delineated right-of-way assigned to bicyclists with a physical separation between them and a vehicle. This separation can include parked vehicles, bollards, curbs, or any other physical device that provides this separation.

At present, Garbani Road is a Class III Bike Route at the project's frontage. Murrieta Road, located 0.25-mile west of the project site, is a Community On-Street Bike Lane (Class II). Pedestrian circulation in the City is primarily provided via sidewalks. There are continuous sidewalks adjacent to the project on Evans Road. The project proposes installation of a regional trail along the project's frontage on Garbani Road to further enhance connectivity.

The project would not induce significant population growth and is consistent with the anticipated land use for the project site; refer to [Section 5.3.11](#) and [5.3.14](#). As a result, it is anticipated that existing bicycle and pedestrian facilities in the project area would be able to adequately accommodate the increase in project-generated trips. Thus, project impacts on existing and future bicycle and pedestrian facilities in the project area are expected to be less than significant.

Menifee General Plan

The General Plan, adopted in December 2013, includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects in the City. The project as proposed would further the General Plan objectives listed below:

- **C-1.1** Require roadways to:
 - Comply with federal, state, and local design and safety standards.
 - Meet the needs of multiple transportation modes and users.
 - Be compatible with the streetscape and surrounding land uses.
 - Be maintained in accordance with best practices.
- **C-1.2** Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.
- **C-1.4:** Promote development of local street patterns that unify neighborhoods and work with neighboring jurisdictions to provide compatible roadway linkages at the city limits.
- **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.
- **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 safe to do so.
- **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.
- **C-2.4** Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.
- **C-2.5** Work with the Western Riverside Council of Governments to implement the Non-Motorized Transportation Plan for Western Riverside County.
- **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.
- **C-5.2** Work with regional and subregional transportation agencies to plan and implement good movement strategies, including those that improve mobility, deliver goods efficiently, and minimize negative environmental impacts.
- **C-5.3** Support efforts to reduce/eliminate the negative environmental impacts of good movement.

As proposed, the project's on-site circulation meets all City standards. Therefore, the project would not conflict with the City's General Plan's policies addressing the City's circulation system.

LOS Analysis

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, which initiated a process to change transportation impact analyses completed in support of CEQA documentation. SB 743 eliminates level of service (LOS) as a basis for determining significant transportation impacts under CEQA and provides a new performance metric, vehicle miles travelled (VMT). A VMT-based analysis is thus provided below, in Response 5.3.17.b. However, the City's *Engineering Department LOS Traffic Study Guidelines* (LOS Guidelines), dated October 2020, identifies LOS as the basis for determining significant transportation impacts within the City and the General Plan has established a minimum acceptable performance standard of LOS D for designated intersections (Circulation Element Policy C-1.2). Thus, the following analysis evaluates the project's potential to conflict with adopted LOS performance standards near the project site. The following analysis scenarios are evaluated in this section:

- Existing Year 2024 Condition
- Existing Year 2024 With Project Condition
- Opening Year 2026 Without Project Condition
- Opening Year 2026 With Project Condition

STUDY AREA

The Traffic Impact Analysis (TIA) evaluated the following five (5) intersections during the AM and PM peak hours in the vicinity of the project site:

- Evans Road & Craig Avenue (All-Way Stop Control)
- Evans Road & Project Driveway (One-Way Stop Control)
- Evans Road & Garbani Road (All-Way Stop Control)
- Murrieta Road & Garbani Road (Signalized)
- Murrieta Road & Scott Road (Signalized)

The TIA evaluated the following three (3) roadway segments in the vicinity of the project site :

- Garbani Road from Murrieta Road to Evans Road
- Evans Road from Garbani Road to Project Driveway
- Evans Road from Project Driveway to Craig Avenue

These five (5) intersections and three (3) roadway segments were identified in coordination with City staff as locations where traffic operations could potentially be impacted by the proposed project. [Appendix H1](#) Exhibit 4 shows the existing study area intersection lane geometry.

Traffic counts were collected on Tuesday, June 4, 2024. Morning (AM) peak period counts were collected between 7:00 a.m. to 9:00 a.m. and evening (PM) peak period counts were collected from 4:00 p.m. to 6:00 p.m. The counts used in the analysis represent the peak hour of each period counted for each intersection. 24-hour machine counts on study roadway segments were collected on June 4th, 2024.

Intersection counts were collected from 7:00 a.m. to 9:00 p.m. and from 4:00 p.m. to 6:00 p.m. The counts used in this analysis represent the peak hour of each period. [Appendix H1](#) Table 5 shows the existing AM/PM peak hour level of service for all study intersections.

LOS METHODOLOGY

LOS is commonly used as a qualitative description of intersection operation and is based on the type of traffic control and experienced delay at the intersection. The *Highway Capacity Manual* (HCM) 6th Edition published by the Transportation Research Board in 2016 was utilized in this analysis to determine the operating LOS at each of the study intersections. LOS can range from LOS A (free-flow conditions) to LOS F (severely congested conditions). Delay in seconds per vehicle (sec/veh) passing through the intersection is the primary measure of effectiveness for signalized, stop-controlled, and roundabout intersections.

The corresponding average stopped delay range experienced per vehicle per LOS is shown in [Table 5.3.17-a, HCM Intersection Level of Service Criteria](#).

Table 5.3.17-a
HCM Intersection Level of Service Criteria

Level of Service	Signalized Intersection Average Delay (seconds/vehicle)	Two-Way Stop-Controlled, All-Way Stop-Controlled, and Roundabout Control Delay (seconds/vehicle)
A	$x < 10$	$x < 10$
B	$10 < x < 20$	$10 < x < 15$
C	$20 < x < 35$	$15 < x < 25$
D	$35 < x < 55$	$25 < x < 35$
E	$55 < x < 80$	$35 < x < 50$
F	$80 < x$	$50 < x$

Notes: If the volume-to-capacity ratio (v/c) > 1.0, LOS = F.

Source: Michael Baker International, *Transportation Impact Analysis, Garbani and Evans TTM 38766*, July 6, 2024; refer to [Appendix H1](#).

LOS is reported for the average stopped delay per vehicle for the overall intersection (all movements) for signalized intersections, all-way stop-controlled, and roundabout intersections. For one-way or two-way stop-controlled intersections, LOS is reported for the worst stop-controlled approach. LOS and delay for the intersection analysis was conducted with *Synchro/SimTraffic* (version 11) software. HCM 6th Edition results were reported.

PERFORMANCE CRITERIA

The City's LOS Guidelines identify two minimum operating conditions. The minimum acceptable condition is LOS D for locations in the City. LOS E is identified as acceptable only in capacity constrained locations near I-215. Per the City's LOS Guidelines, a project would result in adverse effects:

1. "If the pre-project condition at an intersection or roadway segment is at or better than the minimum acceptable LOS (LOS D, or LOS E at constrained locations near I-215) and the addition of project trips results in unacceptable LOS (LOS E or LOS F)."
2. "If the pre-project condition is LOS E or F and the project adds 50 or more peak hour trips to the intersection or roadway segment. This type of impact would be considered a "cumulative" project impact in which the project would be required to contribute a fair share payment toward reducing the impact."

EXISTING CONDITIONS

Existing Intersections Level of Service

Appendix H1, Table 5 presents existing intersection LOS conditions during a typical weekday. As shown, all intersections currently operate at acceptable LOS D or better except at Intersection No. 1 (Evans Road & Craig Avenue), which operates at LOS E in the AM peak hour.

Existing Segment Level of Service

Appendix H1, Table 6 presents existing segment LOS conditions during a typical weekday. Per the City's LOS Guidelines capacity values, all of the study roadway segments operate at LOS C or better.

Project Trip Generation and Distribution

The Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition) was used to forecast vehicle trips generated by the proposed project. Appendix H1 Table 7 shows the trip generation rate for Single-Family Residential land use (ITE Code 210). Appendix H1 Table 8 summarizes the vehicular trips forecast to be generated by the project. As shown, the project is anticipated to generate approximately 1,321 daily trips with 97 AM Peak Hour trips and 131 PM Peak Hour trips. The project is assumed to be constructed in one phase.

The regional distribution trends identified in the Traffic Impact Analysis are as follows:

- 10% to the north via Murrieta Road
- 35% to the south via Murrieta Road
- 55% to the north via Evans Road

Appendix H1 Exhibit 9 shows the project trip distribution at each of the study intersections and Appendix H1 Exhibit 10 shows the project intersection trips. Refer to Appendix H1 for detailed volume development worksheets.

EXISTING YEAR 2024 WITH PROJECT CONDITION

Intersection Analysis

Appendix H1 Table 9 shows that all study intersections operate at acceptable LOS D or better except at the following intersection:

- Intersection No. 1: Evans Road & Craig Avenue (LOS F in AM Peak Hour)

According to the City's Guidelines, projects that add more than 50 project-related trips to an intersection that is operating below the City's standards (LOS E or F) is required to pay a fair share contribution to improve the location. As shown in Appendix H1 Table 9, a fair share contribution is required of the project at the intersection of Evans Road & Craig Avenue (Intersection No. 1) since the project would add 53 AM peak hour trips and operates at a deficient LOS E without and with the project.

Segment Analysis

Appendix H1 Table 10 shows all of the study roadway segments are forecast to operate at LOS C or better when project traffic is added to the existing roadway network. As such, a fair share contribution towards improvements would not be required. Impacts would be less than significant.

OPENING YEAR 2026 CUMULATIVE WITHOUT PROJECT CONDITION

Traffic volumes for the Opening Year 2026 Without Project scenario were derived by adding cumulative project traffic to existing plus ambient growth traffic. A 2.0 percent annual ambient growth rate to account for population, household and employment growth within the City was applied to the existing daily, AM and PM peak hour traffic volumes for two years (2024 to 2026) from existing counts to the projects opening year i.e. representing a total 4 percent growth. Appendix H1 Exhibit 14 shows the Opening Year 2026 Without Project AM/PM peak hour traffic volumes at the study intersections. Appendix H1 Table 12 summarizes the Opening Year 2026 Without Project AM and PM peak hour levels of service for all study intersections.

Intersection Analysis

As shown in Appendix H1 Table 12, all study intersections are forecast to operate at an acceptable level of service for Opening Year 2026 Without Project conditions with the exception of the following intersections:

- Intersection No. 1: Evans Road & Craig Avenue (LOS F in the AM and PM Peak Hour)
- Intersection No. 3: Evans Road & Garbani Road (LOS E in the AM Peak Hour)

Segment Analysis

Daily traffic from 11 cumulative projects were added to existing daily traffic volumes with the 4 percent ambient growth rate at the study roadway segments to derive the Opening Year 2026 Without Project daily traffic volumes. Appendix H1 Table 13 presents the roadway segment LOS analysis for the Opening Year 2026 Without Project condition. As shown, all of the study segments are forecast to operate at an acceptable LOS D or better.

OPENING YEAR 2026 CUMULATIVE WITH PROJECT CONDITION

Traffic volumes for the Opening Year 2026 Cumulative With Project scenario were derived by adding Project traffic to Opening Year 2026 Without Project traffic. Appendix H1 Exhibit 15 shows the Opening Year 2026 Plus Project daily and AM/PM peak hour traffic volumes at the study intersections. Appendix H1 Table 14 compares the Opening Year 2026 Without Project LOS to the Opening Year 2026 Plus Project AM and PM peak hour LOS for all study intersections.

Intersection Analysis

As shown in Appendix H1 Table 14, all study intersections are forecast to operate at an acceptable level of service (D or better) under Opening Year 2026 Without and With Project Conditions with the exception of

- Intersection No. 1: Evans Road & Craig Avenue (LOS F during AM and PM peak hour)
- Intersection No. 3: Evans Road & Garbani Road (LOS E and F during AM peak hour)

According to the City's Guidelines, a fair share contribution is required if the following criteria apply:

- a) Acceptable LOS pre-project (without project) and the addition of project trips results in unacceptable LOS E or F;
- b) Pre-project condition is LOS E or F and the project adds 50 or more peak hour trips to the intersection or roadway segment.

At Intersection No. 1 (Evans Road & Craig Avenue), the LOS without and with project conditions is "F" and there are 53 AM and 72 PM peak hour project trips added to this location i.e. exceeds the 50 trip threshold. Therefore, a fair share contribution would be required.

At Intersection No. 3 (Evans Road & Garbani Road), the LOS without and with project conditions is LOS E and F respectively during the AM peak hour and there are 54 AM peak hour project trips added to this location i.e. exceeds the 50 trip threshold. Therefore, a fair share contribution would be required. Incorporation of a fair share contribution would ensure impacts are less than significant.

The installation of a traffic signal would improve traffic operations at both intersections from a LOS F to a LOS C or better. The City of Menifee would condition the project to provide a fair share contribution of 10.1 percent to address impacts at Intersection No. 1 (Evans Road & Craig Avenue); refer to COA-1. The City of Menifee would also condition the project to provide a fair share contribution of 13.7 percent to address impacts at Intersection No. 3 (Evans Road & Garbani Road); refer to COA-2. With implementation of COA-1 and COA-2, impacts for the Opening Year 2026 Cumulative With Project would be less than significant.

Segment Analysis

Appendix H1 Table 15 shows all study segments are forecast to operate at an acceptable LOS D or better. Accordingly, a fair share contribution would not be required, and impacts for the Opening Year 2026 Cumulative With Project would be less than significant.

Conclusion

Based on the preceding analysis, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and impacts would be less than significant with application of COA-TRA-1 and COA-TRA-2. There are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Conditions of Approval

- COA-TRA-1 Intersection No. 1 (Evans Road and Craig Avenue).** Prior to ground disturbing activities, the City of Menifee Traffic Engineer shall verify that the project applicant has contributed a onetime fair-share contribution of 10.1 percent of the estimated cost of a traffic signal at the intersection of Evans Road and Craig Avenue (Intersection No. 1).
- COA-TRA-2 Intersection No. 3 (Evans Road and Garbani Road).** Prior to ground disturbing activities, the City of Menifee Traffic Engineer shall verify that the project applicant has contributed a onetime fair-share contribution of 13.7 percent of the estimated cost of a traffic signal at the intersection of Evans Road and Garbani Road (Intersection No. 3).

Threshold 5.3.17.b: *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

Required in CEQA Guidelines Section 15064.3, the City of Menifee has adopted VMT thresholds as contained in the City of Menifee *Traffic Impact Analysis Guidelines for Vehicle Miles Traveled* (June 3, 2020). Under the VMT methodology, screening is used to determine if a project will be required to conduct a detailed VMT analysis. There are three (3) types of screening that the lead agencies can apply to effectively screen projects from project-level assessment. For the complete discussion of the project screening criteria and guidance, refer to Appendix H2. As analyzed in Appendix H2, the project does not meet VMT Screening exemption criteria, as it is not located in a Transit Priority Area, a Low VMT Area, nor does it qualify for exemption based on project type. Therefore, a detailed project specific VMT calculation and identification of mitigation measures is included in Appendix H2.

As concluded in Appendix H2, the Western Riverside Council of Governments (WRCOG) VMT Calculator was utilized to determine if the project results in a VMT impact in accordance with the City's VMT Guidelines. A project would result in a significant project generated VMT impact if either of the following conditions are satisfied:

- The baseline project-generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT per service population, or
- The cumulative project-generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT per service population.

The results of the analysis revealed the project VMT per service population is 30.0, which is below the General Plan Buildout VMT per service population of 36.3. Subsequently, the project would have a less than significant VMT impact on the environment and no mitigation would be required.

Accordingly, the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), and impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.17.c: *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The project does not include geometric design features that would increase hazards, nor does the project include any incompatible uses. Design of all project driveways and internal roadways would be based on the Menifee Municipal Code, which sets the standard for such design. All development plans, including the proposed project, undergo an extensive review process at the City to ensure consistency with the City's adopted engineering standards.

The proposed driveway on Evans Road to the project site was analyzed as part of the TIA. Evans Road currently provides four travel lanes (two lane in each direction) with a 12-foot wide double yellow paved median. This median can be re-striped and utilized as a dedicated left turn lane in the northbound approach allowing vehicles to maneuver out of the travel lane and enter the project driveway. At Evans Road and the project driveway, approximately 11 AM and 37 PM peak hour trips are assumed to make a left-turn movement in the northbound approach. A queuing analysis was conducted as part of the TIA. The queuing analysis determined a minimum of 100-foot turn pocket with taper is recommended in order to provide adequate storage for vehicles in the left-turn lane. The striping, signage and storage lane with taper would be designed in accordance with the City's Road Design Standards and to the satisfaction of the City Engineer. Subsequently, impacts in regard to hazards as a result on the project would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.17.d: *Would the project result in inadequate emergency access?*

Site access would be provided via one driveway located along Evans Road, with a northbound left-turn lane at Evans Road and the project driveway. On-site circulation is provided via north and southbound streets "A" Street

and “B” Street, with east and westbound access provided via “D”, “E”, and “F” streets. The proposed development features a gated access from Garbani Road to be used primarily for fire access.

All streets and fire access lanes would be required to comply with applicable codes, ordinances, and standard conditions, and would meet the City’s width and turnaround requirements to provide adequate emergency access. Additionally, the City of Menifee Planning, Building, and Fire Departments review all development applications, including for the proposed project, to ensure that adequate emergency accessibility is provided based on local and State guidance. Further, should partial or full lane closures be required as part of project construction activities, implementation of a traffic management plan (TMP) would minimize congestion and ensure safe travel, including emergency access in the project vicinity; refer to COA-TRA-3. As such, project implementation would not interfere with the implementation of an emergency response plan or emergency evacuation plan. With implementation of COA-TRA-3, impacts would be less than significant.

Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Conditions of Approval

COA-TRA-3 Traffic Management Plan. Prior to issuance of grading permits, the project applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Menifee Traffic Engineer. The TMP shall include measures to minimize potential safety impacts during the short-term construction process if partial or full lane closures are required. The TMP shall specify that one direction of travel in each direction on adjacent roadways must always be maintained during project construction activities. If full lane closures are required and one direction of travel in each direction cannot be maintained, the TMP shall identify planned detours. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and use of construction flagperson(s) to direct traffic during heavy equipment use. The TMP shall be incorporated into project specifications for verification prior to final plan approval.

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5.3.18 Tribal Cultural Resources

General Plan EIR Findings

At the time the General Plan EIR was certified, evaluation of Tribal Cultural Resources Impacts was not required. Although the General Plan EIR did not address this subject on its own, the General Plan EIR contained an impact analysis associated with tribal cultural resources General Plan EIR Section 5.5, Cultural Resources.

General Plan EIR Mitigation Measures

- 5-1** Prior to project approvals, applicants shall provide cultural resource investigations conducted by a qualified archaeologist. The investigation shall include a records search at the Eastern Information Center at the University of California, Riverside, and a field survey for surface archaeological resources. The qualified archaeologist shall conduct monitoring for archaeological resources where required based on the investigation findings. Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director is satisfied that adequate provisions are in place to protect these resources. Unanticipated discoveries shall be evaluated for significance by a professional archaeologist. If significance criteria are met, then the project archaeologist shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. Confidential information shall be restricted to a separate report that will be held by the City of Menifee and forwarded to relevant Native American tribes, but not made publicly available.
- 5-3** A cultural resources assessment prepared by a qualified archaeologist shall be required for any Specific Plan, or for any project that requires a General Plan amendment. The assessment shall include a records search at the Eastern Information Center at the University of California, Riverside, and a field survey for surface archaeological resources. General findings of the cultural resources assessment, such as presence of resources, shall be incorporated into the CEQA documentation. Detailed information on any cultural resources identified, such as locations and types of resources, shall be documented in a separate confidential report that shall be submitted to the City of Menifee and shall not be available to the public; a copy of the report shall be forwarded to relevant Native American tribes.
- 5-4** Prior to the issuance of grading permits for a project for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the relevant Native American tribes to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Menifee and the tribal representative(s) to develop a monitoring program that addresses the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Menifee shall be the final arbiter of the conditions for projects within the City's jurisdiction.

Project Analysis

Threshold 5.3.18.a: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

Threshold 5.3.18.b: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

As discussed in Threshold 5.3.5.b above, there are no resources located on the project site that are listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Notwithstanding, in the event that unknown cultural resources are found and identified as Native American in origin, the City's policy to halt ground disturbing activities within 100 feet until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find (SC-CUL-3). Disposition of the findings would be employed by the tribes (SC-CUL-4). Standard Conditions CUL-4 and CUL-5 require the presence of tribal monitors during all ground-disturbing activities. Further, in the event that Native American human remains are discovered, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the NAHC, and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." Thus, compliance with existing City policies and actions and State regulations would reduce impacts related to tribal cultural resources to less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

5.3.19 Utilities and Service Systems

General Plan EIR Findings

The General Plan EIR made the following findings with respect to Utilities and Service Systems:

- Impact 5.17-1: Water supply and delivery systems would accommodate the projected net increase in water demand resulting from development associated with the General Plan. The Eastern Municipal Water District (EMWD) anticipated increasing its supplies by 88,300 acre-feet per year during General Plan buildout, but implementation of the General Plan is expected to increase water demand by only 16,800 acre-feet per year. Thus, there are adequate forecasted supplies in the region to accommodate General Plan buildout, and impacts would be less than significant.
- Impact 5.17-2: The region has adequate water treatment capacity to accommodate the forecasted water demand from General Plan buildout. EMWD oversees two water treatment plants, each of which are forecast to increase their capacity during General Plan implementation. The water treatment plants, water filtration plants, and desalters that treat EMWD water supplies will have total capacity of almost 900 million gallons per day after completion of the Perris II Desalter and the expansion of the Perris Water Filtration Plant. Impacts would be less than significant.
- Impact 5.17-3: No further expansions of wastewater treatment capacity would be required other than those already planned by EMWD. Thus, there is sufficient wastewater treatment capacity in the region to accommodate the projected increase in wastewater generation resulting from buildout of the General Plan, and impacts would be less than significant.
- Impact 5.17-4: The General Plan would not permit land uses that would conflict with the wastewater requirements set forth by the Santa Ana Regional Water Quality Control Board (RWQCB). Any industrial land use developed pursuant to the General Plan would comply with the Municipal Separate Storm Sewer System (MS4) Permit or would be required to obtain an individual permit from the Santa Ana RWQCB containing necessary waste discharge requirements if not satisfied by the permit. Thus, impacts would be less than significant.
- Impact 5.15-5: General Plan buildout would be accommodated by the planned construction and expansion of storm drainage facilities, including proposed RCFCWCD facilities shown on the Homeland-Romoland Area Drainage Plan and the Romoland Master Drainage Plan, as well as new City storm drains. Impacts would be less than significant.
- Impact 5.17-6: The landfill capacity within the region is adequate to accommodate the increase of solid waste resulting from General Plan buildout, and General Plan implementation would not require new or additional landfills. Thus, impacts would be less than significant.
- Impact 5.17-7: Electricity and natural gas supplies are sufficient to accommodate projected energy demands sustained by General Plan buildout. No additional electricity or natural gas supplies would be necessary, resulting in less than significant impacts.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to utilities and service systems.

Project Analysis

Threshold 5.3.19.a: *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Water

As discussed previously, the project site is located in the EMWD service area for local water service. The City relies on four sources for its long-term water supply: 1) imported water from the Metropolitan Water District of Southern California (via the Colorado River Aqueduct and State Water Project), 2) groundwater, 3) recycled water, and 4) desalinated water.³⁴

The project site is currently undeveloped and would require the installation of additional connections and pipeline infrastructure. The proposed project is consistent with land uses anticipated for the area by the General Plan and would not induce substantial unplanned population growth; refer to Section 5.4.11, Land Use and Planning, and Section 5.4.14, Population and Housing. Thus, it is not anticipated that project implementation would require construction of new or expanded water facilities. Less than significant impacts would occur in this regard. As such, no additional water supplies would be needed to accommodate the project beyond what is anticipated by EMWD, and no significant environmental effects would occur due to implementation of the project's proposed water connections.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Wastewater Treatment

EMWD provides wastewater treatment to the City of Menifee. Wastewater from most of Menifee (all except the north and south ends of the City) is collected at the Sun City Regional Wastewater Reclamation Facility (RWRF), located at 29250 McCall Boulevard, in Sun City, and sent to the Perris Valley RWRF, located at 22500 A Street, in Perris, for treatment. EMWD collects wastewater from the sanitary sewer system; the water must then be treated before it can be recycled for irrigation purposes or discharged to the Santa Ana River. This treatment occurs at the plants, which is an advanced tertiary treatment plant consisting of primary treatment (sedimentation), secondary treatment (oxidation), and tertiary treatment (filtration and disinfection).

As detailed in the General Plan, EMWD estimates that its total recycled water supply would increase from 56,100 acre-feet per year (50.1 million gallons per day) to 83,500 acre-feet per year (74.6 million gallons per day) between 2015 and 2035 over its entire service area.

As a currently undeveloped lot, the project would require additional sewer connections and infrastructure. However, given that the project is an implementing residential development project of the General Plan, the resulting net increase in wastewater generation from residential uses would be accommodated by the existing EMWD facilities and their increased capacity. Wastewater produced by the project would continue to meet wastewater disposal regulations through treatment at the EMWD facilities and would be treated to disinfected tertiary recycled water standards that meet or exceed California Department of Public Health Title 22 Standards

³⁴ Eastern Municipal Water District, *History*, <https://content.emwd.org/who-we-are/history>, July 18, 2024.

under Division 4, Article 1 Section 60301.230. Therefore, no significant environmental effects would occur as a result of implementation of the project's proposed wastewater connections.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Stormwater

The project's proposed drainage facilities would provide adequate detention for 100-year storm volumes; refer to Section 5.4.10, Hydrology and Water Quality. All on-site stormwater would be captured in accordance with MS4 permit requirements. Open drainage channels and underground storm drains larger than 36 inches diameter are operated and maintained by the Riverside County Flood Control and Water Conservation District (RCFCWCD); smaller underground storm drains are operated and maintained by the City of Menifee Public Works Department. It is anticipated the proposed drainage system would adequately provide drainage treatments, detention, and conveyance in accordance with City of Menifee and RCFCWCD requirements. Construction of the new storm drain improvements would be subject to compliance with all applicable local, State, and Federal laws, ordinances, and regulations. Impacts in this regard would be less than significant.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Dry Utilities

The project site is currently undeveloped and would require additional connections and site-specific infrastructure to connect existing electricity, natural gas, and telecommunications utilities to the proposed residences. The project site would be served by Southern California Edison (SCE) for electricity services and Southern California Gas (SoCalGas) for natural gas services. The project would involve constructing new private on-site dry utility lines associated with such services. Payment of standard utility connection fees and ongoing user fees would ensure impacts to these utility services are adequately offset. The project's potential environmental impacts for construction in this regard are analyzed throughout this CEQA Guidelines Section 15183 Environmental Checklist. Construction of the project's dry utilities would also be subject to compliance with all applicable local, State, and Federal laws, ordinances, and regulations. As such, project impacts would be less than significant in this regard.

Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.19.b: ***Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

Refer to Response 5.3.19.a above. The proposed project is consistent with the land use and zoning assumptions for the site in the General Plan EIR. As such, the project would have sufficient water supplies available to serve

the project from existing entitlements and resources. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.19.c: *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Refer to Response 5.3.19.a above. The project is consistent with the land use designations set forth in the General Plan and analyzed in General Plan EIR; therefore, the project's resulting population increase was anticipated in the EIR analysis for wastewater treatment. Consistent with the finding of the General Plan EIR, the project's impacts to wastewater treatment capacity would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.19.d: *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Solid waste from Menifee is collected by Waste Management, Inc. (WMI). As detailed in the General Plan EIR, nearly all (> 99 percent) of the solid waste that Menifee was transported to two landfills: El Sobrante Landfill in unincorporated Riverside County south of the City of Corona, and Badlands Sanitary Landfill near the City of Moreno Valley. At the time of General Plan EIR certification, the El Sobrante Landfill was estimated to have a remaining capacity exceeding 145 million cubic yards, with an estimated closure date of 2045. While the Badlands Sanitary Landfill was estimated to have a closure date of 2024 at time of certification, a 2022 Revised Solid Waste Facilities Permit for the location updated the closure date to be between 2026 and 2059, and increased capacity for the site to total 82,300,000 cubic yards.³⁵

Construction Impacts

Construction of the project would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, plastics, and soils. All construction activities would be subject to conformance with relevant Federal, State, and local requirements related to solid waste disposal. Specifically, the project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." The California Integrated Waste Management Act of 1989 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The project would also be required to demonstrate compliance with the most recent (2022) Green Building Code, which includes design and construction measures that act to reduce construction-related waste through material conservation measures and other construction-related efficiency measures. Compliance with these programs would ensure the project's construction-related solid waste impacts would be less than significant. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already

³⁵ CalRecycle, *Public Notice: Badlands Sanitary Landfill - Riverside County*, <https://www2.calrecycle.ca.gov/PublicNotices/Details/4843>, July 30, 2024.

evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Operational Impacts

The proposed project is consistent with the land use and zoning assumptions for the site in the General Plan EIR. As such, the project is not anticipated to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant. Consistent with the conclusion reached by the General Plan EIR, the existing solid waste facilities have ample capacity to accommodate increased volumes of waste from the City through 2035, and impacts would be less than significant. Thus, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

Threshold 5.3.19.e: Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?

Statutes and regulations regarding solid waste generation, transport, and disposal are intended to decrease solid waste generation through mandatory reductions in solid waste quantities (e.g., through recycling and composting of green waste) and the safe and efficient transport of solid waste. The project would comply with such regulations outlined in Title 6, *Health and Sanitation*, of the Municipal Code, which regulates the proper collection and disposal of solid waste, in addition to recycling practices.

Additionally, the project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (AB 939) and any other applicable solid waste management regulations. AB 939 created the California Department of Resources Recycling and Recovery Board, now known as CalRecycle. AB 939 required that local jurisdictions divert at least 50 percent of all solid waste generated by January 1, 2000. The diversion goal has been increased to 75 percent by 2020 by SB 341. Further, the Solid Waste Disposal Measurement Act of 2008 (SB 1016) was established to make the process of goal measurement (as established by AB 939) simpler, more timely, and more accurate. SB 1016 builds on AB 939 compliance requirements by implementing a simplified measure of jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator—the per capita disposal rate—which uses only two factors: (1) a jurisdiction's population (or in some cases employment); and (2) its disposal, as reported by disposal facilities.

Based on the above analysis, the project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste, and impacts would be less than significant. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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5.3.20 Wildfire

General Plan EIR Findings

At the time the General Plan EIR was certified, evaluation of Wildfire Impacts was not required. Although the General Plan EIR did not address this subject on its own, the General Plan EIR contained impact analysis associated wildland fires under Section 5.8, *Hazards and Hazardous Materials*.

- Impact 5.8-5: A large percentage of the City's area is designated part of Moderate, High, and Very High fire hazard severity zones, as mapped by CAL FIRE. The General Plan would designate areas for development adjacent to areas that would be designated for open space; therefore, risk of wildfire could occur. The use of fire-resistant building materials, implementation of fuel modification zones, and vegetation maintenance and clearing around structures would be required to protect buildings and reduce the potential loss of life and property. New development in wildland and urban-wildland interface areas would be required to be consistent with the existing regulations, including the State Fire Code, to meet fire safety standards for building construction. Additionally, new development would be required to be consistent with the California Building Code, which includes sections on fire-resistant construction material requirements based on building use and occupancy. Compliance would ensure fire impacts are less than significant.

General Plan EIR Mitigation Measures

The General Plan EIR did not identify mitigation measures related to wildfire.

Project Analysis

- Threshold 5.3.20.a:** *If located in or near SRAs or lands classified as very high fire hazard severity zones, would the project:*
- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?*
 - b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
 - c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
 - d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope stability, or drainage changes?*

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in the State through its Fire and Resources Assessment Program (FRAP). These maps place areas of the State into different fire hazard severity zones (FHSZ). CAL FIRE uses FHSZs to classify anticipated fire-related hazards for the entire State and includes classifications for SRAs, Local Responsibility Areas (LRAs), and Federal Responsibility Areas (FRAs). Fire hazard severity classifications take into account the following elements: vegetation, topography, weather, crown fire production, and ember production and movement.

According to the CAL FIRE Fire Hazard Severity Zone Map Viewer, the project site is not located in an SRA or very high fire hazard severity zone (VHFHSZ).³⁶ No impact would occur in this regard. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

³⁶ California Department of Forestry and Fire Protection, *Fire Hazard Severity Zone Viewer*, <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>, Accessed May 8, 2024.

5.3.21 Mandatory Findings of Significance

Threshold 5.3.21.a: *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

As indicated throughout the analysis in this CEQA Guidelines Section 15183 Environmental Checklist, assuming incorporation of the applicable Standard Conditions, Conditions of Approval, General Plan EIR Mitigation Measures, laws, ordinances, and regulatory requirements specified in the General Plan EIR, implementation of the project would not: substantially degrade the quality of the environment; substantially reduce the habit of fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of a rare or endangered plant or animal; or eliminate important examples of the major periods of California history or prehistory. Therefore, there are no impacts that are peculiar to the proposed project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR.

Threshold 5.3.21 b: *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

A significant cumulative impact may occur if a proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. As concluded in Section 5.3.1 through Section 5.3.20, the project would not result in any significant impacts in any environmental categories with implementation of Standard Conditions and Conditions of Approval, as well as the regulatory requirements and Mitigation Measures specified by the General Plan EIR. Additionally, the analysis herein demonstrates that physical impacts associated with the project (e.g., biological resources, cultural resources, geology/soils, etc.) would not substantially change or increase compared to the analysis presented in the General Plan EIR. Accordingly, because the project would have similar or reduced cumulative impacts to the environment as compared to what was evaluated and disclosed by the General Plan EIR, the project would not result in any new or increased impacts to the environment beyond what was evaluated, disclosed, and mitigated for by the General Plan EIR. Therefore, there are no impacts that are peculiar to the project site; there are no direct or cumulatively considerable impacts of the proposed project that were not already evaluated by the General Plan EIR; and there are no new or more severe impacts to the environment beyond what was previously evaluated and disclosed by the General Plan EIR.

Threshold 5.3.21 c: *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Given the scope and nature of the project, the project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Compliance with applicable existing laws and regulations and implementation of Standard Conditions, and General Plan EIR Mitigation Measures will be required, as supplemented by Conditions of Approval enumerated in this CEQA Guidelines Section 15183 Environmental Checklist, to reduce these adverse effects to a level below significance. There are no components of the project that could result in substantial adverse effects on human beings that are not

already evaluated and disclosed throughout this CEQA Guidelines Section 15183 Environmental Checklist and the General Plan EIR. Therefore, there are no impacts that are peculiar to the project or project site; there are no impacts that were not analyzed as significant effects in the General Plan EIR; there are no potentially significant off-site or cumulative impacts that were not already evaluated by the General Plan EIR; and there is no substantial new information resulting in more severe adverse impacts to the environment from significant effects identified in the General Plan EIR.

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