



CITY OF MENIFEE

SUBJECT: Murrieta Road Warehouse Project

MEETING DATE: October 23, 2024

TO: Planning Commission

PREPARED BY: Ryan Fowler, Principal Planner

REVIEWED BY: Orlando Hernandez, Deputy Community Development Director

APPROVED BY: Cheryl Kitzerow, Community Development Director

APPLICANT: RPD Development, Inc

RECOMMENDED ACTION

1. Adopt a resolution certifying the Environmental Impact Report (State Clearinghouse No. 2023110162), adopt the Findings of Fact and Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Program; and
2. Adopt a resolution approving Plot Plan No. PLN 22-0179 generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road.

PROJECT DESCRIPTION

Plot Plan (PP) No. No. PLN22-0179 includes development of an approximately 517,720 square-foot (SF) speculative warehouse building. The environmental analysis, however, includes a development buffer in order to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The 533,252 SF warehouse building would include approximately 20,320 SF of ground floor office space, 7,000 SF of mezzanine office space, 505,932 SF of warehouse space, and would be approximately 55 feet tall. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

The Project would include 90 dock-high doors and four grade-level truck doors. Approximately 128 trailer parking spaces would be provided in the northern truck court and 64 trailer parking spaces would be provided in the southern truck court, within areas secured by sliding gates. The proposed Project would also provide 390 passenger car parking spaces. Access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road.

The Project would also include approximately 137,363 SF of ornamental landscaping that would cover 11.0 percent of the site. The proposed Project includes an approximately 14-foot-high retaining and screen wall along the interior of the northern and southern truck courts (outside facing wall would be eight feet high with a landscaping berm), which would taper to a six-foot-high screen wall along the northern property line outside of the truck court. The Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements.

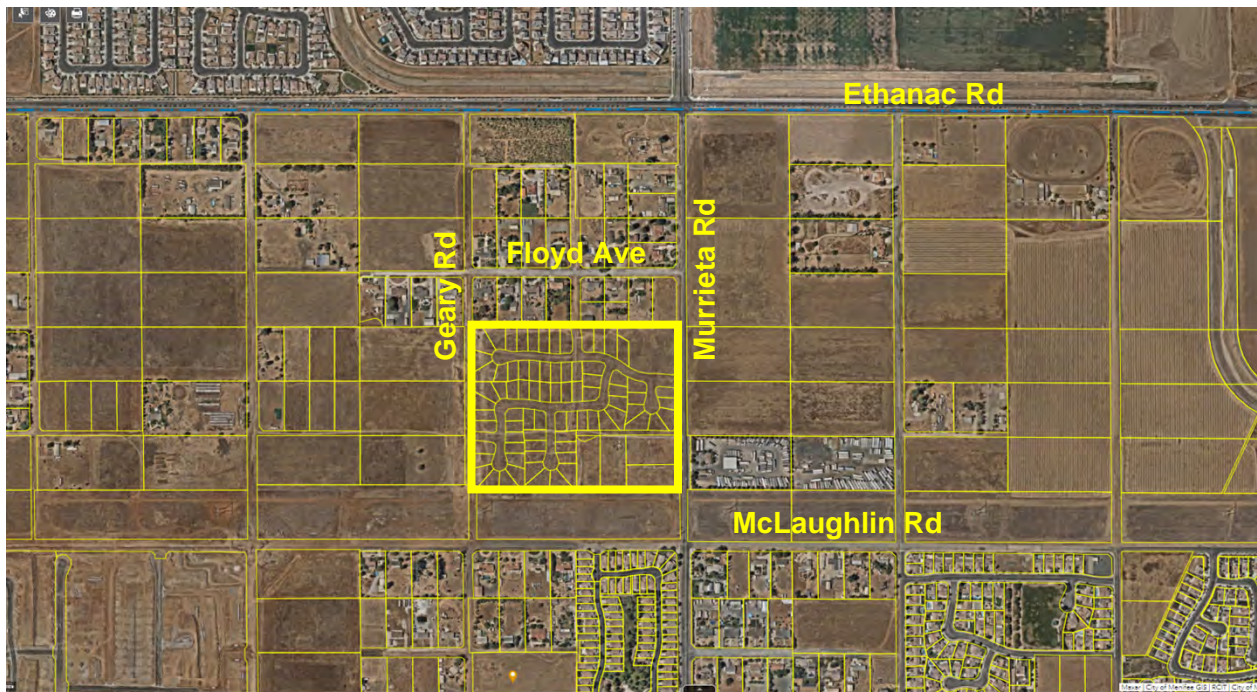
BACKGROUND

Tract Map No. 31856 was recorded within the boundaries of the current Project site in August 2018. However, subsequent to that recordation, the Project Applicant received approval of a Tentative Parcel Map (TPM) No. 38469 on April 14, 2023 which proposed to consolidate Tract Map No. 31856 (Lots 1-78), as well as Parcel Map (PM) No. 7285 (Lot 1 through 4). In the "Project Location" image below, these property lines appear. However, as a condition of approval of this Project, prior to any development of the Project site, the existing maps (i.e., TM31856 and PM7285) must be consolidated into a single parcel encompassing the whole site.

LOCATION

The Project is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road within the City of Menifee (City), County of Riverside, State of California (Assessor Parcel Numbers [APNs]: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005).

Project Location



GENERAL PLAN/ZONE

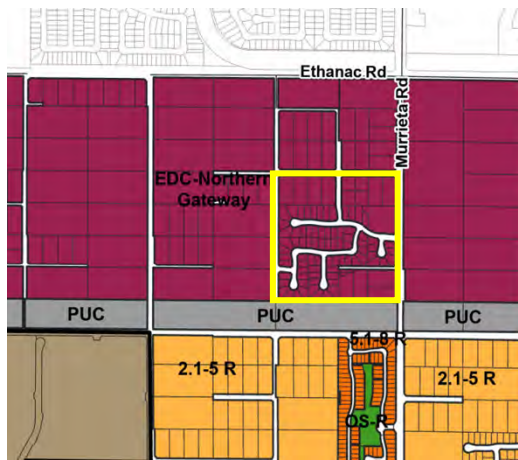
General Plan

The General Plan land use designation for the Project site is Economic Development Corridor – Northern Gateway (EDC-NG) which is intended to provide economic vitality and flexibility in land use options to promote economic development along the City's major corridors. Surrounding Land Use designations and existing uses can be found below in Table 1. The Project's proposed industrial use is consistent with the existing land use designation.

Zoning

The underlying zoning classification is EDC-NG. The existing zoning of the Project site allows for the development of industrial and warehousing-related uses with which the proposed Project is consistent.

General Plan Map



Zoning Map

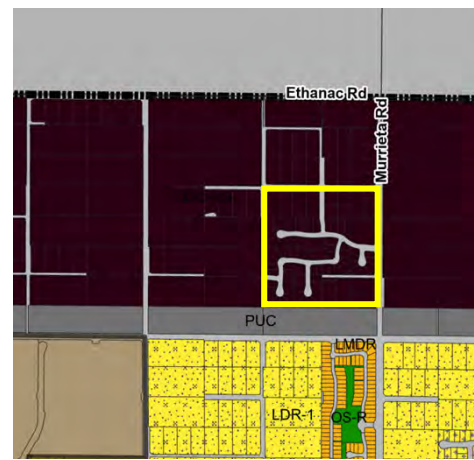


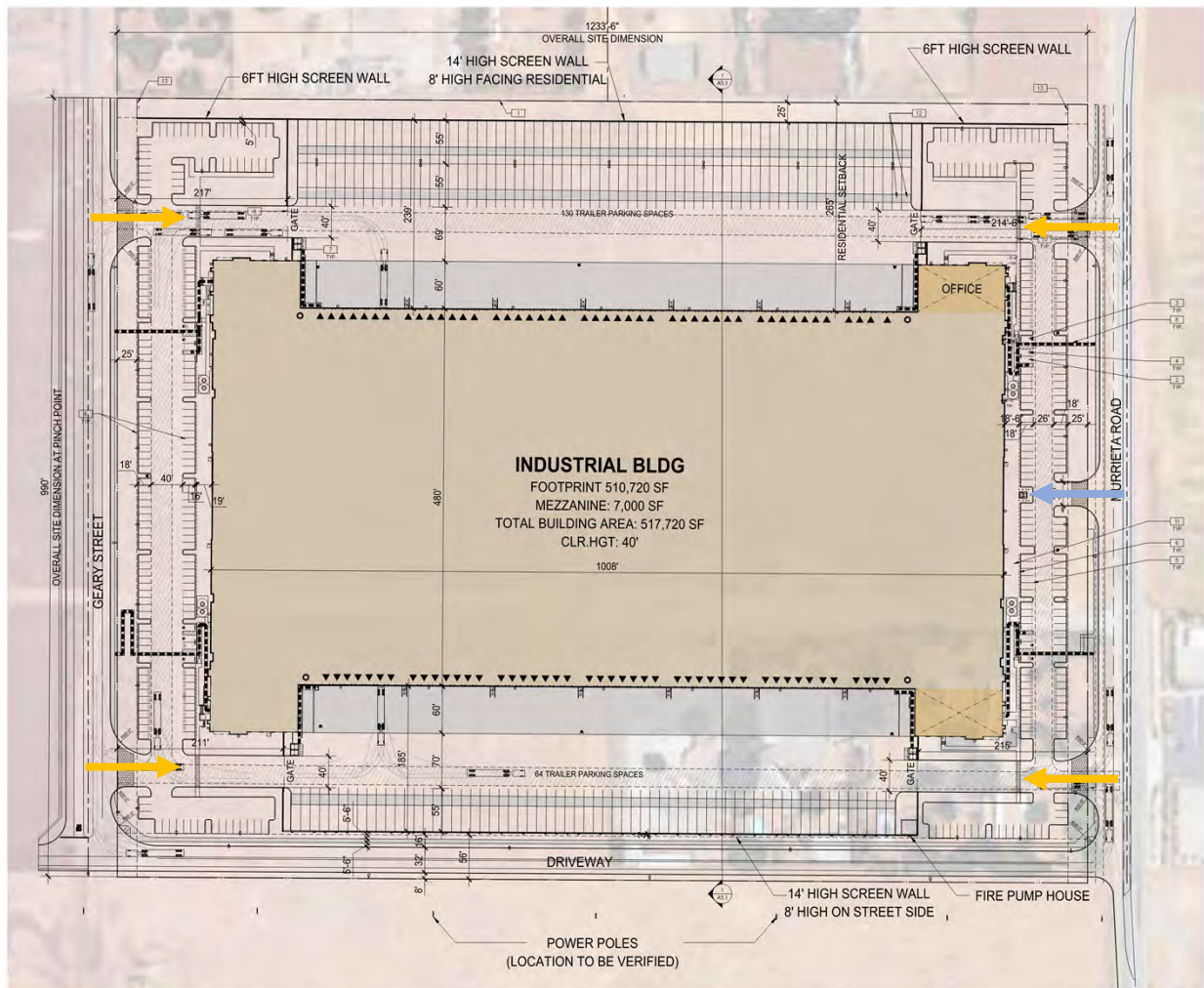
Table 1 – Surrounding Land Uses

Location	Existing Land Use	General Plan Land Use	Zoning Classification
North	Approx. ½-acre to 1-acre single-family residential	EDC-NG	EDC-NG
East	Vacant undeveloped land and a modular office building dealer	EDC-NG	EDC-NG
South	Southern California Edison (SCE) utility corridor	Public Utility Corridor (PUC)	Public Utility Corridor (PUC)
West	Vacant undeveloped land	EDC-NG	EDC-NG

DISCUSSION

The Project Applicant (RPD Development, Inc) is proposing the development of an approximately 517,720 SF speculative warehouse building.

Proposed Site Plan



Circulation and Parking

Regional Project access would be from I-215 via Ethanac Road. Local access would be provided via Geary Road and Murrieta Road. Project site ingress and egress would be via two driveways on Geary Road and three driveways on Murrieta Road. The two southernmost and two northernmost driveways would provide full access for both trucks and automobiles (shown with orange arrows above), while the middle access point on Murrieta Road would provide access to passenger vehicles only (shown with the blue arrow). While there are shared access points, trucks would not be allowed circulate through the majority of the passenger vehicle parking areas. The City of Menifee Development Code outlines the parking requirements for the Project. As demonstrated in Table 2, the Project meets the City's parking requirements.

Table 2 – Parking Summary

Development Code Parking Requirements	
Office: 1/300 SF (20,320 SF)	68
Warehouse (1 st 100K SF): 1/1,000 SF (100,000 SF)	100
Warehouse (100K – 500K SF): 1/1,500 SF (397,400)	265
Required	433
Required (with 10% reduction per Section 9.215.070)	390
Total Spaces Provided	390

Using the City's Parking and Loading Standards, the warehouse building would require 433 off-street parking spaces. The Project includes a total of 390 proposed off-site parking spaces. (Note truck/trailer parking is not included within these totals.) Section 9.215.070 ("Alternative Programs for Parking") allows for a reduction in the required number of off-street parking stalls if specific alternative programs/improvements are provided.

This Section allows for parking reductions to be combined for a maximum reduction of 15 percent of the required parking standard. The proposed Site Plan would only need a reduction of 10 percent (433 required, 390 provided). The Applicant is requesting this 10 percent reduction. This would be allowed under Section 9.215.070, because the Project provides roadway improvements and/or dedication that exceed those recommended by a traffic study (i.e., the Project's southerly corridor) (five percent reduction credit) and the Project involves lot consolidation totaling a minimum of five acres (five percent reduction credit). In addition, the Project's mitigation measures require the Project operator to prepare a Transportation Demand Management (TDM) program to reduce the use of single-occupant vehicles by employees. This shall include a transportation information center and an on-site TDM coordinator, bicycle parking and storage, self-service bicycle repair areas, a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes, and posting of Riverside Transportation Authority schedules and referencing Riverside Transportation Authority schedules when creating employees' operating schedules.

The 10 percent reduction results in a total requirement of 390 spaces; therefore, with the 10 percent reduction, the Project would meet its parking requirement.

Infrastructure Improvements

Onsite and Frontage Improvements

The Project Applicant would be responsible for the construction of public infrastructure improvements. Murrieta Road would be improved along the Project frontage to a Secondary (four-lane with striped) designation. The improvement will include the necessary offsite transitions. The northern driveway exiting Murrieta Road will include a signal if the developer/property owner chooses to have a left movement toward Ethanac Road. If no signal is installed, the driveway will be restricted to right-in and right-out. Turning movements at the southern driveway will be required to right-in/right-out movements only.

Geary Street would be improved along the Project frontage to an Industrial Collector (two-lane) designation. The improvement will include the necessary offsite transitions. All driveways along

Geary Street will have full access, utilizing a two-way left turn along the Geary Street improvements in the ultimate condition.

The Project will include a westbound truck route along the southern project frontage to the ultimate width of 32 feet (curb-to-curb), with parkway as shown on the site plan. This traffic shall be restricted to westbound movement only. This truck route is required to facilitate truck circulation in the Northern Gateway.

Offsite Improvements

The Project Applicant is required to construct Geary Street beyond the northern frontage of the Project to Ethanac Road to an interim condition of two 12-foot lanes, with six-foot paved shoulders, as detailed in the tentative site plans. The Project Applicant is also required to improve the intersection of Murrieta Road and Ethanac Road to a condition that allows for adequate turning movements for ingress and egress. This includes the extension of the westbound left-turn pocket to 350 feet, widening at the southeast and southwest corners to allow for adequate turning movements southbound and northbound, and any right-of-way acquisition with these improvements.

Road and Bridge Benefit District (RBBD), Fair Share Contributions, and Other Improvements

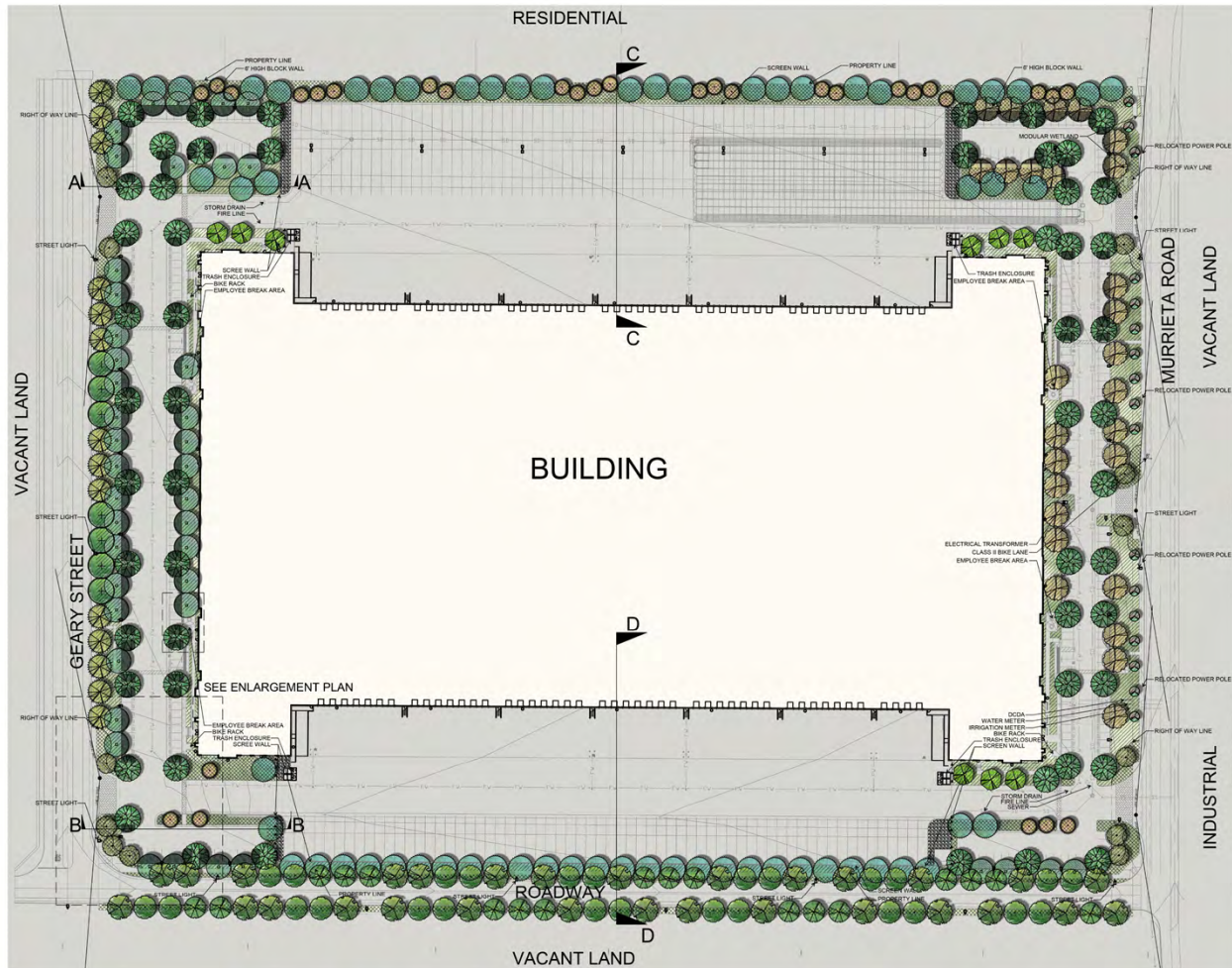
The Project has also been conditioned to participate in a RBBD that will be established for the area. The Applicant is required to pay the RBBD fees based on the designated land use and areas prior to the issuance of a building permit.

Fair share cost participation would be required for off-site intersections including Murrieta Road/Ethanac Road intersection and Case/Barnett Road and Ethanac Road intersection. Utility improvements would be constructed which include new water lines, recycled water lines, sewer, and storm drain lines.

Landscaping

Landscape standards for the Project are outlined in the City's Development Code. Irrigated onsite landscaped areas for the Project site would total approximately 137,363 square feet (11 percent of the site) and would be comprised of drought-tolerant shrubs and groundcover and evergreen and deciduous trees. The conceptual landscape plan includes trees at the perimeter, street frontages, parking areas, and adjacent to the building to soften the edges of the development and the proposed building. In addition, the landscape and architectural plans feature site amenities that coordinate and compliment the proposed Project, including outdoor break areas, benches, tables, bike racks, and trash receptacles. The trailer parking areas are screened from Geary Road and Murrieta Road by large, landscaped setbacks and intervening passenger car parking areas as can be seen in the image below.

Conceptual Landscape Plan

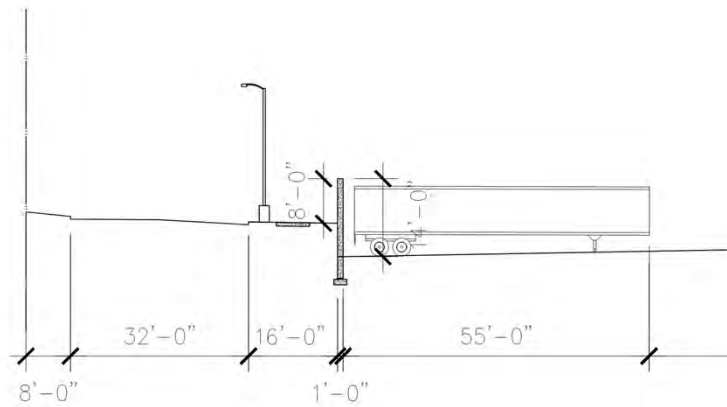


Screening

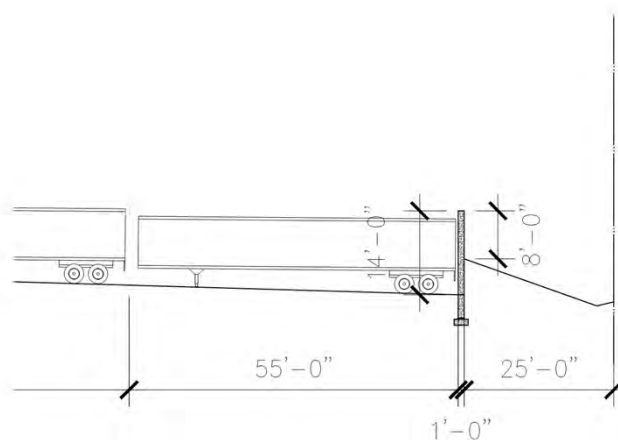
On the Project's northerly and southerly sides of the warehouse building, 14-foot-tall decorative concrete walls would be constructed to screen all loading areas, trucks, and trailers from public view. The visual height of the walls will be reduced as viewed from the outside through the use of landscaped berms, perimeter screening trees, and the truck courts' lower elevations. As shown in the conceptual landscape plan, the intent is to provide landscape coverage with a variety of trees, shrubs and ground cover to soften the wall and to provide a more aesthetically pleasing street scene.

Because the truck court is set lower compared to the neighboring properties on the Project boundary, the decorative concrete screen wall is proposed to be eight feet tall. In addition, the conceptual landscape plans propose screen trees along the wall, which are anticipated to grow above the height of the wall and further screen views into the facility. In addition, evergreen shrubs and vines are proposed along the exterior of the screen walls.

South Perimeter Screening



North Perimeter Screening



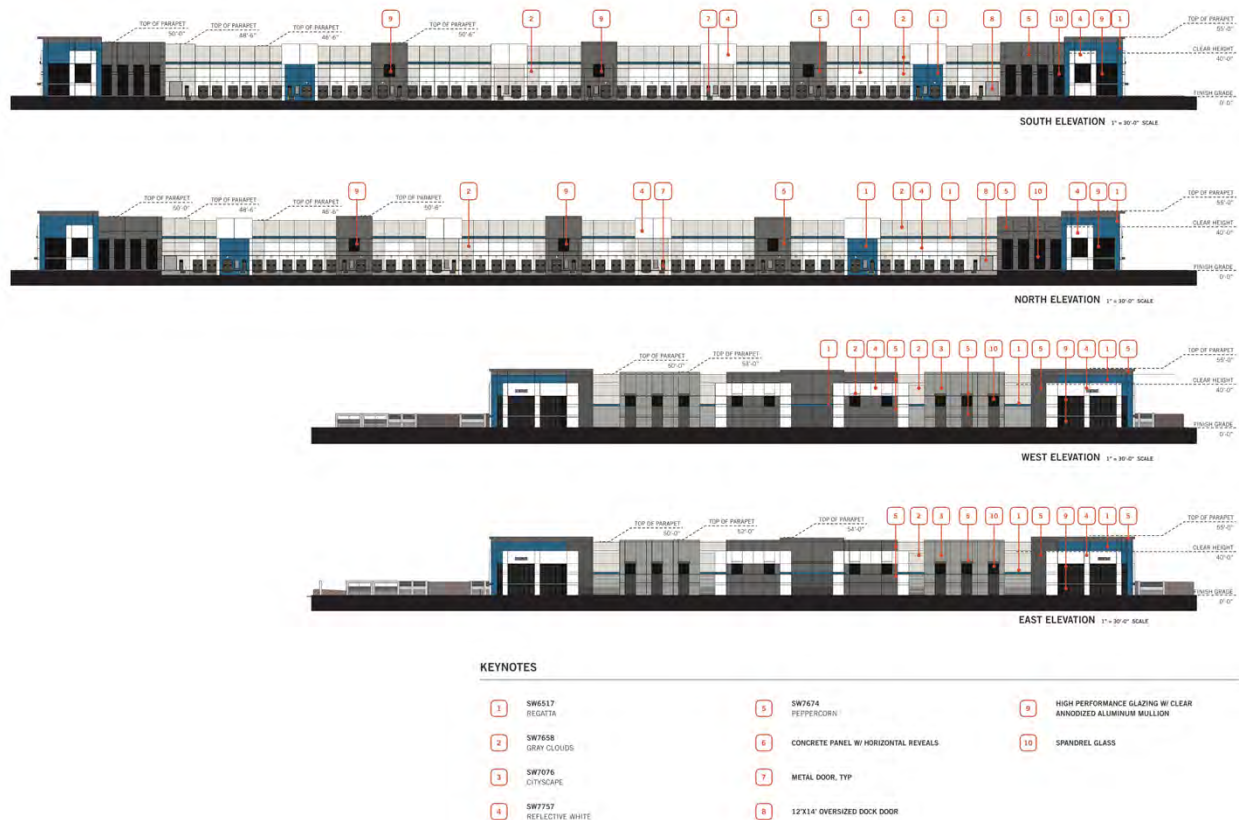
Screen Wall



Elevations

The proposed building has unique design features as well as shared architectural elements with approved industrial developments within the northern section of the City to provide for cohesive development. There are complementing roof forms, colors, and materials. The various colors include white, deep blue, and multiple variations of gray. The building will include significant glazing with clear aluminum mullions. Visual interest is maintained throughout the Project by enhancing architectural detailing and facade articulation along all building elevations.

Project Elevations



Industrial Good Neighbor Policies

On March 2, 2022, the City Council adopted the *Industrial Good Neighbor Policies*. The focus of the policies can be summarized in three sections:

1. Minimize impacts to sensitive uses (residential, schools, parks, nursing homes, hospitals)
2. Protect public health, safety and welfare by regulating design, location and operations
3. Protect neighborhood character of adjacent residential communities

When reviewing the proposed Project, the *Industrial Good Neighbor Policies* were referenced to ensure a compliant project. Implemented policies include added landscape buffers, screen walls, improved building design, community outreach, increased building and loading dock setbacks, on-site truck queuing, on-site signage, and environmental mitigation measures.

ENVIRONMENTAL DETERMINATION

Notice of Preparation (NOP)

On November 7, 2023, the City of Menifee publicly noticed its decision to prepare an Environmental Impact Report (EIR) and hold a public scoping meeting for the Project by noticing the California Governor's Office of Planning and Research (State Clearinghouse [SCH]) and distributed the NOP to various agencies and surrounding property owners and residents in

accordance with California Environmental Quality Act (CEQA) requirements. The NOP review period was from November 7, 2023 to December 7, 2023. On November 28, 2023, the City of Menifee held a duly noticed public scoping meeting at City Hall regarding the preparation of the Draft EIR and provided an opportunity for members of the public to comment on the scope of environmental issues to be addressed in the EIR.

EIR Impacts

Within the EIR that has been prepared for the Project (SCH No. 2023110162), mitigation measures are provided under the categories of Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas (GHG) Emissions, and Tribal Cultural Resources. The EIR determined that the Project could result in significant and unavoidable impacts under the category of GHG Emissions and Noise based on the analysis and findings in the Draft EIR and requires adoption of a Statement of Overriding Considerations (SOOC). A brief description of these impacts is as follows:

GHG Emissions: With implementation of mitigation measures contained in the Draft EIR related to GHG emissions, construction and operation of the Project would generate a total of 4,796.13 MTCO₂e/yr. There are no feasible Project measures that would reduce substantially vehicular emissions, and more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips).

Neither the Project Applicant nor the City of Menifee can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the South Coast Air Quality Management District (SCAQMD). Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines.

The Project would install electric vehicle supply equipment in accordance with the California Building Code which would allow charging stations to be supplied based on demand; however, the timing of this demand and corresponding availability is uncertain. Therefore, though the Project would implement mitigation measures to mitigate its GHG emissions to the maximum extent feasible, impacts related to GHG emissions would be significant and unavoidable

Noise: The Project's off-site traffic noise level increases at adjacent noise sensitive land uses are considered a significant and unavoidable impact along the following impacted roadway segments:

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

The proposed Project would generate a substantial increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Draft EIR Public Review

The City distributed the Draft EIR for public review beginning May 24, 2024 and ending July 8, 2024. During the public review period, comments on the Draft EIR were received from the following agencies, organizations, or individuals:

Agencies

- Agua Caliente Band of Cahuilla Indians
- Airport Land Use Commission
- City of Perris
- Riverside County Department of Waste Resources
- Southern California Gas
- South Coast Air Quality Management District

Organizations

- Adams Broadwell Joseph & Cardozo, on behalf of Coalition for Californians Allied for a Responsible Economy
- Center for Community Action and Environmental Justice
- Golden State Environmental Justice Alliance

Individuals

- Adrienne Vendor
- Bob Powell
- Kimberly and Moo Tang

The City prepared a Final Environmental Impact Report (FEIR), consisting of all the comment letters received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. The FEIR was distributed to the Draft EIR commenters 10 days prior to the Planning Commission hearing. The FEIR, and Draft EIR, including technical appendices can be accessed for review on the City website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

Findings of Fact and SOOC

Because the Draft EIR identified unavoidable significant adverse impacts that could not be mitigated below the level of significance, Findings of Fact (Findings) and a SOOC are required to approve the Project. The Findings and SOOC are included within the resolution for the EIR for consideration by the Planning Commission.

According to the SOOC the following economic, legal, social, or technological benefits, independent of the other benefits, override the potential significant unavoidable adverse impacts and render acceptable each of these unavoidable adverse environmental impacts:

1. **The Project enhances the local economy.** The Project enhances the local economy by providing additional jobs, and business development opportunities commensurate with forecasted growth.
2. **The Project facilitates economic development.** The Project is intended to facilitate the economic development of the City by creating an expanded employment base, providing new employment opportunities, and attracting new businesses.

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

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

Community Outreach

The Applicant's team engaged in multiple community meetings and outreach throughout the entitlement process, including some meetings in coordination with the City. In addition, conversations with several area residents were conducted and the Applicant's team has reached out to several property owners in the Project vicinity regarding the development and area-wide improvements/infrastructure. The Applicant's team has been active with multiple project proponents (of industrial projects within the City).

City staff held an environmental scoping meeting on Tuesday, November 28, 2023 at City Hall to discuss the Project and to receive comments from the public. A total of 10 comment letters were received in response to the environmental scoping. For the Draft EIR 45-day comment period and public hearings, property owners and non-owner residents within 500 feet of the Project boundary were mailed notices at each step of the Project (scoping meeting, Draft EIR comment period, public hearing).

FINDINGS

Findings for the EIR and PP No. PLN21-0370 are included in the attached Resolutions.

PUBLIC NOTICE

The proposed Project was noticed on October 13, 2024 for the October 23, 2024 Planning Commission public hearing. A public notice was published in *The Press Enterprise* and notices

were mailed to property owners and non-owner residents within a 500-foot radius of the Project site. The proper public notice was posted on-site, and in addition, all relevant public agencies and those requesting notification were notified of the public hearing.

ATTACHMENTS

1. Project Plans & Exhibits
2. Resolution – EIR
3. Exhibit A – FEIR
4. Exhibit B - MMRP
5. Exhibit C - Findings of Fact and the SOOC
6. Resolution - Project Entitlements
7. Exhibit A – COAs
8. Public Hearing Notice

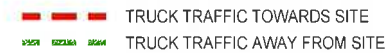
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1. *What is the main purpose of the study?*

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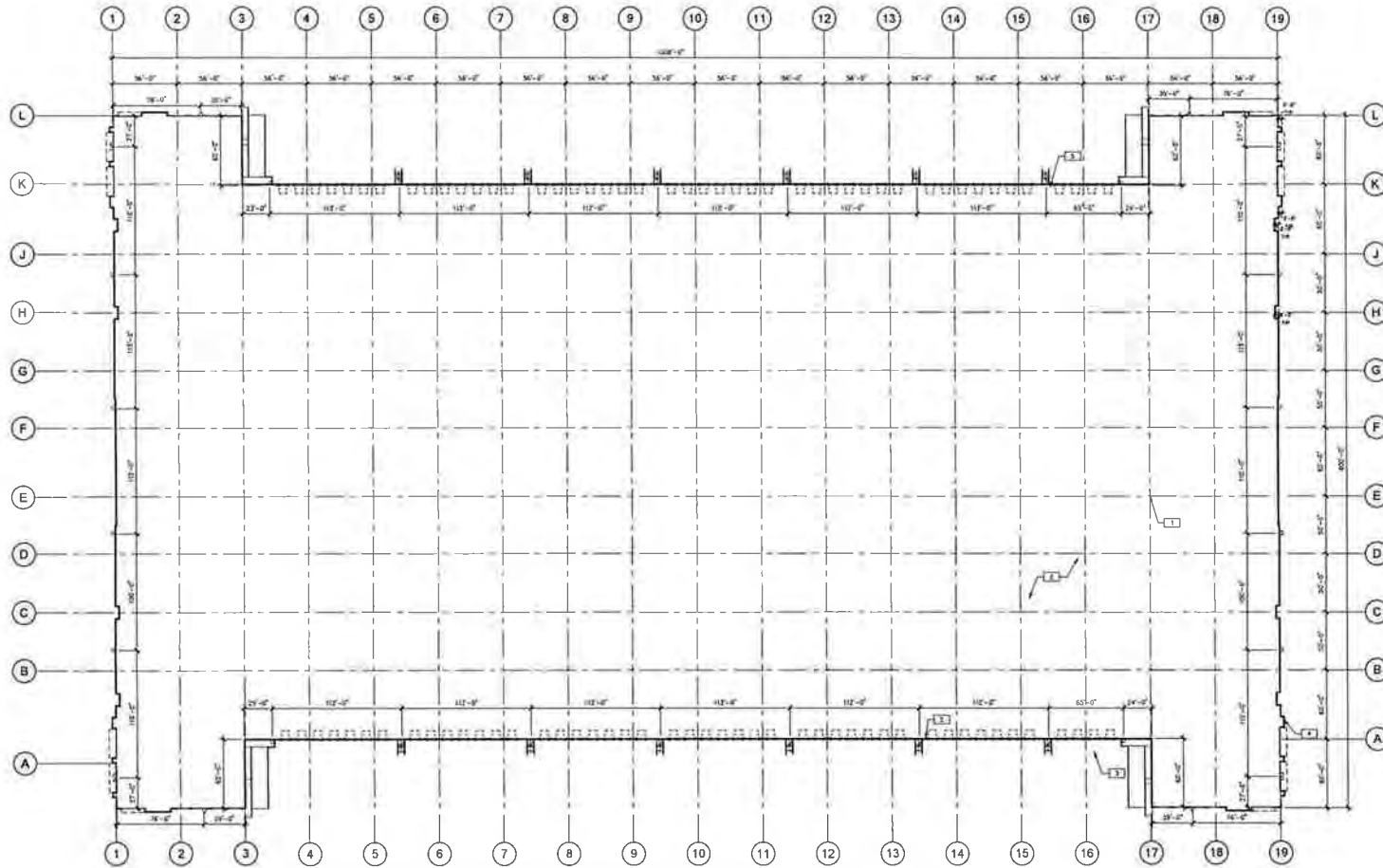
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1" = 40'
10' 20' 30' 40' 50' 60' 70' 80' 90' 100'
FLOOR PLAN
SCALE: 1"=40'-0"

WALL LEGEND

- CONCRETE WALL
- STANDARD WALL w/ SLOTTED GLAZING

FLOOR PLAN NOTES

SEE SHEET A2.2 FOR GENERAL NOTES

1. CONCRETE SLAB: PROVIDE VAPOR BARRIER OVER SAND BASE AT OFFICE AREA FOR SLOTTED GLAZING.
2. 2" x 6" x 10" SLOTTED GLAZING: PROVIDE SLOTTED GLAZING IN WAREHOUSE.
3. 2" x 6" x 10" SLOTTED GLAZING: PROVIDE SLOTTED GLAZING IN WAREHOUSE.
4. SLOTTED GLAZING.
5. INTERIOR ROOF DRAIN, TYPICAL.

FLOOR PLAN

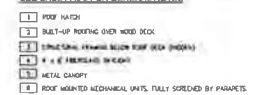
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CHECKER	W.C.
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2	SW7658 GRAY CLOUDS	6	CONCRETE PANEL W/ HORIZONTAL REVEALS	10	SPANDREL GLASS
3	SW7076 CITYSCAPE	7	METAL DOOR, TYP		
4	SW7757 REFLECTIVE WHITE	8	12'X14" OVERSIZED DOCK DOOR		

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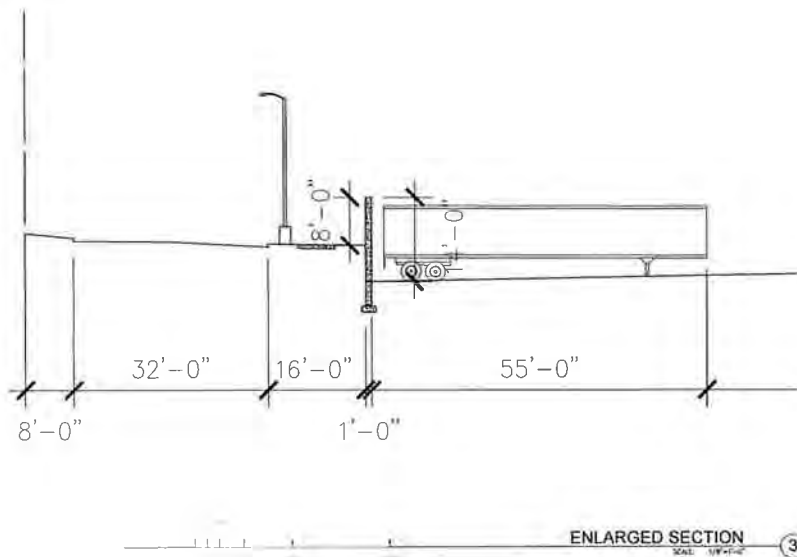
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THE CHARGES AND INTERESTS OF THE PARTIES SHALL BE BORNE BY THE PARTY WHO HAS BEEN FOUND TO BE IN BREACH OF THE AGREEMENT.



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SOUTH EAST CORNER PERSPECTIVE
SCALE: 1/8"=1'-0"



SOUTH EAST CORNER PERSPECTIVE (STREET VIEW)
SCALE: 1/8"=1'-0"

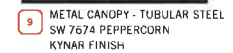
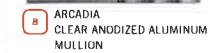
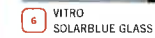
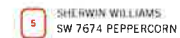
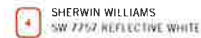
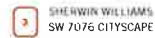
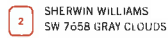
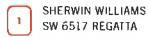
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TEL: (951) 341-1100
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MENIFEE, CALIFORNIA

PERSPECTIVE VIEWS	
VIEW	DATE
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DATE: 11/11/2020
DRAWN BY: J.C.
CHECKED BY: J.C.

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numero dell'opera 4540 d
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MENIFEE, CALIFORNIA

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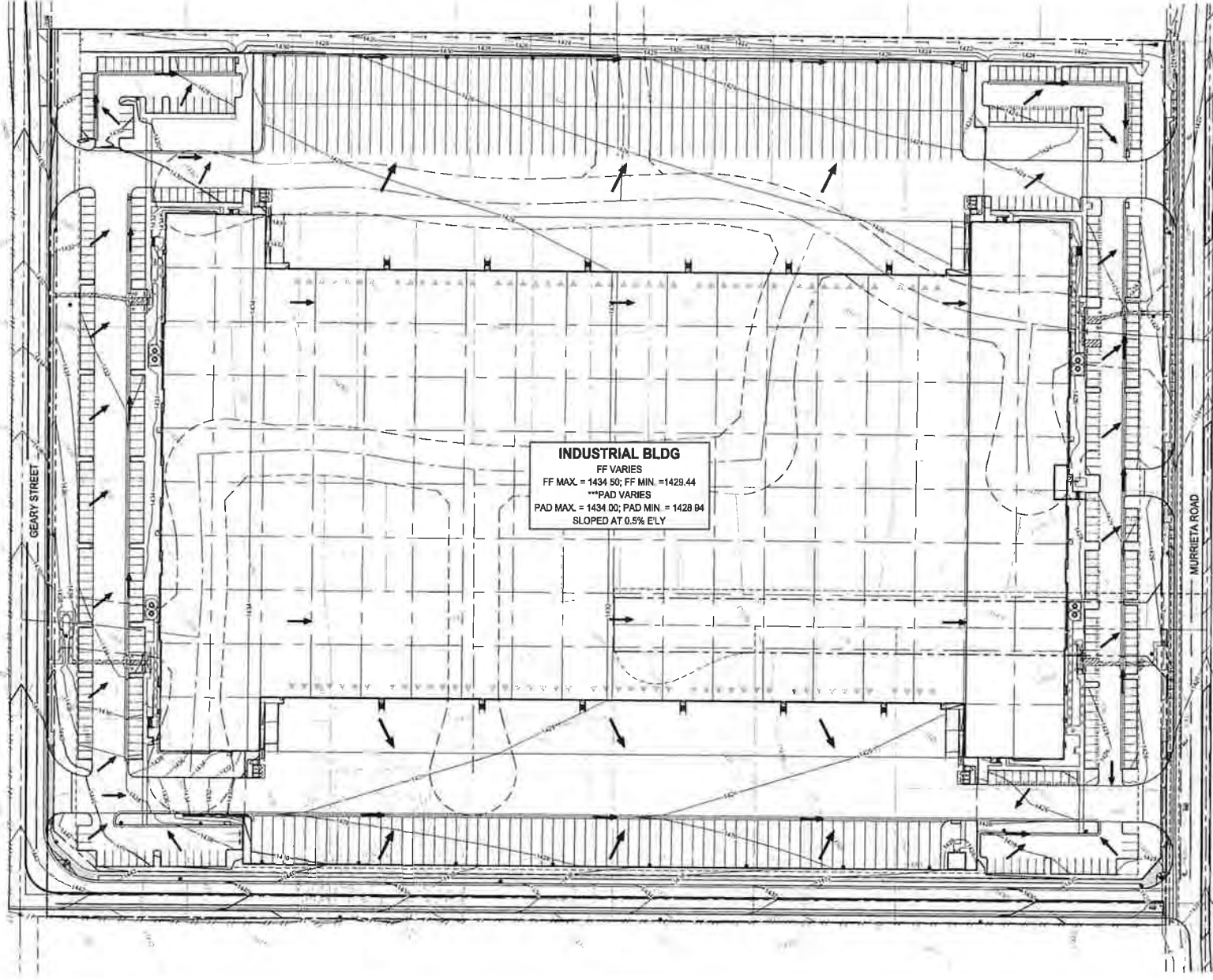
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**INDUSTRIAL & SPEC INDUSTRIAL
PRELIMINARY PLANS**
10101A RD. & ETHANAC RD
MENIFEE, CA 92585



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 MURRIETA RD. & ETHANAC RD
 MENIFEE, CA 92585

OVERALL PRELIMINARY GRADING PLAN

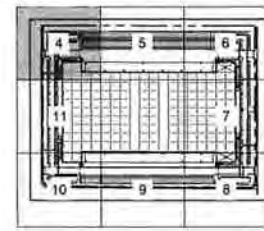
DATE	REVISION

JOB NO.	19122-0006
PAID BY	L. CORSE
DESIGNED BY	A. CASTRO
DATE	10/26/2024
PLOT DATE	10/26/2024

SHEET
3
 Sheet 3 of 14

SEE PRELIMINARY
IMPROVEMENT PLANS
FOR PROPOSED OFF-SITE
IMPROVEMENTS

SEE PRELIMINARY
IMPROVEMENT PLANS
FOR PROPOSED OFF-SITE
IMPROVEMENTS



KEY MAP
SCALE: N/A

CONSTRUCTION NOTES

- (01) NEW COMMERCIAL DRIVEWAY APPROACH
- (02) NEW 6" CURB
- (03) NEW 6" CURB
- (04) NEW 6" CURB AND GUTTER
- (05) NEW VALLEY GUTTER
- (06) NEW TRASH ENCLOSURE
- (07) NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- (08) NEW ADA PARKING
- (09) NEW ADA CURB RAMP
- (10) NEW GATE
- (11) NEW BUILDING STEM WALL
- (12) NEW BUILDING DEEPENED FOOTING
- (13) NEW BROWN WALL
- (14) NEW RETAINING WALL
- (15) NEW CONCRETE BROW DITCH

GRADING NOTES

- 1. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
- 2. SET COVER SHEET FOR BENCH-MARK BASIS OF ELEVATIONS AND SURVEY INFORMATION.
- 3. ELEVATIONS ARE PER THE SURVEY DATUM, NOT PER ARCHITECTURAL FLOOR ELEVATIONS.
- 4. ELEVATIONS ARE AT FINISHED SURFACE UNLESS OTHERWISE NOTED.
- 5. CURB ELEVATIONS ARE AT FLOWLINE BOTTOM OF CURB UNLESS OTHERWISE NOTED.
- 6. EXISTING UTILITY STRUCTURES TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
- 7. SIDEWALKS AND BENCH-MARKS SHALL BE 2% MAX CROSS-SLOPE TOWARD ROADS, DRIVE LANES AND PARKING AREAS UNLESS OTHERWISE NOTED.
- 8. ACCESSIBLE PARKING SPACES SHALL BE 2% MAX TO BE 2% MAX SLOPE IN ANY DIRECTION.
- 9. REFER TO THE GEOTECH REPORT FOR GROUNDWATER ELEVATIONS.
- 10. GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH REPORT.
- 11. PEDESTRIAN GUARDRAILS TO BE INSTALLED WHERE REQUIRED BY LOCAL, STATE, OR FEDERAL REQUIREMENTS. RE: ARCHITECTURAL/LANDSCAPE PLANS.

MATCHLINE
SEE SHEET 5

MATCHLINE
SEE SHEET 11



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ARES SPEC INDUSTRIAL
PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD.
MENIFEE, CA 92585

PRELIMINARY GRADING PLAN	
NO.	REVISIONS
1	
2	
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JOB NO.	00000000
DATE	11/22/2024
DESIGNED BY	A. CASTELLO
DATE	11/22/2024
PLOT DATE	11/22/2024

SHEET	4
OF	14



- 01 NEW COMMERCIAL SIDEWALK APPROACH
- 02 NEW 6" CURB
- 03 NEW 6" CURB
- 04 NEW 6" CURBS AND GUTTER
- 05 NEW VALLEY GUTTER
- 06 NEW TRASH ENCLOSURE
- 07 NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- 08 NEW ADA PARKING
- 09 NEW ADA CURB RAMP
- 10 NEW GATE
- 11 NEW BUILDING STEM WALL
- 12 NEW BUILDING DEFINED FOOTING
- 13 NEW SCREEN WALL
- 14 NEW RETAINING WALL
- 15 NEW CONCRETE BROW DITCH

- 3 CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ENGINEER WILL NOT BE LIABLE FOR CONSTRUCTION OF ELEVATIONS BASED ON THE DESIGN UNLESS WITH PROPER NOTIFICATION CONTRACTOR REQUESTS FOR VERIFICATION OF THE BEARINGS AND SURVEY INFORMATION. ELEVATIONS ARE FOR THE SURVEY DATUM NOT PER ARCHITECTURAL FLOOR FINISHES.
- 4 ELEVATIONS ARE AT FINISHED SURFACE UNLESS OTHERWISE NOTED.
- 5 CURB ELEVATIONS AT FLOW-UNDERBROOK OF CURB UNLESS OTHERWISE NOTED.
- 6 CURB ELEVATIONS TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
- 7 DRIVEWAYS AND LANDINGS SHALL BE 2% MAX POSITIVE SLOPE TOWARD PARKING AREAS. PARKING AREAS UNLESS OTHERWISE NOTED.
- 8 EXISTING PARKING SLABS AND DRIVING AREAS TO BE 2% MAX POSITIVE SLOPE IN ALL DIRECTIONS. REFER TO THE GEOTECH REPORT FOR REQUIRED ELEVATIONS.
- 9 GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH REPORT RECOMMENDATIONS FOR STABILITY AND WHERE REQUIRED BY LOCAL STATE OR FEDERAL REGULATIONS. THE ARCHITECTURAL/LANDSCAPE PLANS.

10 edelman
ivine, ca 92616
p 949 660 9128
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**ARES SPEC INDUSTRIAL
PRELIMINARY PLANS**
MURRIETA RD, & ETHANAC RD.
MENIFEE, CA 92585

JOB NO:	HY22-0506
PA / PM	S. CONTRA
DESIGNED	A. CASTELO
DATE	8/26/2024
PLOT DATE	9/26/2024

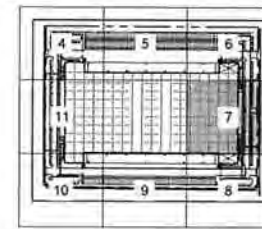
6 of 14

SEE SHEET 0
MATCHLINE[illegible]

MATCHLINE

WM

SCALE 1" = 20'

KEY MAP
SCALE: NTS

CONSTRUCTION NOTES

- (01) NEW COMMERCIAL DRIVEWAY APPROACH
- (02) NEW 0" CURB
- (03) NEW 8" CURB
- (04) NEW 8" CURB AND GUTTER
- (05) NEW VALLEY CUTTER
- (06) NEW TRASH ENCLOSURE
- (07) NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- (08) NEW ADA PARKING
- (09) NEW ADA CURB RAMP
- (10) NEW GATE
- (11) NEW BUILDING STEM WALL
- (12) NEW BUILDING DEEPENED FOOTING
- (13) NEW SCREEN WALL
- (14) NEW RETAINING WALL
- (15) NEW CONCRETE BROWSDITCH

GRADING NOTES

1. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
2. SET COVER SHEET FOR MATCHMARK BASIS OF SURVEY AND SURVEY INFORMATION.
3. ELEVATIONS ARE 1/4" IN THE SURVEY DATUM NOT PER ARCHITECTURAL FLOOR TO ELEVATIONS OTHERWISE NOTED.
4. CURB ELEVATIONS ARE AT FLOWLINE/BOTTOM OF CURB UNLESS OTHERWISE NOTED.
5. EXISTING UTILITY STRUCTURES TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
6. SIDEWALKS AND LANDINGS SHALL BE 2% MAX. CROSS-SLOPE TOWARD ROADS. DRIVE LANES AND PARKING AREAS UNLESS OTHERWISE NOTED.
7. ACCESSIBLE PARKING STALLS AND LOADING AREAS TO BE 2% MAX. SLOPE IN ANY DIRECTION.
8. REFER TO THE GEOTECH REPORT FOR GROUNDWATER ELEVATIONS.
9. GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH. REPORT.
10. PEDESTRIAN GUARDRAILS TO BE INSTALLED WHERE REQUIRED BY LOCAL, STATE OR FEDERAL REQUIREMENTS RE ARCHITECTURAL/LANDSCAPE PLANS.

WM



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PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD.
MENIFEE, CA 92585

PRELIMINARY GRADING PLAN

NO.	DATE	REVISION
1	10/20/24	ISSUED FOR PERMIT

DESIGNED BY	REVISED BY
DRAWN BY	CHECKED BY
DATE	DATE
PROJECT DATE	PROJECT DATE

SHEET

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7 of 14

10 edelman
irvine, ca 92618
p 949 660 9128
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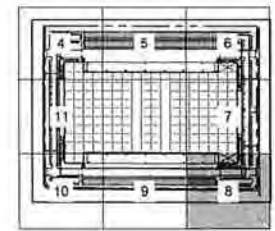
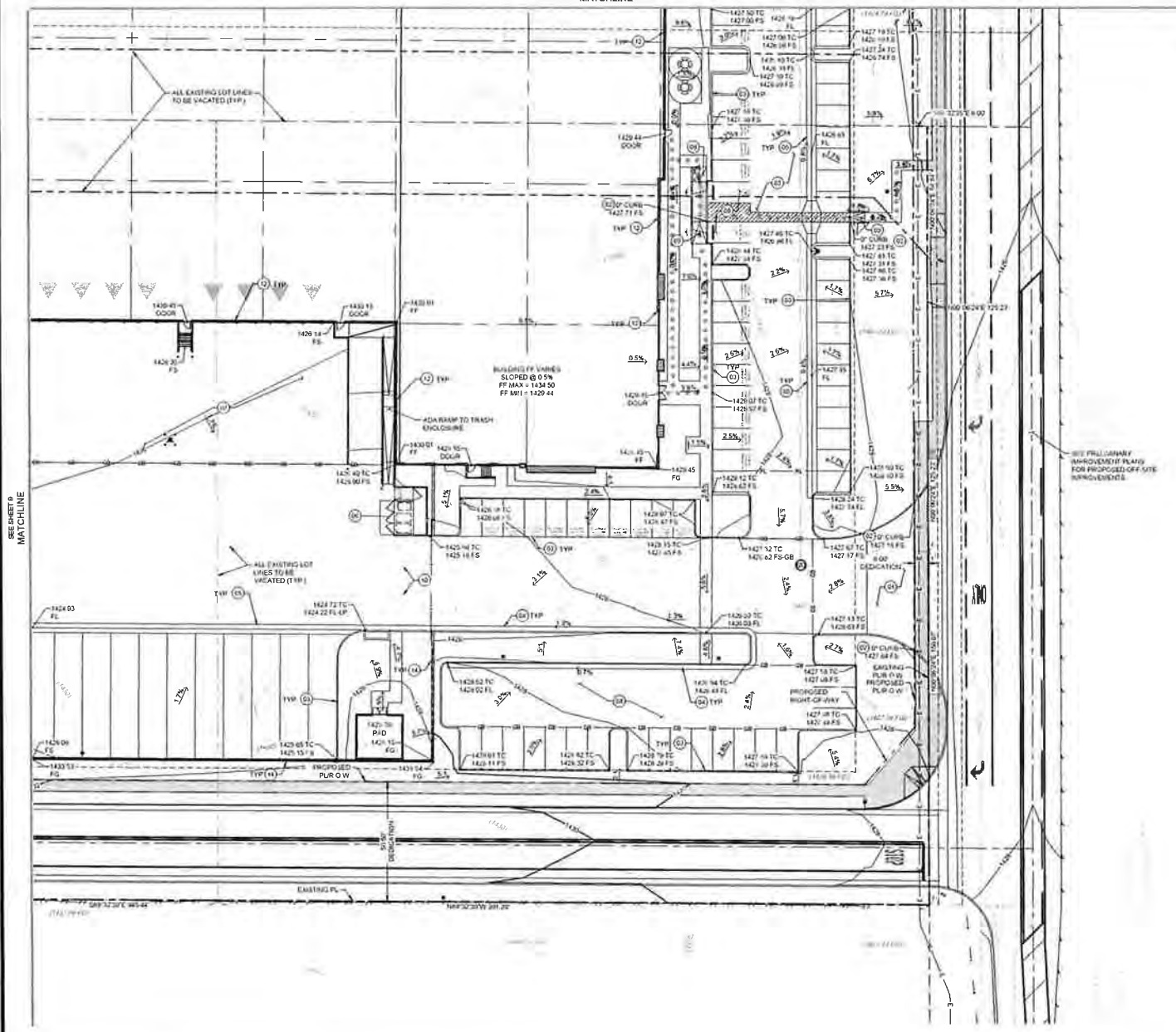


**ARES SPEC INDUSTRIAL
PRELIMINARY PLANS**
MURRIETA RD. & ETHANAC RD.
MENIFEE, CA 92585

PRELIMINARY GRADING PLAN

JOBL NO:	INV22-0080
PALEIRA	L CORSEIE
DESIGNED	A CASTELO
DATE	9/26/2024
PLOT DATE	9/26/2024

Sheet 8 of 14

SEE SHEET 8
MATCHLINE

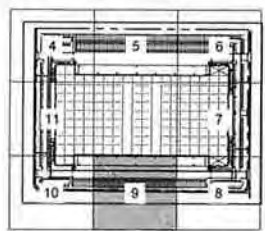
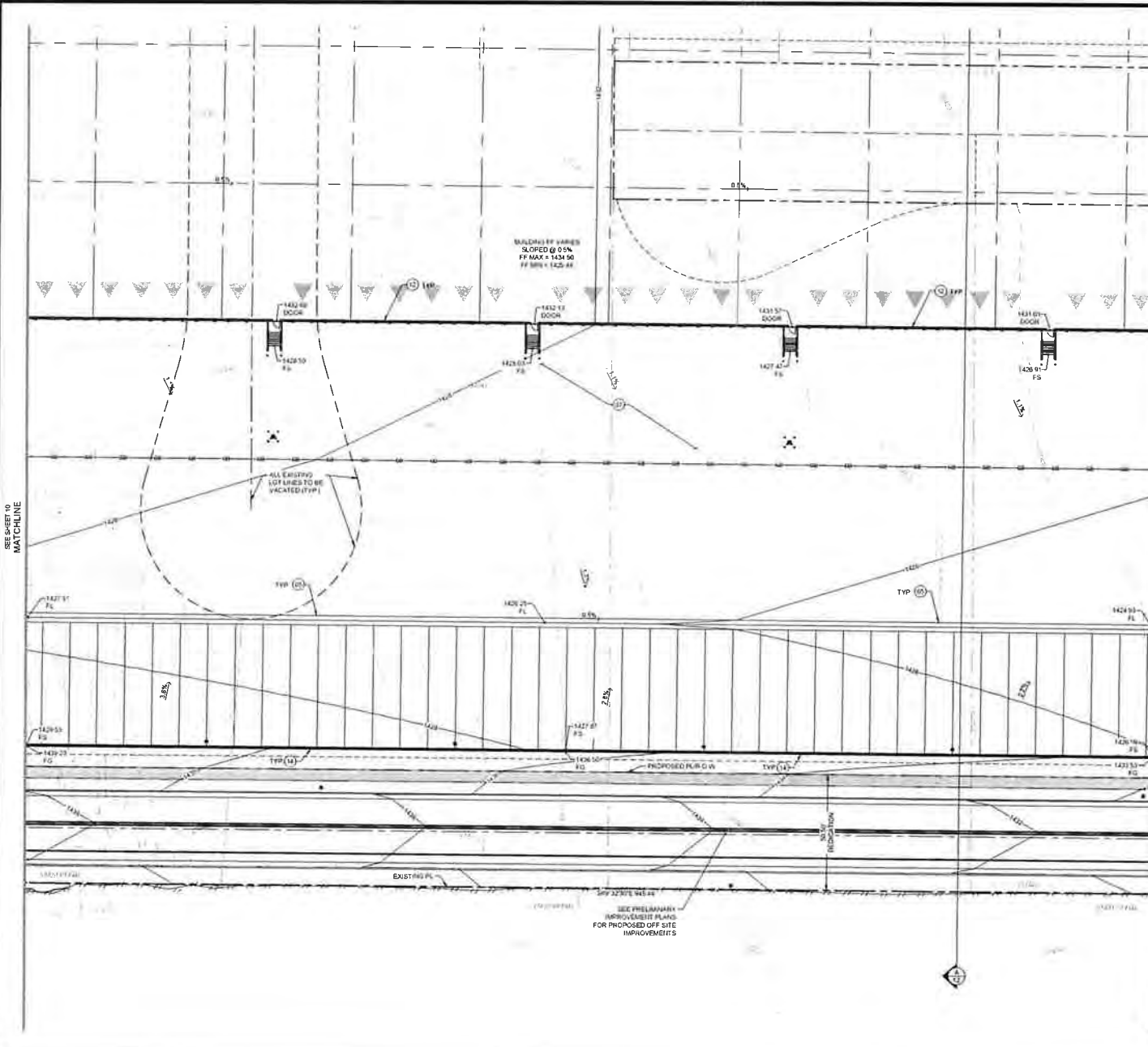
CONSTRUCTION NOTES

- 01 NEW COMMERCIAL DRIVEWAY APPROACH
- 02 NEW 6" CURB
- 03 NEW 6" CURB
- 04 NEW 6" CURB AND CUTTER
- 05 NEW VALLEY GUTTER
- 06 NEW TRASH ENCLOSURE
- 07 NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- 08 NEW ADA PARKING
- 09 NEW ADA CURB RAMP
- 10 NEW GATE
- 11 NEW BUILDING STEM WALL
- 12 NEW BUILDING DEEPEINED FOOTING
- 13 NEW SCREEN WALL
- 14 NEW RETAINING WALL
- 15 NEW CONCRETE BROW DITCH

GRADING NOTES

- [illegible]





CONSTRUCTION NOTES

- 01 NEW COMMERCIAL DRIVEWAY APPROACH
- 02 NEW 6" CURB
- 03 NEW 6" CURB
- 04 NEW 6" CURB AND GUTTER
- 05 NEW VALLEY GUTTER
- 06 NEW TRASH ENCLOSURE
- 07 NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- 08 NEW ADA PARKING
- 09 NEW ADA CURB RAMP
- 10 NEW GATE
- 11 NEW BUILDING STEM WALL
- 12 NEW BUILDING DEEPENED FOOTING
- 13 NEW SCREEN WALL
- 14 NEW 6" CEMENT WALL
- 15 NEW CONCRETE BROW DITCH

GRADING NOTES

- 1 CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
- 2 SEE COVER SHEET FOR BENCHMARK BASIS OF BEARINGS AND SURVEY INFORMATION.
- 3 ELEVATIONS ARE PER THE SURVEY DATUM NOT PER ARCHITECTURAL FLOOR ELEVATIONS.
- 4 ELEVATIONS ARE AT FINISHED SURFACE UNLESS OTHERWISE NOTED.
- 5 CURB ELEVATIONS ARE AT FLOWING BOTTOM OF CURB UNLESS OTHERWISE NOTED.
- 6 EXISTING UTILITY STRUCTURES TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
- 7 SIDEWALKS AND LANDINGS SHALL BE 2% MAX CROSS-SLOPE TOWARD ROADS, DRIVE LANE'S AND PARKING AREAS UNLESS OTHERWISE NOTED.
- 8 ACCESSIBLE PARKING STALLS AND LOADING AREAS TO BE 2% MAX SLOPE IN ANY DIRECTION.
- 9 REFER TO THE GEOTECH REPORT FOR GROUNDWATER ELEVATIONS.
- 10 GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH REPORT.
- 11 PEDESTRIAN GUARDRAILS TO BE INSTALLED WHERE REQUIRED BY LOCAL STATE OR FEDERAL REQUIREMENTS RE ARCHITECTURAL/LANDSCAPE PLANS.

MATCHLINE
SEE SHEET 8



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September 26, 2024

FOR AND ON BEHALF
OF WARE MALCOMB

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MURRIETA RD, & ETHANAC RD
MENIFEE, CA 92585

PRELIMINARY GRADING PLAN

NO.	DATE	REVISIONS
1		

JOB NO.	19V22-0036
PLA. PM.	L. CORNBERG
DESIGNED	A. CASTELLO
DATE	8/26/2024
PLOT DATE	9/26/2024

SHEET

9

9 of 14

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1000 Main
Irvine, CA 92618
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OF WARE MALCOMB

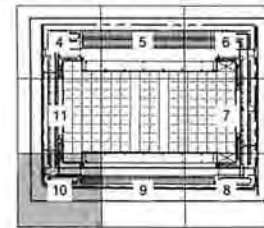
ARES SPEC INDUSTRIAL
PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD
MENEFEE, CA 92565

PRELIMINARY GRADING PLAN

DATE	10/22/2024
BY	L. CORRIE
DESIGNED BY	A. CASTLE
DATE	3/10/2024
PLOT DATE	9/16/2024

Sheet
10

10 of 14



KEY MAP
SCALE: NTS

CONSTRUCTION NOTES

- (01) NEW COMMERCIAL DRIVEWAY APPROACH
- (02) NEW 6" CURB
- (03) NEW 8" CURB
- (04) NEW 6" CURB AND GUTTER
- (05) NEW VALLEY GUTTER
- (06) NEW TRASH ENCLOSURE
- (07) NEW CONCRETE PAVING PER GEOTECHNICAL REPORT
- (08) NEW ADA PARKING
- (09) NEW ADA CURB RAMP
- (10) NEW GATE
- (11) NEW BUILDING STEM WALL
- (12) NEW BUILDING DEEPENED FOOTING
- (13) NEW SCREEN WALL
- (14) NEW RETAINING WALL
- (15) NEW CONCRETE BROW DITCH

GRADING NOTES

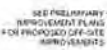
- 1 CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
- 2 SEE COVER SHEET FOR BENCHMARK, BASIS OF BEARINGS AND SURVEY INFORMATION.
- 3 ELEVATIONS ARE PER THE SURVEY DATUM NOT PER ARCHITECTURAL FLOOR ELEVATIONS.
- 4 ELEVATIONS ARE AT FINISHED SURFACE UNLESS OTHERWISE NOTED.
- 5 CURB ELEVATIONS ARE AT FLOWLINE BOTTOM OF CURB UNLESS OTHERWISE NOTED.
- 6 EXISTING UTILITIES STRUCTURES TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
- 7 SIDEWALKS AND LANDINGS SHALL BE 2% MAX CROSS-SLOPE TOWARD ROADS, DRIVE LANES AND PARKING AREAS UNLESS OTHERWISE NOTED.
- 8 ACCESSIBLE PARKING SPILLS AND LOADING AREAS TO BE 2% MAX SLOPE IN ANY DIRECTION.
- 9 REFER TO THE GEOTECH REPORT FOR GROUNDWATER ELEVATIONS.
- 10 GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH REPORT.
- 11 PEDESTRIAN GUARDRAILS TO BE INSTALLED WHERE REQUIRED BY LOCAL, STATE OR FEDERAL REQUIREMENTS. RE: ARCHITECTURAL/LANDSCAPE PLANS.

MATCHLINE
SEE SHEET 9

SEE PRELIMINARY
IMPROVEMENT PLANS
FOR PROPOSED OFF-SITE
IMPROVEMENTS

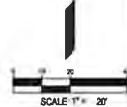
WARE MALCOMB & ASSOCIATES, INC. 1000 MAIN STREET, IRVINE, CA 92618 (949) 860-9128 FAX (949) 860-9129 www.waremalcomb.com



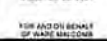


- 01 NEW COMMERCIAL DRIVEWAY APPROACH
- 02 NEW 6' CURB
- 03 NEW 8' CURB
- 04 NEW 6' CURB AND GUTTER
- 05 NEW VALLEY GUTTER
- 06 NEW TRASH ENCLOSURE
- 07 NEW CONCRETE PAVING FOR GEOTECHNICAL REPORT
- 08 NEW ADA PARKING
- 09 NEW ADA CURB RAMP
- 10 NEW GATE
- 11 NEW BUILDING STEM WALL
- 12 NEW BUILDING DEEPEXED FOOTING
- 13 NEW SCREEN WALL
- 14 NEW RETAINING WALL
- 15 NEW CONCRETE BROW DITCH

CONTRACTOR SHALL NOTIFY THE ELEVATIONS OF ANY DISCREPANCIES WITH THE ELEVATIONS SHOWN ON THE PLANS. ELEVATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR ASSOCIATED WITH THE CHARTERED PROFESSIONAL DESIGN WITH PROPER NOTIFICATION TO THE PROJECT TEAM. ELEVATIONS SHALL BE BASED ON BEARINGS AND SURVEY INFORMATION. ELEVATIONS ARE PER THE SURVEY DATUM NOT PER AN ASSUMED FLOOR FINISH. ELEVATIONS ARE AT FINISHED SURFACE UNLESS OTHERWISE NOTED. CURB ELEVATIONS ARE AT FLOWLINE/BOTTOM OF CURB UNLESS OTHERWISE NOTED. CROWN OF STRUCTURES SHALL BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING. SIDEWALKS AND LANDINGS SHALL BE 2% MAX. SLOPE UPWARD TO ROADWAYS. DRIVEWAYS AND PARKING AREAS UNLESS OTHERWISE NOTED. ACCESSIBLE PARKING AT STALLS AND LOADING AREAS SHALL BE 2% MAX. SLOPE UPWARD. ALL ELEVATIONS REFER TO THE GEOTECH REPORT FOR GRADING. ELEVATIONS SHALL BE BASED ON THE GRADING OF LANDSCAPED AREAS AROUND BUILDINGS TO COMPLY WITH GEOTECH REPORT RECOMMENDATIONS TO PREVENT EROSION AND WHERE REQUIRED BY LOCAL, STATE, OR FEDERAL REQUIREMENTS. LAND ARCHITECTURE AND LANDSCAPE ARCHITECTURE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR ASSOCIATED WITH THE CHARTERED PROFESSIONAL DESIGN WITH PROPER NOTIFICATION TO THE PROJECT TEAM.



JO edelman
rvine, ca 92618
949 660 9128
waremailcomb.com



**ARES SPEC INDUSTRIAL
PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD.
MENIFEE, CA 92585**

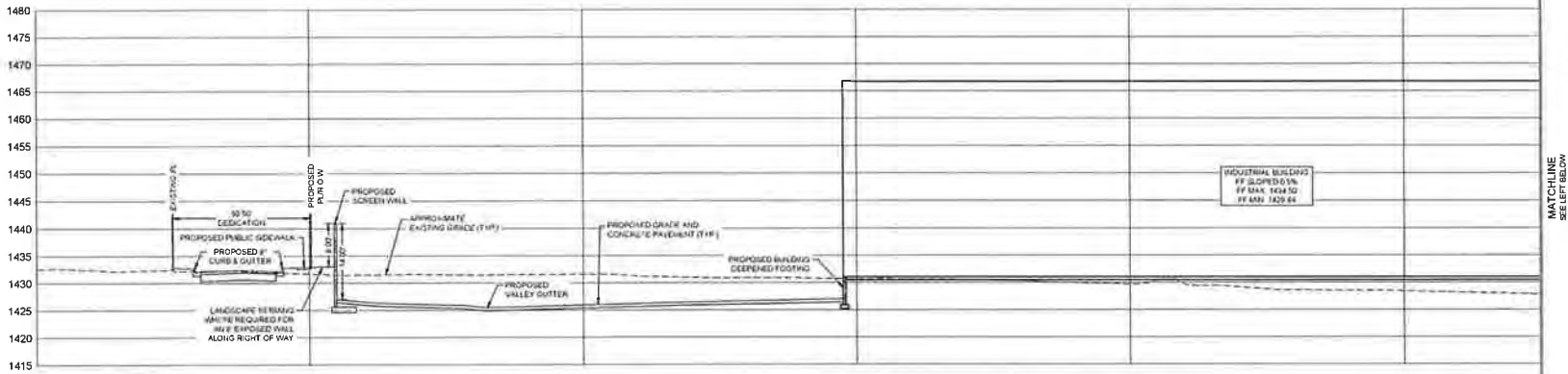
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JOB NO	9472 0066
PA/FM	L CORRIE
DESIGNED	A CASTELO
DATE	9/26/03
PLOT DATE	9/26/03

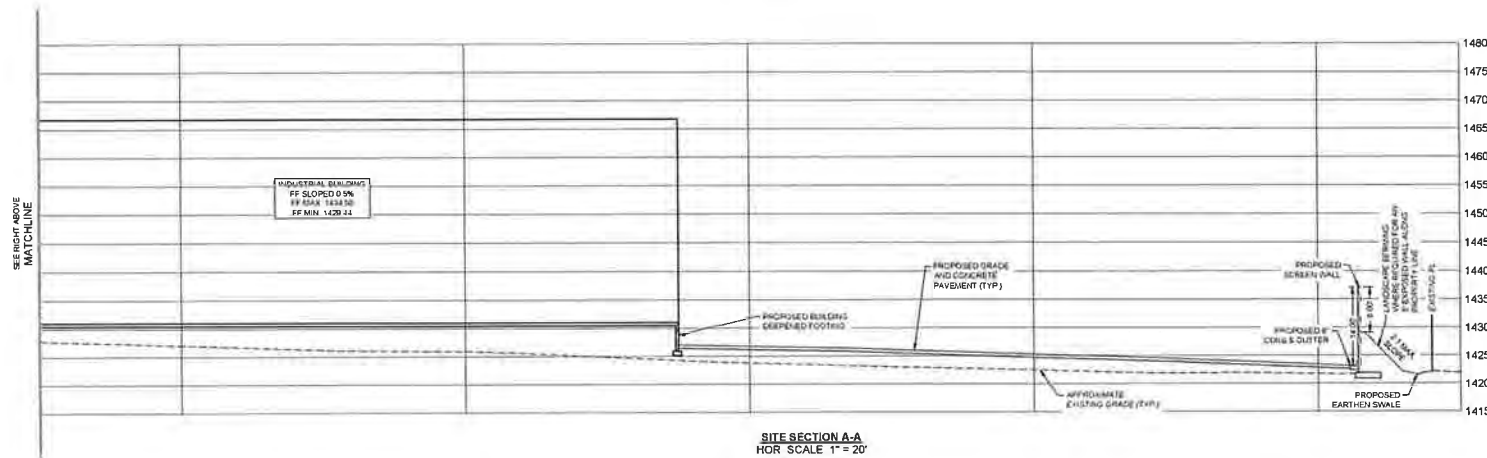
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Sheet 11 of 14

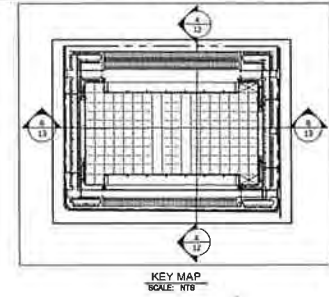
CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT



SITE SECTION A-A
HOR SCALE: 1" = 20'
VERT SCALE: 1" = 10'



SITE SECTION A-A
HOR SCALE: 1" = 20'
VERT SCALE: 1" = 10'



KEY MAP
SCALE: 1" = 1M

WARE MALCOMB
LEADING DESIGN FOR COMMERCIAL REAL ESTATE

10 edition
phone: ca 92618
p 949 660.9128
waremalcomb.com



FOR AND ON BEHALF
OF WARE MALCOMB

ARES SPEC INDUSTRIAL
PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD.
MENIFEE, CA 92585

PRELIMINARY SITE SECTIONS	
NO.	DATE
1	REVISIONS

DESIGNED BY	10/22/2024
PA/PM	L. CORLISS
DESIGNED BY	A. CASTELLG
DATE	10/20/2024
PLOT DATE	10/20/2024

12

Sheet 12 of 14

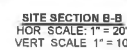
SCALE: Hor: 1" = 20'
SCALE: Vert: 1" = 10'

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vine, ca 92618
949 660 9128

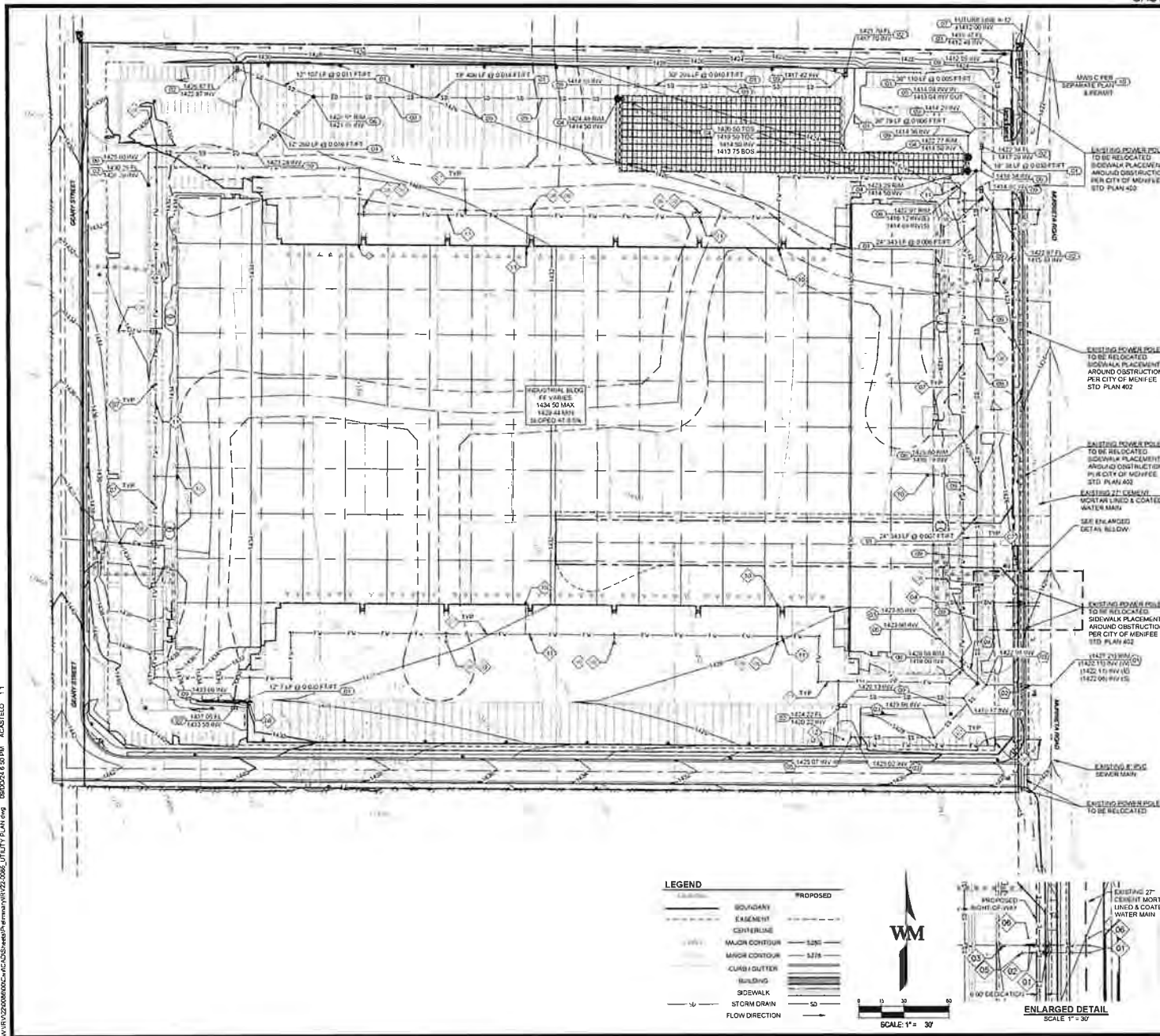
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Sheet 13 of 14

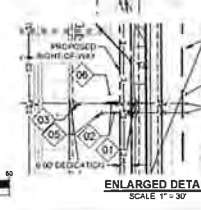


SCALE: Hor. 1" = 20'
SCALE: Vert. 1" = 10'



LEGEND

EXISTING	PROPOSED
BOUNDARY	BOUNDARY
EASEMENT	EASEMENT
CENTERLINE	CENTERLINE
MAJOR OUTLINE	MAJOR OUTLINE
CURB & OUTLINE	CURB & OUTLINE
ROADWAY	ROADWAY
STORM DRAIN	STORM DRAIN
FLOW DIRECTION	FLOW DIRECTION



STORM DRAIN CONSTRUCTION NOTES

- (1) INSTALL NEW 18" STORM DRAIN PIPE 18" O.D. AT 0.5% MIN. PIPE SLOPE AND SLOPE PER PLAN. REFER TO DETAIL 01 ON SHEET 35 FOR TRENCHING.
- (2) INSTALL NEW CURB OPENING CATCH BASIN WITH GRATING(S) PER GREENBOOK SWPPP STD PLAN 302.3
- (3) INSTALL NEW 36" JENSEN PRECAST CATCH BASIN DROP INLET WITH FULL TRASH CAPTURE INSERT PER DETAIL 02, 04, & 05 ON SHEET 35.
- (4) INSTALL UNDERGROUND STORAGE BASIN AND STORMTECH CHAMBERS OR EQUAL. PER DETAIL 03 ON SHEET 35 & DETAIL 01 ON SHEET 28.
- (5) INSTALL MODULAR WETLAND SYSTEM BMP (MWS A & B) PER DETAIL 01 ON SHEET 28.
- (6) INSTALL STORM DRAIN MANHOLE PIPE TO PIPE PER GREENBOOK SWPPP STD PLAN 302.3.
- (7) CONNECT TO FUTURE OFF-SITE STORM DRAIN CONNECTION PER SEPARATE PLAN & PERMIT.
- (8) CONSTRUCT NEW OVERSIDE DRAIN PER CITY OF MENFEE STD PLAN 302.
- (9) INSTALL NEW STORM DRAIN CLEANOUT PER DETAIL 02 ON SHEET 35.
- (10) INSTALL MODULAR WETLAND SYSTEM BMP (MWS C) PER DETAIL 02 ON SHEET 28.

SEWER CONSTRUCTION NOTES

- (1) NEW SEWER LATERAL CONNECTION TO EXISTING SANITARY MANHOLE.
- (2) NEW SEWER LATERAL PER EASTERN MUNICIPAL WATER DISTRICT STD DWG 30-177.
- (3) NEW SEWER CLEANOUT PER EASTERN MUNICIPAL WATER DISTRICT STD DWG 30-52.
- (4) NEW 18" PVC 30-35 SEWER LINE SLOPED AT 1% TRENCHING PER EASTERN MUNICIPAL WATER DISTRICT STD DWG 30-158.
- (5) NEW SEWER SERVICE BUILDING POINT OF CONNECTION.

WATER CONSTRUCTION NOTES

- (1) NEW 2" COPPER DOMESTIC AND IRRIGATION SERVICE CONNECTIONS AND METERS PER EASTERN MUNICIPAL WATER DISTRICT STD DWGS B-344A AND B-344.
- (2) NEW 2" DOMESTIC WATER AND IRRIGATION BACKFLOW PREVENTER ASSEMBLIES PER EASTERN MUNICIPAL WATER DISTRICT STD DWG B-367A.
- (3) NEW 2" COPPER DOMESTIC WATER SERVICE PIPE.
- (4) NEW DOMESTIC WATER SERVICE BUILDING POINT OF CONNECTION.
- (5) NEW IRRIGATION SERVICE POINT OF CONNECTION. REFER TO LANDSCAPE PLANS FOR CONTINUATION.
- (6) NEW FIRE WATER SERVICE CONNECTION AND DCD BACKFLOW PREVENTER ASSEMBLY PER EASTERN MUNICIPAL WATER DISTRICT STD DWG B-367.
- (7) NEW FIRE WATER SERVICE LOOP WITH THRUST PIPES. PIPES SIZE 18" THRU 30" SCS. PER EASTERN MUNICIPAL WATER DISTRICT STD DWG B-367. TRENCH BACKFILL PER EASTERN MUNICIPAL WATER DISTRICT STD DWG B-286B.
- (8) NEW FIRE HYDRANT PER EASTERN MUNICIPAL WATER DISTRICT STD DWG B-362.
- (9) NEW BOLLARD PROTECTION AROUND WATER APPLIANCE.
- (10) NEW FIRE WATER SPRINKLER RISER. REFER TO FIRE SPRINKLER PLANS FOR CONTINUATION.
- (11) NEW FIRE WATER POST INDICATOR VALVE.
- (12) CONSTRUCT NEW FIRE PUMP STATION PER ARCHITECTURAL, STRUCTURAL, AND PLUMBING PLANS.

UTILITY PURVEYORS:

EASTERN MUNICIPAL WATER DISTRICT (WATER & SEWER)
2210 TRAVELER ROAD
PERRIS, CA 92570
PHONE 951 928-5777

UTILITY NOTES

1. CONSTRUCTION SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES WHERE NEW GRADING OR UTILITY WORK WILL OCCUR AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR CONFLICTS. ENGINEER WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH CHANGES TO THE DESIGN WITHOUT PROPER NOTIFICATION.
2. SEE COVER SHEET FOR BENCHMARK, BASIS OF BEARINGS, AND SURVEY INFORMATION.
3. PROPOSED DRY UTILITIES ARE SHOWN FOR REFERENCE ONLY. REFER TO PLANS BY UTILITY PROVIDERS AND/OR METER.
4. EXISTING UTILITY STRUCTURES TO BE ADJUSTED AS NECESSARY FOR PROPOSED GRADING.
5. REFER TO THE GEOTECH REPORT FOR GROUNDWATER ELEVATIONS.
6. MANHOLES ARE CONTROLLED AT CENTER OF MANHOLE.
7. ALL RCP TO BE CLASS II OR APPROVED EQUIVALENT UNLESS OTHERWISE NOTED.
8. ALL STORM AND SANITARY PVC TO BE SDR35 UNLESS OTHERWISE NOTED OR REQUIRED BY THE JURISDICTION.
9. ALL WATER PVC TO BE C900 UNLESS OTHERWISE NOTED OR REQUIRED BY THE JURISDICTION.

WARE MALCOMB
LEADING DESIGN FOR COMMERCIAL REAL ESTATE

10 Edinham
Irvine, CA 92618
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waremalcomb.com



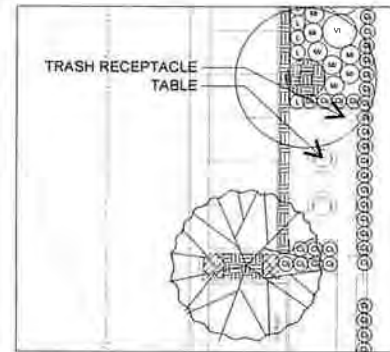
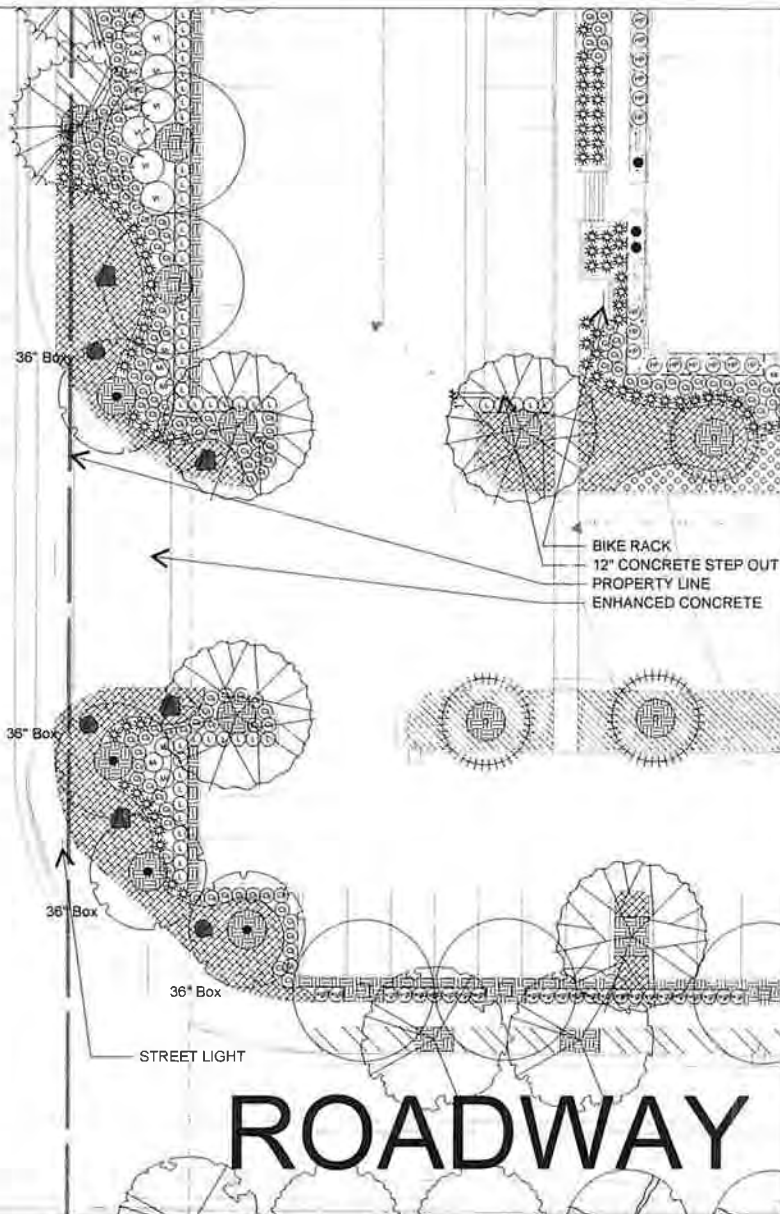
ARES SPEC INDUSTRIAL
PRELIMINARY PLANS
MURRIETA RD. & ETHANAC RD
MENEFEE, CA 92585

PRELIMINARY UTILITY PLAN

DATE: 9/20/2016
BY: JPM
CHECKED: J. COOK
DATE: 9/20/2016
BY: JPM

SHEET
14
OF 14

GEARY STREET



EMPLOYEE BREAK AREA
SCALE: 1" = 10'

PLANTING LEGEND

TREES	SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
		Cholla branch	24" Box	1	W/1000
		Desert Willow	24" Box	1	W/1000
		Cereus pandora	24" Box	1	W/1000
		Australian Willow	24" Box	1	W/1000
		Oak arborescens	36" Box	1	W/1000
		Olive	24" Box	1	W/1000
		Ficus benjamina	24" Box	1	W/1000
		Ficus benjamina	24" Box	1	W/1000
		Ficus benjamina	24" Box	1	W/1000
		Ficus benjamina	24" Box	1	W/1000

SHRUBS	SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000
		Calliandra	5 Gal	1	W/1000

ANNUALS	SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
		Blue star	1 Gal	1	W/1000
		Blue star	1 Gal	1	W/1000
		Blue star	1 Gal	1	W/1000
		Blue star	1 Gal	1	W/1000
		Blue star	1 Gal	1	W/1000

GROUNDCOVER	SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
		Arundo donax	1 Gal	1	W/1000
		Arundo donax	1 Gal	1	W/1000
		Arundo donax	1 Gal	1	W/1000
		Arundo donax	1 Gal	1	W/1000
		Arundo donax	1 Gal	1	W/1000

OTHER	SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
		Ficus benjamina	1 Gal	1	W/1000
		Ficus benjamina	1 Gal	1	W/1000
		Ficus benjamina	1 Gal	1	W/1000
		Ficus benjamina	1 Gal	1	W/1000
		Ficus benjamina	1 Gal	1	W/1000

- 2" layer of gravel or crushed rock in wheel areas. 1" layer in gravel areas.
- 3/4" crushed rock decorative rock - Desert Gold. 3" layer over 1/2" layer.
- Gravel
- 4 inches Desert Gold available from Southwest Boulder. Bury 1/2" of gravel in ground. 1" total.
- 3 inches Desert Gold available from Southwest Boulder. Bury 1/2" of gravel in ground. 1" total.
- Concrete base coat.

GEARY STREET SOUTH ENTRY IMPROVEMENTS
TYPICAL FOR ALL ENTRIES
SCALE: 1" = 10'

ENLARGEMENT PLANS - SHEET 3

ARES Spec Industrial

22-059
05.25.22
Sub P2 03.10.23 Sub P2 11.01.23
Sub B2 08.04.23 Sub B2 09.24.24

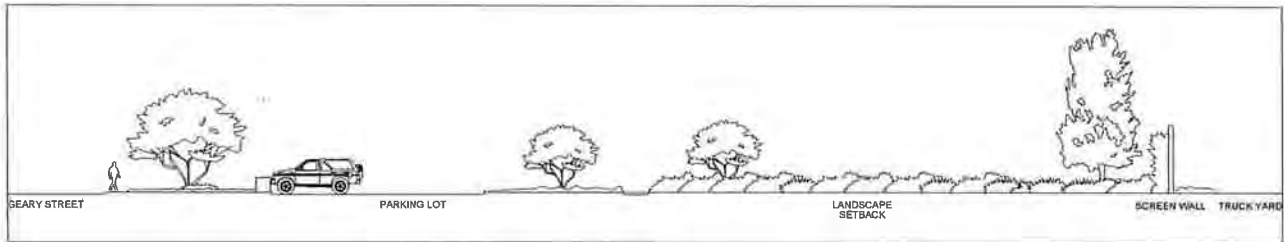
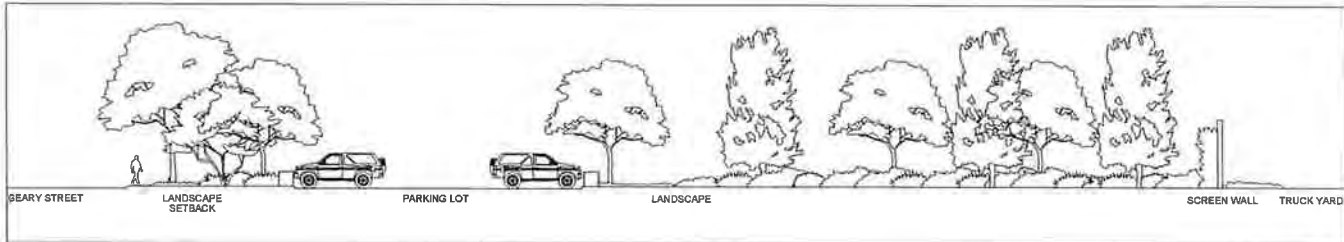
DEV2022-017



Menifee, California



HUNTER LANDSCAPE
711 FEE ANA STREET PLACENTIA, CA 92870
714 986 2400 FAX 714 986 2408



SECTIONS - SHEET 4

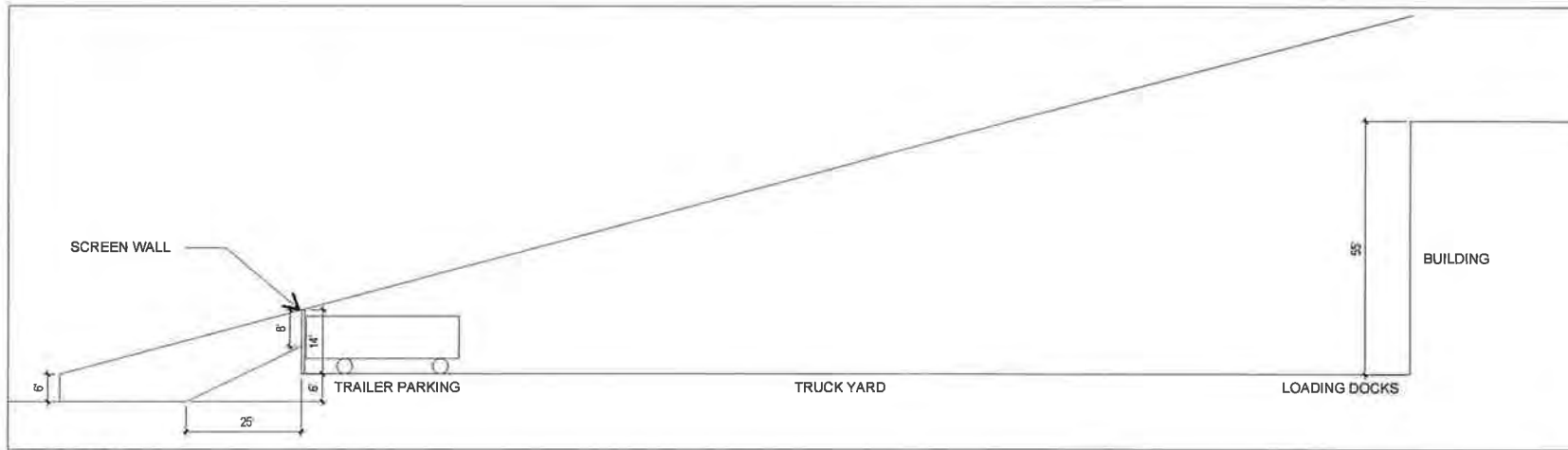
ARES Spec Industrial

22-05F
 05.24.21 SUG #4 09.13.21
 SUG #2 03.10.21 SUG #3 11.01.21
 SUG #1 08.04.21 SUG #5 08.31.21

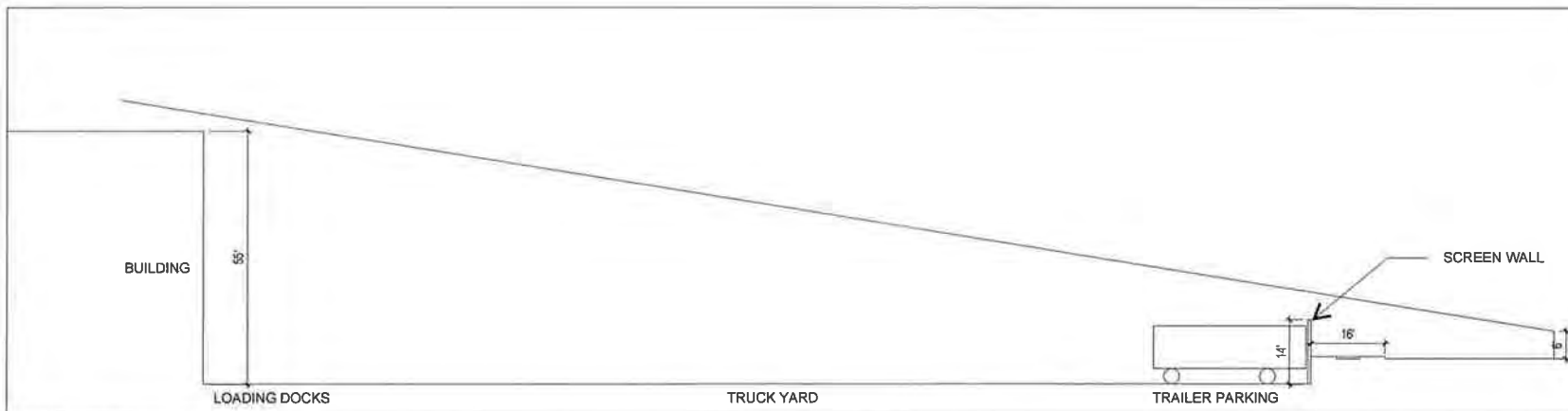


HUNTER LANDSCAPE

711 FEE ANA STREET PLACENTIA, CA 92870
 714 986 2400 FAX 714 986 2408



SECTION C-C



SECTION D-D



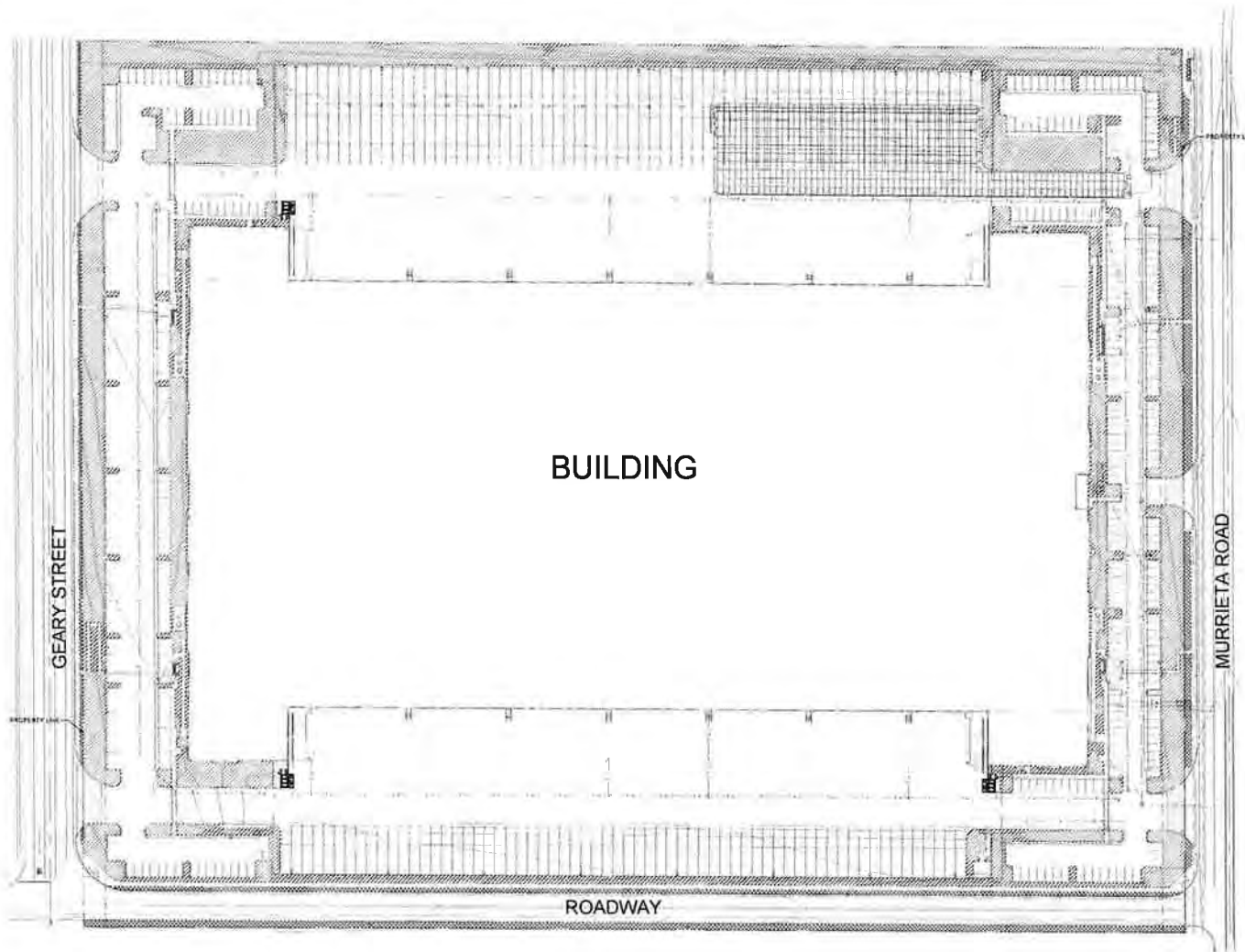
SECTIONS - SHEET 5



ARES Spec Industrial

22-059
05.24.21 Sup #K: 11.3.21
Sub #2: 02.12.21 Sub #3: 11.01.21
Sub #5: 08.04.21 Sub #6: 09.30.21



HUNTER LANDSCAPE
711 FEE ANA STREET PLACENTIA, CA 92870
714 986 2400 FAX 714 986 2408



-  PRIVATE / ASSOCIATION MAINTAINED AREA
-  CFD MAINTAINED AREA



LANDSCAPE MAINTENANCE RESPONSIBILITIES EXHIBIT - SHEET 6

ARES Spec Industrial

22-059
05.26.22 Sub #4: 08.13.22
Sub #2: 05.05.22 Sub #5: 11.01.22
Sub #3: 08.04.22 Sub #6: 08.26.22



HUNTER LANDSCAPE
711 FEE AINA STREET PLACENTIA, CA 92870
714 966 2400 FAX 714 966 2408

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF MENEFEE STANDARD DETAILS AND SPECIFICATIONS, THE CURRENT STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (THE "GREENBOOK"), THE RIVERSIDE COUNTY STREET IMPROVEMENT STANDARDS AND SPECIFICATIONS AND STANDARD PLANS, COUNTY ORDINANCE NO. 461 CALTRANS STANDARD PLANS AND SPECIFICATIONS, CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
2. PRIOR TO START OF WORK, THE DEVELOPER/CONTRACTOR SHALL APPLY TO THE CITY OF MENEFEE ENGINEERING DEPARTMENT FOR AN ENCROACHMENT PERMIT FOR WORK PERFORMED WITHIN PUBLIC RIGHT-OF-WAY AND TO BE RESPONSIBLE FOR SATISFACTORY COMPLIANCE FOR CURRENT ENVIRONMENTAL REGULATIONS DURING THE LIFE OF CONSTRUCTION ACTIVITIES FOR THIS PROJECT. ADDITIONAL STUDIES MAY BE REQUIRED.
3. PRIOR TO START OF WORK, THE DEVELOPER/CONTRACTOR SHALL APPLY TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR AN ENCROACHMENT PERMIT FOR WORK PERFORMED WITHIN THE STATE RIGHT-OF-WAY.
4. WORK IN PUBLIC STREETS, ONCE BEGUN, SHALL BE PROSECUTED TO COMPLETION WITHOUT DELAY SO AS TO PROVIDE MINIMUM INCONVENIENCE TO ADJACENT PROPERTY OWNERS AND TO THE TRAVELING PUBLIC. FAILURE TO COMPLY WITH THIS REQUIREMENT IS A VIOLATION OF THE CITY OF MENEFEE ENCROACHMENT PERMIT.
5. WHEN IMPROVEMENT PLANS HAVE BEEN SUBMITTED TO THE CITY FOR PLAN CHECKING AND THE PLAN CHECKING PROCESS HAS BEEN INTERRUPTED FOR A PERIOD OF ONE YEAR OR MORE, THE PLANS SHALL BE DEEMED ABANDONED. APPROVED IMPROVEMENT PLANS FOR ALL SUBDIVISIONS SHALL BE DEEMED ABANDONED IF CONSTRUCTION HAS NOT COMMENCED WITHIN TWO YEARS OF THE LATEST APPROVAL DATE (ONE YEAR FOR NON-SUBDIVISIONS). IF CONSTRUCTION IS INTERRUPTED FOR A PERIOD OF ONE YEAR OR MORE, THE PLANS SHALL BE DEEMED ABANDONED. ABANDONED PLANS SHALL BE RE-SUBMITTED FOR REVIEW AND ALL FEES SHALL BE PAID IN ACCORDANCE WITH THE PLAN CHECK AND PROCESSING POLICY PRIOR TO ANY PERMITS BEING ISSUED.
6. APPROVAL OF THIS PLAN BY THE CITY OF MENEFEE DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OF THE LOCATION OF, OR THE EXISTENCE OR NON-EXISTENCE OF, ANY UNDERGROUND UTILITY PIPE OR STRUCTURE WITHIN THE LIMITS OF THIS PROJECT. THIS NOTE APPLIES TO ALL PAGES.
7. ALL REVISIONS TO IMPROVEMENT PLANS, OR MATERIAL SUBSTITUTION REQUESTS PROPOSED DURING CONSTRUCTION SHALL BE SUBMITTED IN WRITING TO THE CITY ENGINEERING DEPARTMENT BY THE ENGINEER OF RECORD AND SHALL FOLLOW THE PROCEDURES AS APPROVED BY THE CITY ENGINEER.
8. LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE. THE DEVELOPER/CONTRACTOR SHALL DETERMINE THE EXACT LOCATIONS AND VERIFY CONDITIONS ON THE JOB SITE PRIOR TO COMMENCING WORK. THE DEVELOPER/CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR DAMAGES OCCURRED DUE TO FAILURE TO LOCATE AND PRESERVE UNDERGROUND UTILITIES. HAND DIG AS NEEDED UNTIL CLEAR OF OBSTRUCTIONS.
9. NOTIFY UNDERGROUND SERVICE ALERT (800) 227-2800, AND ALL CONCERNED UTILITY COMPANIES AT LEAST TWO WORKING DAYS IN ADVANCE OF EXCAVATION.
10. A PRECONSTRUCTION MEETING WITH THE PUBLIC WORKS INSPECTOR IS REQUIRED PRIOR TO START OF WORK.
11. RIGHT OF ENTRY FOR ANY WORK PERFORMED ON ADJACENT PROPERTIES IS REQUIRED. PERMISSION FOR RIGHT OF ENTRY SHALL BE OBTAINED IN WRITING AND THE LETTER SHALL COMPLY WITH CITY FORMAT.
12. APPROVAL OF PLANS AND / OR PERMIT ISSUANCE DOES NOT RELIEVE THE PERMITTEE OF THEIR RESPONSIBILITY TO MAINTAIN WORK WITHIN THE PROJECT PROPERTY BOUNDARIES AND DEDICATED CITY RIGHT-OF-WAY. TRESPASSING ON PRIVATE PROPERTY IS AGAINST THE LAW AND CAUSE FOR CANCELLATION OF PERMIT AND ISSUANCE OF STOP WORK NOTICE.
13. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO SUBMIT A REQUEST FOR PERMIT EXTENSION TO THE CITY ENGINEER IN WRITING PRIOR TO PERMIT EXPIRATION. EXTENSION AND EXPIRATION OF PERMITS SHALL BE IN ACCORDANCE WITH THE MUNICIPAL BUILDING CODE AND FOR THE CITY OF MENEFEE ENGINEERING DESIGN GUIDELINES POLICIES AND PROCEDURES.
14. THE DEVELOPER/CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CLEAN UP ON CITY OF MENEFEE RIGHT-OF-WAY AFFECTED BY DEVELOPER/CONTRACTOR'S WORK. THE DEVELOPER/CONTRACTOR SHALL KEEP CITY OF MENEFEE RIGHT-OF-WAY CLEAN OF DEBRIS WITH DUST AND OTHER MATERIALS BEING CONTROLLED AT ALL TIMES. METHOD OF STREET CLEANING SHALL BE MET SHEEPING OF ALL PAVED AREAS. THERE SHALL BE NO STOCKPILING OF CONSTRUCTION MATERIALS WITHIN THE CITY OF MENEFEE RIGHT-OF-WAY WITHOUT THE PERMISSION OF THE CITY ENGINEER.
15. THE CONTRACTOR SHALL CONTACT THE CITY OF MENEFEE PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO CONSTRUCTION AT (951) 672-6777.

STREET IMPROVEMENT NOTES

1. UNDERGROUND FACILITIES, WITH LATERALS, SHALL BE IN PLACE PRIOR TO CAP PAVING THE STREET, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: SEWER, WATER, ELECTRIC, TELEPHONE, CABLE, GAS, STORM DRAINS.
2. STREET SECTION SHALL BE DETERMINED BY THE DEVELOPER'S SOILS ENGINEER AND SHALL BE BASED ON SUBGRADE SOILS TESTS AND THE CITY-SUPPLIED TRAFFIC INDEXES. PLANS SHALL BE REVISED TO SHOW ACTUAL PAVEMENT AND BASE SECTION TO BE CONSTRUCTED.
3. AS DETERMINED BY THE CITY ENGINEER, THE DEVELOPER/CONTRACTOR SHALL PROVIDE ROAD IMPROVEMENTS TO CENTERLINE AND MAY BE REQUIRED TO RECONSTRUCT EXISTING PAVEMENT, INCLUDING BASE AND MATCHING OVERLAY REQUIRED TO MEET THE STRUCTURAL STANDARDS FOR THE CURRENT ASSIGNED TRAFFIC INDEX.
4. A/C PAVEMENT INSTALLED IN MULTIPLE LIFTS SHALL HAVE AT LEAST 2" IN THE FIRST LIFT AND AT LEAST 2" OF ASPHALT IN ALL SUCCEEDING LIFTS.
5. A/C PAVEMENT SECTIONS 4" THICK AND GREATER SHALL BE CONSTRUCTED IN TWO LIFTS. A/C PAVEMENT BASE COURSE SHALL BE TYPE B-H-1070-10 WITH A MINIMUM 2" THICKNESS AND THE FINAL LIFT SHALL BE TYPE C2-PC70-10 WITH A MINIMUM 2" THICKNESS.
6. APPROVED SIGNING AND STRIPING PLANS SHALL BE SUBJECT TO REVIEW AND REVISION BY THE CITY OF MENEFEE ENGINEERING DEPARTMENT IF NOT CONSTRUCTED WITHIN 12 MONTHS OF DATE OF CITY APPROVAL.
7. ANY SIGNAGE AND STRIPING DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO ITS ORIGINAL CONDITION.
8. PROVIDE BLUE RETROREFLECTIVE RAISED PAVEMENT MARKERS (RPMS) ON PRIVATE STREETS, PUBLIC STREETS, AND DRIVEWAYS TO INDICATE LOCATION OF FIRE HYDRANTS. RPMS SHALL BE INSTALLED PER CITY OF MENEFEE STANDARD PLAN NO. 705.
9. PROVIDE ADDITIONAL SIGNS AND MARKINGS NOT INCLUDED IN THE SIGNING AND STRIPING PLAN WITHIN THE PROJECT AREA, OR ON ROADWAYS ADJACENT TO THE PROJECT BOUNDARIES, UPON THE REQUEST OF THE CITY ENGINEER, TO IMPROVE TRAFFIC SAFETY ON THE ROADS UNDER THE JURISDICTION OF THE DEVELOPER/CONTRACTOR.
10. TRAFFIC CONTROL PLANS ON EXISTING ROADWAYS SHALL BE PREPARED BY A TRAFFIC OR CIVIL ENGINEER, REGISTERED IN THE STATE OF CALIFORNIA, AND SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY ENGINEERING DEPARTMENT, PRIOR TO PERMIT ISSUANCE.
11. THE CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM SIGNAGE MARKER HEIGHT, AND/OR EXPOSURE OF DEBRIS RESULTING FROM ANY AND ALL WORK IN CONNECTION WITH HIS PRIVATE DEVELOPMENT CONSTRUCTION.

NOTE: WORK CONTAINED WITHIN THESE PLANS SHALL NOT COMMENCE UNTIL AN ENCROACHMENT AND/OR GRADING PERMIT HAS BEEN ISSUED.

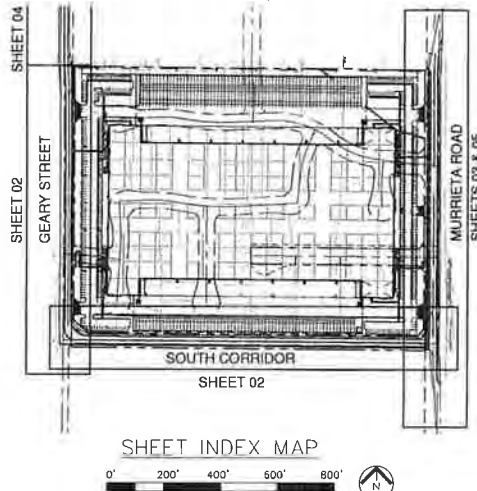
REVISIONS

NO.	DESCRIPTION	DATE	BY	APP.

ENGINEER LOGO

WARE MALCOMB
LEADING DESIGN FOR COMMERCIAL REAL ESTATE
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irvine, ca 92618
p 949 960.9128
waremalcomb.com

PRELIMINARY IMPROVEMENT PLANS FOR: GEARY STREET, SOUTH CORRIDOR, MURRIETA ROAD, & SD LINE A-12



STREET IMPROVEMENT NOTES (CONTINUED)

12. EXISTING STORM DRAIN PIPES/CULVERTS (WHETHER TO BE CONNECTED TO, EXTENDED, ADJUSTED, DRAINED TO, OR JUST IN THE PROJECT VICINITY) MUST BE REPAIRED AND/OR CLEANED TO MAKE THEM FUNCTIONAL AND ACCEPTABLE TO THE CITY ENGINEER.
13. THE DEVELOPER/CONTRACTOR SHALL APPLY TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC & WCD) FOR PERMITS WHEN ANY STORM DRAIN PIPE NEEDS TO BE CONNECTED WITH A RCFC & WCD FACILITY AND ALLOW PERMIT # ON THE PLAN.
14. CONSTRUCTION PROJECTS THAT DISTURB ONE ACRE OR MORE, OR ON SITES THAT ARE PART OF A LARGER COMMON PLAN OF DEVELOPMENT THAT DISTURBS ONE ACRE OR MORE, SHALL OBTAIN A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT. DEVELOPER/CONTRACTORS SHALL FILE A NOTICE OF INTENT (NOI) WITH THE STATE WATER RESOURCES CONTROL BOARD (SWRCB) PREPARE A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND MONITORING PLAN FOR THE SITE. THE PROJECT SHALL COMPLY WITH THE LATEST REGULATIONS SPECIFIC TO THE NPDES AT THE TIME OF PERMIT ISSUANCE. PRIOR TO CONSTRUCTION, THE DEVELOPER/CONTRACTOR SHALL PROVIDE TO THE CITY OF MENEFEE A COPY OF THE NOI WITH A VALID WASTE DISCHARGE IDENTIFICATION (WDID) NUMBER.
15. THE DEVELOPER/CONTRACTOR SHALL PROVIDE AND INSTALL STREET NAME SIGNS CONFORMING TO THE CITY OF MENEFEE STANDARD PLAN NO. 815 AND NO. 816 AS APPLIES. THE DEVELOPER/CONTRACTOR SHALL SECURE THE APPROVAL OF THE CITY ENGINEERING DEPARTMENT FOR TYPE AND LOCATION OF THE STREET NAME SIGNS AND MARKINGS PRIOR TO INSTALLATION.
16. PROVIDE AND INSTALL STREET TREES IN ACCORDANCE WITH THE APPROVED LANDSCAPING PLANS AND CITY OF MENEFEE LANDSCAPING GUIDELINES.
17. PROVIDE LANDSCAPING CONSISTING OF GRASS AND PARKWAY TREES WITHIN PARKWAYS ON LOCAL RESIDENTIAL STREETS WITHOUT SEPARATE LANDSCAPE PLANS PER THE APPROVAL OF THE CITY COMMUNITY DEVELOPMENT DEPARTMENT. OTHER TYPES OF LANDSCAPING IN THESE AREAS AND LANDSCAPING ON OTHER STREETS SHALL REQUIRE SEPARATE LANDSCAPE PLANS. LANDSCAPING ENCROACHMENTS SHALL CONFORM TO CITY OF MENEFEE LANDSCAPING GUIDELINES.
18. PROVIDE STREET LIGHTS IN ACCORDANCE WITH THE APPROVED STREET LIGHTING PLAN AND PROVIDE FOR THE TEMPORARY OPERATION OF THE STREET LIGHTING SYSTEM.
19. PROVIDE CURB DEPRESSIONS AND DRIVEWAY APPROACHES ACCORDING TO THE CITY OF MENEFEE STANDARD PLAN NO. 205, 206, 207 AND NO. 208 AS APPROVED BY THE CITY ENGINEER.
20. THERE SHALL BE NO ABOVE-GROUND OBSTRUCTIONS IN ANY PORTION OF THE SIDEWALK (WHERE THE WIDTH, EXCLUSIVE OF TOP OF CURB, IS 5.5 FEET OR LESS) WHERE POWER/TELEPHONE/CABLE POLES, STREET LIGHT STANDARDS, FIRE HYDRANTS, AND CONTROL BOXES OCCUR IN THE 5.5 FOOT SIDEWALK. THE SIDEWALK SHALL BE MODIFIED PER CITY OF MENEFEE STANDARD PLAN 402.

WORK TO BE DONE

THE IMPROVEMENTS CONSIST OF THE FOLLOWING WORK TO BE DONE ACCORDING TO THESE PLANS AND THE SPECIFICATIONS AND STANDARD DRAWINGS OF THE CITY OF MENEFEE

STANDARD SPECIFICATIONS

DESCRIPTION

1. CITY OF MENEFEE STANDARD SPECIFICATIONS, 2014 EDITION
2. STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREENBOOK) 2012 EDITION
3. CALIFORNIA DEPARTMENT OF TRANSPORTATION MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, 2012 EDITION
4. CALIFORNIA DEPARTMENT OF TRANSPORTATION U.S. CUSTOMARY STANDARD SPECIFICATIONS, 2010 EDITION

STANDARD DRAWINGS

DESCRIPTION

1. CITY OF MENEFEE STANDARD DRAWINGS, 2014 EDITION
2. COUNTY OF RIVERSIDE STANDARD DRAWINGS

SHEET INDEX

- 01-TITLE SHEET
- 02-PRELIMINARY STREET PLAN
- 03-PRELIMINARY STREET PLAN
- 04-PRELIMINARY STREET PLAN
- 05-PRELIMINARY SD PLAN - LINE A12

STREET IMPROVEMENT NOTES (CONTINUED)

21. PATCHING OF SIDEWALK DAMAGE IS PROHIBITED. REPAIRS TO SIDEWALK SHALL INCLUDE REPLACEMENT OF THE ENTIRE PANEL FROM "JOINT-TO-JOINT".
22. FOR DRIVEWAY RECONSTRUCTION, DEVELOPER/CONTRACTOR SHALL SUBMIT TO THE MENEFEE CITY ENGINEER PROOF OF DRIVEWAY OWNER NOTIFICATION PRIOR TO CONSTRUCTION.
23. ALL PCC CURB RAMP SHALL INCLUDE A DETECTABLE WARNING SYSTEM TO INCLUDE TRUNCATED DOWNS, PER ADA REQUIREMENTS. THE DETECTABLE WARNING SYSTEM SHALL BE ANHAR-TILE CAST IN PLACE SYSTEM OR APPROVED EQUAL. NO ADHESIVES SHALL BE ALLOWED. THE CONTRASTING COLOR SHALL BE YELLOW.
24. CROSS GUTTERS SHALL BE CONSTRUCTED OVER 8" MINIMUM CRUSHED AGGREGATE BASE COMPACTED TO 95% RELATIVE DENSITY.
25. MAILBOXES AND POSTS SHALL BE INSTALLED PER AN APPROVED CITY STANDARD. SUBMIT LOT PLAN OF BUILDING ORIENTATION ON LOT AND LOCATION OF MAIL BOX AND POST TO THE U.S. POST OFFICE FOR APPROVAL PRIOR TO INSTALLATION.
26. AS-BUILT PLANS AND ASSET/ATTRIBUTE DATA SHALL BE SUBMITTED TO THE CITY PRIOR TO ACCEPTANCE OF IMPROVEMENTS AND RELEASE OF BIDS.

DECLARATION OF RESPONSIBLE CHARGE

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 8700 OF THE BUSINESS AND PROFESSIONS CODE AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF MENEFEE IS CONFIDENT TO A REVIEW ONLY AND DOES NOT RELIEVE ME AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

LUCAS A. CORSE
R.C.E. # 72258
EXP. DATE: JUNE 30, 2024

SEPTEMBER 13TH, 2023



OWNER:

IFT MENEFEE CC LLC, A DELAWARE LIMITED LIABILITY COMPANY
ON 08/21/22
CONTACT: JAMIE MCCLAUGHLIN

APN NO.

330-215-010 & 330-215-013, 330-215-011, 330-215-007, 330-548-001 THROUGH 330-548-043, 330-519-001 THROUGH 330-519-033, 330-519-021 THROUGH 330-571-005

TOPOGRAPHY SOURCE

CALVADA SURVEYING INC. JOB NUMBER 21224

BENCH MARK / BASIS OF BEARING

THE CALIFORNIA SPATIAL REFERENCE CENTER C O R S "CNPP" ELEVATION 1098.47 FEET (NAVD 83)

THE BEARINGS SHOWN HEREON ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM OF 1983, CC83, ZONE 8 (2017-50) IN ACCORDANCE TO THE CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 8801-8819. SAID BEARINGS ARE DETERMINED LOCALLY UPON FIELD OBSERVED TIES TO THE FOLLOWING CALIFORNIA SPATIAL REFERENCE NETWORK CONTIGUOUS OPERATING REFERENCE STATION C O R S.

C S R C CNPP
NORTHING = 256382.03 EASTING = 614810.38

C S R C EWPP
NORTHING = 234787.28 EASTING = 8175506.72

TOTAL DISTURBED AREA

TBD

PRELIMINARY GRADING QUANTITIES

GRADED AREA	2.425 [ACRES]	MAX. CUT DEPTH	±2.5 [FT]
CUT QUANTITIES	2,050 [CYD]	MAX. CUT SLOPE RATIO	2:1 (2 MAX) 2:1
FILL QUANTITIES	2,850 [CYD]	MAX. FILL DEPTH	±3.0 [FT]
IMPORT	800 [CYD]	MAX. FILL SLOPE RATIO	2:1 (2 MAX) 2:1

THIS PROJECT PROPOSES TO IMPORT APPROXIMATELY 800 CUBIC YARDS OF MATERIAL FROM THIS SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED TO A LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT. QUANTITIES SHOWN HEREON ARE PRELIMINARY AND REPRESENT A FINISHED TO EXISTING GRADE COMPARISON. ACCOUNTS FOR SHRINKAGE, PAVEMENT THICKNESSES, OR OTHER FACTORS WERE NOT CONSIDERED.

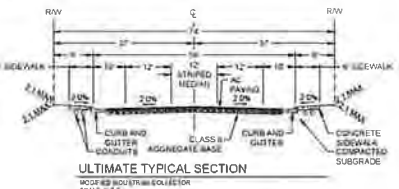
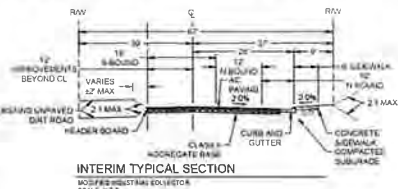
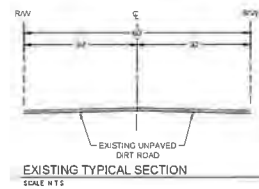
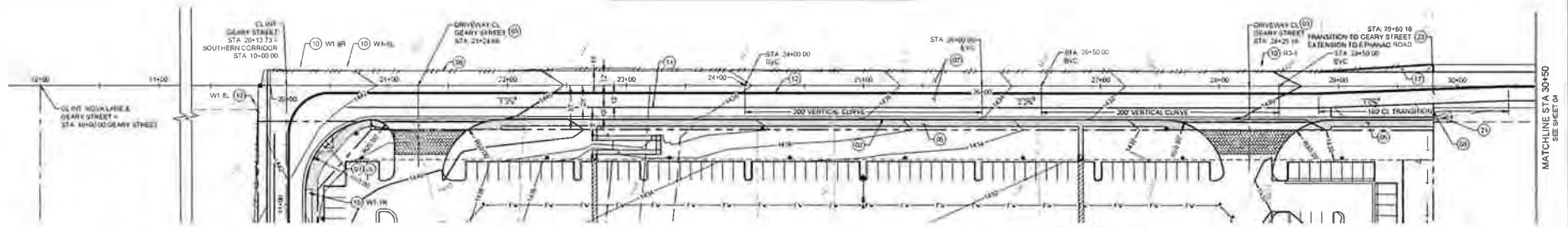
LEGEND	PROPOSED	EXISTING	UTILITY
BIOLACTARY	---	---	---
SECTION	---	---	---
1/8" SECTION	---	---	---
1/4" SECTION	---	---	---
1/2" SECTION	---	---	---
3/4" SECTION	---	---	---
BASEMENT	---	---	---
CENTERLINE	---	---	---
MAJOR	---	---	---
CONTOUR	---	---	---
MINOR	---	---	---
CONTOUR	---	---	---
CURB	---	---	---
GUTTER	---	---	---
SEWER	---	---	---
FENCE	---	---	---
SLAWCUT	---	---	---
STORM DRAIN	---	---	---
50	---	---	---
SAINTARY	---	---	---
WATERLINE	---	---	---
DOMESTIC WATER	---	---	---
FIRE WATER	---	---	---
RECLAIMED WATER	---	---	---
SEWAGE	---	---	---
OVERHEAD UTILITY	---	---	---
JOINTILITY TRENCH	---	---	---
CABLE TV	---	---	---
BURIED ELECTRIC	---	---	---
1/8" BENT OPTIC	---	---	---
NATURAL GAS	---	---	---
TELEPHONE	---	---	---
UNKNOWN UTILITY	---	---	---

**CITY OF MENEFEE
ENGINEERING DEPARTMENT**
IMPROVEMENT PLANS FOR:
GEARY ST, SOUTH CORRIDOR, MURRIETA RD, & LINE A-12
TITLE SHEET

SHEET NO.

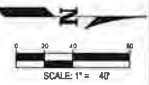
01
01 of 05
PROJECT NO. DEV2022-017

GEARY STREET - STA 19+50 TO 30+50

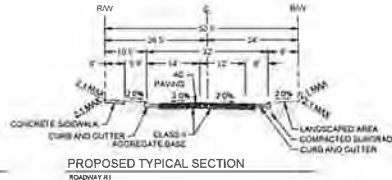
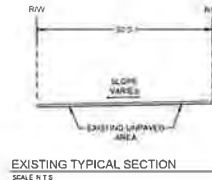
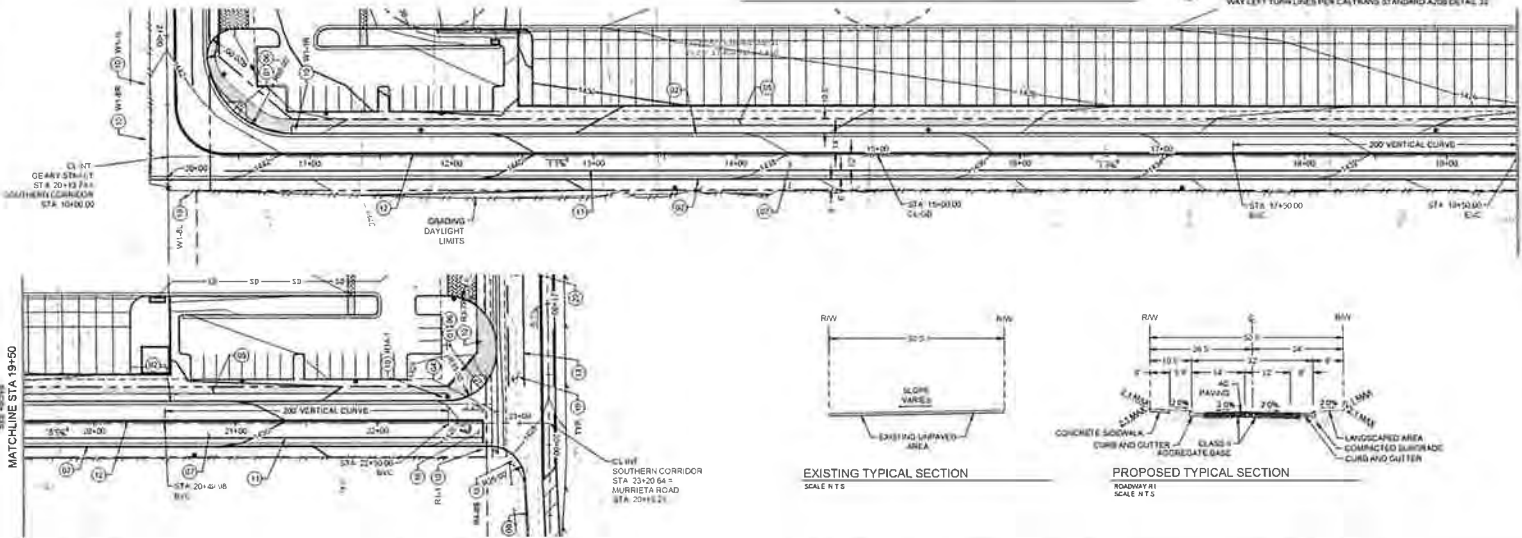


- CONSTRUCTION NOTES:**
- (1) CORNER CUT BACK PER CITY STD NO. 42
 - (2) TYPE B CURB AND GUTTER PER CITY STD NO. 351
 - (3) COMMERCIAL DRIVE APPROACH PER CITY STD NO. 208
 - (4) CROSS GUTTER AND SPANDREL PER CITY STD NO. 208
 - (5) SIDEWALK PER CITY STD NO. 402
 - (6) PAVED DRIVEWAY TYPE 1 PER CITY STD NO. 408
 - (7) AC PAVEMENT PULLMAN DESIGN FINISH
 - (8) HEADBOARD
 - (9) JOIN TO EXISTING PAVEMENT
 - (10) SOLID WHITE REFLECTIVE THERMOPLASTIC RIGHT EDGE LINE PER CALTRANS STANDARD PLAN A208 DETAIL 278
 - (11) SOLID WHITE REFLECTIVE THERMOPLASTIC LEFT EDGE LINE PER FIGURE 3A 12/24
 - (12) SOLID WHITE REFLECTIVE CHANGELANE LINE PER FIGURE 3A 12/24
 - (13) SOLID WHITE REFLECTIVE LANE DROP PER CALTRANS STANDARD PLAN A208 DETAIL 312
 - (14) SOLID WHITE REFLECTIVE THERMOPLASTIC LANE LINE PER CALTRANS STANDARD PLAN A208 DETAIL 8
 - (15) WHITE REFLECTIVE THERMOPLASTIC LANE LINE (STOP LINE) PER CALTRANS STANDARD PLAN A208 LETTERING AND LOCATION PER CITY STD 1501
 - (16) DOUBLE SOLID YELLOW REFLECTIVE THERMOPLASTIC MEDIAN LINE PER CALTRANS STANDARD A208 DETAIL 26
 - (17) SOLID AND DASHED YELLOW REFLECTIVE THERMOPLASTIC 120' VAX LEFT TURN LINES PER CALTRANS STANDARD A208 DETAIL 32

- CONSTRUCTION NOTES (CONTINUED):**
- (18) TYPE B PAVEMENT MARKING PER CALTRANS DETAIL A208
 - (19) 10' RAP ENERGY DISSIPATION FOR INTERMEDIATE STREET
 - (20) 12' RAP ENERGY DISSIPATION FOR INTERMEDIATE STREET
 - (21) REFER TO SHEET 84 FOR CONTINUATION OF GEARY STREET IMPROVEMENTS TO ETHANAC ACAD
- NOTE:**
STREPPING AND SIGNAGE IS PRELIMINARY. FINAL DESIGN SHALL BE COORDINATED WITH THE APPROVED TRAFFIC IMPACT ANALYSIS AND APPROVED BY THE CITY ENGINEER.



SOUTH CORRIDOR - STA 10+00 TO 23+21

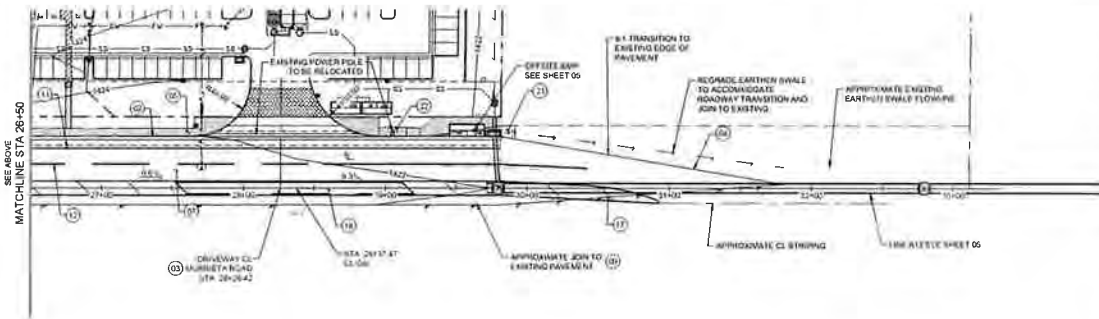


SIGN LEGEND:

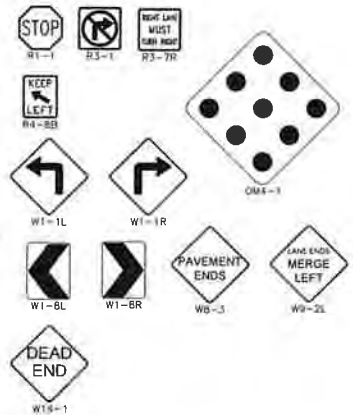
- STOP (R1-1)
- NO LEFT TURN (R3-1)
- RIGHT LANE MUST RUN RIGHT (R3-7R)
- KEEP LEFT (R4-BB)
- LEFT TURN (W1-1L)
- RIGHT TURN (W1-1R)
- PAVEMENT ENDS (W2-3)
- LANE ENDS MERGE LEFT (W3-2L)
- DEAD END (W14-1)

SCALE: 1" = 40'

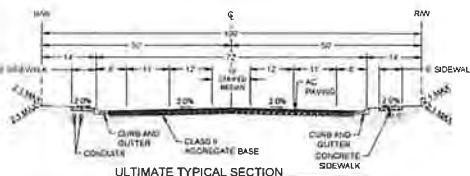
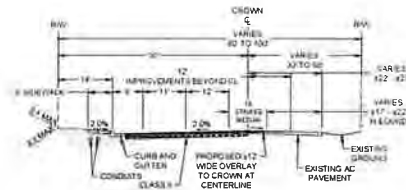
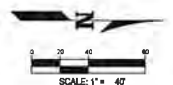
<p>Call before you Dig</p> <p>811</p> <p>1-800-227-2869</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>APP'D</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY	APP'D						<p>ENGINEER LOGO</p> <p>WARE MALCOMB</p> <p>LEADING DESIGN FOR COMMERCIAL REAL ESTATE</p> <p>10 edelman irvine, ca 92618 p 949 660 9128 waremalcomb.com</p>	<p>ENGINEER SEAL</p> <p>WARE MALCOMB</p> <p>DATE: 09/13/2023</p>	<p>SCALE: AS SHOWN</p> <p>DESIGN: AC</p> <p>DRAWN: AC</p> <p>CHECKED: LC</p> <p>APPROVED: [Signature]</p>	<p>CITY OF MENEFEE</p> <p>ENGINEERING DEPARTMENT</p> <p>CITY ENGINEER</p> <p>RECEIVED: [Signature]</p> <p>DATE: [Signature]</p>	<p>CITY OF MENEFEE</p> <p>ENGINEERING DEPARTMENT</p> <p>IMPROVEMENT PLANS FOR: GEARY STREET & SOUTH CORRIDOR</p> <p>PRELIMINARY STREET PLAN</p>	<p>SHEET NO.</p> <p>02</p> <p>02 of 05</p> <p>PROJECT NO DEV2022-017</p>
	NO.	DESCRIPTION	DATE	BY	APP'D												



- SIGN LEGEND:**





NOTE:
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AND APPROVED BY THE CITY ENGINEER.

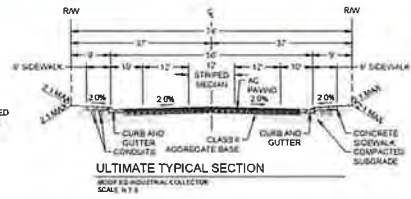
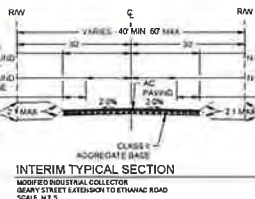
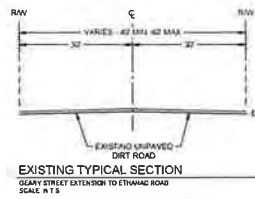


ULTIMATE TYPICAL SECTION

SECONDA

<p>Call before you dig Call 811 or 1-800-4-A-DIGIT Call 811</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>APPROVED</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	BY	APPROVED	DESCRIPTION																																									<p>ENGINEER LOGO</p> <div style="text-align: center;">  <p>WARE MALCOMB LEADING DESIGN FOR COMMERCIAL REAL ESTATE</p> <p>10 edelman irvine, ca 92618 p 949 660 9128 waremalcomb.com</p> </div>	<p>ENGINEER SEAL</p> <div style="text-align: center;">  </div>	<p>SCALE: AS SHOWN</p> <p>DESIGN: AC</p> <p>DRAWN: AC</p> <p>CHECKED: GC</p> <p>APPROVED: _____</p> <p>DATE: 09/13/2023</p>	<p>CITY OF MENIFEE ENGINEERING DEPARTMENT</p> <p>CITY ENGINEER _____</p> <p>HLE: 0000 DATE: ____/____/____</p> <p>EXP: ____/____/____</p> <p>RECOMMENDED BY: _____</p> <p>DATE: ____/____/____</p>	<p>SEAL</p> <div style="text-align: center;">  </div>	<p style="text-align: center;">CITY OF MENIFEE ENGINEERING DEPARTMENT</p> <p style="text-align: center;">IMPROVEMENT PLANS FOR MURRIETA ROAD</p> <p style="text-align: center;">PRELIMINARY STREET PLAN</p>	<p style="text-align: center;">SHEET NO.</p> <p style="text-align: center; font-size: 2em;">03</p> <p style="text-align: center;">03 OF 05</p> <p style="text-align: center;">PROJECT NO. DEV2022-017</p>
DATE	BY	APPROVED	DESCRIPTION																																																	

GEARY STREET - STA 30+50 TO 43+00



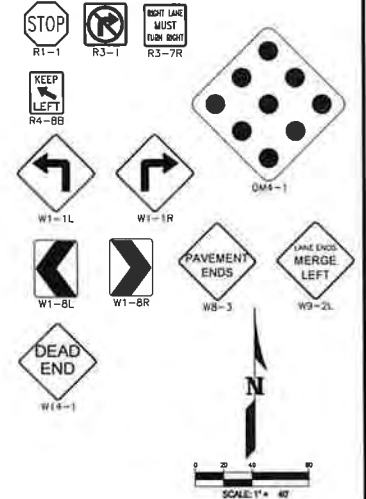
- CONSTRUCTION NOTES:**
- (01) CONCRETE CUT BACK PER CITY STD. NO. 42
 - (02) TYPE B CURB AND GUTTER PER CITY STD. NO. 201
 - (03) COUNTERSLOPE DRIVE APPROACH PER CITY STD. NO. 208
 - (04) CROSS GUTTER AND SPALLS PER CITY STD. NO. 208
 - (05) SIDEWALK PER CITY STD. NO. 420
 - (06) INTERSECTING ROAD TYPE I PER CITY STD. NO. 406
 - (07) AC PAVEMENT PRELIMINARY DESIGN PENDING
 - (08) HEADER BOARD
 - (09) JOINT TO EXISTING PAVEMENT
 - (10) NEW SOG PER PLAN
 - (11) 6" SOLID WHITE REFLECTIVE THERMOPLASTIC RIGHT EDGE LINE PER CALTRANS STANDARD PLAN A208 DETAIL 27B
 - (12) 6" DOUBLE SOLID YELLOW REFLECTIVE THERMOPLASTIC LEFT EDGE LINE PER FIGURE 3A 107(CA)
 - (13) 6" SOLID WHITE REFLECTIVE CHANGELINE LINE PER FIGURE 3A 107(CA)
 - (14) 6" SOLID WHITE REFLECTIVE LANE DROP PER CALTRANS STANDARD PLAN A208 DETAIL 37B
 - (15) 4" DASHED WHITE REFLECTIVE THERMOPLASTIC LANE LINE PER CALTRANS STANDARD PLAN A208 DETAIL 3
 - (16) 12" WHITE REFLECTIVE THERMOPLASTIC LANE LINE (STOP LINE) PER CALTRANS STANDARD PLAN A208 DETAIL 37B AND LOCATION PER CITY STD. 1201
 - (17) 6" DOUBLE SOLID YELLOW REFLECTIVE THERMOPLASTIC MEDIAN LINE PER CALTRANS STANDARD A208 DETAIL 29
 - (18) 6" SOLID AND DASHED YELLOW REFLECTIVE THERMOPLASTIC TWO WAY LEFT TURN LINES PER CALTRANS STANDARD A208 DETAIL 32

- CONSTRUCTION NOTES (CONTINUED):**
- (19) TYPE II PG PAVEMENT MARKING PER CALTRANS DETAIL A208
 - (20) "ONLY" PAVEMENT MARKING PER CALTRANS DETAIL A208
 - (21) RIP RAP ENERGY DISSIPATION FOR INTERMEDIATE STREET RUNDOWN
 - (22) SIDEWALK PLACEMENT AROUND OBSTRUCTION PER CITY STD. NO. 420



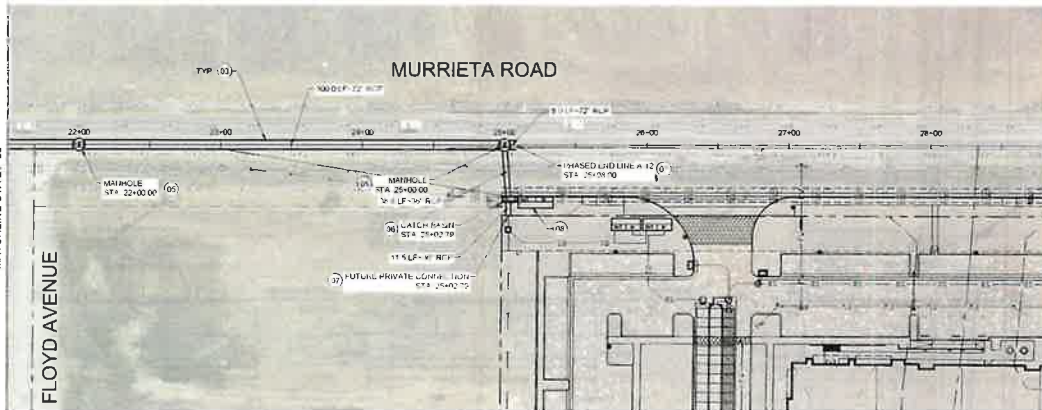
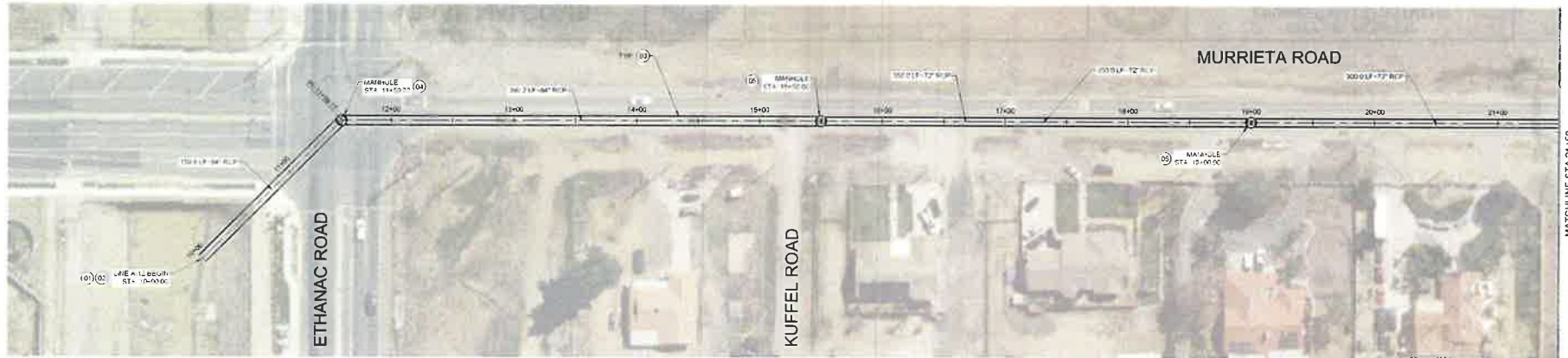
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SIGN LEGEND:

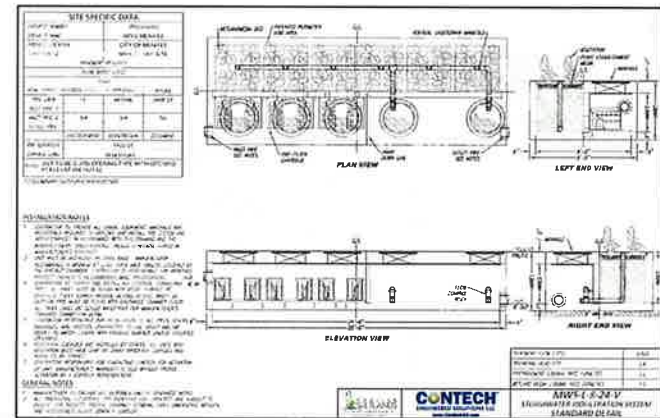


<p>Call 811 1-800-227-2869</p>	REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>APPROVED</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				NO.	DESCRIPTION	DATE	BY	APPROVED																ENGINEER LOGO WARE MALCOMB LEADING DESIGN FOR COMMERCIAL REAL ESTATE 10 edelman Irvine, CA 92618 P 949 680 9126 waremalcomb.com		ENGINEER SEAL 	SCALE: AS SHOWN DESIGN: AC DRAWN: AC CHECKED: LC APPROVED: _____ DATE: 09/13/2023	CITY OF MENIFEE ENGINEERING DEPARTMENT CITY ENGINEER: _____ RECOMMENDED BY: _____ RCE: _____ EXP: _____ DATE: _____	CITY OF MENIFEE ENGINEERING DEPARTMENT IMPROVEMENT PLANS FOR GEARY STREET EXTENSION TO ETHANAC ROAD PRELIMINARY STREET PLAN	SHEET NO. 04 04 of 05 PROJECT NO. DEV2022-017
	NO.	DESCRIPTION	DATE	BY	APPROVED																										

LINE A-12



- CONSTRUCTION NOTES:**
- (1) JUNCTION STRUCTURE NO. 8 PER RICH STD. NO. MH204
 - (2) SUPPLY EXISTING OCCUPATION AT OUTFALL
 - (3) STORM DRAIN LINE, APPROXIMATE MATERIAL, DIAMETER, AND LENGTH PER PLAN
 - (4) MANHOLE NO. 4 PER RICH STD. NO. MH204
 - (5) MANHOLE NO. 2 PER RICH STD. NO. MH202
 - (6) CATCH BASIN NO. 1 WITH LOCAL DEPRESSION PER RICH STD. NO. CB100
 - (7) PLUS END FOR FUTURE CONNECTION
 - (8) MODULAR VETLAND SYSTEM WITH CURB OPENING UPSTREAM OF CATCH BASIN
 - (9) TYPICAL DETAILS HEREON



<p>Call before you dig 1-800-277-2800</p>	REVISIONS DESCRIPTION DATE BY APPR		ENGINEER LOGO WARE MALCOMB LEADING DESIGN FOR COMMERCIAL REAL ESTATE 10 edelman irvine, ca 92618 p 949 950 9128 waremalcomb.com	ENGINEER SEAL 	SCALE: AS SHOWN DESIGN: AC DRAWN: AC CHECKED: LC APPROVED: _____ DATE: 09/13/2023	CITY OF MENEFEE ENGINEERING DEPARTMENT YOLANDA S. MADALALAO CITY ENGINEER REC: 66190 EXP: 9/30/21 DATE: _____ RECOMMENDED BY: _____ DATE: _____	CITY OF MENEFEE ENGINEERING DEPARTMENT IMPROVEMENT PLANS FOR STORM DRAIN LINE - A12 PRELIMINARY SD PLAN - LINE A12	SHEET NO. 05 OF 05 PROJECT NO DEV2022-017

RESOLUTION NO. PC24-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2023110162) FOR THE MURRIETA ROAD WAREHOUSE PROJECT, MAKING CERTAIN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on July 12, 2022, the applicant, RPD Development, Inc. (“Applicant”), filed a formal application with the City of Menifee for the approval of Plot Plan (PP) No. PLN 22-0179 for the construction of a 517,720 square-foot (SF) speculative warehouse building on an approximately 28.27-acre site. This environmental analysis includes a development buffer to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The Project site is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road within the City of Menifee (City), County of Riverside, State of California (APNs: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005); and

WHEREAS, collectively, all the applications are referred to as the “Project” or “Murrieta Road Warehouse Project”; and

WHEREAS, on November 7, 2023, the City of Menifee publicly noticed its decision to prepare an Environmental Impact Report (EIR) for the Project by noticing the State Clearinghouse (SCH), and other agencies in compliance with Section 15082 of the California Environmental Quality Act (CEQA) guidelines, and surrounding property owners within a 300-foot radius from the Project site boundaries; and

WHEREAS, on November 28, 2023, the City of Menifee held a duly noticed public scoping meeting regarding the preparation of the EIR to discuss and hear from the public on the potential environmental impacts, which meeting was publicly noticed in compliance with Section 15082 of the CEQA guidelines, and surrounding property owners within a 500-foot radius from the Project site boundaries; and

WHEREAS, between May 24, 2024 and July 8, 2024, the City complied with the State-mandated 45-day public review period for the Project Draft EIR took effect, which was publicly noticed in accordance with Section 15087 of the CEQA guidelines and mailed to surrounding property owners and non-owner residents within 500 feet of the Project site. A copy of the Draft EIR was sent to the State Clearinghouse (SCH No. 2022040622), and a copy of the Draft EIR was placed at the City Hall public counter, Menifee Library, and Sun City Library; and

WHEREAS, during the public review period, comments on the Draft EIR were received from the following agencies, organizations, and individuals:

Agencies

- Agua Caliente Band of Cahuilla Indians
- Airport Land Use Commission
- City of Perris
- Riverside County Department of Waste Resources
- Southern California Gas

- South Coast Air Quality Management District

Organizations

- Adams Broadwell Joseph & Cardozo, on behalf of Coalition for Californians Allied for a Responsible Economy
- Center for Community Action and Environmental Justice
- Golden State Environmental Justice Alliance

Individuals

- Adrienne Vendor
- Bob Powell
- Kimberly and Moo Tang; and

WHEREAS, the Final EIR (FEIR), consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR, was submitted with the inclusion of Findings of Fact (Findings), a Statement of Overriding Consideration (SOOC) and a Mitigation Monitoring and Reporting Program (MMRP) for the Planning Commission's consideration. For the purposes of this Resolution, the Final EIR shall refer to the Draft EIR, as revised by the FEIR's errata section together with the other sections of the FEIR; and

WHEREAS, no evidence of new significant impacts, as defined by CEQA Guidelines Section 15088.5, have been received by the City after circulation of the Draft EIR which would require re-circulation; and

WHEREAS, the Draft EIR for the Project, dated May 2024, and FEIR for the Project, dated September 2024 provides an assessment of the environmental impacts associated with the Project and has been prepared in accordance with the Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

WHEREAS, on October 23, 2024, the Planning Commission of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for the Project including the consideration of the FEIR, which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notices placed on the Project site, notice to property owners and non-owner residents within 500 feet of the Project boundaries, notice to all relevant agencies and to persons requesting notification; and

WHEREAS, the Planning Commission of the City of Menifee has read and considered all environmental documentation comprising the FEIR, has found that the FEIR considers all potentially significant environmental impacts of the proposed Project and is complete and adequate, and fully complies with all requirements of CEQA; and

WHEREAS, it is the policy of the State of California and the City of Menifee, in accordance with CEQA and the CEQA Guidelines, that the City shall not approve a project that has significant effects on the environment unless there is no feasible way to lessen or avoid the significant effects and that the benefits of approving the project outweigh the unavoidable significant impacts, such that the impacts are acceptable

based on CEQA Guideline Section 15093; and

WHEREAS, the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been completed and which identifies one or more significant effects of the project unless the public agency makes written findings for each of the significant effects, accompanied by a statement of facts supporting each finding; and

WHEREAS, the Planning Commission has reviewed the CEQA Findings and SOOC attached as Exhibit "C"; and

WHEREAS, prior to recommending action on the Project, the Planning Commission has considered all significant impacts, mitigation measures, and Project alternatives identified in the EIR, and has found that all potentially significant impacts on the Project have been lessened or avoided to the extent feasible; and

WHEREAS, pursuant to CEQA Guideline Section 15093(b), the City must state in writing the reasons to support its action based on the FEIR and/or other information in the record.

NOW, THEREFORE, the Planning Commission of the City of Menifee resolves as follows:

Section 1: Recitals. The Recitals above are true and correct, based on substantial evidence in the record, including the FEIR attached as "Exhibit A," and incorporated herein by this reference.

Section 2: Certification of EIR. Based on its review and consideration of the FEIR and all written communications and oral testimony regarding the proposed Project which have been submitted to, and received by the City, the Planning Commission certifies that the FEIR has been completed and is in compliance with CEQA and the State and local CEQA Guidelines. The Planning Commission finds that the FEIR reflects the Planning Commission's independent judgment and analysis as lead agency under CEQA, and adopt and certify the FEIR as complete and adequate. The Planning Commission further certifies that the FEIR was presented to the Planning Commission and that the Planning Commission reviewed and considered the information contained in it prior to approving the Project.

Section 3: CEQA Findings of Fact and Statement of Overriding Considerations. The Planning Commission adopts the CEQA Findings and the SOOC attached as "Exhibit C", which exhibit is incorporated herein as though set forth in full.

Section 4: Significant Impacts. The significant impacts of the Project under the category of Greenhouse Gas Emissions and Noise have not been reduced to a level of insignificance. The Planning Commission finds that the significant unavoidable adverse impacts of the Project are clearly outweighed by the economic, legal, social, or technological benefits independent of any other benefits of the Project, as set forth in the Findings and SOOC.

Section 5: Alternatives. The FEIR has described all reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project, even when those

alternatives might impede the attainment of Project objectives and might be more costly.

Section 6: Good Faith. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the FEIR as indicated by the public record for the Project and the FEIR.

Section 7: Mitigation Plan Approval. Although the FEIR identifies certain significant environmental effects that would result from approval of the Project, certain environmental effects can feasibly be avoided or mitigated and will be avoided or mitigated by imposition of mitigation measures included in the FEIR and the MMRP. Pursuant to Public Resources Code section 21081 and CEQA Guidelines section 15097, the Planning Commission adopts and approves the MMRP attached hereto as Exhibit "B," which is incorporated herein by reference as though set forth in full. The Planning Commission further finds that the mitigation measures identified in the FEIR are feasible.

Section 8: No Significant New Information Added to Draft EIR. The information provided in the various reports submitted in connection with the proposed Project and in the responses to comments on the Draft EIR, the information added to the FEIR, and the evidence presented in written and oral testimony at public hearings on the Project and the Draft EIR, do not constitute significant new information that would require recirculation of the Draft EIR pursuant to Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.

Section 9: Location and Custodian of Record of Proceedings. The Community Development Department of the City of Menifee, located at 29844 Haun Road, Menifee, CA 92586, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Planning Commission's approval is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Government Code §§ 6250 et seq.) during normal business hours.

PASSED, APPROVED AND ADOPTED this the 23rd day of October 2024.

Jeff LaDue, Chairman

Attest:

Rachel Valencia, Administrative Assistant

Approved as to form:

Thai Phan, Assistant City Attorney

MURRIETA ROAD WAREHOUSE PROJECT

SCH NO. 2023110162

prepared for
City of Menifee
29844 Haun Road
Menifee, CA 92586

prepared with the assistance of
EPD, Solutions Inc.
Irvine, CA 92612
(949) 794-1180

September 2024

Final Environmental Impact Report

E | P | D
SOLUTIONS, INC



3333 Michelson Drive, Suite 500
Irvine, CA 92612
(949) 794-1180
www.epdsolutions.com

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1. Introduction

This Final Environmental Impact Report (FEIR; Final EIR) has been prepared in conformance with the environmental policy guidelines for the implementation of the California Environmental Quality Act (CEQA) to evaluate the environmental effects that may result from construction and operation of the proposed Murrieta Road Warehouse Project (proposed Project).

According to CEQA Guidelines Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR; Draft EIR) or a revision of the Draft EIR;
- (b) Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the lead agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the lead agency.

This document contains responses to comments received on the Draft EIR during the public review period, which began May 24, 2024, and ended on July 8, 2024. This document has been prepared in accordance with CEQA, the State CEQA Guidelines, and represents the independent judgment of the lead agency, the City of Menifee. This document and the circulated Draft EIR comprise the Final EIR in accordance with CEQA Guidelines, Section 15132.

1.1 FORMAT OF THE FINAL EIR

The following chapters are contained within this document:

Chapter 1, Introduction. This chapter describes CEQA requirements and the contents of the Final EIR.

Chapter 2, Response to Comments. This chapter provides a list of agencies and organizations who commented on the Draft EIR, as well as copies of their comment letters received during and following the public review period, and individual responses to their comments.

Chapter 3, Revisions to the Draft EIR. This chapter contains revisions made to the Draft EIR as a result of the comments received by agencies and organizations as described in Chapter 2, and/or errors and omissions discovered subsequent to release of the Draft EIR for public review.

The City of Menifee has determined that none of this material constitutes significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. The additional material clarifies existing information prepared in the Draft EIR and does not present any new substantive information. None of this new material indicates that the project would result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that would not be mitigated, or that there would be any of the other circumstances requiring recirculation described in CEQA Guidelines Section 15088.5.

Chapter 4, Mitigation, Monitoring, and Reporting Program. This chapter includes the Mitigation Monitoring and Reporting Program (MMRP). CEQA requires lead agencies to “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (CEQA Section 21081.6, CEQA Guidelines Section 15097). The MMRP was prepared based on the mitigation measures included in this Final EIR and the Draft EIR.

1.2 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible ... CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204(c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

In accordance with CEQA, Public Resources Code (PRC) Section 21092.5, copies of the written responses to public agencies are being forwarded to those agencies at least 10 days prior to certification of the Final EIR, with copies of this Final EIR document, which conforms to the legal standards established for response to comments on the Draft EIR pursuant to CEQA. Pursuant to CEQA Guidelines Section 15089(b), lead agencies may provide an opportunity for review of the Final EIR by the public or by commenting agencies before a project is approved but is not required to do so.

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency, the City of Menifee, to evaluate comments on environmental issues received from public agencies, organizations, companies, and individuals who reviewed the Draft EIR (DEIR) and prepare written responses. This section includes copies of all written comment letters received on the DEIR and the City of Menifee's responses to the comment letters. Comment letters and specific comments are numbered for reference purposes which correspond with the City's response. A summary of each numbered comment in the commenter's letter precedes the City's response.

The responses amplify or clarify information provided in the DEIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the Project unrelated to its environmental impacts) are noted for the record. Where text changes in the DEIR are warranted based on comments received, updated Project information, or other information provided by City staff, those changes are noted in the response to comment and the reader is directed to Section 3, *Revisions to the Draft EIR*, of this Final Environmental Impact Report (FEIR).

These changes to the analysis contained in the DEIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines Section 15088.5, recirculation of the DEIR is not required.

The following is a list of public agencies, organizations, and individuals or interested parties that submitted comments on the DEIR during the public review and comment period (May 24, 2024, through July 8, 2024). All of the comment letters received on the DEIR and responses to those comments are provided on the following pages.

Table 2-1: Comments Received on the DEIR

Letter Number	Agency/Organization/Name	Comment Date Received
Agencies		
A1	Agua Caliente Band of Cahuilla Indians	July 3, 2024
A2	Airport Land Use Commission	May 28, 2024
A3	City of Perris	July 8, 2024
A4	Riverside County Department of Waste Resources	July 3, 2024
A5	Southern California Gas	May 24, 2024
A6	South Coast Air Quality Management District	June 24, 2024
Organizations		
O1	Adams Broadwell Joseph & Cardozo, on behalf of Coalition for Californians Allied for a Responsible Economy	July 2, 2024
O2	Center for Community Action and Environmental Justice	July 8, 2024
O3	Golden State Environmental Justice Alliance	July 3, 2024
O4	Golden State Environmental Justice Alliance	July 5, 2024
Individuals		
I1	Adrienne Vendor	May 28, 2024
I2	Bob Powell	May 28, 2024
I3	Kimberly and Moo Tang	June 26, 2024

2.1 LETTER A1: AGUA CALIENTE BAND OF CAHUILLA INDIANS (1 PAGE)

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-057-2022-022

July 03, 2024

[VIA EMAIL TO: bhamilton@cityofmenifee.us]

City of Menifee
Mr. Brett Hamilton
29844 Haun Road
Menifee, CA 92586

Re: Ares Warehouse DEIR

Dear Mr. Brett Hamilton,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Ares Murrieta Road Warehouse project. We have reviewed the documents and have the following comments:

*Please provide a copy of the final Monitoring Report once it is available.

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

Cordially,

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

A1

5401 DIAMOND SHORE DRIVE, PALM SPRINGS, CA 92264
T 760/866/6306 F 760/866/6524 WWW.AGUACALIENTE-NSR-IG

2.2 RESPONSE TO LETTER A1: AGUA CALIENTE BAND OF CAHUILLA INDIANS, DATED JULY 3, 2024

Comment A1.1: This comment requests a copy of the final monitoring report for the Project and appreciates the City's interest in cultural heritage.

Response A1.1: This comment does not raise a specific issue with the adequacy of the DEIR. As requested, the City will coordinate regarding the future final monitoring report for the Project. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.3 LETTER A2: AIRPORT LAND USE COMMISSION (1 PAGE)

From: Vega, Jaqueline <JaVega@RIVCO.ORG>

Sent: Tuesday, May 28, 2024 8:59 AM

To: Brett Hamilton <bhamilton@cityofmenifee.us>

Subject: RE: Murrieta Road Warehouse Notice of Availability of Draft EIR

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

Hello Brett,

Thank you for transmitting the above referenced project to ALUC for review. Please note that the proposed project is located within zone E of Perris Valley AIA, and review by ALUC is only required if the project proposes a legislative action. (CZ,SPA, and GPA)

Should you have any questions, please contact me.

Jackie Vega
Urban Regional Planner II



Riverside County Airport Land Use Commission

4080 Lemon Street, 14th Floor

Riverside, Ca 92501

(951) 955-0982

JaVega@RIVCO.ORG

www.rcaluc.org

A2.1

2.4 RESPONSE TO LETTER A2: AIRPORT LAND USE COMMISSION, DATED MAY 28, 2024

Comment A2.1: This comment states that the Riverside County ALUC has reviewed the proposed Project. The comment also states that the proposed Project is located within Zone E of the Perris Valley Airport Influence Area and that ALUC review is only required if the proposed Project proposes a legislative action (i.e., zone change or amendment to a SP or GP).

Response A2.1: This comment is informational in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided. However, it should be noted that the proposed Project does not include any legislative action that would require ALUC review.

2.5 LETTER A3: CITY OF PERRIS (5 PAGES)



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

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

July 8, 2024

Brett Hamilton
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

SUBJECT: CITY OF PERRIS COMMENTS – NOA of a Draft EIR for the Proposed Murrieta Road Warehouse Project - Major Plot Plan No. PLN22-0179

Dear Mr. Hamilton:

The City of Perris appreciates the opportunity to comment on the proposed 517,720 square foot industrial warehouse building on 28.27 acres, located south of Ethanac Road, between Geary Street and Murrieta Road, and north of McLaughlin Road in the City of Menifee. The proposed Project is located approximately 1,600 feet south of Green Valley Specific Plan (GVSP) across Ethanac Road within the City of Perris limits. The GVSP is a master-planned community with residences currently under construction. The GVSP area consists of 1,269 acres of land planned for 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks. Industrial zones are located adjacent to the Perris Valley Airport north of the San Jacinto River. This Project would also be in proximity to existing single family residences within the City of Menifee, located immediately north of the project site across Floyd Avenue and approximately 330 feet south across McLaughlin Road. Given the existing and planned residential development in the immediate area, industrial development in the City of Perris is not allowed to utilize Ethanac Road as a truck route.

The City of Perris has expressed concerns about the proposed Project during the NOP comment period. After reviewing the Draft EIR and technical reports, the City believes the Project has not adequately addressed the potential environmental impacts related to land use, noise, and transportation. Thus, the City continues to have concerns with the Project as detailed in the comments provided below.

A3.1

01006.0005/996626.1

Page 2 of 5

Land Use Inconsistency with Surrounding Areas

1. The proposed industrial development is incompatible with the residential development in the City of Menifee due to its proximity to residential development in the City of Perris across Ethanac Road to the north of the Project site. The GVSP area south of the San Jacinto River to Ethanac Road, within the City of Perris, consists of residences with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route to avoid impacts to the sensitive receptors. Allowing the proposed industrial development could generate truck traffic along Ethanac Road that would result in significant traffic safety impacts to existing and future residential development.

A3.2

Noise

2. The Draft EIR uses an incorrect methodology to evaluate cumulative roadway noise impacts. Page 5.10-42 states that cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the opening year to cumulative traffic volumes on the roadways in the Project vicinity. The noise levels associated with these future traffic volumes with the proposed Project identified Tables 5.10-20 and 5.10-21. However, these tables do not show the increase in noise associated with cumulative development. They show the increase in noise associated with the project when added to future (cumulative) traffic volumes. To provide an analysis of cumulative roadway noise impacts, the future plus project noise levels from Tables 5.10-20 and 5.10-21 need to be compared to the existing (no project) roadway noise levels shown in Tables 5.10-15 and 5.10-16. Evaluating cumulative roadway noise impacts in this correct manner will identify significant cumulative noise impacts along Ethanac Road, which would substantially affect residents north of Ethanac Road within the City of Perris.
3. Additionally, the Draft EIR and Appendix H consistently refer to "Project Scenario 1" and "Project Scenario 2" without adequately defining either term. The Draft EIR provides definitions for "Scenario 1" and "Scenario 2" in its Traffic Analysis, but it is unclear whether these definitions are intended to be consistent throughout the document. Lack of clarity regarding these definitions misleads the public and decision makers regarding the potential impacts associated with noise impacts.

A3.3

A3.4

Transportation and Traffic**General/Major Comments**

4. The preparation of the site-specific traffic study for the Murietta Road Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first to master plan the entire MEDC area which encompasses the Compass Northern Gateway Warehouse Project. A more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects.
5. Five out of the ten study area intersections analyzed in this traffic study are located within the City of Perris. For these intersections, along with any study roadway segments, the City of Perris

A3.5

A3.6

01006.0005/996626.1

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| <p>traffic impact criteria must be utilized (see Appendix A). This includes a comparison of Existing to Existing Plus Project conditions to determine whether the proposed project would have a direct or cumulative impact. If the project has a direct impact, then the project will be responsible for completing the required improvements unless a funding mechanism that complies with CEQA can be identified (e.g., TUMF fees, DIF fees, completed by other development, etc.).</p> | <p>A3.6
Cont.</p> |
| <p>6. It is apparent from the distribution and assignment of truck traffic from the project that the project truck traffic would be using non-truck routes within the City of Perris (see Appendix B for City of Perris truck routes). No trucks are allowed along Ethanac Road west of Barnett Road/Case Road. The project truck traffic has been distributed to Ethanac Road west of Barnett Road/Case Road which is not acceptable. Furthermore, this misleads the public and decision makers regarding the potential impacts, including traffic safety impacts, associated with the increased truck traffic.</p> | <p>A3.7</p> |
| <p>7. It is our understanding that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris non-truck route roadways. This must be considered as part of the traffic study and the analysis should be revised accordingly.</p> | <p>A3.8</p> |
| <p>8. The traffic study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact from the project, and how they will be implemented. Again, direct impacts will be determined for City of Perris intersections and roadway segments based upon the City of Perris traffic criteria.</p> | <p>A3.9</p> |

Specific Traffic Study Comments

- | | |
|--|--------------|
| <p>9. <u>Page 8 – 10, Figures 2.3, 2.4, and 2.5.</u> Study Intersection #8 consists of two separate (offset) intersections (Barnett Road & Case Road). Both intersections should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary). The project shall pay a fair share contribution towards this realignment, or 100% of the cost if the project directly impacts these intersection(s). It should be noted that such a fair share payment will not constitute mitigation under CEQA as it currently is not tied to a program that ensures the realignment of Barnett Road and Case Road will be completed prior to the project becoming operational.</p> | <p>A3.10</p> |
| <p>10. <u>Page 12, Level of Service Standards and Measures of Significance.</u> The traffic study will have to follow the latest City of Perris requirements for those intersections and roadway segments within the City of Perris. For roadway segments and intersections in the City of Perris, the City of Perris criteria (Appendix A) should be utilized.</p> | <p>A3.11</p> |
| <p>11. <u>Page 15, Table 3.1: Existing Conditions AM and PM Peak Hour LOS.</u> Intersection #8 should be shown and analyzed as two separate intersections, since they do not align with each other. The City of Perris minimum acceptable LOS for these intersections is LOS D.</p> | <p>A3.12</p> |
| <p>12. <u>Page 19 – 22, Figure 3.3 and Table 3.3.</u> The City of Perris Planning Department will need to review and confirm the list of cumulative projects is accurate/comprehensive.</p> | <p>A3.13</p> |

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13. <u>Page 29 – 30, figure 4.3 – 4.4, Project Trip Distribution.</u> Per the City of Perris truck routes, no trucks are allowed on Ethanac Road west of Barnett Road/Case Road.	A3.14
14. <u>Page 43, Tables 5.1 and 5.2 – Summary of Intersection Operations – Existing Plus Project.</u> Intersection #8 operates deficiently per City of Perris standards (i.e. LOS is the City of Perris minimum acceptable LOS). These tables need to be updated accordingly and determine whether the project directly or indirectly impacts this intersection.	A3.15
15. <u>Pages 49-50, Tables 5.5 and 5.6.</u> Why are the LOS results different at Intersection 8 between both scenarios?	A3.16
16. <u>Page 56 – 57 – Recommended Improvements.</u> The realignment of Barnett Avenue/Case Road at Ethanac Road needs to be considered as a recommendation for improving the Level of Service and queuing along Ethanac Road. Also, what about improvements to roadway segments #2 & #5? These improvements have not been identified.	A3.17
17. <u>Queuing Analysis and Left Turn Storage Pocket Requirements.</u> The traffic study does not include an analysis of queuing at the I-215 freeway ramps. Additionally, a review of the storage lane requirements at the study area intersections is necessary, because of potential excess queuing. Furthermore, the City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 freeway interchange. A simulation analysis should be conducted to identify any queuing deficiencies and if applicable, improvements should be identified.	A3.18
18. <u>General:</u> It does not appear any of the proposed driveways are analyzed with respect to truck turning templates, queuing analysis and driveway spacing requirements.	A3.19
CEQA.	
19. The City of Perris reserves the right to provide further comments on the environmental topics analyzed in the Draft EIR as the project moves forward in the process. Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA.	A3.20
Property Owners Notification	
20. Due to nearby sensitive uses, it is requested that property owner notification within 1,800 feet of the Project site is provided to ensure that all individuals who would be impacted by this Project are provided an opportunity to comment.	A3.21

01006.0005/996626.1

Page 5 of 5

The City of Perris appreciates the opportunity to comment on this Project and related Draft EIR. Please feel free to contact me at (951) 943-5003, extension 355 or pbrenes@cityofperris.org, if you have any questions or would like to discuss the above concerns in further detail.

Sincerely,



Patricia Brenes
Planning Manager

A3.22

Attachment: City of Perris Response to NOP – Dated December 7, 2023

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

01006.0005/996626.1

2.6 RESPONSE TO LETTER A3: CITY OF PERRIS, DATED JULY 8, 2024

The responses provided below reference the following technical studies which have either been revised or included as appendices to the FEIR:

- *Murrieta Road Warehouse Project Noise and Vibration Analysis*, Urban Crossroads, Inc., Revised July 15, 2024, Appendix A.
- *Traffic Impact Analysis (TIA)*, EPD Solutions, Inc., Revised September 2024, Appendix B.
- *CADO Menifee LLC vs City of Perris*, Superior Court of California of the County of Riverside, 2023, Appendix C.

Comment A3.1: This comment includes introductory statements, a brief description of the Project, and a description of the Green Valley Specific Plan (GVSP) planning area. The comment states that Ethanac Road is not a truck route. Furthermore, the comment states that the City of Perris expressed concerns regarding the proposed Project during the NOP period, which they believe have not been adequately addressed.

Response A3.1: The comment is introductory in nature and expresses general concerns regarding the DEIR's evaluation of land use, noise, and transportation. However, the comment does not express any specific concern or question regarding the adequacy of the DEIR's analysis in which to respond to. Thus, no further response is required or provided.

Comment A3.2: The comment states that the proposed industrial development is incompatible with the residential development in the City of Menifee due to its proximity to residential development in the City of Perris across Ethanac Road to the north of the Project site. The comment states that the GVSP area, within the City of Perris, consists of residences with some commercial development, therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route to avoid impacts to the sensitive receptors. The comment states that the proposed industrial development could generate truck traffic along Ethanac Road that would result in significant traffic safety impacts to existing and future residential development.

Response A3.2: As discussed throughout the DEIR, specifically Section 5.9 *Land Use and Planning*, the proposed Project is consistent with the Menifee 2013 General Plan land use designation of Economic Development Corridor (EDC), consistent with the zoning designation of EDC Northern Gateway (NG), consistent with General Plan goals and policies, and consistent with the City of Menifee Good Neighbor Policies. In addition, the surrounding land uses all share the same land use and zoning designation of EDC and EDC-NG. The proposed Project would comply with the City's Industrial Good Neighbor Policies which require that warehouse, logistics, and distribution to minimize impacts to sensitive uses, protect of public health, safety, and welfare by regulating the design, location and operation of facilities; and protect neighborhood character of adjacent communities. Therefore, the proposed Project would be compatible with surrounding land uses within the City of Menifee.

As described in the DEIR on page 5.12-3, Ethanac Road is classified as an Expressway according to the City of Menifee General Plan Circulation Element. Furthermore, as shown on Exhibit C-7 of the Menifee General Plan, *Potential Truck Routes*, Ethanac Road is designated as a truck route by the City of Menifee. As such, trucks utilizing Ethanac Road for access is appropriate. In addition, as explained by the Superior Court of California for the County of Riverside: "(i) the portion of Ethanac Road west of Barnett Road and east of Goetz Road is within the jurisdictions of both the City of Menifee and City Perris; (ii) Vehicle Code section 35702 prohibits the City of Perris from unilaterally adopting an ordinance or resolution prohibiting vehicles in excess of five tons on Ethanac Road west of Barnett Road without consent from the City of Menifee; (iii) any ordinance or resolution adopted by the City of Perris purporting to prohibit vehicles in excess of five tons on Ethanac Road west of Barnett Road without consent from the City of Menifee, including Resolution No. 6008 and Ordinance No. 1418 adopted by the City of Council of the City of Perris in June and July of

2022, is unlawful and void to the extent that it affects Ethanac Road west of Barnett Road as adopted in violation of Vehicle Code section 35702. (iv) properties located to the north and south of Ethanac Road and west of Barnett Road in the City of Penis and City of Menifee, including the properties owned by Plaintiffs, may continue to have ingress and egress access pursuant to Vehicle Code section 35703 in the event that vehicles in excess of five tons are later lawfully prohibited from travelling on Ethanac Road west of Barnett Road pursuant to the Vehicle Code, including, without limitation, Vehicle Code sections 35701 and 35702.” (CADO Menifee, LLC, vs City of Perris. Superior Court of California, County of Riverside, Case Number CVRI2203602. June 12, 2023.).

It should also be noted that a Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. The Project specific *Traffic Impact Analysis*, included as Appendix K of the DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The *Traffic Impact Analysis* determined that intersections 4, 8, 9, and 10 would improve to a satisfactory LOS, based on the City of Menifee and City of Perris LOS Standards and Significance Criteria for Traffic Studies, with the recommended improvements.

As described in Section 5.12 of the DEIR, *Transportation*, trucks accessing and leaving from the Project site would be routed away from roadways with significant passenger vehicle usage and trucks would be required to utilize existing City-designated truck routes to access I-215 and SR-74 and I-15, which would limit potential safety conflicts between passenger vehicles and trucks. Onsite traffic signing and striping would also be implemented in conjunction with detailed construction plans with implementation of the Project. Additionally, sight distance at the Project’s access points would be reviewed with respect to City standards at the time of final grading, landscape, and street improvement plan reviews. Additionally, Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the City of Menifee General Plan Circulation Element. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City’s engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Compliance with existing regulations would be ensured through the City’s construction permitting process. Therefore, the proposed Project would not result in significant traffic safety impacts.

Also, as described in further detail in Response O3.7 and Response A6.4 below, the DEIR provides an evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community pursuant to SCAQMD methodology. As described under Impact AQ-2 in Section 5.2, *Air Quality*, of the DEIR, pollutant emissions associated with construction and operation of the proposed Project would be below SCAQMD thresholds and the Project would not result in a net increase of a pollutant for which the region is in non-attainment. Therefore, criteria emissions impacts related to construction and operation of the proposed Project would be less than significant.

In addition, a *Mobile Source Health Risk Assessment* (included as Appendix G to the DEIR) was prepared to evaluate the health risk impacts as a result of exposure to diesel particulate matter (DPM). The Health Risk Assessment determined that the proposed Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity or operational activity. In summary, all health risk levels to nearby residents, workers, and schools from operation and construction related emissions of TACs would be well below the SCAQMD’s Health Risk Assessment thresholds and impacts would be less than significant. As such, the proposed Project would not result in impacts to sensitive receptors, within the City of Menifee or the GVSP. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment A3.3: The comment states that the DEIR utilized incorrect methodology to evaluate cumulative roadway noise impacts. The comment specifically states that the DEIR should include the future plus project noise levels compared to the existing (no project) roadway noise levels instead of the Project's increase over future noise levels.

Response A3.3: Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity.

The cumulative impact analysis and determination provided in Section 5.10, *Noise*, of the DEIR would not change with the inclusion of the existing without Project noise levels compared to the opening year with Project noise levels, as detailed below. Only two impacted roadway segments would experience cumulative roadway noise impacts and both methodologies support the same determination. Therefore, the DEIR accurately disclosed cumulative offsite traffic noise levels and impacts. However, in response to this comment Section 5.10, *Noise*, of the DEIR has been revised. The following revisions (with additions in bold, double underlined text) are included in Section 3, *Revisions to the Draft EIR*, of the Final EIR to provide additional supporting analysis:

5.10.7 Cumulative Impacts

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. **A significant impact would result only if both the difference between existing and opening year with project (combined effects) and difference between opening year without project and opening year with project (incremental effects) thresholds have been exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility noise standard. Noise, by definition, is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.** Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the opening year cumulative traffic volumes on the roadways in the Project vicinity. The noise levels associated with these traffic volumes with the proposed Project were identified in DEIR Tables 5.10-20 and 5.10-21. As shown, cumulative development along with the proposed Project would increase local noise levels above the threshold for those roadway segments, therefore cumulative impacts associated with traffic noise would also be cumulatively considerable and significant and unavoidable, consistent with the cumulative traffic noise impact identified by the 2013 General Plan EIR.

Additionally, Table 5.10-24 presents a summary of the cumulative and project incremental noise level increases for each of the study area roadway segments. The cumulative traffic noise analysis describes the future changes in noise levels in comparison to the existing baseline noise levels. As shown on Table 5.10-24 the overall increase in off-site traffic noise levels from the existing (baseline) to the Opening Year with Project Scenario 1 conditions ranges from 0.5 to 17.6 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, nine of the study area roadway segments are shown to experience potentially significant off-site traffic noise level increases due to cumulative traffic conditions. The Project increment shown in Table 5.10-24 represents the difference between the Opening Year without Project and the Opening Year with Project Scenario 1 is shown to range from 0.0 to 17.2 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, land uses adjacent to the study area roadway segments are shown to experience potentially significant noise level impacts due to the Project-related traffic. Therefore, the Project contributions to the off-site cumulative traffic noise levels are cumulatively considerable for two of the impacted roadway segments, as identified above.

Figure 5.10-24: Cumulative Offsite Traffic Noise Increases

ID	Roadway	Segment	Receiving Land Use	CNEL at Receiving Land Use (dBA CNEL)			Cumulative Conditions				Cumulatively Considerable Project Contribution		
				Existing No Project (a)	OY Without Project (b)	OYP2 With Project (c)	Cumulative Increase (c-a)	Cumulative Limit	Cumulative Impact?	Project Increment (c-b)	Project Limit	Project Impact?	
1	Geary St.	s/o Ethanac Rd.	Sensitive	48.3	48.7	65.9	17.6	1.5	Yes	17.2	1.5	Yes	
2	Murrieta Rd.	n/o Ethanac Rd.	Sensitive	64.9	71.4	71.4	6.5	1.5	Yes	0.0	1.5	No	
3	Murrieta Rd.	s/o Ethanac Rd.	Sensitive	68.1	68.6	70.3	2.2	1.5	Yes	1.7	1.5	Yes	
4	Murrieta Rd.	n/o Circulation Dwy.	Non-Sensitive	68.2	68.8	69.7	1.5	1.5	Yes	0.9	1.5	No	
5	Murrieta Rd.	n/o McLaughlin Rd.	Non-Sensitive	68.2	68.7	68.7	0.5	1.5	No	0.0	1.5	No	
6	Ethanac Rd.	w/o Geary St.	Sensitive	73.6	75.9	75.9	2.3	1.5	Yes	0.0	1.5	No	
7	Ethanac Rd.	w/o Murrieta Rd.	Sensitive	73.8	75.9	76.5	2.7	1.5	Yes	0.6	1.5	No	
8	Ethanac Rd.	e/o Murrieta Rd.	Sensitive	74.4	78.3	79.0	4.6	1.5	Yes	0.7	1.5	No	
9	Ethanac Rd.	w/o Barnett Rd.	Non-Sensitive	74.3	78.2	79.0	4.7	1.5	Yes	0.8	1.5	No	
10	Ethanac Rd.	e/o Barnett Rd.	Non-Sensitive	76.0	79.8	80.4	4.4	1.5	Yes	0.6	1.5	No	

Source: Urban Crossroads, 2024 (Appendix H).

Comment A3.4: The comment states that the DEIR does not adequately define “Project Scenario 1” and “Project Scenario 2” within the DEIR and that these terms are only fully defined in the Traffic Analysis and that it is unclear whether these definitions are intended to be consistent throughout the document. The comment states that Lack of clarity regarding these definitions misleads the public and decision makers regarding the potential impacts associated with noise impacts.

Response A3.4: This comment does not provide evidence of a significant impact. However, in response to this comment the DEIR Section 5.10, *Noise*, has been revised to include the full definitions of Project Scenario 1 and Project Scenario 2. The definitions are consistent throughout the document and with those provided in Appendix K of the DEIR, *Traffic Impact Analysis*. Revisions have been included in Chapter 3, *Revisions to the Draft EIR*, of this FEIR and include the following:

Off-Site Traffic Noise

Significant and Unavoidable Impact. The proposed Project would generate traffic-related noise from operation. As described in Section 3.0, *Project Description*, access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. To identify the potential of traffic from the proposed Project to generate noise impacts, noise contours were developed based on the Traffic Impact Analysis included as Appendix K. Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway.

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

Comment A3.5: The comment states that the site-specific traffic study for the proposed Project is premature given the that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first to master plan the entire MEDC area. The comment states that a more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects.

Response A3.5: Per CEQA Guidelines Section 15064.3, automobile delay is no longer considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The discussion included in the DEIR concerning Level of Service (LOS) was provided for informational purposes only for the City’s use in evaluating the proposed Project and considering conditions of approval outside of CEQA’s framework. This is clearly identified in Section 5.12, *Transportation*, where it states that the LOS analysis is intended for “Non-CEQA Level of Service Analysis – For Informational Purposes Only.” Comments A3.5 through A3.19 refer to the LOS analysis disclosed within the DEIR and therefore do not raise concerns within the scope of CEQA.

It should be noted that a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. Since the global Traffic Study for the MEDC area has not been completed, the Project Traffic Study analyzes trucks utilizing Ethanac Road. The analysis for this Project cannot speculate about alternative truck routes that might later be identified. Additionally, it is not premature to prepare a specific traffic study for

development of the site pursuant to the proposed Project. Conversely, it is beneficial as the Traffic Study for the MEDC area can include the specific trips from the Project specific Traffic Study and the related improvements; versus an estimation of what could potentially be developed on the site and potential future improvements. Appendix K, *Traffic Impact Analysis*, of the DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The *Traffic Impact Analysis* provides an analysis and recommended improvements for both Project specific traffic-related impacts and cumulative traffic-related impacts. This information is available for use in evaluating build out of future projects in the area. Additionally, fair share contributions towards the MEDC Master Plan improvements and into an established RBBD would be conditioned as part of the proposed Project.

Comment A3.6: This comment states that the Traffic Impact Analysis for the proposed Project identifies roadway segments within the City of Perris jurisdiction. The comment states that the City of Perris traffic impact criteria must be utilized for all intersections identified within the Traffic Impact Analysis and that the Project would be responsible for implementing mitigation.

Response A3.6: As noted in Response A3.5 above, under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact, and therefore this comment does not raise concerns within the scope of CEQA. As described in Section 2.4 of Appendix K, *Traffic Impact Analysis*, of the DEIR, the City of Perris LOS Standards and Traffic Criteria for Traffic Studies are as follows:

City of Perris

The City of Perris LOS Standards and Significance Criteria for Traffic Studies identifies LOS D as the threshold for acceptable operating conditions for intersections except at constrained intersections and roadway segments in close proximity to State Route (SR) 74, the Ramona-Cajalco Expressway, or at I-215 freeway ramps, where LOS E is accepted during peak hours.

As per the TIA guidelines, a project would not meet the LOS standard under the following conditions:

1. A project-related impact is considered direct and significant when a study intersection operates at an acceptable Level of Service for existing conditions (without the project) and the addition of 50 or more a.m. or p.m. peak hour project trips causes the intersection to operate at an unacceptable Level of Service for existing plus project conditions.
2. A project-related impact is considered direct and significant when a study intersection operates at an unacceptable Level of Service for existing conditions (without the project) and the addition of 50 or more a.m. or p.m. peak hour project trips causes the intersection delay to increase by 2 seconds or more.
3. A cumulative impact is considered significant when a study intersection is forecast to operate at an unacceptable Level of Service with the addition of cumulative/background traffic and 50 or more a.m. or p.m. peak hour project trips.

Based on review of the study intersections, below are study intersections located within Caltrans right-of-way (ROW) or located entirely or a majority within the City of Perris:

- Geary St/Ethanac Rd (City of Perris)
- Murrieta Rd/Ethanac Rd (City of Perris)
- Case Rd-Barnett Rd/Ethanac Rd (City of Perris)
- I-215 SB Ramps/Ethanac Rd (CalTrans)
- I-215 NB Ramps/Ethanac Rd (CalTrans)

Based on review of the City of Perris significance criteria and applicable intersections located within or adjacent to the City of Perris, the recommended improvements noted in Appendix K at deficient study intersections and roadway segments would cause the study locations to operate at an acceptable LOS,

would more than offset the project-related effect, and would address the City of Perris significance criteria. Therefore, the City's criteria was utilized as appropriate and improvements have been included.

Comment A3.7: The comment states that the distribution and assignment of truck traffic would be using non-truck routes within the City of Perris. The comment states that no trucks are allowed along Ethanac Road west of Barnett Road/Case Road, and therefore the DEIR misleads the public and decision makers regarding the potential impacts related to traffic safety and increased truck traffic.

Response A3.7: Please refer to Response A3.5. It should be noted that a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. Appendix K, *Traffic Impact Analysis*, of the DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. Furthermore, the *Traffic Impact Analysis* provides an analysis and recommended improvements for both Project specific traffic-related impacts and cumulative traffic-related impacts. The implementation of these improvements would be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final offsite engineering for the Project.

Please refer to response A3.3. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Compliance with existing regulations would be ensured through the City's construction permitting process. Therefore, the proposed Project would not result in significant traffic safety impacts. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.8: The comment states that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris non-truck route roadways. This must be considered as part of the traffic study and the analysis should be revised accordingly.

Response A3.8: Please refer to Response A3.5 and A3.7 above. The DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The global Traffic Study for the MEDC area would analyze the addition of a truck corridor south of Ethanac Road and would include proposed improvements. Fair share contributions towards the MEDC Master Plan improvements, including the truck corridor south of Ethanac Road, would be conditioned as part of the proposed Project. As described in Response O3.11, the implementation of these improvements would be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final offsite engineering for the Project. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.9: The comment states that traffic study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact from the project, and how they will be implemented and states that the City of Perris traffic criteria should be used.

Response A3.9: Please refer to Response A3.6 above. The City of Perris significance criteria have been utilized for the applicable intersections located within or adjacent to the City of Perris. The recommended improvements noted in Appendix K at deficient study intersections and roadway segments would cause the study locations to operate at an acceptable LOS and would more than offset the Project-related effect, pursuant to the City of Perris significance criteria.

Additionally,, fair share contributions towards the MEDC Master Plan improvements, through an established Road and Bridge Benefit District, would be conditioned as part of the proposed Project. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final offsite engineering for the proposed Project.

Comment A3.10: The comment states that the Study Intersection #8 consists of two separate (offset) intersections (Barnett Road & Case Road) and should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary).

Response A3.10: The intersection of Barnett Road and Case Road at Ethanac Road, identified as Intersection #8 in Appendix K, *Traffic Impact Analysis*, operates as one intersection and should be analyzed as one for analysis purposes. Furthermore, once the Master Plan for the MEDC is completed and improvements and costs are identified for the intersection of Barnett Road and Case Road at Ethanac Road the proposed Project would be required to pay its fair share contribution into an established Road and Bridge Benefit District. Fair share contributions towards the MEDC Master Plan improvements would be conditioned as part of the proposed Project. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.11: The comment states that the traffic study will have to follow the latest City of Perris requirements for those intersections and roadway segments within the City of Perris. The comment states that for roadway segments and intersections in the City of Perris, the City of Perris criteria should be utilized.

Response A3.11: This comment has been previously responded to in Response A3.6 above. The recommended improvements noted in Appendix K of the DEIR, *Traffic Impact Analysis*, at deficient roadway segments would cause the study locations to operate at an acceptable LOS. Recommended improvements would more than offset the Project-related effect and would address the City of Perris roadway capacity criteria. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.12: The comment states that Intersection #8 should be shown and analyzed as two separate intersections, since they do not align with each other. The City of Perris minimum acceptable LOS for these intersections is LOS D.

Response A3.12: This comment has been previously addressed. Please refer to Responses A3.10 and A 3.7 above. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.13: The comment states that the City of Perris Planning Department will need to review and confirm the list of cumulative projects is accurate/comprehensive.

Response A3.13: Acknowledged. As specified in Section 5.11 of the DEIR, *Transportation*, since the proposed development is located in proximity to the boundary of the City of Perris, cumulative projects in the City of Perris were included in the cumulative analysis and within Table 5-1, *Cumulative Projects*, of the DEIR. Data and information utilized to develop the list of cumulative projects within the City for Perris included a list of current development projects that are either approved or under construction as well as a list of development projects under review with the City, at the time the NOP for the proposed Project was released. These lists were accessed through the City of Perris website and included the webpages *Environmental Documents for Public Review* and *Current Projects*, and are referenced in the DEIR.

Comment A3.14: The comment states that per the City of Perris truck routes, no trucks are allowed on Ethanac Road west of Barnett Road/Case Road.

Response A3.14: This comment has been previously responded to. Please refer to Response A3.7 above. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.15: The comment states that Intersection #8 operates deficiently per City of Perris standards (i.e., LOS is the City of Perris minimum acceptable LOS). These tables need to be updated accordingly and determine whether the project directly or indirectly impacts this intersection.

Response A3.15: Tables 5.1 and 5.2 within Appendix K of the DEIR, *Traffic Impact Analysis*, shows the Existing Plus Project Level of Service for Project Scenario 1 and Project Scenario 2. It was noted upon further review that in Scenario 1 (No Signal), the AM peak hour would add a delay of more than 2 secs to an already existing deficiency of LOS E at Intersection #8 per City of Perris Standards. Tables 5.1 and 5.2 have been updated accordingly in Appendix B of the FEIR, revised *Traffic Impact Analysis*. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.16: The comment asks for clarification as to why the LOS results are different at Intersection 8 between both scenarios.

Response A3.16: Both Table 5.5, *Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 1 - No Signal)*, and Table 5.6, *Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 2 - With Signal)*, of the *Traffic Impact Analysis* (DEIR Appendix K), would operate at LOS F in the AM and PM peak hour at Opening Year and at Opening Year Plus Project. However, the AM Peak Hour delay for Scenario 1 and Scenario 2 in the Opening Year are different, this was an error and has been updated within the revised *Traffic Impact Analysis*, included as Appendix B of the FEIR. The revision does not result in any changes in the analysis or determinations within Appendix K of the DEIR, *Traffic Impact Analysis*. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.17: The comment states that the realignment of Barnett Avenue/Case Road at Ethanac Road needs to be considered as a recommendation for improving the Level of Service and queuing along Ethanac Road. The comment asks for clarification regarding roadway segments 2 & 5, stating that these improvements have not been identified.

Response A3.17: Please refer to Responses A3.9 and A3.10. Furthermore, as identified in Tables 5.7 and 5.8 of Appendix K of the DEIR, *Traffic Impact Analysis*, roadway segments 2 and 5 would be overcapacity in the Opening Year without Project. The proposed Project's fair share to these segments have been identified on page 61 of the traffic study document. Page 57 of the traffic study states that the ultimate planned configuration of Ethanac Road is that of a six-lane roadway. The roadway expansion would help reduce the delay experienced at the intersections of I-215 SB Ramps/NB Ramps and Ethanac Road.

Additionally, the proposed Project would add traffic to the already over-capacity segment of Ethanac Road between Case Road and I-215 SB Ramps and between Murrieta Road and Barnett Road. Widening Ethanac Road to its General Plan designation would result in satisfactory operations. Please note that the proposed Project would be widening the Project frontage on Murrieta Road per the City of Menifee General Plan designation.

Comment A3.18: The comment states that the traffic study does not include an analysis of queuing at the I-215 freeway ramps. Additionally, the comment states a review of the storage lane requirements at the study area intersections is necessary, because of potential excess queuing. Furthermore, the comment states a simulation analysis should be conducted to identify any queuing deficiencies and if applicable, improvements should be identified.

Response A3.18: As described in Response A3.10 above, once the Master Plan for the MEDC is completed and improvements and costs are identified the proposed Project would be required to pay its fair share contribution into an established Road and Bridge Benefit District. Fair share contributions towards the MEDC Master Plan improvements would be conditioned as part of the proposed Project. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.19: The comment states that the proposed driveways are not analyzed with respect to truck turning templates, queuing analysis and driveway spacing requirements.

Response A3.19: As described previously, traffic congestion is no longer a significant impact for purposes of CEQA, and therefore queuing analysis are outside the scope of the EIR. Notwithstanding that further response to this comment is not required, Section 5.12 of the DEIR, *Transportation*, describes that sight distance at the Project's access points would be reviewed with respect to City standards at the time of final grading, landscape, and street improvement plan reviews. Additionally, Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the City of Menifee General Plan Circulation Element. Compliance with existing regulations would be ensured through the City's construction permitting process. Therefore, truck turning, and driveway spacing requirements would be reviewed during the permitting process and the proposed Project would be required to comply with applicable rules and regulations. Furthermore, there is a minimum proposed distance of 214 feet between the proposed rolling gates and property line, allowing for adequate truck queuing into the Project site. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment A3.20: The comment states that the City of Perris reserves the right to provide further comments on the proposed Project. The comment requests that future notices prepared for the Project and notices of any public hearing held pursuant to CEQA be provided to the City of Perris.

Response A3.20: The City of Perris will be provided future notices for the proposed Project. This comment includes conclusionary statements and does not identify a concern regarding the EIR analysis. Therefore, no further response is warranted or provided.

Comment A3.21: The comment states that due to nearby sensitive uses, it is requested that property owner notification within 1,800 feet of the Project site is provided.

Comment A3.21: Comments regarding the property owner notification within 1,800 feet have been noted. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted or provided.

Comment A3.22: The comment states that the City of Perris appreciates the opportunity to comment on this Project and related DEIR and provides contact information.

Response A3.22: This comment includes conclusionary statements and does not identify a concern regarding the DEIR analysis. Therefore, no further response is warranted.

2.7 LETTER A4: RIVERSIDE COUNTY DEPARTMENT OF WASTE RESOURCES (3 PAGES)



SENT VIA EMAIL ONLY
bhamilton@cityofmenifee.us

July 3, 2024

Brett Hamilton, Senior Planner
City of Menifee (City)
29844 Haun Road
Menifee, CA 92586

RE: Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the Proposed "Murrieta Road Warehouse Project", Major Plot Plan No. PLN22-0179.

Dear Brett Hamilton,

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOA addressing a DEIR for the proposed "Murrieta Road Warehouse Project" (Project). The Project includes various applications to allow for the construction of a concrete tilt-up building that would total approximately 517,720-square foot (SF) and proposes a structural height of approximately 55 feet. The environmental analysis includes a development buffer in order to account for final design changes, equivalent to three percent of the building SF, or 15,532 SF, which would result in a building area of 533,252 SF (including 20,320 SF of office space, 505,932 SF of warehouse space, and 7,000 SF of mezzanine). Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

A4.1

The RCDWR would like to reiterate and/or provide the following comments for your consideration while preparing the Project's Final EIR:

1. The following information can be useful in the analysis of the solid waste impacts:

- a) The waste hauler may utilize the El Sobrante, Lamb Canyon, and/or the Badlands Landfill for disposal. Updated descriptions of the local landfills, inclusive of 2023-2024 information, are provided below:

A4.2

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse. USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved

14310 Frederick Street • Moreno Valley, CA 92553 • (951) 486-3200 • Fax (951) 486-3205 • Fax (951) 486-3230

www.rcwaste.org

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Brett Hamilton, Senior Planner
City of Menifee (City)
NOA of a DEIR – Murrieta Road Warehouse Project
July 3, 2024
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for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2023 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 47.2 million tons. In 2023, the El Sobrante Landfill accepted a daily average of 10,341 tons with a period total of approximately 3,184,920 tons. The landfill is expected to reach capacity in approximately 2059.

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 21.1 million tons. As of January 1, 2024 (beginning of day), the landfill has a total remaining capacity of approximately 6.7 million tons. The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2032. From January 2023 to December 2023, the Lamb Canyon Landfill accepted a daily average of 2,049 tons with a period total of approximately 627,127 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

A4.2
Cont.

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total disturbance area of 278 acres, of which 150 acres are for refuse disposal. Landfill expansion potential exists at the Badlands Landfill site. Under the 2022 Solid Waste Facility Permit (SWFP), the permitted disturbance area increases from 278 acres to 811 acres, and the refuse disposal area increases from 150 acres to 409 (in multiple stages). The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated total capacity of approximately 68.6 million tons. As of January 1, 2024 (beginning of day), the landfill had a total remaining disposal capacity of approximately 49.8 million tons. Under the 2022 SWFP, the landfill would have a remaining disposal capacity estimated to last, at a minimum, until approximately 2059. From January 2023 to December 2023, the Badlands Landfill accepted a daily average of 2,848 tons with a period total of approximately 874,450 tons.

2. As indicated in previous correspondence (see attached), you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling¹:

A4.3

¹ A.B. 75, Chapter 764, 1999-2000 Strom-Martin, (Cal. 1999).

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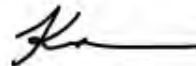
- AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services.² Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
 - Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
 - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
- Demonstrate compliance with SB 1383 which establishes regulations to reduce organics waste disposal and went into effect on January 1, 2022.³ This law establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants caused by organics waste disposal.

A4.3
Cont.

Thank you for including RCDWR in the review process. Please continue to include the RCDWR in future transmittals. Please email me at kaavila@rivco.org if you have any questions regarding the above comments.

A4.4

Sincerely,



Katherine Avila
Assistant Planner

Cc: Kinika Hesterly, RCDWR

DM# 333771

² A.B. 1826, Chapter 727, 2013-2014 Chesbro, (Cal. 2014).

³ A.B. 1383, Chapter 395, 2015-2016 Lara, (Cal. 2016).

2.8 RESPONSE TO LETTER A4: RIVERSIDE COUNTY DEPARTMENT OF WASTE RESOURCES, DATED JULY 3, 2024

Comment A4.1: This comment provides an introduction to the comment letter and a summary of the proposed Project.

Response A4.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment A4.2: This comment lists the surrounding landfills to the Project site. The comment includes information on El Sobrante, Lamb Canyon, and Badlands Landfill average daily tonnages as well as their max daily permitted tonnage based on the 2023-2024 reports.

Response A4.2: This comment is informational in nature and does not raise a specific issue with the adequacy of the DEIR. In addition, the information provided within the DEIR in Section 7.0, *Effects Found Not Significant*, is consistent with the landfill information provided within the comment letter on the El Sobrante and the Badlands Landfill. The DEIR provides a conservative analysis by utilizing the peak daily disposal tonnage rather than the average daily disposal tonnage. Therefore, no revisions are required within the DEIR based on the information provided in the comment.

Comment A4.3: This comment suggests the inclusion of two different measures to reduce the Project's anticipated soil waste impacts and enhance compliance with SB 1383 and AB 1826.

Response A4.3: The Project would be required to comply with Senate Bill 1383 and Assembly Bill 1826. Chapter 9.225 Waste Storage Facilities of the Menifee Development Code would also require the proposed Project to provide a covered storage area, that is accessible for truck loading shall be incorporated into each waste enclosure for collection of recyclable and organic materials, consistent with California State Law (California Solid Waste Reuse and Recycling Access Act, Public Resources Code Sections 42900 through 42911). As the proposed Project would be in compliance with the suggested waste reduction measures no further response is required or provided.

Comment A4.4: This comment requests that the Department of Waste Resources be notified with future transmittals pertaining to the Project. In addition, the comment provides contact information if the City has any questions on the Department of Waste Resources comment letter.

Response A4.4: The Department of Waste Resources will be added to the notification list for the proposed Project. This comment is conclusionary in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.9 LETTER A5: SOUTHERN CALIFORNIA GAS (2 PAGES)

From: SCG SE Region Redlands Utility Request
<SCGSERegionRedlandsUtilityRequest@semprautilities.com>
Sent: Friday, May 24, 2024 6:23 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: SCG SE Region Redlands Utility Request
<SCGSERegionRedlandsUtilityRequest@semprautilities.com>
Subject: 5/24/24- Murrieta Road Warehouse Notice of Availability of Draft EIR

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

Hello,

I just reviewed the documents regarding Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the Proposed "Murrieta Road Warehouse Project" Major Plot Plan No. PLN22-0179.

SoCalGas Distribution does have facilities in the area. Please note on case to have Developer contact 811 / USA at [DigAlert | Utility Locating California | Underground Wire & Cable Locator](#) prior to any excavation / demolition activities so we can Locate & Mark out our facilities.

If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at <https://www.socalgas.com/for-your-business/builder-services>.

To avoid delays in processing requests and notifications, please have all new Franchise correspondence sent to our Utility Request inbox, at SCGSERegionRedlandsUtilityRequest@semprautilities.com

I cover the Southeast Region – Redlands

A5.1

SCGSERegionRedlandsUtilityRequest@semprautilities.com would be your contact for requests in the southeastern ends of LA County, Riverside County, San Bernardino & Imperial Counties.

Southeast Region - Anaheim office which is all of Orange County and the southern ends of Los Angeles County; therefore, any Map and/or Will Serve Letter requests you have in these areas please send them to AtlasRequests/WillServeAnaheim@semprautilities.com

Northwest Region – Compton HQ For West and Central LA County, your Map Request and Will Serve Letters, will go to SCG-ComptonUtilityRequest@semprautilities.com

Northwest Region - Chatsworth

For any requests from the northern most parts of LA County all the way up to Visalia, San Luis Obispo, Fresno and Tulare you would contact NorthwestDistributionUtilityRequest@semprautilities.com

Transmission

For Transmission requests, please contact SoCalGas Transmission, at SoCalGasTransmissionUtilityRequest@semprautilities.com

Thank you,

Josh Rubal

Lead Planning Associate

Distribution Planning & Project Management

Redlands HQ - Southeast Region

(213) 231-7978 Office

SCGSERegionRedlandsUtilityRequest@semprautilities.com



SoCalGas.

A5.1
Cont.

2.10 RESPONSE TO LETTER A5: SOUTHERN CALIFORNIA GAS, DATED MAY 24, 2024

Comment A5.1: The comment states that the commenter has reviewed the Notice of Availability for the proposed Project and that SoCalGas Distribution does have facilities in the area. The comment states that the proposed Project would need to contact the specified contact information prior to any excavation or demolition activities so that SoCalGas can locate and mark out existing facilities. The comment also states that should new gas service be required; the Developer would have to contact the Builder Services group.

Response A5.1: The commentor's statement of the existing facilities within the Project area has been noted. Demolition would not occur within any existing facilities; however, the Project Applicant shall contact Southern California Gas Company at the time any excavation is needed locate and mark out existing facilities near the Project site. Furthermore, it should be noted that the proposed Project would not include any natural gas and would not connect to any existing facilities, as stated throughout the DEIR and as conditioned through Mitigation Measure GHG-8. This comment does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.11 LETTER A6: SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (5 PAGES)



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

June 28, 2024

bhamilton@cityofmenifee.us

Brett Hamilton, Senior Planner
City of Menifee, Community Development Department
29844 Haun Road
Menifee, CA 92586

Notice of Availability of a Draft Environmental Impact Report for the Murrieta Road Warehouse Project (Proposed Project) (SCH No. 2023110162)

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

A6.1

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

Based on the Draft EIR, the project consists of constructing a 517,720 square foot warehouse, 409 automobile parking spaces, and 192 truck trailer parking spaces on a 28.27 acre site.¹ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential development) is located approximately 47 feet north of the Project site.² Construction is expected to begin the first quarter of 2025 and last for 11 months.³ The Proposed Project is located on the northwest corner of McLaughlin Road and Murrieta Road.⁴

A6.2

South Coast AQMD Staff's Comments

Potential Underestimation of Emissions Due to Inaccurate Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis

Upon reviewing the Draft EIR, it was found that the air quality impact analysis was based on the assumption that the average truck trip length is 34.51 miles.⁵ However, the project site is 86.3 to 84.9 miles from the Ports of Los Angeles and Long Beach, respectively. Therefore, the air quality analysis underestimated the emissions from trucks traveling from the Ports to the Proposed Project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates. This can be achieved by applying more conservative trip lengths, such as designating 40 miles for local trips and 90 miles for Port-related trips. Tailoring these parameters and

A6.3

¹ Draft EIR, Page 7.

² Ibid. Page 149.

³ Ibid. Page 84.

⁴ Ibid. Page 7.

⁵ Ibid. Page 144.

Brett Hamilton

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June 28, 2024

assumptions based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

A6.3
Cont.

Cumulative Impacts during Operation

Based on the Draft EIR, the Proposed Project consists of construction of a 517,720 square foot warehouse on a 28.27 acre site. According to the City of Menifee webpage under Planning – Environmental Documents for Public Review,⁶ other development projects are located near the Proposed Project site. Such as the Draft EIR for the Northern Gateway Logistics Center (prepared in May 2024),⁷ CADO Menifee Industrial Warehouse Project (prepared in March 2024),⁸ McLaughlin and San Jacinto Warehouses Project (prepared March 2023).⁹ Per CEQA Guidelines Section 15065(a)(3), South Coast AQMD staff is primarily concerned with the cumulative air quality impacts from increased concentrations of air toxics in the PVCCSP region. Pursuant to CEQA, which requires an analysis of direct, indirect, and cumulative impacts, South Coast AQMD has initiated a public process to develop additional guidance for evaluating cumulative air quality impacts from increased concentrations of air toxics for projects. To date, there have been five working group meetings (WGMs) dedicated to proposed cumulative impact policy development. For more general information on the WGMs, please visit South Coast AQMD's webpage.¹⁰

A6.4

Therefore, South Coast AQMD staff recommends that, at minimum, the Lead Agency perform a qualitative analysis to provide the potential cumulative impacts from air toxics in consideration by listing all surrounding past, present, and probable future projects. The Lead Agency may also perform a more detailed and robust quantitative analysis of cumulative air toxic and potential health risk implications to be included in the Final EIR.

Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments To Reduce Emissions (WAIRE) Program

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can

A6.5

⁶ City of Menifee. Planning – Environmental Documents. Access at: [Environmental Guidelines and notices | City of Menifee](#).

⁷ [Northern-Gateway-Logistics-Center-DEIR \(cityofmenifee.us\)](#)

⁸ [CADO-Draft-EIR_Public-Review-March-2024 \(cityofmenifee.us\)](#)

⁹ [Notice-of-Preparation-NOP-McLaughlin-and-San-Jacinto-Warehouses \(cityofmenifee.us\)](#)

¹⁰ South Coast AQMD's Cumulative Impacts from Air Toxics for CEQA Projects: [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)).

Brett Hamilton

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be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 643,419 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹¹. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.¹²

A6.5
Cont.

South Coast AQMD Air Permits and Role as a Responsible Agency

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

A6.6

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

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the

A6.7

¹¹ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>

¹² South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

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

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

A6.7
Cont.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:SG

RVC240604-05

Control Number

From: Sahar Ghadimi <sghadimi@aqmd.gov>
Sent: Wednesday, June 12, 2024 11:07 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: Sam Wang <swang1@aqmd.gov>
Subject: Technical data request for the Murrieta Road Warehouse Project.

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

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

Dear Brett,

South Coast AQMD staff received a Notice of Availability of a Draft Environmental Impact Report for the Murrieta Road Warehouse Project (South Coast AQMD Control Number: RVC240604-05). Staff is currently in the process of reviewing the Draft EIR.

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

CalEEMod, Input Files (.csv files).

Live EMFAC output files.

- Any emission calculation file(s) (live version of excel file(s); no PDF) used to calculate the Project's emission sources.

(i.e., truck operations).

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

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

Sincerely,

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

A6.8

A6.8
Cont.

2.12 RESPONSE TO LETTER A6: SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, DATED JUNE 24, 2024

The responses provided below are based on the following technical memorandum included as Appendix D of this FEIR:

- *Murrieta Road Warehouse Air Quality, Health Risk, Energy, and Greenhouse Gas Assessment Response to Comments*, Urban Crossroads, Inc., July 23, 2024, Appendix D.

Comment A6.1: This comment states that the South Coast Air Quality Management District (SCAQMD) has reviewed the DEIR for the Murrieta Road Warehouse Project.

Response A6.1: This comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment A6.2: This comment provides a summary of the Project location and Project description.

Response A6.2: This comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment A6.3: This comment states that the Project site is 86.3 to 84.9 miles from the Ports of Los Angeles and Long Beach, respectively. Therefore, the comment states that the air quality analysis underestimated the emissions from trucks traveling from the Ports to the proposed Project site. The comment states that the proposed Project should utilize conservative trip lengths, such as designating 40 miles for local trips and 90 miles for Port-related trips.

Response A6.3: The comment states that the truck trip length is not appropriate given the proposed Project's distance from the Ports of Los Angeles. However, it should be noted that the analysis utilizes truck trip distances based on guidance from SCAQMD's Rule 2305 Second Staff Report, which recommends the use of a 14.2-mile trip length for class 4-7 trucks (light-heavy-duty truck 1/2 and medium-heavy-duty truck) and 39.9 miles for class 8 trucks (heavy-heavy duty trucks). As described in Appendix K, *Traffic Impact Analysis*, of the DEIR, 1.3 percent of vehicle trips would be 2-axle trucks, 2.5 percent would be 3-axle trucks, 3.8 percent would be 4- axle trucks, and 10.2 percent would be 5+ axle trucks, and the remaining vehicle trips would be passenger vehicles. As such, the majority of anticipated truck trips would be from heavy-heavy duty trucks and a weighted average truck trip distance of 34.51 miles was utilized based on the assumed fleet mix. Additionally, these trip lengths are based on averages, and not all Project truck trips would be to the Ports of Los Angeles and Long Beach, with many truck trips taking the form of local deliveries and other trips that would be significantly shorter. Furthermore, it should be noted that the DEIR provides a conservative analysis of the proposed Project as the DEIR includes a development buffer in order to account for final design changes. Therefore, the DEIR utilized a conservative approach and appropriately analyzed vehicle trip lengths based on SCAQMD guidance. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment A6.4: The comment states that South Coast Air Quality Management District (SCAQMD) staff is primarily concerned with the cumulative air quality impacts from increased concentrations of air toxics in the Perris Valley Commerce Center Specific Plan (PVCCSP) region. The comment states that the SCAQMD staff recommends that, at minimum, the Lead Agency perform a qualitative analysis to provide the potential cumulative impacts from air toxics in consideration by listing all surrounding past, present, and probable future projects.

Response A6.4: The comment states that the DEIR's analysis does not consider cumulative impacts resulting from increased concentrations of air toxics in the region associated with cumulative projects. Specifically, the comment mentions six current or future projects identified on the City of Menifee's Planning webpage under Planning – Environmental Documents for Public Review. A review of this webpage has identified the following industrial projects:

1. Northern Gateway Logistics Center
2. CADO Menifee Industrial Warehouse Project
3. Freedom Business Park
4. McLaughlin and San Jacinto Warehouses
5. Northern Gateway Commerce Center
6. Compass Northern Gateway Project

It should be noted that although SCAQMD has held several working groups aimed at developing methodology for the evaluation of cumulative health risks, there is currently no recommended methodology, policy, or guidance for evaluating these cumulative impacts. However, based on guidance published in SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*¹, projects that do not exceed project-specific significance thresholds are considered by SCAQMD to have a less than significant cumulative impact as well. As demonstrated in the DEIR Section 5.2, *Air Quality*, and as described Response O3.5 below, the proposed Project does not exceed the SCAQMD's cancer risk threshold of 10 in one million or the non-cancer risk threshold of 1.0. As such, under this guidance the proposed Project would be considered to have a less than significant health risk impact both at the individual Project and cumulative levels.

As discussed below, even if the potential health risk from the proposed Project as well as the six cumulative projects identified in the comment is evaluated, the proposed Project would still result in a less than significant cumulative health risk impact to the community.

The Northern Gateway Logistics Center is proposed to consist of approximately 398,252 square feet of warehouse space and is located approximately 2,700 feet east of the proposed Project site. Although this project is located more than 1,000 feet from the proposed Project site, because this project has the potential to utilize the same truck routes of the proposed Project, the cumulative cancer risk from this project was considered in the table below. Per the *Northern Gateway Logistics Center Health Risk Assessment* prepared by Kimley-Horn and Associates, Inc., at the maximally exposed individual receptor (MEIR), with mitigation the maximum estimated operational cancer risk from this project is 0.13 per one million.

The CADO Menifee Industrial Warehouse Project is proposed to consist of approximately 700,037 square feet of warehouse space and is located approximately 1,300 feet west of the proposed Project site. Although this project is located more than 1,000 feet from the proposed Project site, because this project has the potential to utilize the same truck routes of the proposed Project, the cumulative cancer risk from this project was considered in the table below. Per the *CADO Menifee Industrial Warehouse Project Health Risk Assessment* prepared by Kimley-Horn and Associates, Inc., at the MEIR, with mitigation the maximum estimated operational cancer risk from this project is 1.80 per one million.

The Freedom Business Park is proposed to consist of approximately 283,746 square feet of industrial and commercial uses and is located approximately 34,000 feet or 6.43 miles southeast of the proposed Project site. Because this project site and truck routes are located well over 1,000 feet from the proposed Project

¹ Accessed at <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf>

site and truck routes, any potential cumulative health risks from this project and the proposed Project would be less than significant.

The McLaughlin and San Jacinto Warehouses Project is proposed to consist of approximately 491,393 square feet of warehouse space and is located approximately 10,600 feet or 2 miles southeast of the proposed Project site. Because this project site and truck routes are located well over 1,000 feet from the proposed Project site and truck routes, any potential cumulative health risks from this project and the proposed Project would be less than significant.

The Northern Gateway Commerce Center Project is proposed to consist of approximately 1,316,741 square feet of warehouse space and is located approximately 1,300 feet east of the proposed Project site. Although this project is located more than 1,000 feet from the proposed Project site, because this project has the potential to utilize the same truck routes of the proposed Project, the cumulative cancer risk from this project was considered. Because a health risk assessment for this project is not available, the project risk has been estimated based on the cancer risk per square footage of the proposed Project and other cumulative projects identified, as these land uses are similar in nature. Based on this, the estimated cancer risk for this project was estimated at 3.45 per one million.

The Compass Northern Gateway Project is proposed to consist of approximately 461,237 square feet of warehouse space spread across three separate sites, with Project Sites 1 and 2 located approximately 2,700 feet west of the proposed Project site and Project Site 3 located approximately 2,700 feet northeast of the proposed Project. Although this project is located more than 1,000 feet from the proposed Project site, this project has the potential to utilize the same truck routes of the proposed Project. Therefore, the cumulative cancer risk from this project was identified. Per the *Compass Northern Gateway Project Health Risk Assessment* prepared by Kimley-Horn and Associates, Inc., at the MEIR, with mitigation the maximum estimated operational cancer risk from this project is 0.87 in one million.

Table 2-2: Cumulative Cancer Risk

Project	Maximum Incremental Cancer Risk (risk per million)
Proposed Project	3.04
Northern Gateway Logistics Center	0.13
CADO Menifee Industrial Warehouse Project	1.80
Northern Gateway Commerce Center	3.45
Compass Northern Gateway Project	0.87
Total Cancer Risk	9.29

The U.S. EPA rules generally consider a cancer risk of 100 in one million at the community level to be within the acceptable range, and this level is considered by many lead agencies in California as a cumulative cancer risk threshold.²

As shown above, even if the maximum cancer risk at the MEIR for each cumulative project in the vicinity of the proposed Project were totaled, the maximum risk would remain well below the EPA's standard cumulative

² Bay Area Air Quality Management District, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, p. 67 (noting that "the 100 in a million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on the District's recent regional modeling analysis.")

cancer risk threshold of 100 in one million. Additionally, the maximum incremental cancer risk shown above for each project represents the risk at the maximally exposed individual receptor for each project, and it should be noted that each of these receptors are in different locations. As such, the total cumulative cancer risk of 9.29 in one million shown above is highly conservative, and the actual risk contributions from each Project would be less than this combined value. A quantitative analysis has been provided in this response for the cumulative impacts from air toxics in the region. Therefore, no revisions to the DEIR are required and no further response is warranted.

Comment A6.5: The comment describes SCAQMD's new Rule 2305 and Rule 316 that are intended to reduce regional and local emissions. The comment states that the proposed Project will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, the comment states that SCAQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the proposed Project that may help future warehouse operators meet their compliance obligation.

Response A6.5: The comment erroneously refers to the Project as a 643,419 square foot warehouse, whereas earlier in the comment letter it is accurately referred to as a 517,720 square foot warehouse. The comment has been noted and the proposed Project would comply with the requirements of SCAQMD Rule 2305 and Rule 316. However, as described in Section 5.2, *Air Quality*, the proposed Project would have a less than significant impact individually and cumulatively, therefore, additional Project requirements and CEQA mitigation measures are not required (Cal. Code Regs. tit. 14 Section 15126.4).

Section 5.2, *Air Quality*, of the DEIR has been revised to include SCAQMD Rule 2305 and Rule 316 as PPP AQ-5. Revisions have been included in Chapter 3, *Revisions to the Draft EIR*, and have also been included within Section 4.0, *Mitigation Monitoring and Reporting Program*, as part of this FEIR. Revisions to the DEIR are shown below:

Plans, Programs, and Policies

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

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

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

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

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

any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

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

Comment A6.6: This comment states that if the Project would require the use of new stationary and portable sources, air permits from SCAQMD will be required and the role of SCAQMD would change from a Commenting Agency to a Responsible Agency under CEQA. The comment continues by saying that if SCAQMD is identified as a Responsible Agency, the Lead Agency must consult with SCAQMD and is included in deciding on the adequacy of the CEQA Document. The comment concludes by saying that the FEIR should include a discussion about any new stationary and portable equipment requiring SCAQMD permits and to identify SCAQMD as a Responsible Agency.

Response A6.6: As discussed in Appendix B of the DEIR and Section 5.2, *Air Quality*, of the DEIR, the proposed Project was conservatively assumed to include installation of a 300-horsepower diesel-powered fire pump. For analytical purposes, it is anticipated that the emergency diesel generator would result in a maximum operating time of up to one hour per day, 1 day per week for up to 50 hours per year. Emissions associated with the stationary diesel-powered emergency fire pump was calculated using CalEEMod. Thus, use of the fire pump was included in the analysis for operational emissions. Because the emergency engine is expected to exceed a rating of 50 horsepower, it is anticipated that the emergency engine would require an SCAQMD air permit. Furthermore, SCAQMD has been identified as a responsible agency in Section 3.0, *Project Description*, of the DEIR and states that the proposed Project would require “Permits to install and operate a diesel fire pump from the South Coast Air Quality Management District” (DEIR page 3-3).

Additionally, building occupants are assumed to be warehouse distribution and logistics operators and light manufacturers; however, specific tenants and uses are currently unknown. Future occupants would be processed through the City’s permitting system. Should any additional stationary equipment be required, the City of Menifee will inform SCAQMD as the responsible agency. However, at this time it is unknown what other types of equipment may be required, and as such it would be speculative to include stationary equipment beyond the anticipated fire pump. Therefore, no revisions to the DEIR are required and no further response is warranted.

Comment A6.7: This comment states that the Lead Agency shall evaluate comments and prepare a written response at least 10 days prior to certifying the Final EIR. If the Lead Agency’s position is at variance with recommendation provided in the comment letter, detailed reasons supported by substantial evidence in the record to explain why comments are not accepted must be provided.

Response A6.7: This comment is conclusory in nature and does not raise any specific issue with the adequacy of the DEIR. Written responses to comments provided throughout the public comment period will be provided at least 10 days prior to the certification of the Final EIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment A6.8: This comment states that SCAQMD has received the DEIR. The comment requests all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files (complete files, not summaries), that were used to quantify the air quality impacts from construction and/or operation of the proposed Project be sent to SCAQMD review.

Response A6.8: The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. In response to the request for information, the technical documentation was compiled, and a Dropbox link was emailed from the City to South Coast AQMD staff on June 13, 2024. Because the comment

does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.13 LETTER O1: ADAMS BROADWELL JOSEPH & CARDOZO, ON BEHALF OF COALITION FOR CALIFORNIANS ALLIED FOR A RESPONSIBLE ECONOMY (5 PAGES)

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

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

July 2, 2024

Via U.S. Mail and Email

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

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

Via Email Only

Brett Hamilton, Senior Planner
Email: bhamilton@cityofmenifee.us

Via Online Submission: <https://cityofmenifeeca.nextrequest.com/requests/new>

Re: Request for Immediate Access to Public Records - Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN22 0179; SCH No. 2023110162)

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

We are writing on behalf of Coalition for Californians Allied for a Responsible Economy ("CARE CA") to request immediate access to any and all public records referring or related to the Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN22-0179; SCH No. 2023110162) ("Project") proposed by IPT Menifee CC LLC ("Applicant"). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project. *This request does not include the Draft Environmental Impact Report ("DEIR"), or documents referenced or relied upon in the DEIR, which we have requested in a separate letter pursuant to the California Environmental Quality Act.*

O1.1

July 2, 2024

Page 2

The Project proposes the development of an approximately 517,720-square foot speculative warehouse building in the City of Menifee, Riverside County, California. The Project site encompasses approximately 28.27 acres and is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road. The Project site is identified by Assessor's Parcel Numbers: 330-210-010, -011, -013, -062 and 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005.

O1.2

This request is made pursuant to the California Public Records Act (Government Code §§ 7920.000, *et seq.*). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

We request immediate access to review the above documents pursuant to section 7922.525 of the Public Records Act, which requires public records to be "open to inspection at all times during the office hours of a state or local agency" and provides that "every person has a right to inspect any public record."¹ Therefore, the 10-day response period applicable to a "request for a copy of records" under Section 7922.535(a) does not apply to this request.

O1.3

We request access to the above records in their original form, as maintained by the agency.² Pursuant to Government Code Section 7922.570, if the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed to me as attachments.

We will pay for any direct costs of duplication associated with filling this request up to \$200. However, please contact me at (650) 589-1660 with a cost estimate before copying/scanning the materials.

¹ Gov. Code §7922.525(a).

² Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

July 2, 2024

Page 3

Please use the following contact information for all correspondence:

U.S. Mail

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

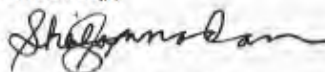
Email

ssannadan@adamsbroadwell.com

O1.3
Cont.

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


Sincerely,



Sheila M. Sannadan
Legal Assistant

SMS:lj1

7211-007j -

 printed on recycled paper

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MARC D. JOSEPH
DANIEL L. CARDOZO

July 30, 2024

Via U.S. Mail and EmailCheryl Kitzerow, AICP
Community Development Director
Menifee City Hall
Community Development Department
29844 Haun Road
Menifee, CA 92586
Email: ckitzerow@cityofmenifee.usVia Email OnlyBrett Hamilton, Senior Planner
Email: bhamilton@cityofmenifee.usRe: Draft Environmental Impact Report – Murrieta Road
Warehouse Project (Planning Case No. DEV2022-017; Major
Plot Plan No. PLN220179; SCH No. 2023110162)

Dear Ms. Kitzerow and Mr. Hamilton:

We are writing on behalf of Californians Allied for a Responsible Economy (“CARE CA”) regarding the Draft Environmental Impact Report (“DEIR”), prepared for the Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN22-0179; SCH No. 2023110162) (“Project”) proposed by IPT Menifee CC LLC (“Applicant”).

01.4

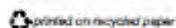
On July 2, 2024, CARE CA submitted two letters to the City of Menifee (“City”). The first letter requested access to documents referenced in the DEIR pursuant to the California Environmental Quality Act and the second requested immediate access to any and all public records related to the Project pursuant to the California Public Records Act.

01.5

On July 16, 2024, our office contacted the City to request that the July 2 letters be withdrawn on the basis that CARE CA had the necessary information to review the Project’s DEIR. Please be advised that CARE CA is satisfied with the information found in its review of the DEIR and does not have any objections to the Project.

01.6

7211-008j



July 30, 2024
Page 2

Please contact me at 916-444-6201 or kcarmichael@adamsbroadwell.com if you have any questions about this letter.

Sincerely,



Kevin Carmichael

O1.6
Cont.

KTC:ljl

7211-008j

2.14 RESPONSE TO LETTER O1: ADAMS BROADWELL JOSEPH & CARDOZO, ON BEHALF OF COALITION FOR CALIFORNIANS ALLIED FOR A RESPONSIBLE ECONOMY, DATED JULY 2, 2024, AND JULY 30, 2024.

Comment O1.1: This comment states that the letter is written on behalf of Coalition for Californians Allied for a Responsible Economy (CARE CA) requesting immediate access to any and all public records referring to or related to the proposed Project.

Response O1.1: This comment will be provided to City decision makers as part of their review of the FEIR. Please refer to Comment O1.6 below. On July 16, 2024, CARE withdrew their comment letter dated July 2 and has withdrawn their request made pursuant to the California Public Records Act. Furthermore, CARE has no objections to the proposed Project or the DEIR based on review. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O1.2: This comment provides a summary of the Project description and site location.

Response O1.2: This comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O1.3: This comment states that the request is made pursuant to the California Public Records Act (Government Code Section 7920.000, *et seq.*) and summarizes the legal requirements behind the request. The comment also provides contact information for correspondence.

Response O1.3: This comment will be provided to City decision makers as part of their review of the FEIR. Please refer to Comment O1.6 below. On July 16, 2024, CARE withdrew their comment letter dated July 2 and has withdrawn their request made pursuant to the California Public Records Act. Furthermore, CARE has no objections to the proposed Project or the DEIR based on review. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O1.4: This comment states that the letter is written on behalf of Coalition for Californians Allied for a Responsible Economy (CARE CA) regarding the Murrieta Road Warehouse Project.

Response O1.4: This comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O1.5: The comment states that on July 2, 2024, CARE CA requested access to documents referenced in the DEIR pursuant to the California Environmental Quality Act and immediate access to any and all public records related to the Project pursuant to the California Public Records Act.

Response O1.5: Please refer to Comment O1.6 below. CARE withdrew their comment letter dated July 2 and has withdrawn their request made pursuant to the California Public Records Act. Furthermore, CARE has no objections to the proposed Project, or the DEIR based on review. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O1.6: The comment states that on July 16, 2024, CARE contacted the City to request that the July 2 letter be withdrawn on the basis that CARE CA had the necessary information to review the Project's DEIR. The comment states that CARE CA is satisfied with the information found in its review of the DEIR and does not have any objections to the Project. The comment also provides contact information for correspondence.

Response O1.6: This comment will be provided to City decision makers as part of their review of the FEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.15 LETTER O2: CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE (3 PAGES)

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

"Bringing People Together to Improve Our Social and Natural Environment"

July 8, 2024

City of Menifee

Attn: Brett Hamilton, Senior Planner

29844 Haun Road

Menifee, CA 92586

Submitted via email to bhamilton@cityofmenifee.us.

Re: Murrieta Road Warehouse Project Draft Environmental Impact Report (SCH #2023110162)

Dear Brett Hamilton,

I am writing this letter on behalf of the Center for Community Action and Environmental Justice to respond to the draft environmental impact report (DEIR; SCH #2023110162) which has been prepared for the proposed Murrieta Road Warehouse Project. After reviewing the EIR documents made available, there are a number of concerns which still require further attention.

O2.1

In the DEIR, the analysis of greenhouse gas emissions notes that even after mitigation, they will remain above SCAQMD thresholds and have a significant impact. Thus, we are eager to see that some mitigation measures will be implemented, including no methane utility lines and the installation of measures such as conduit for both employee and heavy-duty electric vehicle charging. However, as presented in Table 5.6-5: Good Neighbor Guidelines Consistency Analysis, several of the measures identified in the Project Consistency column have room for improvement to be able to at a bare minimum, provide better future-proofing of the Project site to ensure that more robust measures can be undertaken in the future as they become available.

As noted in the response to Item 2 under the Air Quality heading, the Project will provide 20 dedicated EV charging stalls and make room for 80 additional EV-capable stations which could be upgraded at a future date. However, with EV sales in the state approaching 20%, it seems prudent to provide additional stations at opening such that it not just meets the amount of sales, but can exceed and help improve adoption which is critical for helping to reduce the mobile source emissions which are identified as exceeding standards, comprising more than 85% of all Project emissions.

O2.2

More concerning is the plan to only have conduit installed for three heavy-duty charging stations. While it is helpful to have those provided, three is not enough. Instead, it would be preferable to see the installation of conduit for at least one charging station for every five dock doors to ensure

O2.3

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Jurupa Valley, CA 92519
www.ccae.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

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that the Project is prepared for future milestones with CARB regulations that will come into effect during its life.

O2.3
Cont.

Finally, given that construction is a time when it is cheapest to install things properly, there are several bike-related issues which it is important that the Project get right. Specifically, it is crucial that effective bike parking be included as part of the Project so we would like to emphasize of the importance of using guidance available from the Association of Pedestrian and Bicycle Professionals in selecting the location and type of bike parking provided. Additionally, any areas which are building out road infrastructure need to ensure that they provide the proper design for bicyclists based on the latest guidance from Caltrans.

O2.4

Thank you for your time and consideration to these matters. If you have any questions, please do not hesitate to contact us for clarification.

Sincerely,



Marven E. Norman
Policy Coordinator

O2.5

CCA EJ is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, CCA EJ's founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the 'Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. CCA EJ prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.

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CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
 "Bringing People Together to Improve Our Social and Natural Environment"

Attachment A

Caltrans Contextual Guidance for Preferred Bicycle Facilities^{1,2}

Place Type and Surrounding Land-Use:		Posted Speed			
		15-20	25-30	35-45	> 45
Urban Areas & Suburban Main Streets	<2,500	Standard Shoulder or	Standard Shoulder or	Class II or Class IV	
	2,500-5,000	Shared Lane	Shared Lane		Class IV
	5,000-10,000	Class II or Class IV	Class II or Class IV	Class IV	
	>10,000	Class IV	Class IV		
Rural Areas (Developing Corridors)	<2,500	15-20	25-30	35-45	> 45
	2,500-5,000	Standard Shoulder (may be designated as a Class III facility):			
	5,000-10,000				
	>10,000				
Rural Main Streets	<2,500	15-20	25-30	35-45	> 45
	2,500-5,000	Standard Shoulder or		Class II	Class I or IV
	5,000-10,000	Shared Lane	Class II		
	>10,000	Class II		Class I, II, or IV	

1 Highway Design Manual (HDM), index B1.2

2 HDM, Tables 902.1 and 907.2

^{1,2} Chart is not a replacement for engineering judgement. Intended for planning purposes, to identify minimum preferred bikeway facility under different place type, volume and speed conditions.

Figure 1: Caltrans Contextual Guidance for Preferred Bicycle Facilities.



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2.16 RESPONSE TO LETTER O2: CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE, DATED JULY 8, 2024

Comment O2.1: This comment provides an introduction to the comment letter and states that the comment is submitted on behalf of the Center for Community Action and Environmental Justice. The comment states that the commentor is eager to see some mitigation measures will be implemented; however, several of the measures identified have room for improvement to provide better future-proofing of the Project site to ensure that more robust measures can be undertaken in the future as they become available.

Response O2.1: The comment is introductory in nature and expresses a general concern regarding the DEIR's proposed GHG mitigation measures. However, the comment does not raise a specific issue with the adequacy of the DEIR's analysis in which to respond to Therefore, no further response is required or provided.

Comment O2.2: The comment states that the Project will provide 20 dedicated EV charging stalls and make room for 80 additional EV-capable stations which could be upgraded at a future date. The comment states that with EV sales in the state approaching 20%, the proposed Project should provide additional stations at opening such that it can exceed and help improve adoption which is critical for helping to reduce the mobile source emissions.

Response O2.2: The comment summarizes what is already proposed by the Project in terms of including 80 electric vehicle capable stalls and 20 electric vehicle charging stations as part of the Project's design. However, as stated on page 5.6-22 of the DEIR, MM GHG-5 would require that prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready", with all necessary conduit installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed and operational. Therefore, the proposed Project already exceeds what is stated in the comment.

As described in DEIR Section 5.6, *Greenhouse Gas Emissions*, a large majority of the GHG emissions from the Project would be generated from vehicle and truck emissions. As a part of the environmental review for the proposed Project, the City reviewed and included feasible mitigation measures to reduce GHG emissions from the proposed Project. However, the emissions from vehicles cannot be regulated by either the City or the Project Applicant. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.).

The DEIR adequately provides reasonable rationale supporting the proposed mitigation measures and the finding of infeasibility of further mitigation. As described in Section 5.6, *Greenhouse Gas Emissions*, and Appendix F, *Greenhouse Gas Analysis*, of the DEIR more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-

electric heavy-heavy duty trucks have not yet been integrated into large-scale truck operations due to difficulties in meeting the duty cycles required of current diesel-powered vehicles and long charging times. Therefore, mitigation measures tailored towards mobile source emission reductions are not feasible or commercially available.

While there are no feasible mitigation measures that would reduce vehicular emissions, electric vehicle supply equipment would be installed allowing charging stations to be supplied. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions are considered significant and unavoidable. It is not possible to know the exact number of employee vehicles that would utilize such EV stalls, therefore the reduction in emissions from providing further EV charging stations is not estimated. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O2.3: The comment states that the plan to only have conduit installed for three heavy-duty charging stations is not enough. The comment states it would be preferable to see the installation of conduit for at least one charging station for every five dock doors to ensure that the Project is prepared for future milestones with CARB regulations that will come into effect during its life.

Response O2.3: The comment provides an assumption that three charging stations would not be enough and does not provide any evidence showing that more than three trucks would need charging at the same time on a regular basis and that additional charging stations would be needed and that they would substantively reduce additional GHG emissions. As described in Response O2.2, CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.).

As stated in Section 5.6, *Greenhouse Gas Emissions*, emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-electric heavy-heavy duty trucks have not yet been integrated into large-scale truck operations due to difficulties in meeting the duty cycles required of current diesel-powered vehicles and long charging times. Therefore, requiring an increased number of heavy-duty charging stations would not result in effective mitigation that would substantially lessen emissions. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O2.4: The comment states that effective bike parking should be included as part of the Project and emphasizes the importance of using guidance available from the Association of Pedestrian and Bicycle Professionals. Any areas which are building out road infrastructure need to ensure that they provide the proper design for bicyclists based on the latest guidance from Caltrans.

Response O2.4: The comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue. The comment as well as the guidance sources provided for review have been noted.

As described in Section 5.2, *Transportation*, of the DEIR the City's General Plan Circulation Element identifies Murrieta Road east of the Project site as a proposed Class II bike lane. Implementation of the proposed Project would not alter or conflict with existing or planned bike lanes or bicycle transportation, including the

ultimate buildout of Murrieta Road as a Class II bike lane. The full buildout of Murrieta Road would include striping for on street bicycle lanes, which would be reviewed and approved by the City Menifee Engineering Department. Additionally, as detailed in DEIR Section 3.0, *Project Description*, the proposed Project would include on-site long-term and short-term storage for bikes including bike racks. Thus, impacts related to bicycle facilities would not occur. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O2.5: The comment also provides contact information for correspondence and thanks the City for their time and consideration.

Response O2.5: This comment is conclusory in nature and does not raise any specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.17 LETTER O3: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE (101 PAGES)

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July 3, 2024

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VIA EMAIL TO:
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SUBJECT: COMMENTS ON MURRIETA ROAD WAREHOUSE PROJECT EIR (SCH NO. 2023110162)

Dear Mr. Hamilton,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Murrieta Road Warehouse Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

O3.1

1.0 Summary

The project proposes the construction and operation of one fulfillment center warehouse facility, with related site improvements, on a 28.27-acre site within the City of Menifee. The EIR evaluates two development scenarios: (1) construction of one 533,252 sf fulfillment center warehouse with an FAR of 0.50; and (2) construction of one 517,720 sf fulfillment center warehouse with an FAR of 0.40. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street and utility improvements.

1.1 Project Piecemealing

The EIR does not accurately or adequately describe the project, meaning “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (CEQA § 15378). The

O3.2

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Project Description states that, "The Project site is identified by Assessor's Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005. A Tentative Parcel Map, No. 38469 (PLN22-0180), to consolidate all the existing parcels within the Project site into one parcel was previously approved and was exempt pursuant to CEQA Guidelines Section 15315."

A project EIR must be prepared that accurately represents the whole of the action without piecemealing the project into separate, smaller development projects to present unduly low environmental impacts. CEQA Section 15161 describes project EIRs as examining "the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation." The specific development project is the planning, construction, and operation of the proposed project. Notably, the Notice of Exemption¹ filed for the Tentative Parcel Map states that, "The parcel is intended to accommodate a future industrial facility," explicitly stating the project piecemealing. Additionally, the NOE states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations.

O3.2
Cont.

The Parcel Map was a necessary precedent for action on the larger project - development of the proposed project on a single building site. The Parcel Map was necessary to consolidate multiple parcels as it is not permitted for buildings to be constructed across property lines. The EIR must be revised to comply with CEQA § 15161 by preparing a project EIR which analyzes this prior action.

3.0 Project Description

The Project Description is inadequate in that it does not provide information regarding the entitlement history or ownership of the site. The proposed project site consists of 77 lots subdivided for residential development and a 1.96 acre parcel (lot 78) conferred to the City of Menifee for development of a public park associated with Final Tract Map 31856. The Planning Commission approved an Extension of Time for Final Tract Map 31856 via Resolution No. PC 16-249 on January 27, 2016². Tract 31856 was Annexation No. 5 into the City of Menifee

O3.3

¹ https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjIKH4Gi7i-iR4_EcXfnTWSN-IKPTR5c95wNUR0SbiMUJdjtMH_XdIfCx_aqcf1UtmzmZtC9EZ0

² <https://records.cityofmenifee.us/WebLink/DocView.aspx?id=166543&dbid=0&repo=Menifee&searchid=4f318e39-c5d1-4e1f-ac0a-7df0d80f20c3&cr=1>

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Community Facilities District No. 2015-2³. Specific City records and Resolution for Annexation No. 5 were not available on the City's online records portal, but would remain subject to a Public Records Request. A recent CFD Annexation is provided as the attachments list pertinent information regarding Annexation No. 5.

The County of Riverside records indicate that Lot 78 (APN 330-571-005) is currently owned by the City of Menifee⁴ as the property owner address is listed at Menifee City Hall. Further, Lot 78 is identified as Sunwood Park and included within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan⁵ adopted as a background document to the City of Menifee General Plan. The EIR must be revised to include this information for analysis. Notably, if the City wants to sell Lot 78, it must go through the Surplus Land Act⁶ process to formally notify HCD of the site's availability for development of residential dwelling units. All sections of the EIR must be revised to note the project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland.

O3.3
Cont.

The EIR does not include a floor plan, detailed site plan, detailed elevations, or a conceptual grading plan for any of the project sites. The basic components of a Planning Application include a detailed site plan, floor plan, conceptual grading plan, written narrative, and detailed elevations. Figure 3-7: Conceptual Site Plan has been edited for public review and excludes pertinent information that is readily available on all Site Plans, such as the floor area ratio, lot size, legend, and key notes.

O3.4

The EIR has also excluded a grading plan from public review. The EIR states that, "Grading work of soils for the Project site would include approximately 163,600 cubic yards (CY) of cut and 192,000 CY of fill for a net import of 28,400 CY of soils. Construction activities include removal and recompaction of soils to a depth of five feet below existing grade. Offsite grading work of

3

<https://records.cityofmenifee.us/WebLink/DocView.aspx?id=188752&dbid=0&repo=Menifee&searchid=480b569-a6ab-42d3-b779-16af74e2a4b0>

<https://gis1.countyofriverside.us/Geocortex/Reporting/service/job/result?ticket=evJhbGciOiJub25llwiemiwJoiREVVGIn0.q1ZKzs9TsqpWUimpLEhVsILyKi8JvUzOT1xzss8rSc0rUdJRYspP8kwBSeUnFVvoG5pYGFgYGiclW1ommmRiZmluYmVgmpSWZJRtYpKWZGRoo1dYCAA.&tag=a261efd9c4b74035b081228939c59283>

5

<https://records.cityofmenifee.us/WebLink/DocView.aspx?id=223780&dbid=0&repo=Menifee&searchid=34ab31da-ab4b-4c59-b644-79fcc086f952>

⁶ CA Government Code Section 54220 et seq

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=5.&article=8.

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soils would encompass an area of 4.5 acres and would include 2,050 CY of cut and 2,850 CY of fill for a net import of 800 CY of soil,” yet there is no method for the public to verify this claim. Providing the grading plan and earthwork quantity notes is vital as this directly informs the quantity of necessary truck hauling trips due to soil import/export during the grading phase of construction. A revised EIR must be prepared to include wholly accurate and unedited detailed floor plan, grading plan, site plan, elevations, and project narrative for public review.

O3.4
Cont.

5.2 Air Quality, 5.5 Energy, and 5.6 Greenhouse Gas Emissions

Please see the attachment for a full technical commentary and analysis from SWAPE.

Exhibit LU-4 within the City’s General Plan⁷ depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City’s General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. The proposed project would increase the maximum allowable building area for non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to include a finding of significance as the growth proposed by the project was not accounted for in the AQMP.

O3.5

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. According to CalEnviroScreen 4.0⁸, CalEPA’s screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project’s census tract (6065042731) is highly burdened by pollution. The surrounding community, including existing residences adjacent to the north (share property line with the proposed project) on Floyd Avenue, bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicator measured by CalEnviroScreen. For example, the project census tract ranks in the 91st percentile for ozone burden, the 51st percentile for particulate matter (PM) 2.5 burden, and 74th percentile for traffic burden. These environmental factors are attributed to heavy truck activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at

O3.6

⁷ Menifee General Plan Land Use Element

https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322

⁸ <https://experience.arcgis.com/experience/11d2f52282a54cee6184203/page/CalEnviroScreen-4-0/>

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low levels of exposure⁹. Exhaust fumes contain toxic chemicals that can damage DNA, cause cancer, make breathing difficult, and cause low weight and premature births¹⁰.

Further, the census tract is a diverse community including 60% Hispanic, 6% African-American, and 2% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 79% of the census tract residents over age 25 has not attained a high school diploma. The community also has a high rate of poverty, meaning 47% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care¹¹. Poor communities are often located in areas with high levels of pollution¹². Poverty can cause stress that weakens the immune system and causes people to become ill from pollution¹³. Living in poverty is also an indication that residents may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 78th percentile for incidence of cardiovascular disease and 49th percentile for incidence of asthma.

O3.6
Cont.

Additionally, the census tract adjacent to the project site (6065042901 (north)) is identified as an SB 535 Disadvantaged Community¹⁴. This indicates that cumulative impacts of development and environmental impacts in the immediate vicinity are disproportionately impacting this community. The negative environmental, health, and quality of life impacts resulting from a saturation of the warehousing and logistics industry in the community have become distinctly inequitable. A revised EIR must be prepared to include the specific analysis of each environmental impact on the Disadvantaged Community, including cumulative analysis and irreversible environmental effects.

The State of California lists three approved compliance modeling softwares¹⁵ for non-residential buildings: CBECC-Com, EnergyPro, and IES VE. CalEEMod is not listed as an approved software. The CalEEMod modeling does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using one of the approved software types must be prepared and circulated for public

O3.7

⁹ OEHHA Ozone <https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone>

¹⁰ OEHHA Traffic <https://oehha.ca.gov/calenviroscreen/indicator/traffic-density>

¹¹ OEHHA Poverty <https://oehha.ca.gov/calenviroscreen/indicator/poverty>

¹² Ibid.

¹³ Ibid.

¹⁴ OEHHA SB 535 Census Tracts <https://oehha.ca.gov/calenviroscreen/sb535>

¹⁵ California Energy Commission 2022 Energy Code Compliance Software
<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>

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review in order to adequately analyze the project's significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not an approved software.

O3.7
Cont.

5.9 Land Use and Planning

The EIR does not meaningfully discuss or analyze the project's compliance with the General Plan's Land Use Buildout Scenario. Exhibit LU-4: Land Use Buildout Summary within the General Plan Land Use Element¹⁶ analyzes a 0.40 FAR for Industrial development within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The project site as a FAR of 0.48 (517,720 sf warehouse scenario) and 0.50 (533,252 sf scenario), which are both greater than the assumption of the environmental analysis which it attempts to tier from. Additionally, Exhibit LU-4 within the City's General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City's General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City or SCAG. The proposed project would increase the maximum allowable non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to provide an accurate build-out scenario of the City's General Plan, including analysis of the proposed project's reduction in residential development capacity and increase in building area of non-retail development.

O3.8

Table 5.9-1: SCAG RTP/SCS Consistency Analysis concludes that the project is consistent with the goals of Connect SoCal, resulting in less than significant impacts. In finding consistency with SCAG's goals, the EIR does not provide any meaningful evidence to support this conclusion, in violation of CEQA's requirements for meaningful disclosure. For example, the EIR concludes the project is consistent with Goal 5 to reduce greenhouse gas emissions because, "Mitigation measures are specified to reduce the Project's greenhouse gas impacts to the maximum extent feasible," which excludes the EIR's determination that the project will result in significant and unavoidable cumulatively considerable GHG emissions impacts. Due to errors in modeling and modeling without supporting evidence, as noted throughout this comment letter and attachments, and the EIR's determination that the project will have significant and unavoidable impacts to Greenhouse Gas Emissions, the proposed project is directly inconsistent with Goal 5 to reduce

O3.9

¹⁶ Menifee General Plan Land Use Element
https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322

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greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. The EIR must be revised to include finding of significance due to inconsistency with the RTP/SCS.

O3.9
Cont.

The EIR does not provide a consistency analysis with all land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Further, Table 5.9-2: General Plan Consistency includes consistency analysis that is erroneous and misleading to the public and decision makers. The project has significant potential to conflict with many of these items due to its significant and unavoidable impacts to Greenhouse Gas Emissions. The EIR is inadequate as an informational document and a revised EIR must be prepared with a consistency analysis with all General Plan policies, including but not limited to the following:

1. Goal S-7: A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.
2. Policy EJ-3.6: Continue to collaborate with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), utility providers, Southern California Association of Governments (SCAG), Western Riverside Council of Governments (WRCOG) and nonprofit organizations, neighborhoods groups, and other community organizations to improve air quality, food availability, renewable energy systems, sustainable land use and reduce greenhouse gas emissions (GHGs).
3. Goal OSC-10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.
4. Policy OSC-10.1: Align the city's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.
5. Policy OSC-10.2: Align the city's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.
6. Policy OSC-10.3: Participate in regional greenhouse gas emission reduction initiatives.

O3.10

The EIR must also be revised to remove misleading and erroneous consistency analysis for several items. For example, the EIR concludes the project is consistent with "Policy OSC-10.4: Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects," because "Greenhouse Gas was prepared for the Project and found that greenhouse gas (GHG) emissions would exceed the recommended thresholds, thus the Project would implement mitigation measures GHG-1 through GHG-8 to minimize impacts." However, this analysis does not include the context of "Goal OSC-10: An environmentally aware community that is responsive to changing climate

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conditions and actively seeks to reduce local greenhouse gas emissions.” If the goal is to actively reduce local greenhouse gas emissions, then a finding of significance shall be made with regard to the proposed project while considering impacts to climate change because it will result in significant and unavoidable cumulatively considerable greenhouse gas emissions impacts.

The EIR also concludes the project is consistent with, “Policy C-5.3 Support efforts to reduce/eliminate the negative environmental impacts of goods movement,” because, “all negative environmental effects from the proposed Project would be mitigated to the greatest extent feasible.” However, this analysis excludes that after mitigation, significant and unavoidable cumulatively considerable impacts remain for greenhouse gas emissions and noise. The EIR must be revised to include a finding of significance due to inconsistency with this policy.

O3.10
Cont.

Appendix K concludes the following intersections and roadway segments require improvements to address the deficiencies per the applicable thresholds:

1. Intersection #4: Murrieta Road at Ethanac Road
2. Intersection #8: Case Road/Barnett Road at Ethanac Road
3. Intersection #9: I-215 SB Ramps at Ethanac Road
4. Intersection #10: I-215 NB Ramps at Ethanac Road
5. Ethanac Road Segment: Murrieta Road and Barnett Road

Tables 6.1 and 6.2 in Appendix K provide a list of recommended street/traffic improvements and Tables 6.3, 6.4, 6.5, and 6.6 provide a list of fair-share calculations for improvements that will allegedly mitigate significant and unavoidable impacts to the intersections/roadway segments to less than significant levels. It must be noted that the impacts to the intersections and roadway segments are located in the City of Perris, and the I-215 is a Caltrans facility. For example, the north side of Ethanac Road is under jurisdiction of Perris (Intersections #4, #8, #9, and #10), and once Ethanac Road reaches Barnett, the entirety of Ethanac Road is under jurisdiction of Perris (above listed road segments). Any improvements planned/constructed or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements associated with the fair-share fees and the improvements recommended without fees are not planned to occur at all or by any certain date, whether by the City of Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and

O3.11

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evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided. A revised EIR must be prepared to include the LOS analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold TRA-1 and Land Use and Planning Impact Threshold LU-2 because it is not consistent with the following General Plan Policy:

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

O3.11
Cont.

5.12 Transportation

Table 4.1: Project Trip Generation within Appendix K utilizes WSP's TUMF Fulfillment Center Rates as the source for vehicle trip rate calculations. However, Fehr and Peers has updated WSP's study and it was received by the WRCOG at their December 14, 2023 meeting¹⁷. Notably, the excerpt below from Fehr and Peers' study depicts that the use of 2-4 axle trucks has increased by 120% during the AM peak hours, 15% during the PM peak hours, and 111% daily. The use of 5-axle trucks has increased by 13% during the AM peak hours, 58% during the PM peak hours, and 4,073% daily. Fehr and Peers concludes that for Fulfillment Centers, "The daily fleet mix seems to have changed such that there are more heavy vehicles and fewer passenger cars." An increased mix of heavy trucks will result in increased fuel/diesel and energy consumption and an associated increase in GHG emissions and reduction in air quality. The EIR has not utilized the best available data to calculate the project's trip generation and must be revised to implement Fehr and Peers' updated study of the data in WSP's study.

O3.12

Exhibit 16: Summary of Trip Generation Rates per Employee for Fulfillment Centers

	AM			PM			Daily		
	2018	2023	% Change	2018	2023	% Change	2018	2023	% Change
Cars	0.102	0.100	-2%	0.139	0.101	-27%	1.673	1.504	-10%
2-4 Axle Trucks	0.006	0.013	120%	0.008	0.009	15%	0.125	0.264	111%
5-Axle Trucks	0.009	0.010	13%	0.008	0.013	58%	0.008	0.334	4073%
Total	0.118	0.123	4%	0.155	0.123	-21%	1.977	2.101	6%

¹⁷ <https://wrcog.us/AgendaCenter/ViewFile/Agenda/12142023-730>

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Appendix K concludes the following intersections and roadway segments require improvements to address the deficiencies per the applicable thresholds:

1. Intersection #4: Murrieta Road at Ethanac Road
2. Intersection #8: Case Road/Barnett Road at Ethanac Road
3. Intersection #9: I-215 SB Ramps at Ethanac Road
4. Intersection #10: I-215 NB Ramps at Ethanac Road
5. Ethanac Road Segment: Murrieta Road and Barnett Road

Tables 6.1 and 6.2 in Appendix K provide a list of recommended street/traffic improvements and Tables 6.3, 6.4, 6.5, and 6.6 provide a list of fair-share calculations for improvements that will allegedly mitigate significant and unavoidable impacts to the intersections/roadway segments to less than significant levels. It must be noted that the impacts to the intersections and roadway segments are located in the City of Perris, and the I-215 is a Caltrans facility. For example, the north side of Ethanac Road is under jurisdiction of Perris (Intersections #4, #8, #9, and #10), and once Ethanac Road reaches Barnett, the entirety of Ethanac Road is under jurisdiction of Perris (above listed road segments). Any improvements planned/constructed or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements associated with the fair-share fees and the improvements recommended without fees are not planned to occur at all or by any certain date, whether by the City of Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided. A revised EIR must be prepared to include the LOS analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold TRA-1 and Land Use and Planning Impact Threshold LU-2 because it is not consistent with the following General Plan Policy:

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

Appendix L: VMT Analysis excludes the City of Menifee VMT Scoping Form and modeling input parameters and output screens generated by the RIVCOM model to support the EIR's claims that

O3.13

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the project will have less than significant impacts. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). The VMT input/output modeling information contributes directly to analysis of the problem at hand. A revised EIR must be prepared to include these items for review by the public and decision makers in order to provide an adequate informational document.

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Cont.

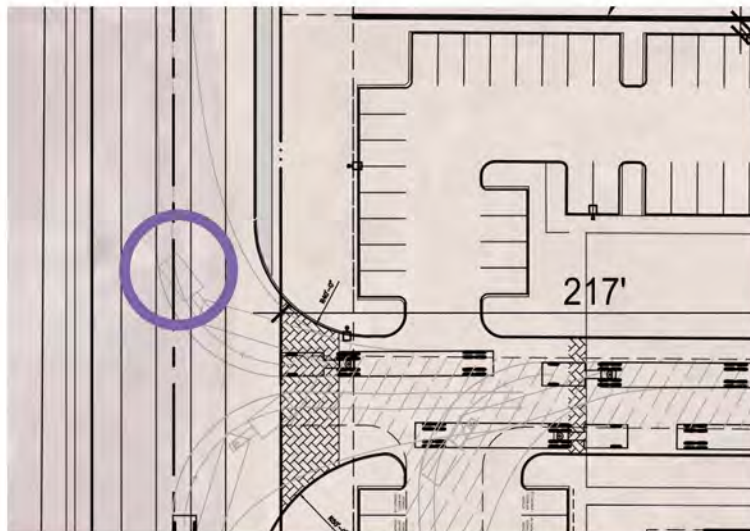
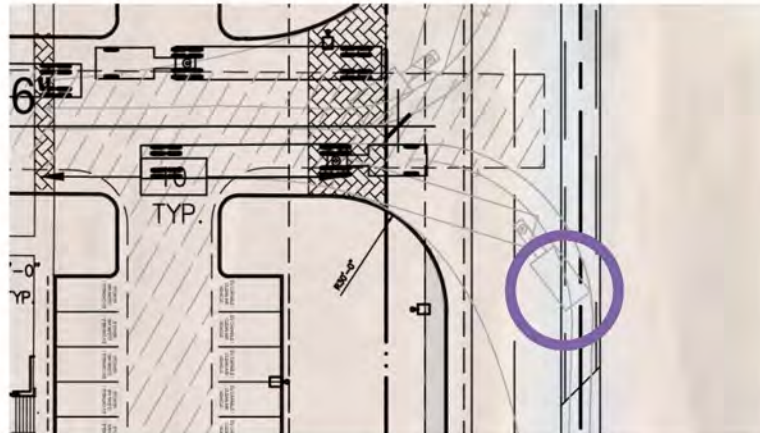
Further, the EIR has underreported the quantity VMT generated by the proposed project operations. The operational nature of industrial/warehouse uses involves high rates of truck/trailer/delivery van VMT due to traveling from large import hubs to regional distribution centers to smaller industrial parks and then to their final delivery destinations. Once employees arrive at work at the proposed project, they will conduct their jobs by driving delivery vans across the region as part of the daily operations as a warehouse, which will drastically increase project-generated VMT. The project's truck/trailer and delivery van activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. The project's total operational VMT generated is further inconsistent with the significance threshold and legislative intent of SB 743 to reduce greenhouse gas emissions by reducing VMT. A revised EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer and delivery van activity.

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The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. The EIR has excluded any specific truck/trailer turning exhibits from public review. Figure 3-7: Conceptual Site Plan has some modeling overlaid on the project site plan, but it is difficult to read due to the quantity of overlapping lines associated with the site plan and modeling. Nonetheless, the modeling depicts there is not adequate maneuvering and queueing space for trucks/trailers at the intersection of the project driveways and the adjacent streets. For example, trucks exiting the site via both driveways on Murrieta Road and the northernmost driveway on Geary Street require additional maneuvering space across the centerline of each street, meaning that the truck will need to drive on the "wrong side" of the street into oncoming traffic in order to leave the site.

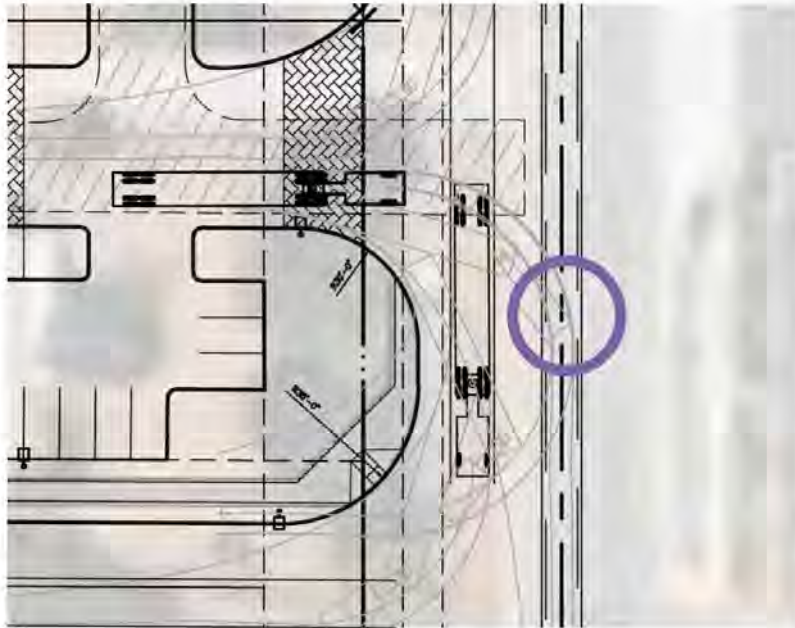
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Further, several areas for potential conflicts between trucks/trailers and passenger cars exist throughout the project site. For example, truck/trailer parking stalls are arranged in a tandem configuration on the north side of the building, within the gated truck/trailer loading dock court. These parking stalls may be in use at any time and further restrict truck/trailer movement, including increasing truck idling times as tandem parked trucks require additional time to maneuver, which will also result in increased queuing duration and associated need for increased queuing area for trucks/trailers. The EIR has not provided any exhibits demonstrating that there is sufficient backup space and queuing space for trucks/trailers to utilize these spaces. A revised EIR must be prepared to include a finding of significance due to these significant and unavoidable impacts.

O3.17

Additionally, the Notice of Exemption¹⁸ filed for the piecemealed Tentative Parcel Map states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations. The EIR must be revised to include specific

O3.18

¹⁸ https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjfKH4Gi7i-iR4_EcXfnTWSN-IKPTR5c95wNUR0SbiMUJldjttMH_XdlfCx_aqcflUtmzmZtC9EZ0

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information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project.

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Cont.

6.2 Growth Inducement and 6.3 Significant Irreversible Effects

The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project's energy consumption in compliance with Title 24 modeling software. The EIR must be revised to include a finding of significance due to the an inaccurate and erroneous analysis regarding the project's Air Quality, Greenhouse Gas, and Energy impacts, including those significant and unavoidable cumulatively considerable GHG impacts.

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The EIR does not meaningfully discuss or analyze the project's significant and unavoidable cumulatively considerable GHG impacts. The EIR does not provide any meaningful evidence that the project will not result in significant and irreversible environmental changes, especially considering the project's direct impact and contribution to negative climate change impacts. The EIR does not adequately discuss or and analyze the commitment of resources is not consistent with regional and local growth forecasts. As noted throughout this comment letter, the project represents a significant amount of building area growth in the City and a significant amount of the City's employment growth over 29 years. The EIR does not meaningfully discuss or analyze the project's compliance with the General Plan's Land Use Buildout Scenario. Exhibit LU-4: Land Use Buildout Summary within the General Plan Land Use Element¹⁹ analyzes a 0.40 FAR for Industrial development within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The project site as a FAR of 0.48 (517,720 sf warehouse scenario) and 0.50 (533,252 sf scenario), which are both greater than the assumption of the environmental analysis which it attempts to tier from. Additionally, Exhibit LU-4 within the City's General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City's General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. The proposed project would increase the maximum allowable non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to provide an accurate build-out scenario of the City's General

O3.20

¹⁹ Menifee General Plan Land Use Element
https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322

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Plan, including analysis of the proposed project's reduction in residential development capacity and increase in building area of non-retail development.

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Cont.

The EIR must also include a cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting, including the associated cumulative impacts of the project's significant and unavoidable cumulatively considerable GHG impacts.

O3.21

The EIR does not discuss the aspects of the project site that remove obstacles to growth. For example, the Notice of Exemption²⁰ filed for the piecemealed Tentative Parcel Map states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations. Removal of streets increases the developable area of the City, and the EIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project. This includes Lot 78 owned by the City and reserved for parkland, and the City's sale of the parkland to be utilized in the proposed project removes a significant obstacle to growth and sets precedent for future parkland to be sold for development that results in significant and unavoidable cumulatively considerable GHG impacts.

O3.22

The EIR has not provided an adequate or accurate cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. SCAG's Connect SoCal Demographics and Growth Forecast²¹ notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR's calculation of 652 employees, the project represents 4.2% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. Since the project site was not included for analysis as an employment generating use by the City or SCAG, it represents a 4.2% increase in growth that was not accounted for by either agency. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will exceed SCAG's employment growth forecast for the City. For example, other recent industrial projects²² such as Menifee Commerce Center (2,885 employees), Menifee Commerce Center

O3.23

²⁰ https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjfkH4Gi7i-jR4_EcXfnTWSN-IKPTR5e95wNUR0SbiMUJldjtMH_XdIfCx_agcfUtmzmZtC9EZ0

²¹ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

²² Data for all listed projects via City of Menifee Land Development Projects Map
<https://cityofmenifee.maps.arcgis.com/apps/instant/minimalist/index.html?appid=55fc56d4ccc94c588a28a958ceb908> and Accela Menifee <https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Hom>

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Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105 employees), Motte Business Center (1,964 employees), Ethanac and Barnett Warehouse (440 employees), CADO Menifee (860 employees), and Compass Northern Gateway (599 employees) combined with the proposed project will cumulatively generate 16,659 employees, which is 108% of the City's employment growth forecast over 29 years accounted for by 17 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 (SCAG) and 2013 (General Plan) are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis.

O3.23
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The EIR finds that impacts will not be significant without providing any quantified analysis or meaningful evidence to support this conclusion. The EIR adds new uncertain and misleading statements in its analysis of the project's workforce that contradicts its statements elsewhere, which does not comply with CEQA's requirements for adequate informational documents (CEQA 15121). Here, the EIR states that, "*most* of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the City of Hemet and surrounding communities." The EIR maintains throughout the document that, "The Project is analyzed as a *speculative* high-cube industrial warehouse," meaning that the future tenants is unknown. Since the tenant is unknown, there is no possible assurance that "*most* of the new jobs that would be created by the Project would be positions that do not require a *specialized* workforce," as the type of work to be conducted is unknown. The EIR must be revised to include a finding of significance.

O3.24

7.7 Effects Found Not Significant: Hazards and Hazardous Materials

The EIR states that the project site, "is within influence area Zone E," of the Perris Valley Airport," and "also located within Zone E of the March Air Reserve Base." The EIR does not provide an exhibit depicting which areas of the site are within the applicable Compatibility Zone for each respective Airport. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). A revised EIR must be

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[e%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3](#)

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prepared to provide exhibits depicting which areas of the site are within the applicable Compatibility Zone for each respective Airport.

The EIR concludes that the project will have less than significant impacts because, “The proposed warehouse facility is consistent with the existing Economic Development Corridor (EDC) land use designation for the Project site and is also consistent with the EDC – NG zoning development standards.” The EIR does not provide any analysis or information regarding regulations and requirements within influence area Zone E of the Perris Valley Airport or Zone E of the March Air Reserve Base. The EIR has not provided any meaningful evidence to support its claims of consistency and a finding of significance must be made in a revised EIR.

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7.11 Effects Found Not Significant: Population and Housing

The project faces significant inconsistencies with statutory requirements of the Housing Crisis Act (HCA) of 2019/Senate Bill (SB) 330²³/SB 8²⁴. The HCA/SB 330/SB 8 require replacement housing sites when land designated for housing development experience changes to ensure no net loss of housing capacity. The project site has a General Plan land use designation of Economic Development Corridor - Northern Gateway (EDC-NG) that has a maximum density of 24 units per acre²⁵. The approximately 28.27 net acre project site can accommodate the development of up to 678 dwelling units (it must be noted that although entitlements exist for a 77 unit development, the site’s development capacity pursuant to existing land use designations still stands at 678 units regardless of existing approved entitlements). Additionally, Exhibit LU-4 within the City’s General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. This means that there are no other parcels within the EDC-NG designation to accommodate the lost residential development capacity, and replacement sites must be identified as part of the proposed project.

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Government Code Section 66300(b)(1)(A) requires that agencies shall not “change the general plan land use designation, specific plan land use designation, or zoning to a less intensive use below what was allowed under the land use designation and zoning ordinances in effect at the time of the proposed change.” Under Government Code Section 66300(b)(1)(A), a “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased

²³ Housing Crisis Act of 2019/SB 330

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330

²⁴ SB 8 https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB8

²⁵ Menifee General Plan Exhibit LU-4: Land Use Buildout Summary

https://www.cityofmenifee.us/DocumentCenter/View/14675/3_LU-4_FINAL

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open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce residential development capacity. Pursuant to SB 330, replacement capacity for any displaced residential units must be provided **concurrently** at the **time of project approval**. Approval of the proposed project will individually and cumulatively reduce residential development capacity as the City's General Plan only analyzed and permitted the development of residential dwelling units on the proposed project site within the EDC-NG land use designation.

Government Code Section 66300 (h)(i)(1) states that, "this section does not prohibit an affected county or an affected city, including the local electorate acting through the initiative process, from changing a land use designation or zoning ordinance to a less intensive use, or reducing the intensity of land use, if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity." As calculated above, the project site's EDC-NG designation provides development capacity for 678 residential units. Approval of the proposed project will result in a reduction of the existing residential development capacity by 678 units to a decreased development capacity of 0 residential units.

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This is in conflict with SB 8 that expanded the provisions of the HCA to include Government Code Section 66300 (h)(i)(1) requiring concurrent approval of replacement sites to ensure no net loss in residential capacity, and Section 66300 (h)(2)(A) defining "concurrently" to mean the action is approved at the same meeting of the legislative body. The EIR has not identified replacement sites for the net loss in residential capacity for 678 units as a result of project implementation. The loss in residential capacity must be included as a finding of significance as part of a revised EIR. The EIR does not act in conformance with the HCA/SB 330/SB 8 and the lost zoning capacity of any dwelling units is a significant environmental impact in violation of the HCA/SB 330/SB 8. The EIR must be revised to include a finding of significance due to this inconsistency.

Additionally, deferring the environmental analysis of construction and operation of replacement sites to a later date is project piecemealing in violation of CEQA. The EIR does not accurately or adequately describe the project, meaning "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (CEQA § 15378). The whole of the action must statutorily and legally include the identification of replacement sites and all associated actions required to implement development of at least 678 residential units.

The EIR also states that, "the site is located in a developed area of the City adjacent to existing roads and in close proximity to infrastructure and utilities." This statement is erroneous and

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misleading to the public and decision makers and must be removed and replaced with factual project components as part of a revised EIR. For example, Figure 3-11: Offsite Improvements depicts that the full length of Geary Street from the project site to Ethanac Road is undeveloped, and the portion of Murrieta Road that provides access to the project site is undeveloped. Additionally, more than 50% of the land within the vicinity of the project site is vacant, meaning that the project site is not located in a developed area of the City and is not located adjacent to existing roads. The EIR must be revised to state factual project components as part of a revised EIR.



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The EIR utilizes uncertain language and does not provide any meaningful analysis or supporting evidence to substantiate the conclusion that there will be no significant impact to population and housing. The EIR states that "The employees that would fill these roles are anticipated to come from the *region*, as the unemployment rate of the City of Menifee in January 2023 was 4.9 percent, and the City of Perris was 5.8 percent (U.S. Department of Labor Statistics, 2023). Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within *commuting distance* and would not generate needs for any housing." The EIR states that employees will come from the region but only provides unemployment rates for Menifee and Perris. Notably, an unemployment rate below 5% is considered full employment and does not substantiate the EIR's claims that impacts will be less than significant. Additionally, the EIR does not provide evidence that the specific workforce listed is qualified for or interested in industrial work to substantiate this claim. Relying on the unemployed workforce population of the surrounding region will increase project related VMT and emissions during all phases of construction and operations and a revised EIR must be prepared to account for longer worker trip distances.

O3.28

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The EIR also states that, should the proposed Project require employees to relocate to the area for work, there is sufficient vacant housing available within the *region*.²⁶ However, the EIR excludes from its analysis that the project site has a zoning capacity of 678 units and will individually and cumulatively contribute to reduction in residential development. The EIR must be revised to include a finding of significance as it has not provided any meaningful supporting evidence to demonstrate that the project will not result in significant and unavoidable impacts to population and housing.

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The EIR states that, “The proposed warehouse facility is consistent with the existing Economic Development Corridor (EDC) land use designation for the Project site and is therefore consistent with the Southern California Association of Government’s (SCAG) regional growth forecasts.” However, as stated above, the City’s General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City or SCAG.

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SCAG’s Connect SoCal Demographics and Growth Forecast²⁶ notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR’s calculation of 652 employees, the project represents 4.2% of the City’s employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. Since the project site was not included for analysis as an employment generating use by the City or SCAG, it represents a 4.2% increase in growth that was not accounted for by either agency. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects “in the pipeline” to determine if the project will exceed SCAG’s employment growth forecast for the City. For example, other recent industrial projects²⁷ such as Meniffee Commerce Center (2,885 employees), Meniffee Commerce Center Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105

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²⁶ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579

²⁷ Data for all listed projects via City of Meniffee Land Development Projects Map
<https://cityofmeniffee.maps.arcgis.com/apps/instant/minimalist/index.html?appid=55fc56d4ccc94c588a28a958ceb908> and Accela Meniffee <https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Home%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3>

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employees), Motte Business Center (1,964 employees), Ethanac and Barnett Warehouse (440 employees), CADO Menifee (860 employees), and Compass Northern Gateway (599 employees) combined with the proposed project will cumulatively generate 16,659 employees, which is 108% of the City's employment growth forecast over 29 years accounted for by 17 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 (SCAG) and 2013 (General Plan) are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis.

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7.13 Recreation

The EIR is inadequate in that it does not provide information regarding the entitlement history or ownership of the site. The proposed project site consists of 77 lots subdivided for residential development and a 1.96 acre parcel (lot 78) conferred to the City of Menifee for development of a public park associated with Final Tract Map 31856. The Planning Commission approved an Extension of Time for Final Tract Map 31856 via Resolution No. PC 16-249 on January 27, 2016²⁸. Tract 31856 was Annexation No. 5 into the City of Menifee Community Facilities District No. 2015-2²⁹. Specific City records and Resolution for Annexation No. 5 were not available on the City's online records portal, but would remain subject to a Public Records Request. A recent CFD Annexation is provided as the attachments list pertinent information regarding Annexation No. 5.

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The County of Riverside records indicate that Lot 78 (APN 330-571-005) is currently owned by the City of Menifee³⁰ as the property owner address is listed at Menifee City Hall. Further, Lot 78 is identified as Sunwood Park and included within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan³¹ adopted as a background document to the City of Menifee

²⁸

<https://records.cityofmenifee.us/WebLink/DocView.aspx?id=166543&dbid=0&repo=Menifee&searchid=4f318e39-c5d1-4e1f-ac0a-7df0d80f20e3&cr=1>

²⁹

<https://records.cityofmenifee.us/WebLink/DocView.aspx?id=188752&dbid=0&repo=Menifee&searchid=48f1b569-a6ab-42d3-b779-16af74e2a4b0>

³⁰

<https://gis1.countyofriverside.us/Geocortex/Reporting/service/job/result?ticket=evJhbGciOiJub25liwiemlwIjoieREVGIn0.q1ZKzs9TsqpWUimpLEhVslLyKi8JyUzOTi1xzs8rSc0rUdIRyspP8kwBSeUnFVvoG5pYGFgYGieIW1ommRiZmluYmVgmpSWZJRfYpKWZGRooIdYCAA.&tag=a261efd9c4b74035b081228939c59283>

³¹

<https://records.cityofmenifee.us/WebLink/DocView.aspx?id=223780&dbid=0&repo=Menifee&searchid=34ab31da-ab4b-4e59-b644-79fcc086f952>

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General Plan. Notably, if the City wants to sell Lot 78, it must go through the Surplus Land Act³² process to formally notify HCD of the site's availability for development of residential dwelling units. All sections of the EIR must be revised to note the project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland. The EIR must be revised to include this information for analysis and include a finding of significance as project implementation will result in a direct impact to City recreation facilities.

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7.14 Effects Found Not Significant: Transportation

There are no exhibits depicting emergency vehicle access and maneuvering. The EIR states that, "The Project would also be required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with Chapter 8.20 of Title 8 of the Municipal Code. The Office of the Fire Marshal would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in the Uniform Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9)." However, the EIR does not provide any meaningful evidence to support these claims. Notably, this section of analysis does not provide any information regarding the proposed onsite fire pump house that is depicted on the Site Plan. Excluding information regarding the proposed onsite fire pump house does not comply with CEQA's requirements for meaningful disclosure and adequate informational documents. Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. A revised EIR must be prepared for the proposed project with emergency access exhibits, information regarding the proposed onsite fire pump house, and associated analysis/requirements in order to provide an adequate and accurate environmental analysis.

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8.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project/No Development" alternative and only three others - 30% Reduced Project Alternative, 51% Reduced Project Alternative, and No Project/Build Out of the Existing Zoning Alternative. The EIR does not include an alternative that meets the project objectives and also eliminates all of the project's significant and unavoidable impacts. The EIR must be revised to include analysis of a reasonable

O3.33

³² CA Government Code Section 54220 et seq
https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=5.&article=8.

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range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a project that reduces all of the proposed project's significant and unavoidable impacts to a less than significant level, and a mixed-use project that provides affordable housing and exclusively local-serving commercial uses that may reduce VMT, GHG emissions and simultaneously improve Air Quality.

Sincerely,

A handwritten signature in black ink, appearing to be 'Gary Ho', with a stylized, cursive script.

Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis

O3.33
Cont.



Technical Consultation, Data Analysis and
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Gary Ho
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Subject: Comments on the Murrieta Road Warehouse Project (SCH No. 2023110162)

Dear Mr. Ho,

We have reviewed the May 2024 Draft Environmental Impact Report ("DEIR") for the Murrieta Road Warehouse Project ("Project") located in the City of Menifee ("City"). The Project proposes to construct a 533,2520-square-foot ("SF") warehouse building, including approximately 20,320-SF of office space, 192 trailer parking stalls, and 409 passenger car parking spaces on the 28.27-acre site.

Our review concludes that the DEIR fails to adequately evaluate the Project's air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. A revised Environmental Impact Report ("EIR") should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the environment.

Air Quality

Failure to Provide Complete CalEEMod Output Files

Land use development projects under the California Environmental Quality Act ("CEQA") typically evaluate air quality impacts and calculate potential criteria air pollutant emissions using the California Emissions Estimator Model ("CalEEMod").¹ CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user

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¹ "CalEEMod User's Guide." California Air Pollution Control Officers Association ("CAPCOA"), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>.

can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are used in calculating the Project's air pollutant emissions and demonstrate which default values are changed. Justifications are provided for the selected values.

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According to the Air Quality Impact Analysis ("AQIA"), included as Appendix B to the DEIR, CalEEMod Version 2022.1 is relied upon to estimate Project emissions (p. 38). However, this poses a problem, as the currently available version of CalEEMod 2022.1 is described as a "soft release" which fails to provide complete output files.² Specifically, the "User Changes to Default Data" table no longer provides the quantitative counterparts to the changes to the default values (see excerpt below) (Appendix B, pp. 153):

Screen	Justification
Construction: Construction Phases	Construction schedule based on data provided by the Project applicant.
Construction: Off-Road Equipment	Crawler tractors used during site preparation and grading, in lieu of tractors/loaders/backhoes in order to account for fugitive dust emissions. All equipment is assumed to operate for 8 hours per day.
Construction: Tires and VMT	Vendor trips assigned to site preparation, grading, building construction, and paving phases based on the duration of each phase.
Construction: Architectural Coatings	SCAQMD Rule 1113

However, previous CalEEMod Versions, such as 2020.4.0, include the specific numeric changes to the model's default values (see example excerpt below):

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Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	230.00	167.00
tblConstructionPhase	PhaseEndDate	11/22/2023	8/26/2023
tblConstructionPhase	PhaseEndDate	9/27/2023	6/30/2023
tblConstructionPhase	PhaseEndDate	10/25/2023	7/28/2023
tblConstructionPhase	PhaseStartDate	10/26/2023	7/29/2023
tblConstructionPhase	PhaseStartDate	9/28/2023	7/1/2023
tblLandUse	LandUseSquareFeet	160,000.00	160,371.00
tblLandUse	LandUseSquareFeet	119,000.00	41,155.00
tblLandUse	LotAcreage	3.67	3.68
tblLandUse	LotAcreage	2.73	2.74

The output files associated with CalEEMod Version 2022.1 fail to present the exact parameters used to calculate Project emissions. To remedy this issue, the DEIR should have provided access to the model's ".JSON" output files, which allow third parties to review the model's revised input parameters.³ Without access to the complete output files, including the specific numeric changes to the default values, we cannot verify that the DEIR's air modeling and subsequent analysis is an accurate reflection of the proposed Project. As a result, a revised EIR should be prepared to include an updated air quality analysis

² "CalEEMod California Emissions Estimator Model Soft Release." CAPCOA, 2022, available at: <https://caleemod.com/>.

³ "Video Tutorials for CalEEMod Version 2022.1." CAPCOA, May 2022, available at: <https://www.caleemod.com/tutorials>.

that correctly provides the complete output files for CalEEMod Version 2022.1, or includes an updated air model using an older release of CalEEMod.⁴

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Cont.

Unsubstantiated Input Parameters Used to Estimate Project Emissions

As previously discussed, the DEIR relies on CalEEMod Version 2022.1 to estimate the Project's air quality emissions and fails to provide the complete output files required to adequately evaluate model's analysis (Appendix B, p. 38). Regardless, when reviewing the Project's CalEEMod output files, provided in the AQIA, we were able to identify several model inputs that are inconsistent with information disclosed in the DEIR. The Project's construction and operational emissions may consequently be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

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Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "15382 Murrieta Road Warehouse Construction" model includes several changes to the default individual construction phase lengths (see excerpt below) (Appendix B, pp. 153).

Schedule	Justification
Construction: Construction Phases	Construction schedule based on data provided by the Project applicant.
Construction: Off-Road Equipment	Crawler tractors used during site preparation and grading in lieu of tractors/loaders/backhoes in order to account for fugitive dust emissions. All equipment is assumed to operate for 8 hours per day.
Construction: Trips and VMT	Vendor trips assigned to site preparation, grading, building construction, and paving phases based on the duration of each phase.
Construction: Architectural Coatings	SCAQMD Rule 1113

As a result of these changes, the model includes the following construction schedule (see excerpt below) (Appendix B, pp. 142):

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Phase Name	Phase Type	Start Date	End Date	Days Per Week	Week Days per Phase
Offsite Grading	Linear, Grading & Excavation	10/15/2024	12/2/2024	5.00	35.0
Offsite Paving	Linear, Paving	12/5/2024	9/30/2025	5.00	216
Site Preparation	Site Preparation	10/1/2024	10/14/2024	5.00	10.0
Grading	Grading	10/15/2024	12/2/2024	5.00	35.0
Building Construction	Building Construction	12/3/2024	9/30/2025	5.00	216
Paving	Paving	9/3/2025	9/30/2025	5.00	20.0
Architectural Coating	Architectural Coating	7/9/2025	9/30/2025	5.00	60.0

As previously stated, the CalEEMod User's Guide requires any changes to model defaults be justified.⁵ As stated in the "User Changes to Default Data" table, the justification provided for these changes is:

"Construction schedule based on data provided by the Project applicant" (Appendix B, pp. 153).

⁴ "CalEEMod Version 2020.4.0." CAPCOA, May 2021, available at: <http://www.aqmd.gov/caleemod/download-model>.

⁵ "CalEEMod User's Guide." CAPCOA, May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 1, 14.

Regarding the Project's anticipated construction duration, the DEIR states:

"Construction activities for the Project would occur over one phase and in the following stages: (1) site preparation, which includes clearing any remaining infrastructure, utilities, and trenching for the new utilities and services; (2) grading and excavation; (3) building construction; and (4) landscape installation, paving, and application of architectural coatings. Construction is expected to begin the first quarter of 2025 and last for 11 months" (p. 3-32).

The AQIA includes the following individual construction phase lengths (see excerpt below) (p. 40, Table 3-3):

TABLE 3-3: CONSTRUCTION DURATION

Construction Activity	Start Date	End Date	Working Days
Offsite Grading	10/15/2024	12/2/2024	35
Offsite Paving	12/3/2024	9/30/2025	216
Site Preparation	10/1/2024	10/14/2024	10
Grading	10/15/2024	12/2/2024	35
Building Construction	12/3/2024	9/30/2025	216
Paving	9/3/2025	9/30/2025	20
Architectural Coating	7/9/2025	9/30/2025	60

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Cont.

However, the changes to the individual construction phase lengths are unsubstantiated for two reasons.

First, while the DEIR justifies a total Project construction length of 11 months, the AQIA fails to provide a source for the individual construction phase lengths outlined above. Until a proper source is provided by the Project Applicant, the model should have proportionately altered the individual phase lengths to match the proposed construction duration of 11 months.⁶

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Second, review of the model demonstrates that the construction schedule begins 10/1/2024 and ends 9/30/2024, resulting in a total construction duration of 12 months. As a result, the construction schedule included in the model is overestimated and not consistent with the 11-month duration proposed by the DEIR.

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Construction emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).⁷

⁶ See Attachment A for proportionately altered construction schedule.

⁷ "CalEEMod User's Guide." CAPCOA, May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 32.

Demolition involves removing buildings or structures.

Site Preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.

Grading involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.

Building Construction involves the construction of the foundation, structures and buildings.

Architectural Coating involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.

Paving involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

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Cont.

By disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As a result, there will be less construction activities required per day and, consequently, less pollutants emitted per day. Until we are able to verify the revised construction schedule, the model may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

Incorrect Application of Tier 4 Interim Off-Road Equipment Emissions Standards

Review of the CalEEMod output files demonstrates that the "15382 Murrieta Road Warehouse Construction" model includes changes to the default off-road construction equipment parameters (see excerpt below) (Appendix B, pp. 153).

Screen	Justification
Construction: Construction Phases	Construction schedule based on data provided by the Project applicant.
Construction: Off-Road Equipment	Crawler tractors used during site preparation and grading in lieu of tractors/loaders/backhoes in order to account for fugitive dust emissions. All equipment is assumed to operate for 8 hours per day.
Construction: Trips and VMT	Vendor trips assigned to site preparation, grading, building construction, and paving phases based on the duration of each phase.
Construction: Architectural Coatings	SCAQMD Rule 1113

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The model assumes that all of the Project's off-road construction equipment fleet would meet Tier 4 Interim emissions standards (see excerpt below) (Appendix B, pp. 142-143).

Phase/Item	Equipment Type	Fuel Type	Original Tier	Number per day	Hours per day	Hours per year	Local Factor
Site Preparation	Rubber-Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.45
Grading	Rubber-Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	67.0	0.43
Building Construction	Forlifts	Diesel	Tier 4 Interim	3.00	8.00	82.0	0.50
Building Construction	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	1.00	8.00	367	0.50
Building Construction	Welders	Diesel	Tier 4 Interim	1.00	8.00	46.0	0.45
Building Construction	Tractors/Loaders/Backhoes	Diesel	Tier 4 Interim	3.00	8.00	84.0	0.37
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Finishing	Finishing Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.35
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.40

As previously mentioned, the CalEEMod User's Guide requires that any changes to model defaults be justified.⁸ According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

"Crawler tractors used during site preparation and grading in lieu of tractors/loaders/backhoes in order to account for fugitive dust emissions. All equipment is assumed to operate for 8 hours per day" (Appendix B, pp. 153).

Regarding construction equipment and the Project's consistency with the City's Good Neighbor Policy, the DEIR states:

"Construction of the proposed Project would utilize CARB Tier 3 and 4 equipment and would keep construction equipment maintenance records throughout construction" (p. 5.6-19).

The assumption that the Project's off-road construction equipment fleet would meet Tier 4 Interim emissions standards is unsupported, as the DEIR fails to explicitly require these standards through a formal mitigation measure. This is unsupported, as according to the Association of Environmental Professionals ("AEP") *CEQA Portal Topic Paper* on mitigation measures:

"While not 'mitigation', a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project

⁸ "CalEEMod User's Guide Version 2020.4.0." CAPCOA, May 2021, available at: <https://www.aqmd.gov/cal-eemod/user-s-guide>, p. 1, 14.

that could eliminate one or more of the design features without understanding the resulting environmental impact” (emphasis added).⁹

Measures that are not formally included in the mitigation monitoring and reporting program (“MMRP”) may be eliminated from the Project’s design altogether. As the use of construction equipment with Tier 4 Interim emissions standards are not formally included as mitigation measures, we cannot guarantee that these standards would be implemented, monitored, and enforced on the Project site. Consequently, the model’s assumption that the off-road construction equipment fleet would adhere to Tier 4 Interim emissions standards is unsupported.

Unsubstantiated Changes to Architectural Coating Emission Factors

Review of the CalEEMod output files demonstrates that the “15382 Murrieta Road Warehouse Construction” model includes changes to the default construction architectural coating emission factors (see excerpt below) (Appendix B, pp. 153).

Screen	Justification
Construction: Construction Phases	Construction schedule based on data provided by the Project applicant.
Construction: Off-Road Equipment	Crawler tractors used during site preparation and grading in lieu of tractors/loaders/backhoes in order to account for fugitive dust emissions. All equipment is assumed to operate for 8 hours per day.
Construction: Trips and VMT	Vendor trips assigned to site preparation, grading, building construction, and paving phases based on the duration of each phase.
Construction: Architectural Coatings	SCAQMD Rule 1113

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.¹⁰ As stated in the “User Changes to Default Data” table, the justification provided for these changes is:

“SCAQMD Rule 1113” (Appendix B, pp. 153).

The DEIR incorporates the Plan, Program or Policy (“PPP”) AQ-2, which states:

“PPP AQ-2: Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used” (p. 13).

The model’s reductions to the architectural coating emission factors are unsubstantiated for two reasons.

First, we cannot verify the accuracy of the revised architectural coating emission factors based on the South Coast Air Quality Management District (“SCAQMD”) Rule 1113 alone. The SCAQMD Rule 1113 Table of Standards provides the required volatile organic compound (“VOC”) limits (grams of VOC per

⁹ “CEQA Portal Topic Paper Mitigation Measures.” AEP, February 2020, available at: <https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf>, p. 6.

¹⁰ “CalEEMod User’s Guide.” CAPCOA, May 2021, available at: <https://www.aqmd.gov/cal-eemod/user-s-guide>, p. 1, 14.

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liter of coating) for 57 different coating categories.¹¹ The VOC limits for each coating varies from a minimum value of 50 g/L to a maximum value of 730 g/L. As such, we cannot verify that SCAQMD Rule 1113 substantiates reductions to the default coating values without more information regarding what category of coating will be used. As the DEIR fails to explicitly require the use of a specific type of coating which would adhere to a specific VOC limit, we are unable to verify the model's revised coating emission factors.

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Second, as previously discussed, the output files for CalEEMod 2022.1 do not present the numeric changes to any model defaults. Upon further review of the output files, Table 5.5 contains the only mention of architectural coatings (see excerpt below) (Appendix B, pp. 160):

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	456,518	152,172	18,757

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Table 5.5 only provides the *square footage* of area to be coated. Since the output files fail to demonstrate the architectural coating *emission factors* that the model relies on, we cannot verify that the values included in the model are accurate. As previously stated, the DEIR should have provided access to the model's ".JSON" output files, which allow third parties to review the model's revised input parameters.¹²

CalEEMod uses the architectural coating emission factors to calculate the Project's reactive VOC emissions.¹³ By including unsubstantiated reductions to the default architectural coating emission factors, the model may underestimate the Project's construction-related VOC emissions and should not be relied upon to determine Project significance.

Underestimated Saturday and Sunday Operational Vehicle Trip Rates

According to the DEIR, the proposed Project is expected to generate 1,135 daily operational vehicle trips (see excerpt below) (p. 5.12-8, Table 5.12-3).

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¹¹ "SCAQMD Rule 1113 Advisory Notice." SCAQMD, February 2016, *available at*: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf?sfvrsn=24>, p. 1113-14, Table of Standards 1.

¹² "Video Tutorials for CalEEMod Version 2022.1." CAPCOA, May 2022, *available at*: <https://www.caleemod.com/tutorials>.

¹³ "CalEEMod User's Guide." CAPCOA, May 2021, *available at*: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 35, 40.

Table 5.12-2: Proposed Project Trip Generation

Land Use	Units	AM Peak Hour				PM Peak Hour				
		Daily	In	Out	Total	In	Out	Total		
Trip Rates										
TUMF Fulfillment Center Rates ¹	TSF	2.129	0.094	0.028	0.122	0.046	0.119	0.165		
Passenger Vehicles	TSF	1.750	0.079	0.024	0.103	0.040	0.104	0.144		
2-4 Axle Trucks	TSF	0.162	0.006	0.002	0.008	0.003	0.008	0.011		
5-Axle Trucks	TSF	0.217	0.008	0.003	0.011	0.003	0.007	0.010		
Total Vehicle Trip Generation										
Project Warehouse	533.252	TSF	1,135	50	15	65	25	63	88	
Vehicle Mix ¹	% Daily	% AM	% PM							
Passenger Vehicles	82.20%	84.40%	87.30%	933	42	13	55	22	55	77
2-Axle Trucks	1.30%	1.100%	1.10%	15	1	0	1	0	0	1
3-Axle Trucks	2.50%	2.20%	2.20%	28	1	0	1	1	1	2
4-Axle Trucks	3.80%	3.30%	3.30%	43	2	0	2	1	2	3
5+-Axle Trucks	10.20%	9.00%	6.10%	116	5	1	6	2	4	5
	100.00%	100.00%	100.00%	1,135	50	15	65	25	63	88

TSF = Thousand Square Feet

¹ Trip rates and truck percentages from Exhibit 6 of the TUMF High-Cube Warehouse Trip Generation Study, January 29, 2019. 2, 3 and 4 axle trucks were split as follows: 50% 4-axle, 33.3% 3-axle, and 16.7% 2-axle.

The Project's models should accurately reflect the above-mentioned operational daily vehicle trip rates. Review of the CalEEMod output files demonstrates that the "15382 Murrieta Road Warehouse Ops" model only includes a total of approximately 91 Saturday¹⁴ and 30 Sunday¹⁵ vehicle trips (see excerpt below) (Appendix B, pp. 196, 197, 235; Appendix F, pp. 183, 145).

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday
Unrefrigerated Warehouse-No Rail	933	75.2	29.9
User Defined Industrial	202	16.0	0.53
Parking Lot	0.00	0.00	0.00

The Saturday and Sunday trips are underestimated by a total of approximately 1,044 trips¹⁶ and 1,105 trips,¹⁷ respectively. As such, the trip rates input into the model are underestimated and inconsistent with the information provided by the DEIR.

¹⁴ Calculated: 75.2 + 16.0 = 91.2 total Saturday vehicle trips.

¹⁵ Calculated: 29.9 + 0.53 = 30.43 total Sunday vehicle trips.

¹⁶ Calculated: 1,135 proposed vehicle trips – 91.2 modeled vehicle trips = 1,043.8 vehicle trips underestimated.

¹⁷ Calculated: 1,135 proposed vehicle trips – 30.43 modeled vehicle trips = 1,104.57 vehicle trips underestimated.

CalEEMod uses the operational vehicle trip rates to calculate the emissions associated with the operational on-road vehicles.¹⁸ By including underestimated Saturday and Sunday operational vehicle trips, the model underestimates the Project's mobile-source operational emissions and should not be relied upon to determine Project significance.

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Unsubstantiated Changes to Operational Fleet Mix Values

Review of the CalEEMod output files demonstrates that the "15382 Murrieta Road Warehouse Ops" model includes changes to the default operational vehicle fleet mix percentages (see excerpt below) (Appendix B, pp. 204).

Screen	Justification
Operations: Vehicle Units	Fleet adjusted based on Project trip study and to separate trucks and passenger vehicles.
Operations: Fleet Mix	Fleet mix adjusted to separate trucks and passenger vehicles.
Operations: Energy Use	Project will not use natural gas. Electrical demand estimated by the applicant.

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As previously stated, the CalEEMod User's Guide requires any changes to model defaults be justified.¹⁹ As stated in the "User Changes to Default Data" table, the justification provided for these changes is:

"Fleet mix adjusted to separate trucks and passenger vehicles" (Appendix B, pp. 204).

The DEIR includes the following Project fleet mix tables for passenger cars and trucks (see excerpt below) (p. 5.12-8, Table 5.12-3):

¹⁸ "CalEEMod User's Guide." CAPCOA, May 2021, available at: <https://www.agmd.gov/caleemod/user's-guide>, p. 36.

¹⁹ "CalEEMod User's Guide." CAPCOA, May 2021, available at: <https://www.agmd.gov/caleemod/user's-guide>, p. 1, 14.

Table 5.12-2: Proposed Project Trip Generation

Land Use	Units	AM Peak Hour				PM Peak Hour				
		Daily	In	Out	Total	In	Out	Total		
Trip Rates										
TUMF Fulfillment Center Rates ¹	TSF	2.129	0.094	0.028	0.122	0.046	0.119	0.165		
Passenger Vehicles	TSF	1.750	0.079	0.024	0.103	0.040	0.104	0.144		
2-4 Axle Trucks	TSF	0.162	0.006	0.002	0.008	0.003	0.008	0.011		
5-Axle Trucks	TSF	0.217	0.008	0.003	0.011	0.003	0.007	0.010		
Total Vehicle Trip Generation										
Project Warehouse	533,252	TSF	1,135	50	15	65	25	63	88	
Vehicle Mix ¹	% Daily	% AM	% PM							
Passenger Vehicles	82.20%	84.40%	87.30%	933	42	13	55	22	55	77
2-Axle Trucks	1.30%	1.100%	1.10%	15	1	0	1	0	0	1
3-Axle Trucks	2.50%	2.20%	2.20%	28	1	0	1	1	1	2
4-Axle Trucks	3.80%	3.30%	3.30%	43	2	0	2	1	2	3
5+-Axle Trucks	10.20%	9.00%	6.10%	116	5	1	6	2	4	5
	100.00%	100.00%	100.00%	1,135	50	15	65	25	63	88

TSF = Thousand Square Feet

¹ Trip rates and truck percentages from Exhibit 6 of the TUMF High-Cube Warehouse Trip Generation Study, January 29, 2019. 2, 3 and 4 axle trucks were split as follows: 50% 4-axle, 33.3% 3-axle, and 16.7% 2-axle.

The changes to the model's operational fleet mix values are unsubstantiated. As previously discussed, the output files for CalEEMod 2022.1 do not present the numeric changes to any model defaults. Upon further review of the output files, changes to fleet mix percentages are not mentioned outside of the "User Changes to Default Data" table. Until the DEIR verifies the breakdown of heavy-heavy duty ("HHD"), medium-heavy duty ("MHD"), and light-heavy duty ("LHD1, LDH2") trucks used in the model, we cannot verify that these values are accurate and consistent with the information provided by the DEIR (p. 5.12-8, Table 5.12-3).²⁰

CalEEMod uses operational vehicle fleet mix percentages to calculate the Project's operational emissions associated with on-road vehicles.²¹ By including several unsubstantiated changes to the default operational vehicle fleet mix percentages, the model may underestimate the Project's mobile-source operational emissions and should not be relied upon to determine Project significance.

Updated Analysis Indicates a Potentially Significant Air Quality Impact

To more accurately estimate the Project's construction-related emissions, we prepared an updated construction CalEEMod model, using the Project-specific information provided by the DEIR. In our updated model, we omitted the unsupported application of Tier 4 Interim construction equipment emission standards and proportionately altered the construction phase lengths to match the total

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²⁰ "CalEEMod User's Guide," CAPCOA, May 2021, available at: <https://www.aqmd.gov/cal-eemod/user-s-guide>, p. 38.

²¹ *Ibid.*, p. 36.

construction duration of 12 months.²² Though the reductions to architectural coating emissions factors are unsubstantiated, we included the reduction from the default value of 100- to 50-g/L in order to show that using 50 g/L coatings is insufficient in mitigating the Project's significant VOC emissions. All other values were consistent with the DEIR's model.

Our updated analysis estimates that the Project's construction-related VOC and nitrogen oxide ("NO_x") emissions exceed the applicable SCAQMD thresholds of 75- and 100-pounds per day ("lbs/day"), respectively, as referenced by the DEIR (p. 5.2-26, Table 5.2-6) (see table below).

SWAPE Criteria Air Pollutant Emissions		
Construction	VOC (lbs/day)	NO _x (lbs/day)
DEIR	47	30
SWAPE	258	141
% Increase	449%	370%
SCAQMD Threshold	75	100
Exceeds?	Yes	Yes

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Construction-related VOC and NO_x emissions, as estimated by SWAPE, increase by approximately 449% and 370%, respectively, and exceed the applicable SCAQMD significance thresholds. Our model demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed by the DEIR. A revised EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the environment.

Diesel Particulate Matter Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would result in a less-than-significant health risk impact based on a quantified construction and operational health risk assessment ("HRA"), as detailed in the Construction and Operational Health Risk Assessment ("HRA Report"), provided as Appendix G to the DEIR. Specifically, the HRA Report estimates that the maximum cancer risk posed to nearby, existing residential sensitive receptors associated with construction and operation would be 3.03 in one million, which would not exceed the SCAQMD significance threshold of 10 in one million (see excerpt below) (p. 4, Table ES-3).

O3.48

²² See Attachment A for construction calculations and Attachment B for the updated CalEEMod model.

TABLE ES-3: SUMMARY OF CONSTRUCTION AND OPERATIONAL CANCER AND NON-CANCER RISKS

Scenario	Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
Scenario 1	30 Year Exposure	Maximum Exposed Sensitive Receptor (Location R3)	3.02	10	NO
Scenario 2	30 Year Exposure	Maximum Exposed Sensitive Receptor (Location R3)	3.03	10	NO

O3.48
Cont.

The DEIR's evaluation of the Project's potential health risk impacts may be underestimated for two reasons.

First, the DEIR's HRAs rely upon emissions estimates from an air model that used inputs inconsistent with the CalEEMod User's Guide. When we reviewed the Project's CalEEMod output files, provided in the AQIA, we found that several of the values inputted into the models are not consistent with information disclosed in the DEIR. The HRA consequently utilizes an underestimated DPM concentration to calculate the health risk associated with Project construction and operation. The DEIR's HRAs and resulting cancer risk should not be relied upon to determine Project significance.

O3.49

Second, the DEIR's operational HRAs underestimates the Fraction of Time At Home ("FAH") values for the third trimester, infant, and child receptors. Specifically, for some scenarios, the HRA Report utilizes an FAH value of 0.85 for the third trimester (age -0.25 to 0) and infant (age 0 to 2) receptors, and an FAH value of 0.72 for the child receptors (age 2 to 16) (p. 469-471). The FAH values used for the third trimester, infant, and childhood receptors are unsupported, as SCAQMD guidance clearly states:

"For Tiers 1, 2, and 3 screening purposes, the FAH is assumed to be 1 for ages third trimester to 16. As a default, children are assumed to attend a daycare or school in close proximity to their home and no discount should be taken for time spent outside of the area affected by the facility's emissions. People older than age 16 are assumed to spend only 73 percent of their time at home."²³

O3.50

Per SCAQMD guidance, the HRA Report should have used an FAH of 1 for the third trimester, infant, and child receptors. By relying on unsupported FAH values, the HRA Report underestimates the cancer risk posed to nearby, existing sensitive receptors as a result of the Project construction and operation. A revised HRA should be prepared that accurately accounts for FAH values, and consequently assesses the health risk impacts the Project poses to nearby sensitive receptors.

²³ "Risk Assessment Procedures." SCAQMD, August 2017, available at: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf, p. 7.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would result in net annual greenhouse gas (“GHG”) mitigated emissions of 4,796.13-metric tons of carbon dioxide equivalents per year (“MT CO₂e/year”), which exceeds the SCAQMD bright-line threshold of 3,000 MT CO₂e/year (see excerpt below) (p. 5.6-13, Table 5.6-3).

Table 5.6-3: Project Generated Greenhouse Gas Emissions – With Mitigation

Emissions Source	Operational Emissions				
	CO ₂	CH ₄	N ₂ O	Refrigerants	Total CO ₂ e
Amortized Construction Emissions Over 30 Years	35.00	0.00	0.00	0.03	35.73
Mobile Sources	4,014.00	0.09	0.43	4.89	4,150.00
Area Source	10.80	<0.005	<0.005	0.00	10.90
Energy Source	128.00	0.01	<0.005	0.00	129.00
Water Usage Source	173.00	4.02	0.10	0.00	303.00
Waste Source	44.70	4.47	0.00	0.00	156.00
Stationary Source	11.40	<0.005	<0.005	0.00	11.50
Total Project Operational Emissions					4,796.13
SCAQMD Threshold					3,000
Exceed?					Yes

Source: (Urban Crossroads, 2024) (Appendix F)
CO₂e = carbon dioxide equivalent

The DEIR concludes that the Project would result in a significant-and-unavoidable GHG impact, stating:

“Therefore, though the Project will implement mitigation measures to mitigate its GHG emissions to the maximum extent feasible, impacts related to GHG emissions would be significant and unavoidable” (p. 5.6-13 - 14).

While we agree that the Project would result in a significant GHG impact, the DEIR’s assertion that this impact is significant-and-unavoidable is unsupported. According to CEQA Guidelines § 15096(g)(2):

“When an updated EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.”²⁴

An impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. Here, while the DEIR implements mitigation measure (“MM”) GHG-1 through MM GHG-8,

²⁴ “Cal. Code Regs. tit. 14 § 15096.” CEQA Guidelines, May 2024, *available at*: <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15096-process-for-a-responsible-agency>.

the DEIR fails to implement all feasible mitigation measures. We will propose additional, feasible mitigation measures that the Project can identify and incorporate into a revised EIR.

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Cont.

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

As previously mentioned, CEQA guidelines state that an impact can only be labeled as significant-and-unavoidable after all available, feasible mitigation is considered.²⁵ The DEIR is consequently required under CEQA to implement all feasible mitigation to reduce the Project's potential impacts. As stated in the sections above, the Project would result in potentially significant air quality and GHG impacts that should be mitigated further. In order to reduce the GHG emissions associated with the Project, we recommend several mitigation measures (see list below).

First, in order to reduce the VOC emissions associated with Project construction, we recommend the DEIR consider incorporating the following mitigation measure from the California Department of Justice ("DOJ"):²⁶

- Require the use of super compliant, low-VOC paints less than 10 g/L during the architectural coating construction phase.

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Los Angeles County recommends:²⁷

- If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the developer shall avoid application of architectural coatings during the peak smog season: July, August, and September.

Second, in order to reduce the NO_x emissions associated with Project construction, we recommend the DEIR consider mitigation measures as suggested by the California Air Resources Board ("CARB"):²⁸

- Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools;
- Require all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved are equal to or exceed that of a Tier 4 engine;

²⁵ *Ibid.* (g)(2).

²⁶ "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice, September 2022, available at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>, p. 8 – 10.

²⁷ "Mitigation Monitoring and Reporting Program." Los Angeles County Housing Element Update Program EIR. August 2021, available at: https://planning.lacounty.gov/wp-content/uploads/2023/07/Housing_final-peir-mitigation-monitoring.pdf.

²⁸ "Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers." CARB, August 2023, available at: <https://www2.arb.ca.gov/sites/default/files/2023-08/CARB%20Comments%20-%20NOP%20for%20the%20Oak%20Valley%20North%20Project%20DEIR.pdf>; Attachment A, p. 5 – 8.

- Require all heavy-duty trucks entering the construction site during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NOx) standard starting in the year 2022;
- Require all construction equipment and fleets to be in compliance with all current air quality regulations.

The DOJ recommends:²⁹

- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications;
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts;
- Providing information on transit and ridesharing programs and services to construction employees;
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

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Third, in order to reduce the Project's anticipated GHG emissions, the Southern California Association of Governments ("SCAG")'s 2020 RTP/SCS Program Environmental Impact Report ("PEIR") recommends the following Greenhouse Gas Project Level Mitigation Measures ("PMM-GHG-1"), which are applicable to the Project:³⁰

- Incorporate bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; and planning for and building local bicycle projects that connect with the regional network;
- Improving transit access to rail and bus routes by incentives for construction and transit facilities within developments, and/or providing dedicated shuttle service to transit stations; and
- Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles;
- Implement preferential parking permit program
- Encourage telecommuting and alternative work schedules, such as:
 - Staggered starting times
 - Flexible schedules
 - Compressed work weeks

²⁹ "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice, September 2022, *available at*: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>, p. 8 – 10.

³⁰ "4.0 Mitigation Measures." Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, *available at*: https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocial_addendum_4_mitigationmeasures.pdf?1606004420, p. 4.0-21 – 4.0-23; See also: "Certified Final Connect SoCal Program Environmental Impact Report." SCAG, May 2020, *available at*: <https://scag.ca.gov/peir>.

- Implement commute trip reduction marketing, such as:
- New employee orientation of trip reduction and alternative mode options
- Event promotions
- Publications
- Price workplace parking, such as:
 - Explicitly charging for parking for its employees;
 - Implementing above market rate pricing;
 - Validating parking only for invited guests;
 - Not providing employee parking and transportation allowances; and
 - Educating employees about available alternatives.

The DOJ recommends:³¹

- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

CEQA Guidelines 15126.4 (c)(3) suggest the consideration of “[o]ffsite measures, including offsets that are not otherwise required, to mitigate a project’s emissions” when implementing GHG mitigation measures.³² Specifically, a CARB-sponsored study concluded that:

“If emissions remain above threshold after the maximization of feasible on-site and off-site mitigation, then some lead agencies—on the advice of their CEQA consultants—are directing applicants to consider carbon offsets. Best practice has been to use carbon offsets provided through the three CARB-approved compliance market registries (though these are voluntary

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³¹ *Ibid.*, p. 9 – 10.

³² “Cal. Code Regs. tit. 14 § 15126.4.” CEQA Guidelines, May 2024, available at: <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-151264-consideration-and-discussion-of-mitigation-measures-proposed-to-minimize-significant-effects>.

offsets): American Carbon Registry, Climate Action Reserve, and Verra. In addition, lead agencies are suggesting the use of existing carbon offsets that have been verified rather than the purchase of Forecasted Mitigation Units (FMUs) that would occur in the future. These FMUs may be held to higher scrutiny by courts since the actual offset activity would occur after the CEQA document (unlike existing offsets which reflect an action in the past). However, there is CEQA precedent for mitigation related to actions that happen in the future, including Voluntary Emissions Reduction Agreements, air quality credits, and wildlife habitat credits.”³³

We recommend the consideration of CARB-approved carbon offset purchases, and other credit purchases, in order to reduce the Project’s GHG impacts.

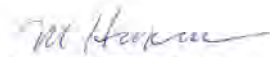
We have provided several mitigation measures that would reduce Project-related air quality and GHG emissions. These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently reduce emissions released during Project construction and operation.

A revised EIR should be prepared that includes *all* feasible mitigation measures, as well as an updated air quality and GHG analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to the maximum extent feasible. The revised EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project’s potentially significant emissions are reduced to the maximum extent possible.

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.

³³ “Local CEQA Mitigation Best Practices and Lessons Learned.” CARB, September 2023, available at: <https://ww2.arb.ca.gov/sites/default/files/2023-11/CARB%2021STC001%20White%20Paper.pdf>, p.8.

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Paul E. Rosenfeld, Ph.D.

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Attachment A: Updated Construction Calculations
Attachment B: SWAPE's CalEEMod Output Files
Attachment C: Matt Hagemann CV
Attachment D: Paul Rosenfeld CV

Attachment A

Construction Schedule Calculations						
Phase	Default Phase Length	Construction Duration	%	Construction Duration	Revised Phase Length	
Demolition	20	670	0.0299	335	10	
Site Preparation	10	670	0.0149	335	5	
Grading	35	670	0.0522	335	18	
Construction	370	670	0.5522	335	185	
Paving	20	670	0.0299	335	10	
Architectural Coating	20	670	0.0299	335	10	

	Total Default Construction Duration	Revised Construction Duration
Start Date	10/1/2024	10/1/2024
End Date	8/2/2026	9/1/2025
Total Days	670	335

Attachment B

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	15382 Murrieta Road Warehouse Construction
Construction Start Date	10/1/2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.50
Precipitation (days)	0.20
Location	33.738328192783376, -117.20875284804574
County	Riverside-South Coast
City	Menifee
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5512
EDFZ	11
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas
App Version	2022.1.1.25

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Unrefrigerated Warehouse-No Rail	533	1000sqft	12.2	533,252	158,289	—	—	—

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Parking Lot	8.76	Acre	8.76	0.00	0.00	—	—	—
Road Widening	0.50	Mile	4.50	0.00	0.00	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NO _x	CO	SO ₂	PM ₁₀ E	PM ₁₀ D	PM ₁₀ T	PM _{2.5} E	PM _{2.5} D	PM _{2.5} T	BCO ₂	NBCO ₂	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	259	258	29.9	55.6	0.07	1.16	4.13	5.29	1.07	1.00	2.07	—	12,002	12,002	0.44	0.58	21.0	12,207
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	16.7	13.8	141	124	0.29	6.20	40.9	47.1	5.73	15.9	21.6	—	39,974	39,974	1.26	3.10	1.46	40,929
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	8.61	8.36	10.5	17.9	0.03	0.44	1.83	2.28	0.41	0.54	0.94	—	4,313	4,313	0.16	0.23	3.64	4,390
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.57	1.53	1.92	3.28	< 0.005	0.08	0.33	0.42	0.07	0.10	0.17	—	714	714	0.03	0.04	0.60	727

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NO _x	CO	SO ₂	PM ₁₀ E	PM ₁₀ D	PM ₁₀ T	PM _{2.5} E	PM _{2.5} D	PM _{2.5} T	BCO ₂	NBCO ₂	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
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Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	259	258	29.9	55.6	0.07	1.16	4.13	5.29	1.07	1.00	2.07	—	12,002	12,002	0.44	0.58	21.0	12,207
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	16.7	13.8	141	124	0.29	6.20	40.9	47.1	5.73	15.9	21.6	—	39,974	39,974	1.26	3.10	1.46	40,929
2025	3.64	3.07	22.6	39.9	0.06	0.81	3.94	4.75	0.75	0.95	1.71	—	10,003	10,003	0.38	0.56	0.52	10,180
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	1.38	1.15	10.5	11.9	0.02	0.44	1.83	2.28	0.41	0.54	0.94	—	3,188	3,188	0.11	0.19	1.76	3,249
2025	8.61	8.36	10.1	17.9	0.03	0.37	1.65	2.02	0.34	0.40	0.74	—	4,313	4,313	0.16	0.23	3.64	4,390
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	0.25	0.21	1.92	2.17	< 0.005	0.08	0.33	0.42	0.07	0.10	0.17	—	528	528	0.02	0.03	0.29	536
2025	1.57	1.53	1.84	3.28	< 0.005	0.07	0.30	0.37	0.06	0.07	0.13	—	714	714	0.03	0.04	0.80	727

3. Construction Emissions Details

3.1. Linear, Grading & Excavation (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NECO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	4.81	4.05	37.0	37.9	0.07	1.71	—	1.71	1.58	—	1.58	—	7,644	7,644	0.31	0.09	—	7,670

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Dust From Material Movement	—	—	—	—	—	—	3.71	3.71	—	0.40	0.40	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.46	0.39	3.55	3.64	0.01	0.16	—	0.16	0.15	—	0.15	—	733	733	0.03	0.01	—	735
Dust From Material Movement	—	—	—	—	—	—	0.36	0.36	—	0.04	0.04	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.08	0.07	0.65	0.66	< 0.005	0.03	—	0.03	0.03	—	0.03	—	121	121	< 0.005	< 0.005	—	122
Dust From Material Movement	—	—	—	—	—	—	0.06	0.06	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.21	0.19	0.23	2.52	0.00	0.00	0.52	0.52	0.00	0.12	0.12	—	529	529	0.03	0.02	0.06	536
Vendor	< 0.005	< 0.005	0.04	0.01	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	31.1	31.1	< 0.005	< 0.005	< 0.005	32.5
Hauling	0.01	< 0.005	0.24	0.06	< 0.005	< 0.005	0.05	0.06	< 0.005	0.01	0.02	—	200	200	< 0.005	0.03	0.01	210

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Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.25	0.00	0.00	0.05	0.05	0.00	0.01	0.01	—	51.4	51.4	< 0.005	< 0.005	0.09	52.1
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.98	2.98	< 0.005	< 0.005	< 0.005	3.12
Hauling	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	19.2	19.2	< 0.005	< 0.005	0.02	20.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.05	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	8.51	8.51	< 0.005	< 0.005	0.02	8.83
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	0.49	0.49	< 0.005	< 0.005	< 0.005	0.52
Hauling	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	3.18	3.18	< 0.005	< 0.005	< 0.005	3.33

3.3. Linear, Paving (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO ₂	PM _{10E}	PM _{10D}	PM _{10T}	PM _{2.5E}	PM _{2.5D}	PM _{2.5T}	SO ₂	NBCD ₂	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.10	0.93	8.43	11.8	0.02	0.40	—	0.40	0.37	—	0.37	—	1,769	1,769	0.07	0.01	—	1,775
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.16	1.47	2.05	< 0.005	0.07	—	0.07	0.06	—	0.06	—	308	308	0.01	< 0.005	—	309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Off-Road Equipment	0.04	0.03	0.27	0.37	< 0.005	0.01	—	0.01	0.01	—	0.01	—	51.0	51.0	< 0.005	< 0.005	—	51.2
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.11	1.26	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	265	265	0.01	0.01	0.03	266
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.23	0.00	0.00	0.05	0.05	0.00	0.01	0.01	—	46.7	46.7	< 0.005	< 0.005	0.09	47.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	7.73	7.73	< 0.005	< 0.005	0.01	7.83
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Linear, Paving (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	HBCO2	CO2T	CH4	N2O	R ₁	CO ₂ e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.02	0.86	7.92	11.7	0.02	0.34	—	0.34	0.31	—	0.31	—	1,769	1,769	0.07	0.01	—	1,775
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.02	0.86	7.92	11.7	0.02	0.34	—	0.34	0.31	—	0.31	—	1,769	1,769	0.07	0.01	—	1,775
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.49	0.41	3.78	5.59	0.01	0.16	—	0.16	0.15	—	0.15	—	845	845	0.03	0.01	—	847
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.07	0.69	1.02	< 0.005	0.03	—	0.03	0.03	—	0.03	—	140	140	0.01	< 0.005	—	140
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.09	0.09	1.54	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	282	282	0.01	0.01	1.04	286
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.10	1.17	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	259	259	0.01	0.01	0.03	262
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.05	0.59	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	125	125	0.01	< 0.005	0.21	127
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.11	0.00	0.00	0.02	0.02	0.00	0.01	0.01	—	20.7	20.7	< 0.005	< 0.005	0.04	21.0
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.7. Demolition (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	CO2	N2O2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.12	2.62	24.9	21.7	0.03	1.06	—	1.06	0.98	—	0.98	—	3,425	3,425	0.14	0.03	—	3,437
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—

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Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.07	0.88	0.60	< 0.005	0.03	—	0.03	0.03	—	0.03	—	93.8	93.8	< 0.005	< 0.005	—	94.2
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.01	0.12	0.11	< 0.005	0.01	—	0.01	< 0.005	—	< 0.005	—	15.5	15.5	< 0.005	< 0.005	—	15.6
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.95	0.00	0.00	0.20	0.20	0.00	0.05	0.05	—	198	198	0.01	0.01	0.02	201
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.51	5.51	< 0.005	< 0.005	0.01	5.58
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.91	0.91	< 0.005	< 0.005	< 0.005	0.92
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Site Preparation (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO ₂	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO ₂	NBCO ₂	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	5.08	4.27	40.6	33.6	0.05	2.11	—	2.11	1.94	—	1.94	—	5,293	5,293	0.21	0.04	—	5,311
Dust From Material Movement	—	—	—	—	—	—	21.8	21.8	—	10.3	10.3	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.06	0.56	0.46	< 0.005	0.03	—	0.03	0.03	—	0.03	—	72.5	72.5	< 0.005	< 0.005	—	72.8
Dust From Material Movement	—	—	—	—	—	—	0.30	0.30	—	0.14	0.14	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.10	0.08	< 0.005	0.01	—	0.01	< 0.005	—	< 0.005	—	12.0	12.0	< 0.005	< 0.005	—	12.0
Dust From Material Movement	—	—	—	—	—	—	0.05	0.05	—	0.03	0.03	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.08	0.10	1.10	0.00	0.00	0.23	0.23	0.00	0.05	0.05	—	231	231	0.01	0.01	0.03	234
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.21	3.21	< 0.005	< 0.005	0.01	3.26
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.53	0.53	< 0.005	< 0.005	< 0.005	0.54
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Grading (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

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Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	4.58	3.83	36.6	30.5	0.06	1.70	—	1.70	1.56	—	1.56	—	6,597	6,597	0.27	0.05	—	6,619
Dust From Material Movement	—	—	—	—	—	—	10.4	10.4	—	3.78	3.78	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.22	0.19	1.81	1.50	< 0.005	0.08	—	0.08	0.08	—	0.08	—	325	325	0.01	< 0.005	—	326
Dust From Material Movement	—	—	—	—	—	—	0.51	0.51	—	0.19	0.19	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.03	0.33	0.27	< 0.005	0.02	—	0.02	0.01	—	0.01	—	53.9	53.9	< 0.005	< 0.005	—	54.0
Dust From Material Movement	—	—	—	—	—	—	0.09	0.09	—	0.03	0.03	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.11	1.28	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	265	265	0.01	0.01	0.03	268
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.58	0.22	17.2	4.04	0.10	0.28	3.77	4.05	0.28	1.06	1.33	—	14,599	14,599	0.26	2.35	0.80	15,307
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	< 0.005	0.01	0.07	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	13.2	13.2	< 0.005	< 0.005	0.02	13.4
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.03	0.01	0.85	0.20	< 0.005	0.01	0.19	0.20	0.01	0.05	0.07	—	720	720	0.01	0.12	0.65	755
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.19	2.19	< 0.005	< 0.005	< 0.005	2.22
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.01	< 0.005	0.16	0.04	< 0.005	< 0.005	0.03	0.04	< 0.005	0.01	0.01	—	119	119	< 0.005	0.02	0.11	125

3.13. Building Construction (2024) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NO _x	CO	SO ₂	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BOD ₅	NH ₃	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Off-Road Equipment	1.44	1.20	11.2	13.1	0.02	0.50	—	0.50	0.46	—	0.46	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.14	0.12	1.10	1.28	< 0.005	0.05	—	0.05	0.04	—	0.04	—	235	235	0.01	< 0.005	—	235
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.02	0.20	0.23	< 0.005	0.01	—	0.01	0.01	—	0.01	—	38.8	38.8	< 0.005	< 0.005	—	39.0
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.19	1.08	1.27	14.1	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,963	2,963	0.14	0.11	0.33	3,000
Vendor	0.12	0.08	3.22	0.98	0.02	0.04	0.75	0.79	0.04	0.21	0.25	—	2,715	2,715	0.06	0.41	0.20	2,839
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.12	1.46	0.00	0.00	0.29	0.29	0.00	0.07	0.07	—	294	294	0.01	0.01	0.54	298
Vendor	0.01	0.01	0.31	0.09	< 0.005	< 0.005	0.07	0.08	< 0.005	0.02	0.02	—	266	266	0.01	0.04	0.32	278
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.27	0.00	0.00	0.05	0.05	0.00	0.01	0.01	—	48.6	48.6	< 0.005	< 0.005	0.09	49.3

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Vendor	< 0.005	< 0.005	0.05	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	44.0	44.0	< 0.005	0.01	0.05	46.0
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.15. Building Construction (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.55	0.46	4.27	5.33	0.01	0.18	—	0.18	0.16	—	0.16	—	981	981	0.04	0.01	—	984
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.10	0.08	0.78	0.97	< 0.005	0.03	—	0.03	0.03	—	0.03	—	162	162	0.01	< 0.005	—	163
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.20	1.00	0.98	17.3	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,157	3,157	0.13	0.11	11.6	3,205
Vendor	0.12	0.08	2.93	0.91	0.02	0.04	0.75	0.79	0.04	0.21	0.25	—	2,674	2,674	0.08	0.41	7.59	2,804
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.06	0.94	1.08	13.1	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,902	2,902	0.14	0.11	0.30	2,939
Vendor	0.12	0.05	3.07	0.94	0.02	0.04	0.75	0.79	0.04	0.21	0.25	—	2,676	2,676	0.08	0.41	0.20	2,799
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.43	0.38	0.48	5.65	0.00	0.00	1.20	1.20	0.00	0.28	0.28	—	1,202	1,202	0.08	0.05	2.05	1,219
Vendor	0.05	0.02	1.26	0.38	0.01	0.02	0.31	0.32	0.02	0.08	0.10	—	1,094	1,094	0.02	0.17	1.34	1,145
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	1.03	0.00	0.00	0.22	0.22	0.00	0.05	0.05	—	199	199	0.01	0.01	0.34	202
Vendor	0.01	< 0.005	0.23	0.07	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	181	181	< 0.005	0.03	0.22	190
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.17. Paving (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Off-Road Equipment	0.95	0.80	7.45	9.98	0.01	0.35	—	0.35	0.32	—	0.32	—	1,511	1,511	0.06	0.01	—	1,517
Paving	3.47	3.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.02	0.20	0.27	< 0.005	0.01	—	0.01	0.01	—	0.01	—	41.4	41.4	< 0.005	< 0.005	—	41.6
Paving	0.10	0.10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.04	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	6.88	6.88	< 0.005	< 0.005	—	6.88
Paving	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.07	1.16	0.00	0.00	0.20	0.20	0.00	0.05	0.05	—	211	211	0.01	0.01	0.78	215
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.39	5.39	< 0.005	< 0.005	0.01	5.47
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.89	0.89	< 0.005	< 0.005	< 0.005	0.91
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.19. Architectural Coating (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOC	ROG	NOx	CO	SO ₂	PM ₁₀ E	PM ₁₀ D	PM ₁₀ T	PM _{2.5} E	PM _{2.5} D	PM _{2.5} T	BCO ₂	HBCO ₂	CO ₂ T	CH ₄	N ₂ O	R	CO ₂ e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.13	0.88	1.14	< 0.005	0.03	—	0.03	0.03	—	0.03	—	134	134	0.01	< 0.005	—	134
Architect ural Coatings	253	253	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	3.66	3.66	< 0.005	< 0.005	—	3.67
Architect ural Coatings	6.92	6.92	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.61	0.61	< 0.005	< 0.005	—	0.61
Architect ural Coatings	1.26	1.26	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.24	0.20	0.20	3.46	0.00	0.00	0.59	0.59	0.00	0.14	0.14	—	631	631	0.03	0.02	2.32	641
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.08	0.00	0.00	0.02	0.02	0.00	< 0.005	< 0.005	—	16.1	16.1	< 0.005	< 0.005	0.03	16.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.67	2.67	< 0.005	< 0.005	< 0.005	2.70
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	HBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Linear, Grading & Excavation	Linear, Grading & Excavation	10/2/2024	11/19/2024	5.00	35.0	—
Linear, Paving	Linear, Paving	10/4/2024	9/1/2025	5.00	237	—
Demolition	Demolition	10/1/2024	10/14/2024	5.00	10.0	—
Site Preparation	Site Preparation	10/14/2024	10/18/2024	5.00	5.00	—
Grading	Grading	10/18/2024	11/12/2024	5.00	18.0	—
Building Construction	Building Construction	11/12/2024	7/28/2025	5.00	185	—
Paving	Paving	7/28/2025	8/8/2025	5.00	10.0	—
Architectural Coating	Architectural Coating	8/8/2025	8/21/2025	5.00	10.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

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Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Linear, Grading & Excavation	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Linear, Grading & Excavation	Crawler Tractors	Diesel	Average	1.00	8.00	87.0	0.43
Linear, Grading & Excavation	Graders	Diesel	Average	2.00	8.00	148	0.41
Linear, Grading & Excavation	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Linear, Grading & Excavation	Signal Boards	Electric	Average	1.00	8.00	6.00	0.82
Linear, Grading & Excavation	Tractors/Loaders/Backhoes	Diesel	Average	4.00	8.00	84.0	0.37
Linear, Grading & Excavation	Rubber Tired Loaders	Diesel	Average	1.00	8.00	150	0.36
Linear, Grading & Excavation	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Linear, Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Linear, Paving	Paving Equipment	Diesel	Average	1.00	8.00	89.0	0.36
Linear, Paving	Pavers	Diesel	Average	1.00	8.00	81.0	0.42
Linear, Paving	Tractors/Loaders/Backhoes	Diesel	Average	3.00	8.00	84.0	0.37
Linear, Paving	Signal Boards	Electric	Average	1.00	8.00	6.00	0.82
Demolition	Rubber Tired Dozers	Diesel	Average	2.00	8.00	367	0.40
Demolition	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Average	3.00	8.00	367	0.40
Site Preparation	Crawler Tractors	Diesel	Average	4.00	8.00	84.0	0.37
Grading	Graders	Diesel	Average	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Average	2.00	8.00	36.0	0.38

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Grading	Crawler Tractors	Diesel	Average	2.00	8.00	84.0	0.37
Grading	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Average	3.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Average	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Average	1.00	7.00	367	0.29
Building Construction	Welders	Diesel	Average	1.00	8.00	46.0	0.45
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	3.00	7.00	84.0	0.37
Paving	Pavers	Diesel	Average	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Average	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	15.0	18.5	LDA, LDT1, LDT2
Demolition	Vendor	—	10.2	HHDT, MHDT
Demolition	Hauling	0.00	20.0	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	17.5	18.5	LDA, LDT1, LDT2
Site Preparation	Vendor	—	10.2	HHDT, MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT

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Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA, LDT1, LDT2
Grading	Vendor	—	10.2	HHDT, MHDT
Grading	Hauling	208	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	224	18.5	LDA, LDT1, LDT2
Building Construction	Vendor	87.4	10.2	HHDT, MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA, LDT1, LDT2
Paving	Vendor	—	10.2	HHDT, MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	44.8	18.5	LDA, LDT1, LDT2
Architectural Coating	Vendor	—	10.2	HHDT, MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT
Linear, Grading & Excavation	—	—	—	—
Linear, Grading & Excavation	Worker	40.0	18.5	LDA, LDT1, LDT2
Linear, Grading & Excavation	Vendor	1.00	10.2	HHDT, MHDT
Linear, Grading & Excavation	Hauling	2.86	20.0	HHDT
Linear, Grading & Excavation	Onsite truck	—	—	HHDT
Linear, Paving	—	—	—	—
Linear, Paving	Worker	20.0	18.5	LDA, LDT1, LDT2

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Linear, Paving	Vendor	0.00	10.2	HHDT,MHDT
Linear, Paving	Hauling	0.00	20.0	HHDT
Linear, Paving	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	799,878	266,626	22,895

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (cy)	Material Exported (cy)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Linear, Grading & Excavation	800	—	4.50	0.00	—
Demolition	0.00	0.00	0.00	—	—
Site Preparation	—	—	17.5	0.00	—
Grading	30,000	—	72.0	0.00	—
Paving	0.00	0.00	0.00	0.00	13.3

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

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Land Use	Area Paved (acres)	% Asphalt
Unrefrigerated Warehouse-No Rail	0.00	0%
Parking Lot	8.76	100%
Road Widening	4.50	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2024	58.7	532	0.03	< 0.005
2025	29.4	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres
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5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres
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5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)
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6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	27.9	annual days of extreme heat
Extreme Precipitation	2.60	annual days with precipitation above 20 mm
Sea Level Rise	—	meters of inundation depth
Wildfire	7.84	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi. Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi. Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (Radke et al., 2017, CEC-500-2017-008), and consider inundation location and depth for the San Francisco Bay, the Sacramento-San Joaquin River Delta and California coast resulting different increments of sea level rise coupled with extreme storm events. Users may select from four scenarios to view the range in potential inundation depth for the grid cell. The four scenarios are: No rise, 0.5 meter, 1.0 meter, 1.41 meters. Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A

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Air Quality Degradation	0	0	0	N/A
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The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	1	1	3
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—

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AQ-Ozone	91.1
AQ-PM	51.4
AQ-DPM	21.5
Drinking Water	87.4
Lead Risk Housing	21.2
Pesticides	70.2
Toxic Releases	24.2
Traffic	74.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	0.00
Haz Waste Facilities/Generators	50.1
Impaired Water Bodies	12.5
Solid Waste	22.1
Sensitive Population	—
Asthma	48.8
Cardio-vascular	78.2
Low Birth Weights	53.5
Socioeconomic Factor Indicators	—
Education	79.3
Housing	24.9
Linguistic	16.4
Poverty	46.8
Unemployment	73.4

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

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Indicator	Result for Project Census Tract
Economic	—
Above Poverty	60.29770307
Employed	40.65186706
Median HI	53.71487232
Education	—
Bachelor's or higher	37.26987553
High school enrollment	21.68612658
Preschool enrollment	56.08879764
Transportation	—
Auto Access	87.47593965
Active commuting	24.03438984
Social	—
2-parent households	65.68715514
Voting	37.14872321
Neighborhood	—
Alcohol availability	82.31746439
Park access	26.70345182
Retail density	10.84306429
Supermarket access	22.85384319
Tree canopy	2.014628513
Housing	—
Homeownership	68.6179905
Housing habitability	84.80687797
Low-inc homeowner severe housing cost burden	74.63107917
Low-inc renter severe housing cost burden	62.76711664
Uncrowded housing	64.30129603

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Health Outcomes	—
Insured adults	49.23649429
Arthritis	1.9
Asthma ER Admissions	51.4
High Blood Pressure	4.3
Cancer (excluding skin)	3.1
Asthma	46.1
Coronary Heart Disease	2.1
Chronic Obstructive Pulmonary Disease	9.6
Diagnosed Diabetes	20.7
Life Expectancy at Birth	41.6
Cognitively Disabled	70.6
Physically Disabled	50.9
Heart Attack ER Admissions	20.0
Mental Health Not Good	57.3
Chronic Kidney Disease	3.6
Obesity	36.5
Pedestrian Injuries	19.6
Physical Health Not Good	33.7
Stroke	7.6
Health Risk Behaviors	—
Binge Drinking	80.1
Current Smoker	59.6
No Leisure Time for Physical Activity	36.0
Climate Change Exposures	—
Wildfire Risk	7.4
SLR Inundation Area	0.0

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Children	31.0
Elderly	48.0
English Speaking	75.4
Foreign-born	34.0
Outdoor Workers	12.6
Climate Change Adaptive Capacity	—
Impervious Surface Cover	83.3
Traffic Density	34.3
Traffic Access	23.0
Other Indices	—
Hardship	58.4
Other Decision Support	—
2016 Voting	52.4

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	55.0
Healthy Places Index Score for Project Location (b)	50.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

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Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

Screen	Justification
Construction: Construction Phases	See SWAPE comment "Unsubstantiated Changes to Individual Construction Phase Lengths"
Construction: Off-Road Equipment	See SWAPE comment "Incorrect Application of Tier 4 Interim Off-Road Equipment Emissions Standards." Changes to Crawler Tractors consistent with the DEIR's model.
Construction: Architectural Coatings	Changes consistent with the DEIR's model. Reduced emission factors to 50 g/L as indicated in PPP-3.

Attachment C



Technical Consultation, Data Analysis and
Litigation Support for the Environment

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Matt Hagemann, P.G., C.Hg.
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mhagemann@swape.com

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

**Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review**

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014, 2017;
- Senior Environmental Analyst, Komex H₂O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, *Oxygenates in Water: Critical Information and Research Needs*.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

- principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M., 2004.** An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukunaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

Attachment D



Technical Consultation, Data Analysis and
Litigation Support for the Environment

SOIL WATER AIR PROTECTION ENTERPRISE

2656 29th Street, Suite 201
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Email: prosenfeld@swape.com

Paul Rosenfeld, Ph.D.

Principal Environmental Chemist

Chemical Fate and Transport & Air Dispersion Modeling

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
 UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
 UCLA School of Public Health; 2003 to 2006; Adjunct Professor
 UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
 UCLA Institute of the Environment; 2001-2002; Research Associate
 Komex H₂O Science; 2001 to 2003; Senior Remediation Scientist
 National Groundwater Association; 2002-2004; Lecturer
 San Diego State University; 1999-2001; Adjunct Professor
 Anteon Corp., San Diego; 2000-2001; Remediation Project Manager
 Ogden (now Amec), San Diego; 2000-2000; Remediation Project Manager
 Bechtel, San Diego, California; 1999 – 2000; Risk Assessor
 King County, Seattle; 1996 – 1999; Scientist
 James River Corp., Washington; 1995-96; Scientist
 Big Creek Lumber, Davenport, California; 1995; Scientist
 Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
 Peace Corps and World Wildlife Fund, St. Kitts, West Indies; 1991-1993; Scientist

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution*, **233**, 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health*. 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P.**, (2015) Modeling the Effect of Refinery Emission On Residential Property Value. *Journal of Real Estate Research*. 27(3):321-342

Chen, J. A., Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.**, Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermol and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*. Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*, 113-125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution*, 123 (17), 319-327.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*, 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities*. Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*, 49(9), 171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WETFEC) 2004*. New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*, 49(9), 193-199.

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Rosenfeld, P. E., Grey, M. A., Sellow, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*, 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS-6), Sacramento, CA Publication #442-02-008.

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Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A.; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society*. Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

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Rosenfeld, P.E. (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tucson, AZ.

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Wu, C.; Tam, L.; Clark, J., **Rosenfeld, P.** (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

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Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florida, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's CS/PFOA. *Science, Risk & Litigation Conference*. Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

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Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference*. Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics; Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference, Water Supply and Emerging Contaminants*. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment, International Water Association*. Lecture conducted from Barcelona Spain.

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Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington.

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conference*. Lecture conducted from Indianapolis, Maryland.

Rosenfeld, P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation*. Lecture conducted from Anaheim California.

Rosenfeld, P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest*. Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

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Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association, Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. \$41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: \$10,000 grant awarded to San Diego State University. Goal. investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. \$100,000 grant awarded to University of Washington. Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. \$20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: \$10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: \$15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. \$500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

- In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021
- In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021
- In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021
- In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021
- In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021
- In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021
- In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021
- In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021
- In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021
- In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020
- In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

- In the United States District Court For The District of New Jersey
Duarte et al. Plaintiffs, vs. United States Metals Refining Company et. al. Defendant
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019
- In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019
- In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019
- In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19
- In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018
- In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No. 1923
Rosenfeld Deposition 11-17-2017
- In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017
- In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.; No. 019-L-2295
Rosenfeld Deposition 8-23-2017
- In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020
- In The Superior Court of the State of California, For The County of Los Angeles
Warm Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018
- In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

In The Superior Court of the State of Washington, County of Snohomish
 Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
 Case No. 13-2-03987-5
 Rosenfeld Deposition, February 2017
 Trial March 2017

In The Superior Court of the State of California, County of Alameda
 Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
 Case No. RG14711115
 Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
 Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
 Case No. L.ALA002187
 Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
 Robert Andrews, et al. v. Antero, et al.
 Civil Action No. 14-C-30000
 Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
 Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
 Case No. 4980
 Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
 Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
 Case No. CACE07030358 (26)
 Rosenfeld Deposition December 2014

In the County Court of Dallas County Texas
 Lisa Parr et al, Plaintiff, vs. Aruba et al. Defendant.
 Case No. cc-11-01650-E
 Rosenfeld Deposition: March and September 2013
 Rosenfeld Trial April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
 John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
 Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
 Rosenfeld Deposition October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
 James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
 Civil Action No. 2:09-cv-232-WHA-TFM
 Rosenfeld Deposition July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
 Jacanette Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
 Civil Action No. CV 2008-2076
 Rosenfeld Deposition September 2010

In the United States District Court, Western District Lafayette Division
 Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
 Case No. 2:07CV1052
 Rosenfeld Deposition July 2009

2.18 RESPONSE TO LETTER O3: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE, DATED JULY 3, 2024

Several of the responses below are based on the following technical memorandum provided as Appendix E of this Final EIR:

- Murrieta Road Warehouse Air Quality, Health Risk, Energy, and Greenhouse Gas Assessment Response to Comments (Golden State Letter), Urban Crossroads, Inc., August 1, 2024, Appendix E.

Comment O3.1: This comment provides an introduction to the comment letter and states that the comment is submitted on behalf of the Golden State Environmental Justice Alliance (GSEJA). Additionally, it states that GSEJA requests to be notified regarding any subsequent environmental documents, public notices, and public hearings for the Project. This comment includes a project summary of the proposed Project.

Response O3.1 GSEJA will be added to the notification list and will be notified of any subsequent environmental documents, public notices, and public hearings regarding the proposed Project. The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment O3.2: The comment states that the DEIR does not accurately describe the proposed Project. This comment expresses concern that the proposed Project is a piecemealed portion of a larger project that includes TPM No 38469 (PLN22-018), which was approved as an NOE and included multiple right-of-way areas that were proposed to be vacated. The comment states that the TPM was a necessary precedent for the proposed Project and that the DEIR must be revised to comply with CEQA Section 15161 by preparing a project EIR which analyzes this prior action.

Response O3.2: As stated in the DEIR within Section 1.0, *Executive Summary*, and Section 4.0, *Environmental Setting*, a Tentative Parcel Map (TPM), No. 38469 (PLN22-0180), to consolidate all the existing parcels within the site into one parcel was previously approved and was exempt pursuant to CEQA Guidelines Section 15315 through a NOE, Categorical Exemption (Class 15 – Section 15315, “Minor Land Divisions”). However, the Final Tract Map has yet to consolidate all the existing parcels, therefore, the DEIR accurately described the Project site as currently being identified by Assessor’s Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005.

Generally, courts have considered distinct activities as one CEQA project and required them to be reviewed together: (1) when the project under review is designed to provide the necessary first step toward a larger development, and (2) when development of the project under review requires or presumes completion of another activity. The TPM, in and of itself, did not include any project features or entitlements that would result in physical effects on the environment. It should also be noted that the NOE that the TPM conformed to the City’s General Plan and zoning. Further, the courts have held that piecemealing occurs when such analysis is omitted where the reviewed project has as its purpose serving as a first step toward future development, or where it legally compels or practically presumes completion of another action; conversely, “specific future action that is merely contemplated or a gleam in a planner’s eye” need not be analyzed. At the time the TPM was being processed by the City of Menifee, no industrial development had been proposed for the Project site. The TPM was processed to accommodate a hypothetical industrial facility that was not in the planning phase or proposed. Therefore, a future industrial facility (the Project) was unknown at the time and an analysis of such would have been speculative.

Furthermore, the TPM was processed and approved by the City of Menifee on May 19, 2023. Therefore, at the time the Notice of Preparation (NOP) for the proposed Project was released for public review (November 7, 2023), the City of Menifee had already approved the TPM through a Notice of Exemption.

CEQA Guidelines 15125 (a)(1) states that “Generally, the lead agency should describe physical environmental conditions as they exist at the time the NOP is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective”. Furthermore, CEQA Guidelines Section 15125 describes that the existing setting constitutes the baseline conditions by which a lead agency determines whether an impact is significant. As the TPM was approved prior to the proposed Project being considered, the DEIR adequately discloses the environmental setting and describes the whole of the action proposed by the Project. The proposed Project did not rely on or require the completion of another activity, no piecemealing occurred, and the two actions are separate.

Further, the discretionary action for approval of the TPM was determined to have no physical impacts on the environment and would not cumulatively combine with the proposed Project to result in new or increased impacts. The TPM was adequately discussed as part of the Project Description and disclosed to the public. The DEIR accurately analyzes all potential environmental impacts from the proposed Project and does not present unduly low environmental impacts. Conversely, as detailed in Section 3.0, *Project Description*, the DEIR’s analysis provides a conservative evaluation of total building square footage by considering a three percent buffer on the square footage of the building submitted to the City as part of the Project’s entitlements. Overall, the DEIR’s environmental analysis would not result in new or increased impacts from what is currently disclosed in the DEIR when considering the TPM. The proposed Project is consistent with the General Plan land use designation of EDC, consistent with the zoning designation of EDC-NG. The TPM is not considered part of the environmental baseline, and the previously approved TPM did not result in any impacts.

Lastly, ownership information and entitlement history are irrelevant for the description of a project and are not required to be disclosed according to CEQA Guidelines Section 15124. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.3: The comment states the PD is inadequate as it does not provide entitlement history or ownership of the site. The comment describes the sites entitlement and history and states that all sections of the DEIR must be revised to note the Project site’s status as an approved residential development and the City’s ownership of Lot 78 with reservation and dedication for parkland.

Response O3.3: Please refer to Response O3.2 above. The DEIR accurately described that the Project site is currently identified by Assessor’s Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005. The DEIR also adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis.

CEQA Guidelines 15125 (a)(3) states that “An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline”. Thus, although Lot 78 may have been previously identified within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan, the DEIR is not required to include the hypothetical condition as part of the existing baseline. Furthermore, as shown in the City of Menifee Parks Master Plan, adopted July 2023, in Figure 5-2, *Future and Existing Parks*, Lot 78 is not identified as future parkland. The Project site has a General Plan land use designation of EDC and zoning designation of EDC-NG which allows for development of industrial warehouse land uses at a maximum Floor Area Ratio of 1.0. Therefore, the proposed Project is an allowed land use under the Project site designations and would be consistent with the City’s development standards. Furthermore, the NOE for the TPM, approved by the City of Menifee on May 19, 2023, found that the proposed lot consolidation conformed to the City’s General Plan and zoning. Thus, the consolidation of the “77 lots subdivided for residential development and 1.96-acre parcel (lot 78)”, as stated by the commentor, was determined to comply with the General Plan Land

use and zoning designation for the site and would not lead to any conflicts with the General Plan. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.4: The comment states that the Project Description does not provide a floor plan, detailed site plan, conceptual grading plan, written narrative, or detailed elevations. The comment states that a few figures have been edited to remove meaningful information. The comment requests that the DEIR must be revised to include an unedited floor plan, grading plan, site plan, elevations, and project narrative for public review.

Response O3.4: This comment does not provide any substantial evidence that the proposed Project would result in a significant environmental impact. Pursuant to CEQA Guidelines Section 15124, the Project Description “should not supply extensive detail beyond that needed for the evaluation and review of the environmental impact”. As such, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project’s environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Figure 3-8 of the DEIR provides conceptual building elevations for the proposed building and Figure 3-7 of the DEIR provides a conceptual site plan. As demonstrated by *Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 CA4th 1036, 1053, the EIR’s description of the proposed Project should identify the Project’s main features and other information needed for an analysis of the Project’s environmental impacts. As long as the requirements set forth in CEQA Guidelines Section 15124 are met, the Project Description may allow for the flexibility needed to respond to changing conditions that could impact the Project’s final design. The proposed Project is thoroughly described within DEIR Section 3.0, *Project Description*, and includes information such as the Floor Area Ratio (FAR), grading quantities, elevations, architectural features, parking, landscaping, and more. As such, detailed plans and elevations are not required to be included in the DEIR’s Project description and a general description of the Project and conceptual plans are allowed. Additionally, the conceptual grading plan and conceptual floor plan is on file with the City of Menifee. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.5: The comment states that the City’s General Plan analyzed the Project site as exclusively residential development due to the entitlement history. Therefore, the comment states that the proposed Project was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD.

Response O3.5: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.3 and O3.4 above. Entitlement history is irrelevant to the description of a project under CEQA and are not included as part of the environmental baseline for analysis under CEQA.

As described in the City of Menifee General Plan and General Plan EIR, Exhibit LU-4 *General Plan Future Buildout Summary* is based on the theoretical buildout (dwelling units, population, nonresidential square footage, and employment) of each land use designation based on a range of allowable residential densities (expressed as units per acre) and nonresidential intensities (expressed as floor area ratio). A key assumption in understanding these projections is that they reflect a theoretical buildout of the entire City, rather than what is likely to appear on the ground over the 20-year planning cycle. Accordingly, the build-out estimates in the General Plan do not assume build-out at the maximum density or intensity and instead are adjusted downward to account for variations in build-out intensity. Thus, the buildout summary identified in Exhibit LU-4 of the General Plan is not site specific, and the Project site was not identified or analyzed within the General Plan or General Plan EIR as being developed as exclusively residential development. Therefore, the Project site was included for analysis as an employment generating use by the City, SCAG, or SCAQMD. In addition, development assumptions and scenarios presented in the General Plan and the General Plan EIR should not be considered a “cap” on permissible acreage or square footage buildout.

Furthermore, as stated in the CEQA Guidelines Section 15183 (i)(2), “For purposes of this section, “consistent” means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.” The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. As described throughout the DEIR, the proposed Project is consistent with both the General Plan land use designation and the zoning designation for the Project site. Therefore, as concluded in the DEIR, the Project would be consistent with the General Plan, SCAG, and SCAQMD growth projections. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.6: This comment states that the DEIR does not include analysis of relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed Project to the surrounding community, such as SB 535 Disadvantage Communities. The comment states that according to the CalEnviroScreen 4.0 the Proposed Project’s census tract ranks in the 91st percentile for ozone burden, the 51st percentile for particulate matter 2.5 burden, and the 74th percentile for solid waste facility impacts. The comment also states that the census tract consists of a diverse community that is especially vulnerable to impacts of pollution.

Response O3.6: This comment does not provide substantial evidence of a significant environmental impact. CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project’s potential environmental justice effects are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Further, environmental justice is not listed within the “Environmental Factors Potentially Affected” in Appendix G, Environmental Checklist Form, to the CEQA Guidelines. Thus, consistent with CEQA, the DEIR includes an analysis of the Project’s potentially significant physical impacts on the environment and does not include substantial discussion of environmental justice.

SB 535 established initial requirements for minimum funding levels to “Disadvantaged Communities” (DACs). The legislation also gives California EPA the responsibility for identifying those communities, stating that the designation of disadvantaged communities must be based on “geographic, socioeconomic, public health, and environmental hazard criteria.” SB 535 does not include project specific requirements or prohibit developments in proximity to the designated communities. Furthermore, CalEnviroScreen is a general policy tool. It is generally inappropriate for CEQA review. However, the DEIR and Response O3.4 provide a detailed evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts) pursuant to SCAQMD methodology and thresholds, which is the appropriate due to the project’s location within the South Coast Air Basin. The DEIR also provides a detailed evaluation of the potential cumulative water supply, water quality, hazardous waste, and solid waste impacts of the proposed Project.

Regarding the existing pollution burden, the existing air quality in the Project area is described in DEIR Section 5.2, *Air Quality*. Table 5.2-2, *Air Quality Monitoring Summary 2020-2022*, of the DEIR provides data from the closest air quality monitoring station to the Project site (SRA 24 Perris Valley, SRA 25 Elsinore valley, and SRA 23 Metropolitan Riverside County). Data from the air quality monitoring stations indicates that the PM_{2.5} federal standard had 2 exceedances in 2020, 13 exceedances in 2021, and no exceedances in 2022. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the

South Coast Area Basin, emissions concentrations have declined, and air quality has generally improved over the last 30 years largely due to cleaner air vehicles and fuel requirements.

As detailed under Impact AQ-2 in Section 5.2, *Air Quality*, of the DEIR, pollutant emissions associated with construction of the Project would be below SCAQMD thresholds and the Project would not result in a net increase of a pollutant for which the region is in non-attainment. Therefore, criteria emissions impacts related to construction and operation of the proposed Project would be less than significant.

Also, a Mobile Source Health Risk Assessment (included as Appendix G to the DEIR) was prepared to evaluate the health risk impacts as a result of exposure to diesel particulate matter (DPM) as a result of heavy-duty diesel trucks and equipment activities from Project construction. The results of the health risk assessment determined that at the maximum incremental cancer risk attributable to construction DPM source emissions from the proposed Project is 0.77 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. Additionally, the non-cancer risks were estimated to be ≤ 0.01 , which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity.

An operational diesel mobile source health risk (included as Appendix G to the DEIR) was also prepared to evaluate the operational health risk impacts as a result of exposure to DPM from heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site during operation of the proposed Project. The DEIR details that the results of the operational health risk assessment identified that the maximum cancer risk would be 3.02 in one million under Scenario 1 and 3.04 in one million under Scenario 2 for the nearby residential land uses, which is below the SCAQMD threshold of 10 in one million. Additionally, the non-cancer risks were estimated to be ≤ 0.01 under both scenarios, which would not exceed the applicable significance threshold of 1.0. The worker receptor risk would be lower at 0.11 in one million. Maximum non-cancer risks at this same location were estimated to be ≤ 0.01 , which would not exceed the applicable significance threshold of 1.0. In addition, the DEIR determined that because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than $\frac{1}{4}$ mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the proposed Project. Therefore, all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.

The DEIR also included a long-term microscale (CO Hot Spot) analysis which determined Project-related vehicles are not expected to contribute significantly to result in the CO concentrations exceeding the State or federal CO standards. Therefore, as concluded in the DEIR, the Project would not impact nearby sensitive receptors including residences, workers, or schools. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.7: This comment states that CalEEMod is not listed as an approved energy compliance modeling software. The comment states that since the DEIR did not accurately or adequately model impacts in compliance with Title 24, a finding of significance must be made and a revised EIR with modeling in one of the three approved software types must be circulated for public review in order to adequately analyze the Project's potentially significant environmental impacts.

Response O3.7: This comment does not provide substantial evidence of a significant environmental impact. The commenter incorrectly assumes the purpose of Title 24 and California Energy Commission approved software programs. The approved programs serve the purpose of being used under the performance approach (energy budget) method of compliance for Energy Standards. The programs mentioned are not intended to be utilized for CEQA analysis. CalEEMod, the California Emissions Estimator Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions

associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts. Additionally, the proposed Project would be compliant with measures set forth in Title 24, which would be verified through the plan check process. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.8: The comment states that the Project did not analyze consistency with Exhibit LU Table LU-4 “Buildout Summary” and that industrial development within the EDC-NG analyzes a 0.40 FAR. In addition, the comment states that the EDC assumes buildout of 29 acres of residential which they claim is clearly meant for the Project site due to its entitlement history. The comment states that since the Project is inconsistent with the GP, it is also inconsistent with the RTP/SCS and AQMP.

Response O3.8: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.2, O3.3, and O3.5 above where this comment has been previously responded to.

As described in Response O3.5, the Project site was not analyzed as exclusively residential development by the City of Menifee General Plan or General Plan EIR and was accurately analyzed as an employment generating land use. Furthermore, the build-out estimate in the General Plan (Exhibit LU-4) does not assume build-out at the maximum density or intensity allowed by the EDC and instead is adjusted downward to account for variations in build-out intensity. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR, the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and Land Use Buildout Scenario since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the growth generated by the proposed Project was anticipated by the General Plan, RTP/SCS, and AQMP. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.9: This comment states that the EIR does not provide any meaningful evidence to support the Projects consistency with the SCAG RTP/SCS. The comment also mentions that there are errors in modeling and states that the Project is inconsistent with Goal 5, Goal 6, and Goal 7 of Table 5.9-1 from the DEIR. Furthermore, the comment states that the analysis excludes the EIR’s determination that the project will result in significant and unavoidable cumulatively considerable GHG emissions impacts. The comment states that the EIR must be revised to include a finding of significance due to inconsistency with the 2020-2045 RTP/SCS Connect SoCal document.

Response O3.9: This comment does not provide substantial evidence of a significant environmental impact. As discussed in Responses O3.37 through O3.46 below, appropriate CalEEMod defaults were utilized and there are no errors in modeling. Substantial evidence supporting the SCAG RTP/SCS consistency analysis is provided in Section 5.2, *Air Quality*, and Section 5.6, *Greenhouse Gas Emissions*, of the DEIR. The consistency analysis within Table 5.9-1 of the DEIR provides justification for the Project’s consistency with each goal. Additionally, as noted throughout the DEIR, the Project is also consistent with the City of Menifee zoning and land use designations for the Project site. Thus, the DEIR does not need to be revised due to an inconsistency with the 2020-2045 RTP/SCS Connect SoCal document. The RTP/SCS Goal Statements are regional goals and are not project-specific. The DEIR accurately analyzes consistency with these goals as the proposed Project would not impede in the regional attainment of them. Furthermore, as stated in Section 5.6, *Greenhouse Gas Emissions*, the proposed Project would also be consistent with the City of Menifee Good Neighbor Policies and General Plan GHG policies. However, in response to this comment Section 5.9, *Land Use and Planning*, of the DEIR has been revised in Chapter 3.0, *Revisions to the DEIR*, of the FEIR as follows:

Table 2-2: SCAG RTP/SCS Consistency Analysis

RTP/SCS Goal Statements	Project Consistency
Goal 5: Reduce greenhouse gas emissions and improve air quality.	Consistent. While the Project would not improve air quality <u>and would have a significant and unavoidable GHG emissions impact as described in Section 5.6, Greenhouse Gas Emissions.</u> it would not prevent SCAG from implementing actions that would improve air quality within the region. Mitigation measures are specified to reduce the Project's greenhouse gas impacts to the maximum extent feasible, and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy Efficiency Standards. <u>Furthermore, as discussed within Section 5.2, Air Quality, the proposed Project would be below SCAQMD thresholds for criteria air pollutants.</u>
Goal 6: Support healthy and equitable communities.	Consistent. The Project would be constructed consistent with the City of Menifee General Plan land use designation/zoning classification and associated development standards. The Project would be constructed to current building codes, and state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents. <u>Furthermore, a Health Risk Assessment (Appendix G) was prepared for the proposed Project and determined all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.</u>
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Consistent. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. <u>Although the proposed Project would have a significant and unavoidable GHG emissions impact as described in Section 5.6, Greenhouse Gas Emissions, implementation of the proposed Project would not conflict with this goal. Furthermore, the proposed Project would implement all feasible mitigation measures, including MM GHG-1 through MM GHG-8, as described within Section 5.6, Greenhouse Gas Emissions.</u>

Comment O3.10: The comment states that the DEIR includes consistency analysis that is erroneous and misleading to the public and decision makers regarding some of the General Plan goals and policies, and lists policies which the Project has potential to conflict with. The comment states that the Project has significant potential to conflict with many policies due to its significant and unavoidable impacts to greenhouse gas emissions.

Response O3.10: This comment does not provide substantial evidence of a significant environmental impact. The DEIR is a public disclosure document that serves to provide information to the City's decisionmakers and elected officials when deciding whether or not to approve a project. The goal of the consistency analysis is

to provide the reader with a general overview of whether a project is in harmony with the overall intent of the applicable goals and policies. It is within the City's purview to decide if the Project is consistent or inconsistent with applicable goals or policies. CEQA case law recognizes that "it is nearly, if not absolutely, impossible for a project to be in perfect conformity with each and every policy set forth in the applicable [general] plan." (*Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, 1563).

Furthermore, as described in Response O3.5, the proposed Project is consistent with the City of Menifee zoning and land use designations for the Project site. A compiled table of applicable Menifee General Plan goals and policies, along with the Project's consistency is included in Section 5.9, *Land Use and Planning*. Goals and Policies that are not applicable to the proposed Project, including those identified in the comment, are not included under table 5.9-2 of the DEIR as they are City initiatives or do not include project specific criteria. In addition, it should be noted that while the proposed Project results in a significant and unavoidable impact to GHG emissions, it does not equate to the proposed Project impeding the implementation or achievement of these Goal and Policies at a regional or local level. For the purposes of this response, a consistency analysis between the proposed Project and the goals and policies listed by the comment is provided below in Table 2-2 of the FEIR.

Table 2-3: General Plan Consistency Analysis

General Plan Policy or Goal	Project Consistency
Goal S-7: A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.	Not Applicable. This goal is intended to be implemented at a citywide level. This is not a project-specific goal and is therefore not applicable.
Policy EJ-3.6: Continue to collaborate with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), utility providers, Southern California Association of Governments (SCAG), Western Riverside Council of Governments (WRCOG) and nonprofit organizations, neighborhoods groups, and other community organizations to improve air quality, food availability, renewable energy systems, sustainable land use and reduce greenhouse gas emissions (GHGs).	Not Applicable. This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Goal OSC-10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.	Not Applicable. This goal is intended to be implemented at a citywide level. This is not a project-specific goal and is therefore not applicable.
Policy OSC-10.1: Align the city's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.	Not Applicable. This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.2: Align the city's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.	Not Applicable. This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.3: Participate in regional greenhouse gas emission reduction initiatives.	Not Applicable. This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Goal 10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions	Not Applicable. This goal is intended to be implemented on a citywide level. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.4 Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.	Consistent. This goal is intended for City staff and City decisionmakers. As discussed in Section 5.6, <i>Greenhouse Gas Emissions</i> , a Greenhouse Gas Emissions Impact Analysis was prepared for the Project and found that greenhouse gas (GHG) emissions would exceed the

General Plan Policy or Goal	Project Consistency
	recommended thresholds, thus the Project would implement mitigation measures GHG-1 through GHG-8 to minimize impacts.
Policy C-5.13: Support efforts to reduce/eliminate the negative environmental impacts of goods movement.	Not Applicable. This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.

Comment O3.11: This comment states that any improvements or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. The comment states that evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided, thus a revised EIR must be prepared to include the level of service (LOS) analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold TRA-1 as well as Land Use and Planning Impact Threshold LU-2 because it is not consistent with the following General Plan Policy C-1.2.

Response O3.11: This comment does not provide substantial evidence of a significant environmental impact. As stated within Table 5.9-2 of the DEIR under Policy C-1.2, LOS is no longer a component of CEQA traffic analysis (CEQA Guidelines Section 15064.3). Per CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the DEIR concerning these proposed improvements was provided for informational purposes only for the City's use in evaluating the proposed Project and considering conditions of approval outside of CEQA's framework. This is clearly identified in Section 5.12, *Transportation*, where it states that the LOS analysis is intended for "Non-CEQA Level of Service Analysis – For Informational Purposes Only." The implementation of these improvements would be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA. Further, the Project's land use impacts are based in part upon determining compliance with the City's General Plan. The Project Applicant is proposing to improve roadways along the Project's frontage per the City of Menifee General Plan. All roadway improvements associated with the proposed Project would be consistent with the City of Menifee General Plan Circulation Element. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final offsite engineering for the Project. Please refer to Responses to letter A3 above for a full description regarding City of Perris roadway improvements. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.12: The comment states that the DEIR has not utilized the best available data to calculate the project's trip generation and must be revised to implement Fehr and Peers' updated study of the data in WSP's study.

Response O3.12: This comment does not provide substantial evidence of a significant environmental impact. Although the Fehr and Peer's updated WSP Study has been received by the WRCOG, updates to the TUMF Fulfillment Center Rates have yet to be formally adopted. According to the WRCOG Planning Directors Committee meeting on December 14, 2023, "WRCOG will initiate work on including any necessary changes to how TUMF is calculated for high cube warehouses in the TUMF Handbook based on the reduced trips observed in this analysis. These changes will be brought forth to this Committee for review when a complete update is conducted at the conclusion of the TUMF Nexus Study update process." Therefore, the TUMF High-Cube Warehouse Trip Generation Study, WSP, January 29, 2019, is still the most up to date source for vehicle trip rate calculations and the DEIR utilized the best available data to calculate the proposed Project's trip generation.

Furthermore, CEQA Guidelines 15125 (a)(1) states that the environmental baseline for a project is set at the time the NOP is published. The NOP for the proposed Project was published May 24, 2024, and set the environmental baseline for the DEIR analysis. Therefore, the Fehr and Peers updated WSP study was not received by WRCOG at the time the NOP was published. Furthermore, the Scoping Agreement form, which included the use of the TUMF High-Cube Warehouse Trip Generation Study, WSP, January 29, 2019, was approved by the City of Menifee prior to the Fehr and Peer's updated WSP Study. The DEIR utilized the most up to date WSP at the time the NOP set the environmental baseline and at the time the Scoping Agreement was approved. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.13: The comment states that any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided.

Response O3.13: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.11 above. Policy C-1.2 is not applicable as Level of Service is no longer a component of CEQA traffic analysis (CEQA Guidelines Section 15064.3). Per CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. However, Response to Comment Letter A3, specifically Response A3.6, offers a detailed response to this comment. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.14: The comment states that Appendix L, *VMТ Analysis*, excludes the City of Menifee VMТ Scoping Form and modeling input parameters and output screens generated by the RIVCOM model to support the EIR's claims that the project will have less than significant impacts.

Response O3.14: This comment does not provide substantial evidence of a significant environmental impact and relies on speculation and opinion. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence. Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines ["the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure"].) The DEIR for the proposed Project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

A scoping form is not required for preparation of a VMТ Screening Analysis; however, a VMТ Scoping Form was approved by the City of Menifee and is available upon request. Furthermore, the Scoping Agreement for the Traffic Study is included as Appendix A of the *Traffic Impact Analysis*, Appendix K of the DEIR. The *VMТ Analysis*, Appendix L of the DEIR, provides an adequate description of the City's guidelines and use of the RIVCOM model for preparation of the VMТ analysis. The analysis is based on the requirements of *The City of Menifee Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (January 2022)* and was prepared by professional traffic engineers. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.15: The comment states that the Projects VMТ analysis was underestimated as it did not include truck/trailer/delivery van activity. The comment concludes in saying a revised EIR must be prepared to with a revised VMТ analysis to include truck/trailer/and delivery van activity.

Response O3.15: This comment does not provide substantial evidence of a significant environmental impact. Based on local and State guidance as well as the State CEQA Guidelines Section 15064.3, VMТ is an

evaluation of passenger cars, not truck trips. The VMT analysis conducted therefore, only analyzed VMT/Employee for home-based-work trips as per the County Guidelines. This is consistent with State CEQA Guidelines Section 15064.3(a) which states “For the purpose of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project.” Here, the term “automobile” refers to on-road passenger vehicles, specifically cars and light trucks. Hence the VMT analysis only includes and represents the impacts of automobile travel as a result of the proposed Project using RIVCOM and is not required to include truck trips as a part of the VMT analysis. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.16: This comment states that the DEIR does not adequately analyze the Projects potential impacts regarding hazards due to a geometric design feature. The comment explains that there are areas of overlap between truck movements and an inadequate depiction of the onsite turning radius for truck moving through the site.

Response O3.16: This comment does not provide substantial evidence of a significant environmental impact. As stated in Section 3.0 *Project Description* of the DEIR, access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The northern and southern driveways on Murrieta Road would be accessible by both passenger vehicles and trucks. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The Project would include a 26-foot-wide fire access road throughout the site. In addition, the Project would include a 32-foot-wide private driveway along the southern boundary of the Project site.

There are no unique bends or obstacles along Murrieta Road and Geary Street. The onsite circulation design provides truck accessibility and turning ability throughout the site. Therefore, there is no geometric design feature that would prevent trucks or result in impacts from trucks accessing the site. As described in Response O3.4 above, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project’s environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are conceptual plans and including specific truck/trailer turning exhibits in the DEIR is not required or needed to support the impact determination. Furthermore, the conceptual site plan accurately shows that there is 214 feet between the proposed rolling gate and property line, allowing for adequate truck queuing.

Onsite traffic signing and striping would also be implemented in conjunction with detailed construction plans with implementation of the proposed Project. Additionally, sight distance at the Project’s access points would be reviewed with respect to City standards at the time of final grading, landscape, and street improvement plan reviews. Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the City of Menifee General Plan Circulation Element. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City’s engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Thus, no impacts related to hazards due to a geometric design feature would occur from implementation of the proposed Project and Murrieta Road and the northernmost driveway on Geary Street would not require additional maneuvering space. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.17: The comment states that several areas for potential conflicts between trucks/trailers and passenger cars exist throughout the Project site. The comment states that the DEIR has not provided any exhibits demonstrating that there is sufficient backup space and queuing space for trucks/trailers to utilize

these spaces. The comment states a revised EIR must be prepared to include a finding of significance due to these significant and unavoidable impacts.

Response O3.17: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.4 and O3.16 above, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are conceptual plans and including specific exhibits demonstrating that there is sufficient backup space and queuing space for trucks/trailers to utilize these spaces in the DEIR is not required or needed to support the impact determination. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Compliance with existing regulations would be ensured through the City's construction permitting process. Therefore, the proposed Project would not result in significant traffic safety impacts. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.18: The comment states that the EIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project.

Response O3.18: This comment does not provide substantial evidence of a significant environmental impact. This comment has previously been responded to in Responses O3.2 and O3.3. The DEIR adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.19: This comment states that the DEIR relied upon erroneous Energy modeling to determine the Project would meet sustainability requirements. Specifically, the comment states that the DEIR did not model its energy consumption in compliance with Title 24.

Response O3.19: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.7, the Title 24 and California Energy Commission approved software programs are intended for the energy budget method of compliance for Energy Standards and are not intended to be utilized for CEQA analysis. CalEEMod, the California Emissions Estimator Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. Additionally, the Project would be compliant with measures set forth in Title 24, which would be verified through the plan check process. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.20: The comment states that the City's General Plan analyzed the project site as exclusively residential development due to the entitlement history. Therefore, the comment states that the proposed Project was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. Furthermore, the comment states that Exhibit LU-4 analyzed the site as a 0.4 FAR whereas the Project's FAR is higher.

Response O3.20: Please refer above to Response O3.5 and Response O3.8 for a detailed response. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR,

the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and Land Use Buildout Scenario since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the Project itself would not result in employment growth above what was anticipated by the General Plan, RTP/SCS, and the AQMP as it is consistent with the General Plan land use and zoning designations. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.21: This comment states that the DEIR must include a cumulative analysis discussion to demonstrate the impact of the proposed Project in a cumulative setting, including the associated cumulative impacts of the project's significant and unavoidable cumulatively considerable GHG impacts.

Response O3.21: This comment does not provide substantial evidence of a significant environmental impact. This comment has been addressed previously, please refer to Response O3.5 and O3.8. The proposed Project is consistent with the General Plan goals and policies, land use designation, and zoning designation for the site and was accurately analyzed as consistent with the RTP/SCS and AQMP.

The analysis of GHG emission impacts under CEQA contained in the Draft EIR effectively constitutes an analysis of the Project's contribution to the cumulative impact of GHG emissions. CEQA Guidelines Section 15183.5(b) states that compliance with GHG-related plans can support a determination that a project's cumulative effect is not cumulatively considerable. However, as described in Section 5.6 of the DEIR, *Greenhouse Gas Emissions*, the estimated GHG emissions from development and operation of the proposed Project would exceed SCAQMD thresholds. Despite implementation of Mitigation Measures GHG-1 through GHG-8, impacts would remain significant. Therefore, the proposed Project would result in cumulatively considerable GHG impacts and cumulative GHG impacts would be significant and unavoidable. Therefore, the DEIR fully analyzed the cumulative impacts of the Project to GHG; including the significant and unavoidable impacts due to emissions of GHGs.

Comment O3.22: The comment states that the DEIR did not adequately analyze removing obstacles to growth, specifically the right-of-way vacations for the TPM. The comment states that the DEIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project.

Response O3.22: Please refer to Responses O3.2 and O3.3 above. The DEIR adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis of growth inducing impacts.

Further, as described in Section 6.0, *Other CEQA Considerations*, the proposed infrastructure improvements have been designed to serve only the demands of the Project. Therefore, the Project would not expand stormwater drainage services, as well as other offsite improvements, into unplanned areas and would not result in significant growth inducing impacts. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.23: The comment states that the proposed Project must provide a quantified analysis of the Project's growth compared to the General Plan's buildout. The comment states that the DEIR must include a cumulative analysis of the impact of the proposed Project in combination with previous projects since 2016 and projects "in the pipeline" to determine if the Project would result in a cumulative exceedance of employment and population growth forecasts.

Response O3.23: This comment does not provide substantial evidence of a significant environmental impact. As previously discussed under Response O3.5 and O3.8, development assumptions and scenarios presented in the General Plan and its program-level EIR should not be considered a “cap” on permissible acreage or square footage buildout, but simply serve as a framework upon which future project-level environmental analyses may be based. Cumulative projects are properly included in Table 5-1, *Cumulative Projects*, of the DEIR and accounted for throughout the analysis of the DEIR. All previously constructed projects (i.e., completed prior to issuance of the 2023 Notice of Preparation for the DEIR) are considered part of the environmental baseline and have therefore been accounted for as part of the existing conditions.

Growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in master plans, land use plans, or in projections made by regional planning agencies, such as SCAG. Although the Project would induce 652 employees within the City, the proposed industrial use is accounted for within the City of Menifee General Plan, as the Project would be consistent with the planned Economic Development Corridor – Northern Gateway land use. According to SCAG’s 2020-2045 RTP/SCS population and household growth forecast for Menifee, between 2016 and 2045, SCAG anticipates an employment increase of 15,400 additional jobs (from 13,800 to 29,200), yielding a 111 percent growth rate. SCAG also anticipates a population increase of 40,200 between 2016 and 2045 (from 89,600 to 129,800). The proposed Project would generate the need for approximately 652 employees conservatively, which represents approximately 1.6 percent of the forecasted population growth between 2016 and 2045 and approximately 4.2 percent of the forecasted employment growth between 2016 and 2045 for the City. Additionally, as detailed within the DEIR, the proposed Project would result in a FAR of 0.5 which is below the maximum FAR of 1.0 allowed by the EDC land use and related employment projections. Thus, although the Project would generate additional long-term employment in the Project area, the new employment opportunities would be within the forecasted and planned growth of the City. Thus, while the Project would contribute to employment growth through the proposed development within the Project site, the projected increases in employment from the Project are within SCAG’s 2020 RTP/SCS increases.

Furthermore, employment growth from the Project would not induce population growth by 652 persons. As described in the Initial Study (included as Appendix A of the DEIR) and DEIR Section 7.0, *Effects Found Not Significant*, the employees that would fill these roles are anticipated to come from the region, as the unemployment rate of the City of Menifee and the City of Perris are high (4.9 percent and 5.8 percent respectfully). Due to these levels of unemployment, employees would live in housing either already built or are planned for development in Menifee, Perris, and the surrounding Riverside County areas and the surrounding areas. Because it is anticipated that most of the future employees from implementation of the Project would already be living in the Inland Empire area, the Project’s introduction of employment opportunities would not induce substantial growth in the area and cause the need for additional housing.

In addition, projects referenced by the commentor were either required to conduct their own analysis of population growth and employment or would be required to do so by CEQA prior to approval. The commentor provides no substantial evidence of a significant environmental impact. The Project would not result in cumulative citywide or countywide population and housing impacts. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.24: The comment states that since the Project is analyzed as a speculative high-cube industrial warehouse and that the tenant is unknown for the proposed Project, there is no possible assurance that positions are available within the region to satisfy the anticipated workforce needs.

Response O3.24: This comment does not provide substantial evidence of a significant environmental impact. As detailed in the above comment, speculative refers to the tenant, not the type of activities that would be conducted. The proposed Project has been proposed as and would be developed as a new high cube industrial warehouse building. As such, the proposed Project has been consistently analyzed throughout the

DEIR as a high cube industrial warehouse. Therefore, operational characteristics, including the required workforce to operate the building, have been accurately analyzed for a high cube warehouse building and the workforce required to operate the building would not change substantially due to the tenant.

Furthermore, as described in Response O3.23 the employees that would fill these roles are anticipated to come from the region, as the unemployment rate of the City of Menifee and the City of Perris are high (4.9 percent and 5.8 percent respectfully). Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not generate needs for any housing.

However, the Initial Study provides further analysis, so that should the proposed Project require employees to relocate to the area for work (i.e., specialized workforce is not available in the region), there is sufficient vacant housing available within the region. Within the City of Menifee, 36,308 of 38,734 total housing units are occupied, resulting in a vacancy rate of 6.3 percent. In addition, as described above in Response O3.23, the proposed Project would generate the need for approximately 652 employees conservatively, which represents approximately 1.6 percent of the forecasted population growth between 2016 and 2045 and approximately 4.2 percent of the forecasted employment growth between 2016 and 2045 for the city. Therefore, the proposed Project would be within both the anticipated employment and population growth projections for the City of Menifee. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.25: This comment states that the DEIR does not provide an exhibit depicting which areas of the site are within the applicable Compatibility Zone for each respective Airport. The comment also states that the DEIR does not provide any analysis or information regarding regulations and requirements within influence area Zone E of the Perris Valley Airport or Zone E of the March. Therefore, the comment claims that the DEIR does not provide adequate informational documents and meaningful disclosure to support its claims of consistency.

Response O3.25: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.4, the level of detail needed for the evaluation of the Project by the public and decision makers and for the review of the Project's environmental impacts does not require extensively detailed figures (CEQA Guidelines Section 15124). Thus, exhibits or graphics depicting the applicable ALUC Compatibility Zones are not required for a meaningful analysis. Furthermore, as described in the Initial Study (Appendix A of the DEIR) and Section 5.10, Noise, of the DEIR, the proposed Project is located over 10 miles southeast of the Perris Valley Airport and March Air Reserve Base. Additionally, the entire Project site is located within Zone E and is not located in any existing noise contours for the Perris Valley Airport and March Air Reserve Base. Review by the Riverside County ALUC is not required for the proposed Project as the City of Menifee is consistent with the Perris Valley Airport ALUCP and March Air Reserve Base ALUCP. Since the proposed Project is consistent with the City of Menifee land use designation for the site, the proposed Project would also be consistent with the ALUCP for both the Perris Valley Airport and March Air Reserve Base.

Since the proposed Project is fully consistent with the City of Menifee General Plan land use designation, as analyzed throughout the DEIR, the proposed Project is also fully consistent with the requirements and regulations within influence Zone E for both the Perris valley Airport and March Air Reserve Base. Overall, the proposed Project would not result in hazards related to excessive glare, light, steam, smoke, dust, or electronic interference, and the proposed Project would not introduce a safety hazard associated with airport operations for people residing, working, and visiting the Project site. As described above, meaningful disclosure to support the DEIR's impact and consistency determination was provided. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.26: The comment states that the proposed Project fails to comply with the Housing Crisis Act/ Senate Bill (SB) 330/SB 8 as the Project does not provide replacement capacity for the reduced residential development as a result of the proposed Project. The comment supports this by stating the EDC land use designation has a maximum density of 24 units per acres, and therefore the Project site can accommodate the development of up to 678 dwelling units. The comment concludes that the Project must provide 678 replacement units elsewhere in the city in accordance with SB 330 and the loss of residential capacity should be included as a finding of significance.

Response O3.26: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.2, O3.3, O3.5 and O3.7 above as this comment has been previously addressed. The commenter erroneously applies the requirements of SB 330 to the proposed Project. As discussed on page 3-13 of the DEIR, the Project site has a land use designation of EDC and zoning of EDC-NG. Additionally, the proposed Project is consistent with the General Plan land use designation and zoning designation for the site, which allow for both industrial and residential development. Thus, there is no residential density specifically assigned to the Project site, nor would the Project remove the ability for a future residential development to occur onsite as the Project would not include a zone change.

As such, the proposed Project would be consistent with the provisions of Government Code Section 65860 and is not required to upzone a different site or identify a replacement housing site pursuant to SB 330. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.27: The comment states that the Project site is located in a developed area of the City adjacent to existing roads and in close proximity to infrastructure and utilities. The comment states that Geary Street and Murrieta Road are undeveloped. Furthermore, the comment states that more than 50 percent of the land within the vicinity of the Project site is vacant, meaning that the project site is not located in a developed area of the City and is not located adjacent to existing roads.

Response O3.27: This comment does not provide substantial evidence of a significant environmental impact. The comment erroneously states that Murrieta Road and Geary Street are undeveloped and that the proposed Project is not located adjacent to existing roads and utilities. Murrieta Road is an existing paved roadway east of the Project site that currently provides access to Ethanac Road. Murrieta Road would be improved along the Project frontage. Geary Street is an existing dirt roadway west of the Project site. Geary Street would be improved along the Project Frontage and extended from Floyd Avenue to Ethanac Road. Therefore, both Geary Street and Murrieta Road are existing roadways that currently provide circulation, and the DEIR accurately describes the existing roads adjacent to the Project site. Furthermore, the Project site is surrounded by existing infrastructure and utilities as described in Section 3.0, *Project Description*. There is an existing 27-inch diameter water line in Murrieta Road, an existing 8-inch sewer line in Murrieta Road, existing overhead utility lines are located along Murrieta Road, and existing natural gas mainlines lie within Murrieta Road.

According to Cal. Code Regs. tit. 14 Section 15387 "Urbanized area" means a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. A lead agency shall determine whether a particular area meets the criteria in this section either by examining the area or by referring to a map prepared by the U.S. Bureau of the Census which designates the area as urbanized. According to the SCAG RTP/SCS 2020 the City of Menifee had a population of 89,600 in 2016. Therefore, the Project site meets the criteria for an urbanized area and is designated as such.

This comment does not provide evidence of a significant impact and no changes to the analysis are necessary. However, in order to provide clarity on the existing setting, Section 7.0, *Effects Found Not Significant*, of the DEIR on page 7-12, has been revised in Chapter 3.0, *Revisions to the DEIR*, as part of the Final EIR to state that the Project site is located within an urbanizing area rather than a developed area:

The proposed Project would develop a new industrial warehouse on a vacant, previously developed site that would be consistent with the General Plan approved in 2013. The site is located in an urbanizing area ~~a developed area~~ of the City adjacent to existing roads and in close proximity to infrastructure and utilities.

Comment O3.28: The comment states that the DEIR does not provide sufficient evidence to support the claim that the employees are expected to come from within the City or region. Additionally, the comment states that the DEIR does not provide evidence that the specific workforce listed is qualified for or interested in industrial work to substantiate this claim. Furthermore, the comment claims that relying on the unemployed workforce population of the surrounding region will increase project related VMT and emissions and a revised EIR must be prepared to account for longer worker trip distances. The comment states that the DEIR excludes from analysis the zoning capacity of 678 units.

Response O3.28: This comment does not provide substantial evidence of a significant environmental impact. As elaborated above and throughout the DEIR, the proposed Project would not induce substantial population growth in an area beyond what is forecasted, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

As described throughout this response to comments, the proposed Project would not result in the loss of 678 units. As elaborated in Response O3.24, the proposed Project has been proposed as and would be developed as a new high cube industrial warehouse building which does not require a specialized workforce. As such, the proposed Project has been consistently analyzed throughout the DEIR as a high cube industrial warehouse. Therefore, operational characteristics, including the required workforce to operate the building, have been accurately analyzed for a high cube warehouse building and the workforce required to operate the building would not change substantially due to the tenant.

Furthermore, the DEIR does not rely on the unemployed workforce population of the surrounding region to support the impact determination as vacant housing is available in the region. The DEIR accurately states that there is sufficient vacant housing available within the region as the City of Menifee has a vacancy rate of 6.3 percent (DEIR page 7-2). Therefore, there would be no increase to project related VMT or emissions to account for longer worker trip distances. Although employees are expected to come from within the City and the region, further evidence is provided to support the less than significant impact determination. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.29: The comment states that the City's General Plan analyzed the Project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City or SCAG.

Response O3.29: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.8 above. The Project site was not analyzed as exclusively residential development by the City of Menifee General Plan or General Plan EIR and was accurately analyzed as an employment generating land use by the City and SCAG. The build-out estimate in the General Plan (Exhibit LU-4) does not assume build-out at the maximum density or intensity allowed by the EDC and instead is adjusted downward to account for variations in build-out intensity. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR, the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and SCAG employment estimates since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the employment growth generated by the proposed Project was anticipated by the

General Plan and SCAG. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.30: The comment states that the proposed Project must provide a quantified analysis of the Project's growth compared to the General Plan's buildout. The comment states that the DEIR must include a cumulative analysis of the impact of the proposed Project in combination with previous projects since 2016 and projects "in the pipeline" to determine if the Project would result in a cumulative exceedance of employment and population growth forecasts.

Response O3.30: This comment does not provide substantial evidence of a significant environmental impact. This comment is a duplicate of Comment O3.23, please refer to Response O3.23 above. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.31: The comment states that the EIR must be revised to note the Project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland. The comment also states that the EIR must be revised to include this information for analysis and include a finding of significance as Project implementation will result in a direct impact to City recreation facilities.

Response O3.31: Please refer to Response O3.2 and O3.3 above. CEQA Guidelines 15125 (a)(3) states that "An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline". Thus, although Lot 78 may have been previously identified within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan, the DEIR is not required to include the hypothetical condition as part of the existing baseline. The Project site has never been developed as a city recreational facility and as shown in the City of Menifee Parks Master Plan, adopted July 2023, in Figure 5-2, *Future and Existing Parks*, Lot 78 is not identified as future parkland. Therefore, the DEIR accurately described the Project site's environmental baseline and no impacts to recreational facilities would occur. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.32: The comment states that the DEIR is deferring analysis by stating that development plans would be reviewed by the Office of the Fire Marshal prior to approval. The comment states that the DEIR does not provide any information regarding the proposed onsite fire pump house that is depicted on the Site Plan. The comment also states that a revised EIR must be prepared for the proposed project with emergency access exhibits, information regarding the proposed onsite fire pump house, and associated analysis/requirements in order to provide an adequate and accurate environmental analysis.

Response O3.32: This comment does not provide substantial evidence of a significant environmental impact. This comment was previously addressed under Response O3.16. As detailed under Response O3.16, Figure 3-7, *Conceptual Site Plan*, depicts the proposed emergency vehicle access to the site. The proposed Project would provide emergency access to the site via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The northern and southern driveways on Murrieta Road would be accessible by both passenger vehicles and trucks. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The Project would include a 26-foot-wide fire access road throughout the site. The onsite circulation design provides accessibility and turning ability throughout the site. Therefore, there is no geometric design feature that would prevent emergency vehicle maneuverability or result in impacts from trucks or emergency vehicles accessing or circulating the Project site. Furthermore, as described in Response O3.4, the level of detail needed for the evaluation of the Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are

conceptual plans and including exhibits depicting emergency vehicle access and maneuvering in the DEIR is not required or needed to support the impact determination.

The proposed onsite conceptual circulation design provides emergency vehicle accessibility and turning ability throughout the site and does not identify potential significant environmental impacts. Should the Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff and the Office of the Fire Marshal prior to issuance of construction related permitting to ensure that all applicable emergency access standards are met, which include both California Fire Code and California Building Code requirements, as included in the City's Municipal Code. This is not a deferral of analysis, but the City's standard development review and permitting process to ensure that all applicable design requirements are met, including emergency access.

Furthermore, the proposed onsite fire pump that is depicted on the Conceptual Site Plan has been analyzed and described throughout the DEIR, notably in Section 5.2, *Air Quality*, and Section 5.6, *Greenhouse Gas Emissions*. The fire pump is also identified in Section 3.0, *Project Description*, and states that the proposed Project would require permits to install and operate a diesel fire pump from the South Coast Air Quality Management District. This is not a deferral of analysis, but standard development review and permitting process to ensure that all applicable design requirements are met. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.33: The comment states that a revised DEIR must be completed that includes analysis of a reasonable range of alternatives and to foster informed decision making. The comment states that the DEIR does not identify an alternative that meets the Projects objectives and eliminates all the Project's significant and unavoidable impacts.

Response O3.33: This comment does not provide substantial evidence of a significant environmental impact. The DEIR included a comprehensive analysis of Project Alternatives as required by CEQA Guidelines Section 15126.6. The "range of alternatives" to be evaluated is governed by the "rule of reason" and feasibility, which requires the EIR to set forth only those alternatives that are feasible and necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6(f)). Additionally, State CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. An EIR need not consider every conceivable alternative to a project. Additionally, an alternative is not required to meet all project objectives and eliminate all of the Project's significant and unavoidable impacts as incorrectly stated by the Commenter.

DEIR page 8-1 states that a pursuant to State CEQA Guidelines Section 15126.6(d), discussion of each alternative presented in this DEIR section is intended "to allow meaningful evaluation, analysis, and comparison with the proposed project." As permitted by CEQA, the significant effects of each alternative are discussed in less detail than those of the proposed Project, but in enough detail to provide perspective and allow for a reasoned choice among alternatives to the proposed Project. As detailed in DEIR Section 8.0, *Alternatives*, the proposed Project is consistent with the current zoning of the site and would result in significant and unavoidable impacts related to greenhouse gas emissions and noise. One alternative (Alternate Site Alternative) was considered but rejected due to its infeasibility and lack of ability to meaningfully reduce Project impacts while meeting Project objectives. Instead, a No Project/Build Out of the Existing Zoning, a 30 percent Reduced Project Alternative, a 51 percent Reduced Project alternative, and a No Project/ Buildout of Existing Zone Alternative were selected for further analysis. As such, the alternatives utilized by the DEIR provide a reasonable range of alternatives pursuant to CEQA Guidelines Section 15126.6.

Table 8-4 of the DEIR provides, in summary format, a comparison between the level of impacts for each alternative and the proposed Project. In addition, DEIR Table 8-5 provides a comparison of the ability of

each of the alternatives to meet the objectives of the proposed Project. The environmentally superior alternative identified in the DEIR is the 51 percent Reduced Project Alternative and is expected to greatly reduce GHG emissions compared to the proposed Project, to a less than significant determination. Noise impacts would continue to be significant and unavoidable under this alternative and would not meet the Project objectives to the same extent as the proposed Project. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.34: This comment states that SWAPE has reviewed the DEIR and states that the EIR fails to adequately evaluate the air quality, health risk, and greenhouse gas impacts and suggests that a revised EIR be prepared.

Response O3.34: This comment is introductory in nature and introduces the inadequacies of the DEIR that will be further discussed within the comment. Because the comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue no further response is required.

Comment O3.35: This comment states that the CalEEMod default data was changed for modeling of the proposed Project and that CEQA requires such changes be justified by substantial evidence. The comment states that when default values in the program are changed, output files are produced which disclose to the reader which values within the program have been changed.

Response O3.35: The comment is introductory in nature and does not raise any specific concerns with the adequacy of the DEIR or raise any other specific CEQA issue. It is typical that default CalEEMod data is revised, so that the modeling accurately depicts construction and/or operation of each proposed Project. No revisions per this comment are required and no further response is required or provided.

Comment O3.36: The comment that that CalEEMod version 2022.1 is relied upon to estimate project emissions, which poses a problem as it is described as a “soft release” which fails to provide complete output files. The comment states that the “User Changes to Default Data” table no longer provides the quantitative counterparts to the changes to the default values. The comment states that the DEIR should have provided access to the model’s “.JSON” output files, which allow third parties to review the model’s revised input parameters.

Response O3.36: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.7 above. The commenter is incorrect that CalEEMod 2022.1 is a “soft release.” As indicated in the CalEEMod release notes, CalEEMod version 2022.1 was approved for full launch on 12/21/2022 and the “soft release” message was removed. As such, CalEEMod version 2022.1 is appropriate for use and the analysis is adequate as presented.

In addition, as discussed on pages 10 and 11 of the CalEEMod User’s Guide for CalEEMod version 2022.1, CalEEMod was designed to allow the user to change the defaults to reflect site- or project-specific information when available. Thus, modifications to CalEEMod defaults are used when more detailed information is known about the project such as the construction timeline, the mix of equipment use, architectural coatings, and more. Modifications made to the CalEEMod defaults as a part of this Project were done in order to provide an accurate snapshot of the Project’s construction and operational details. Modifications to defaults and the explanations are noted in the output report. Pages 35 of the CalEEMod outputs (Appendix 3.1 of the *Air Quality Analysis*) identifies the user changes that were made CalEEMod. The “.JSON” files are input files, not output files. As such, all output files were included in Appendix 3.1 of the *Air Quality Analysis*. No revisions per this comment are required and no further response is required or provided.

Comment O3.37: The comment states that the commentor discovered inconsistencies between the model inputs and the information within the DEIR, thus a revised DEIR must be prepared to include an updated air quality analysis.

Response O3.37: This comment does not provide substantial evidence of a significant environmental impact. The comment does specify any specific inconsistencies with information disclosed in the DEIR or raise any other CEQA issue. As discussed throughout these responses and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled and analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. No further response is warranted.

Comment O3.38: The comment states that the CalEEMod output files for the proposed Project demonstrates that the model includes several changes to the default individual construction phase lengths. The comment claims that the changes to the individual construction phase lengths are unsubstantiated for two reasons.

Response O3.38: This comment does not provide substantial evidence of a significant environmental impact. The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.39: This comment states that the DEIR does not provide a source for the individual construction phase lengths and therefore underestimates the length of construction. The comment states that the model should have proportionately altered the individual phase lengths to match the proposed construction duration of 11 months.

Response O3.39: This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating “[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines [“disagreement among experts does not make an EIR inadequate . . . the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure”].) The DEIR for the proposed project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

The Project’s construction duration in CalEEMod was based on the Project’s anticipated construction schedule, as provided by the Applicant, as specified on page 3-33 of Section 3.0, *Project Description*, of the DEIR, which assumes that construction is expected to begin in the first quarter of 2025 and last for 11 months. The CalEEMod output files accurately define the construction schedule as starting on 10/15/24 and ending on 9/30/25. As such, the Project’s construction schedule in CalEEMod is consistent with the Project Description. This is consistent with the instructions in the CalEEMod User’s Guide that directs the user to use site-specific phasing. As discussed in the CalEEMod User’s Guide, pages 33 through 35, the construction tab contains default information obtained from a survey of construction sites with a range of project types and sizes and provides default construction equipment lists and phase length data based on the total lot acreage of a project. The User’s Guide states that if the user has more detailed site-specific equipment and phase information, the user should override the default values.

The analysis properly relied on Project-specific construction phases that accurately reflect the required construction activities necessary for Project buildout. The commenter has not provided any supporting documentation as to why the construction assumptions used in the analysis would not be representative of the

Project's construction. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.40: The comment states that the total construction duration modeled in the CalEEMod is 12 months. As a result, the construction schedule included in the model is overestimated and not consistent with the 11-month duration proposed by the DEIR. The comment states that by altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases.

Response O3.40: This comment does not provide any substantial evidence of a significant environmental impact. Please refer to Response O3.39 above. It should be noted that the comment erroneously states "construction schedule begins 10/1/2024 and ends 9/30/2024, resulting in a total construction duration of 12 months". Table 3-3 of the comment letter provides a snapshot of Appendix B, *Air Quality Analysis*, of the DEIR, where it specifically shows construction would begin on 10/15/24, not 10/1/24. The commenter has not provided any supporting documentation as to why the construction assumptions used in the analysis would not be representative of the Project's construction. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.41: The comment states that review of the CalEEMod output files demonstrates model changes to the default off-road construction equipment parameters, specifically the model assumes that all of the Project's off-road construction equipment fleet would meet Tier 4 Interim emissions standards. The comment states that the use of tier 4 interim emissions standards is not formally included as mitigation measures, and cannot guarantee that these standards would be implemented, monitored, and enforced on the Project site.

Response O3.41: In response to this comment, Section 5.6 of the DEIR, *Greenhouse Gas Emissions*, has been revised to include Tier 4 Interim construction equipment as a Project Design Feature (PDF). In compliance with the City of Menifee Good Neighbor Policies the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. This revision has been included in Chapter 3.0, *Revisions to the Draft EIR*, as part of the FEIR as follows:

5.6.9 PROJECT DESIGN FEATURES

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

The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large

fleets, defined by the CARB as, “A fleet with a total max hp (as defined below) greater than 5,000 hp.” In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.

Comment O3.42: The comment states that the CalEEMod output files include changes to the default construction architectural coating emission factor. The comment states that the model's reductions to the architectural coating emission factors are unsubstantiated for two reasons.

Response O3.42: The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.43: The comment states that the accuracy of the revised architectural coating emission factors cannot be verified based on the South Coast Air Quality Management District (“SCAQMD”) Rule 1113 alone. The comment states that as the DEIR fails to explicitly require the use of a specific type of coating which would adhere to a specific VOC limit, they cannot verify the model's revised coating emission factors.

Response O3.43: This comment does not provide substantial evidence of a significant environmental impact. All Project air quality modeling has been conducted in conformance with SCAQMD requirements and applicable CalEEMod protocols, including modeling of VOCs. SCAQMD (the CEQA Responsible Agency for air quality considerations) has been provided all air quality modeling input and outputs, as detailed in Response A6.1. SCAQMD has not found the VOC modeling in CalEEMod to be deficient in any manner.

The commentor states that supporting air quality modeling has not been provided. This is inaccurate. Complete and accurate modeling of the Project air pollutant emissions is provided as Appendix 3.1 of the DEIR Appendix B, *Air Quality Analysis*. Modeling of Project air quality impacts reflects characteristics and attributes of this specific Project and its context. Any and all modeling inputs are consistent with applicable CalEEMod parameters and SCAQMD guidance and reflect extensive practical experience of the Project air quality expert. The intent of the Project air quality modeling is to establish a likely maximum impact scenario available to decision-makers for their consideration when evaluating the Project and its potential environmental impacts. Further, the excerpt provided in the comment identifies the square footage of the existing baseline use from the operational run and is not representative of the proposed Project. This analysis is adequate as presented.

While the limits outlined in Rule 1113 do vary, the architectural coatings that would commonly be used as part of construction for this type of project would fall into the building envelope coatings, flat/nonflat coatings, floor coatings, concrete surface retarder, roof coatings, and "default" coating categories, all of which have a limit of 50 g/L. As such, the analysis assumed a VOC content of 50 g/L for interior and exterior architectural coatings for Project construction. This is further specified in the 5.2 of the DEIR, *Air Quality*, as PPP-AQ-2 states the following:

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

The analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.44: The comment states that since the output files fail to demonstrate the architectural coating emission factors that the model relies on, we cannot verify that the values included in the model are accurate.

Response O3.44: Please refer to Response O3.43 above. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.45: The comment states that the Project's models should accurately reflect operational daily vehicle trip rates. The comment states that review of the CalEEMod output files demonstrates that the model

only includes a total of approximately 91 Saturday¹⁴ and 30 Sunday¹⁵ vehicle trips. The comment further states that the Saturday and Sunday trips are underestimated by a total of approximately 1,044 trips and 1,105 trips. As such, the comment states the trip rates input into the model are inconsistent with the information provided by the DEIR. The comment states by underestimated Saturday and Sunday operational vehicle trips, the model underestimates the Project's mobile-source operational emissions and should not be relied upon to determine Project significance.

Response O3.45: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.43 above, all Project air quality modeling has been conducted in conformance with SCAQMD requirements and applicable CalEEMod protocols, including modeling of daily vehicle trip rates. SCAQMD (the CEQA Responsible Agency for air quality considerations) has been provided all air quality modeling input and outputs, as detailed in Response A6.1. SCAQMD has not found the daily vehicle trip rates modeling in CalEEMod to be deficient in any manner. The commentor states that supporting air quality modeling has not been provided. This is inaccurate. Complete and accurate modeling of the Project air pollutant emissions is provided as Appendix 3.1 of the DEIR Appendix B, *Air Quality Analysis*. Modeling of Project air quality impacts reflects characteristics and attributes of this specific Project and its context. Any and all modeling inputs are consistent with applicable CalEEMod parameters and SCAQMD guidance and reflect extensive practical experience of the Project air quality expert.

For the Saturday/Sunday trip rates, trips were calculated based on the ratio of weekday to weekend truck trips in the ITE Trip Generation Manual, 11th Edition. As such, this is based on actual data for similar facilities, and consistent with the data published in the DEIR Appendix K, *Traffic Impact Analysis*. This is to account for reduced operation at the facility that would occur on weekends vs. weekdays. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.46: The comment states that the CalEEMod output files show unsubstantiated changes to the default operational vehicle fleet mix, and they must be revised to show the percentages used to calculate the Project's operational emissions.

Response O3.46: This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating "[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines ["disagreement among experts does not make an EIR inadequate . . . the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure"].) The DEIR for the proposed project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

As discussed on page 49 of Appendix 3.2 of the *Air Quality Analysis* (Appendix B of the DEIR), trip generation rates used in CalEEMod for the Project were based on the Project's *Traffic Impact Analysis* (Appendix K of the DEIR), which identifies that the proposed Project would generate approximately 1,135 average daily trips, including 933 passenger vehicle trips, 15 two-axle truck trips, 28 three-axle truck trips, 43 four-axle truck trips, and 116 five+-axle truck trips.

Therefore, the modeling is conservative as it increases the percentage of medium duty truck trips from the default 1.73 percent to 2.5 percent and increases the percentage of heavy heavy duty (HHD) truck trips

from the default of 1.76 percent to assume 10.20 percent consistent with the VMT Analysis prepared for the proposed Project. As such, the commenter is incorrect that the modeling included unsubstantiated changes that may underestimate the Project's mobile source emissions. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.47: This comment states that the commenter prepared an updated CalEEMod model, using the Project-specific information provided by the DEIR, omitting the changes to operational fleet mixes and states that NO_x emissions would increase by approximately 370 percent and VOC emissions would increase by 449 percent, exceeding the applicable significance threshold resulting in a potentially significant air quality impact that was not previously identified or addressed in the DEIR.

Response O3.47: This comment does not provide any substantial evidence of a significant environmental impact. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled, analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. The modeling provided by the commenter included default operational fleet mix values that are not specific to the proposed Project as determined by the Lead Agency. In addition, the modeling provided by the commenter included additional import which does not reflect the Project grading plan. As these values do not represent the proposed Project, the increased emissions that result from them are also not applicable. No further response is warranted.

Comment O3.48: This comment states that the less than significant health risk impact based on the Mobile Health Risk Assessment in Appendix D to the DEIR is incorrect based off two reasons.

Response O3.48: The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.49: This comment states that the first reason the Health Risk Assessment is flawed is that it relies upon a flawed air model based on the comments mentioned above (in Comments O3.37 through O3.46) and thus should not be relied upon.

Response O3.49: Refer to Response O3.37 through O3.46. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled and analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. No further response is warranted.

Comment O3.50: This comment states that the DEIR underestimates the exposure assumptions for fraction of time at home.

Response O3.50: As detailed in Section 5.2, *Air Quality*, of the DEIR, the HRA that was completed for the proposed Project provides the appropriate conservative analysis pursuant to SCAQMD, CARB, and OEHHA recommended methodology. Per OEHHA methodology, the HRA included refinements to identify potential effects to smaller human body weights and breathing rates to assess risk to children, which was done as detailed in the methodology provided on page 19 and 20 of the HRA (Appendix G of the DEIR). In addition, the HRA provides a conservative analysis by evaluating the closest receptors with the maximum potential emissions and continuous exposure (24-hours per day). Thus, stringent significance thresholds and methodology that is consistent with resource agency direction was utilized in the DEIR to determine potential impacts to residents and school children, which determined that impacts would be less than significant, and mitigation is not required. The thresholds utilized were based on the City's discretion (as Lead Agency) and are supported by substantial evidence from SCAQMD, CARB, and OEHHA.

Comment O3.51: This comment states that an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. The comment states that while the DEIR implements MM GHG-1 through MM GHG-8, the DEIR fails to implement all feasible mitigation measures.

Response O3.51: The comment is introductory in nature and does not identify any feasible mitigation measures. Please refer to Response O3.52 below, the DEIR adequately provides reasonable rationale supporting the proposed mitigation measures and the finding of infeasibility of further mitigation. As described in Section 5.6, *Greenhouse Gas Emissions*, and Appendix F, *Greenhouse Gas Analysis*, of the DEIR more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Therefore, mitigation measures tailored towards mobile source emission reductions are not feasible or commercially available.

While there are no feasible mitigation measures that would reduce vehicular emissions, electric vehicle supply equipment would be installed allowing charging stations to be supplied. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions are considered significant and unavoidable. Therefore, as disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR includes all feasible mitigation measures that are capable of substantially reducing the Project's GHG emissions and no revisions to the DEIR or additional mitigation measures are required. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.52: This comment states that the DEIR fails to implement all feasible mitigation measures related to the Projects significant and unavoidable impact related to GHG emissions and provides a list of mitigation measures from the CA Department of Justice (DOJ) and CARB. Additionally, the comment also states that the DEIR fails to implement all feasible mitigation measures related to VOC emissions and NOx emissions and provides a list of mitigation measures found in the 2020 SCAG RTP/SCS Program EIR and the Department of Justice that incorporate feasible ways to include lower-emitting design features into the Project.

Response O3.52: This comment does not provide substantial evidence of a significant environmental impact. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the proposed Project was properly modeled and analyzed as part of the DEIR and the proposed Project would not result in significant air quality or health risk impacts. Significant and unavoidable impacts related to VOC, NOx, or any other criteria pollutant would not occur and there is no nexus related to the inclusion of mitigation for VOC or NOx. No mitigation is required.

GHG impacts would remain significant despite implementation of all feasible mitigation. The commenter provides a list of various suggested mitigation measures, many of which are already included in the DEIR and would be implemented by the Project Mitigation Monitoring and Reporting Program. The commenter does not provide any evidence that the suggested mitigation measures would actually or substantially reduce the Project's GHG emissions. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.).

The DEIR adequately provides reasonable rationale supporting the proposed mitigation measures and the finding of infeasibility of further mitigation. As described in Section 5.6, *Greenhouse Gas Emissions*, and Appendix F, *Greenhouse Gas Analysis*, of the DEIR more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-electric heavy-heavy duty trucks have not yet been integrated into large-scale truck operations due to difficulties in meeting the duty cycles required of current diesel-powered vehicles and long charging times. Therefore, mitigation measures tailored towards mobile source emission reductions are not feasible or commercially available.

While there are no feasible mitigation measures that would reduce vehicular emissions, electric vehicle supply equipment would be installed allowing charging stations to be supplied. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions are considered significant and unavoidable. Therefore, as disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR includes all feasible mitigation measures that are capable of substantially reducing the Project's GHG emissions and no revisions to the DEIR or additional mitigation measures are required.

Comment O3.53: This comment states that the commenter has received limited discovery regarding the Project, additional information may become available in the future; and the commentor retains the right to revise or amend this report when additional information becomes available.

Response O3.53: This comment is advisory in nature and discloses that the commenter has the right to revise the report as additional information becomes available. The comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is warranted.

2.19 LETTER O4: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE (1 PAGE)

From: Adam Salcido <asalcido@goldenstateeeja.com>
Sent: Friday, July 5, 2024 1:26 PM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: Executive Director <executivedirector@goldenstateeeja.com>; Assistant Executive Director <assistantexecutivedirector@goldenstateeeja.com>; Josh Bourgeois <jbourgeois@goldenstateeeja.com>; Steven Piepkorn <spiepkorn@goldenstateeeja.com>; Ramon Amaya <ramaya@goldenstateeeja.com>; Pete Sheehan <psheehan@goldenstateeeja.com>; Stanley Saltzman <ssaltzman@goldenstateeeja.com>
Subject: Murrieta Road Warehouse Project

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Good Afternoon Mr. Hamilton,

Please provide any updates to the above mentioned project.

I am requesting under Public Resource Code Section 21092.2 to add the email addresses and mailing address below to the notification list, regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project.

executivedirector@goldenstateeeja.com

assistantexecutivedirector@goldenstateeeja.com

jbourgeois@goldenstateeeja.com

asalcido@goldenstateeeja.com

spiepkorn@goldenstateeeja.com

ramaya@goldenstateeeja.com

psheehan@goldenstateeeja.com

ssaltzman@goldenstateeeja.com

O4.1

2.20 RESPONSE TO LETTER O4: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE, DATED JULY 5, 2024

Comment O4.1: This comment states that Golden State Justice Alliance would like to be added to the notification list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for the Project. The comment included eight email addresses and one mailing address.

Response O4.1: Golden State Justice Alliance will be added to the notification list and provided future notices for the proposed Project and Hearings. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.21 LETTER 11: ADRIENNE VENDOR (1 PAGE)

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

From: Adrienne Vender <avender@usa.net>

Sent: Monday, May 27, 2024 6:18 PM

To: Brett Hamilton <bhamilton@cityofmenifee.us>

Cc: rkarwin@karwinlaw.com

Subject: Planned Warehouse ,Case No. DEV2022-017. PLN22-0179

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

Dear Brett,

Our neighborhood on Floyd Avenue as well as McLaughlin residences were at a meeting last November 28th, 2023. A follow-up letter was delivered to you as required.

As of today, seven months later, we have not received any information on the potential mega-warehouse you are planning on building between our homes off of Murrieta Road.

What we have seen are trucks, flags on the property and all along Geary Street. What was said to a neighbor was, they are preparing for sewers for the planned building there.

Why haven't we been told about this, if they know, and what happened to Menifee's Good Neighbor Policy?

Adrienne Vender
25820 Floyd Ave
Menifee, 92585
951-657-3009

11.1

2.22 RESPONSE TO LETTER 11: ADRIENNE VENDOR, DATED MAY 27, 2024

Comment 11.1: This comment states that the residents on Floyd Avenue and McLaughlin held a meeting and delivered a follow up letter to the City. The comment further states that the neighbors have not received any information on the Project in seven months and nearby residences have viewed trucks on the property preparing to put in sewer lines. The comment concludes in asking about the Menifee Good Neighbor Policy.

Response 11.1: The comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue. On May 24, 2024, a Notice of Availability (NOA) was mailed to property owners within a 500-foot radius of the Project site. The NOA contained information regarding the DEIR document related to the Project as well as information on where to obtain the document and how to comment on the Project. Prior to the NOA, a Notice of Preparation (NOP) was mailed to property owners within the 500-foot radius of the Project site on November 7, 2023, giving notice that a DEIR was being prepared for the proposed Project. The NOP similarly provided details for how the public could comment on the proposed Project as well as notified residents of the Scoping Meeting on November 28, 2023, which provided another opportunity for residents to hear about the Project as well as comment on the proposed Project. The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that are discussed in the DEIR and to solicit comments from the public regarding potential Project environmental impacts. In addition, construction activities would not begin on the Project site until after approval of the Project and Certification of the FEIR document. Any construction activity near the site that is currently ongoing is not associated with the proposed Project. The Project's consistency with the City of Menifee's Good Neighbor Policies are shown in Table 5.9-3 of the DEIR. Thus, no further response is warranted.

2.23 LETTER I2: BOB POWELL (1 PAGE)

From: Robert Powell <bobpowell1975@gmail.com>
Sent: Tuesday, May 28, 2024 12:04 PM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Subject: Re: Warehouse project south of Ethanac and west of Murrieta Road

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

On Tue, May 28, 2024 at 12:02 PM Robert Powell <bobpowell1975@gmail.com> wrote:

I live on Floyd Ave and am expressing concerns about the proposed warehouse south of Floyd Ave.

Concerns are: Noise, traffic, flooding, and air pollution that will impact my residential area.

We live on a dirt road that is maintained by the residents on Floyd Ave. The cost and labor involved for maintenance is paid for by the residents that live here.

We need to have a dead end at Floyd and east side of Geary roads. This will help with traffic on our street and road deterioration.

Thank you-

Bob Powell

12.1

2.24 RESPONSE TO LETTER I2: BOB POWELL, DATED MAY 28, 2024

Comment I2.1: This Comment states that the commenter has concerns regarding noise, traffic, flooding, and air pollution in the Project area. The comment also states that they live on a dirt road which is maintained by residents on Floyd Avenue and suggests that a dead end at Floyd Avenue and the east side of Geary Road to help with traffic congestion.

Response I2.1: This comment does not raise a specific issue with the adequacy of the DEIR. Impacts related to noise, traffic, flooding, and air pollution are discussed in Section 5.10, 5.12, 5.8, and 5.2 of the DEIR, respectively. As described in the DEIR within Section 5.2, *Air Quality*, impacts would be less than significant. Furthermore, the proposed Project would be required to comply with PPP AQ-1 through PPP AQ-4, including compliance with the provisions of South Coast Air Quality Management District. As described in the DEIR within Section 5.8, *Hydrology and Water Quality*, impacts would be less than significant. Furthermore, the proposed Project would be required to comply with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB) and would be required to prepare a WQMP that shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. As described in the DEIR within Section 5.10, *Noise*, the proposed Project would result in potentially significant impacts due to offsite traffic noise increases, and there are no feasible mitigation measures to reduce impacts. As described in the DEIR within Section 5.12, *Transportation*, impacts would be less than significant.

No improvements are proposed on Floyd Avenue and no extension of Floyd Avenue beyond what is existing in proposed. Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road, including through the intersection with Floyd Avenue. Trucks accessing the site via the driveways on Geary Street and Murrieta Road Ethanac Road north of the Project site, no vehicles related to the proposed Project would utilize Floyd Avenue.

2.25 LETTER I3: KIMBERLY AND MOO TANG (2 PAGES)

June 26, 2024

City of Menifee, Community Development Department
Attn: Brett Hamilton, Senior Planner
29844 Haun Road
Menifee, CA 92586
951-723-3747

Re: "Murrieta Road Warehouse Project"

Dear Mr. Hamilton,

Our names are Kimberly and Moo Tang and we own the home located at 25815 Floyd Ave., Menifee, CA 92585. We purchased our home in February 2024 and have two young boys ages 6 and 4. We are writing regarding the Murrieta Road Warehouse proposed project, which will run along the entire backend and side of our property line.

13.1

Prior to purchasing our home, we did reach out to you and Kayla Charters to get more information about the project. We were made aware of the potential build behind the property, but were told it would be "light industrial," and not anywhere did it appear Geary St. would be impacted. This comes as a disappointment and proposes a HUGE safety concern of our kids and the kids within the neighborhood as they cross Geary St. and Floyd Ave. daily to get to each other's homes (whether it be walking, riding bikes/ motorcycles, etc. or simply having an area to ride and play together uninterrupted by vehicles). Our neighborhood is very safe and with only having a handful of homes west of us, we very rarely get any passing vehicles coming down Floyd Ave. or Geary St. This project would change the whole dynamic of our rural neighborhood with the warehouse behind us and the passing by of vehicles and trucks daily will create an environment that presents safety risks with no sidewalks, no stop signs, no stop lights—while the area in front of the project site will include some of these additions for a safer roadway.

13.2

We also wanted to address noise and air quality issues. We have less than 20 homes on Floyd Ave. and no homes behind our property. The proposed project talks about hundreds of daily trips of passenger vehicles and trucks—many of which are not only operating directly behind our home, but are going to have access to Geary St. which runs alongside our entire property line as well. Comparing our current rural living conditions to this proposed project, we have great concern of the impact and our exposure to additional noise and unhealthy air quality simply based on the types of trucks and significantly increased volume of vehicles coming and going, as well as idling within the project site. How would a project of this size not have an impact on the surrounding residential neighborhoods? It seems there would need to be many mitigated factors in place for it not to be a concern for our family and neighbors.

13.3

We understand there will be a retaining/ screening wall along the northern property line, which may decrease our exposure some, but as soon as vehicles exit the northern driveway, we then have 100% exposure as they drive on Geary St. In addition, it is noted that the southern driveway on Geary St. would be limited to 2-axle trucks only on a private driveway, but all other trucks would utilize the northern driveway (nearest to our home), hence even more exposure. Even just doubling the number of vehicles currently would create more noise and pollution, then

13.4

to add huge trucks coming and going—there will be a greater chance of us, our kids, and fellow neighbors being exposed to poor air quality and its negative impacts on our health, as well as a noise disturbance to our daily lives—again 24/7.

13.5

Additionally, the plan doesn't address our residential street and the impact the project will have on us. There will be a paved road (Geary St.) that crosses Floyd Ave. (that will remain a dirt road?) What could that transition potentially look like especially during rain? Any addition of curbs and sidewalks will only be developed along the "frontage on Geary, Murrieta Road, and the new driveway south of the building" which is nice, but in reality the greater scope of this project, effects much more than just the project site with limited planning of how the residences on Floyd Ave. will truly be impacted. Where we are able to safely walk now around our neighborhood, will not be the case on roadways without additional measures put into place. We will basically be boxed in as the Murrieta Road Warehouse Project operates and circulates around us.

13.6

Speaking of operating around us and Murrieta Rd. specifically, the increased number of vehicles for this project turning onto Murrieta Rd. from Ethanac presents concern of traffic and longer wait times to enter/ exit Floyd Ave., in addition to an increased number of the general public, employee's from the project, or truck driver's (basically, not residence's) using Floyd Ave. as they navigate to and from the project site or to go around it.

13.7

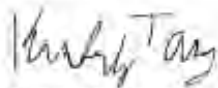
Overall, our greatest concern is the project size in general and the multiple factors we will be faced with, in addition to the use of Geary St. to operate "off-site." It seems like such an odd place to put this huge warehouse, with thousands of additional vehicles and trucks of ALL sizes between two residential neighborhoods, as it comes with risks, concerns, and a massive impact to our quality of life. Our proposal would be to downsize the project so that it only operates within the project site with less exposure across the board and fully eliminating the use of Geary St. or buy us out.

13.8

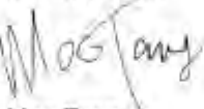
We hope that you take our concerns into consideration and the negative impact the project will have on our family, our wellbeing, and daily lives.

13.9

Sincerely,



Kimberly Tang
951-427-8819



Moo Tang
323-360-7966

2.26 RESPONSE TO LETTER I3: KIMBERLY AND MOO TANG, DATED JUNE 26, 2024

Comment I3.1: This comment provides an introduction to the comment letter and states that the Project will be located along the commenters back side of their property.

Response I3.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment I3.2: This comment states that the commenter reached out to the city previously regarding the Project and was not made aware of the improvement related to Geary Street. The comment expresses concern for safety at the intersection of Floyd Avenue and Geary Street due to the increase in trucks accessing the site via Geary Street.

Response I3.2: As discussed in Section 5.12, *Transportation*, of the DEIR, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. This portion of the roadway improvement not abutting the Project site boundary would include paving at a width of 36-feet and would not include the construction of sidewalks or curbs. All road improvements would be subject to a street improvement plan review by the City, which would ensure that road improvements are design and constructed according to City standards. Trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access to the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. Truck circulation would not access the site via Ethanac Road southbound on Geary Street. Furthermore, it should be noted that the proposed Project would comply with the City's Industrial Good Neighbor Policies which require that warehouse, logistics, and distribution to minimize impacts to sensitive uses, protect of public health, safety, and welfare by regulating the design, location and operation of facilities; and protect neighborhood character of adjacent communities. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment I3.3: This comment states that they would like noise and air quality issues addressed due to the proximity of the warehouse and the truck routes to the nearby residences. The comment further states that the additional noise and unhealthy air quality impacts imposed from the Project should mitigated thoroughly.

Response I3.3: Impacts related to air quality and noise are discussed in Sections 5.2, *Air Quality*, and 5.10, *Noise*, of the DEIR. Impacts related to regional air quality as well as for localized significance thresholds were found to be less than significant with the implementation of SCAQMD rules and guidelines. A construction and operational Health Risk Assessment was also conducted and included as Appendix G to the DEIR found that cancer and non-cancer health risks would be below thresholds through both construction and operation of the proposed Project. Noise impacts were analyzed in Section 5.10 of the DEIR and found that noise impacts to sensitive receptors during construction activities would be less than significant with the implementation of PPP NOI-1 and PPP NOI-2 and Project Design Features 1 through 6. Impacts related to the operation of the proposed warehouse would also be less than significant, however noise generated from offsite traffic would result in a significant and unavoidable impact on Geary Road. Section 5.10 of the DEIR explores potential mitigation measures such as noise barriers and rubberized asphalt and came to the conclusion that these measures are not feasible to reduce impacts, consistent with the findings of the General Plan EIR. The commenter does not provide any evidence that the suggested mitigation measures would

actually or substantially reduce the Project's noise and air quality impacts. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.). As disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR discusses all feasible mitigation measures that are capable of substantially reducing the Project's noise impacts and no revisions to the EIR or additional mitigation measures are required.

Comment 13.5: This comment further states that while there is a proposed retaining wall along the northern property line, residences along Floyd Avenue are still greatly exposed to potential air and noise impacts from trucks utilizing Geary Street.

Response 13.5: Please see Response L3.4 above. Impacts related to regional air quality as well as for localized significance thresholds were found to be less than significant with the implementation of SCAQMD rules and guidelines. A construction and operational Health Risk Assessment was also conducted and included as Appendix G to the DEIR found that cancer and non-cancer health risks would be below thresholds through both construction and operation of the proposed Project. Noise impacts were analyzed in Section 5.10 of the DEIR and found that noise impacts to sensitive receptors during construction activities would be less than significant with the implementation of PPP NOI-1 and 2 and Project Design Features 1 through 6. Impacts related to the operation of the proposed warehouse would also be less than significant, however noise generated from offsite traffic would result in a significant and unavoidable impact on Geary Road. Section 5.10 of the DEIR explores potential mitigation measures such as noise barriers and rubberized asphalt and came to the conclusion that these measures are not feasible to reduce impacts, consistent with the findings of the General Plan EIR. The commenter does not provide any evidence that the suggested mitigation measures would actually or substantially reduce the Project's noise and air quality impacts.

Comment 13.6: This comment states that the DEIR does not adequately analyze the impacts from the proposed Project on the residences on Floyd Avenue and the improvement along Geary Street.

Response 13.6: As discussed in Section 5.12, *Transportation*, of the DEIR, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. This portion of the roadway improvement not abutting the Project site boundary would include paving at a width of 36-feet and would not include the construction of sidewalks or curbs. All road improvements would be subject to a street improvement plan review by the City, which would ensure that road improvements are design and constructed according to City standards. Trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment 13.7: This comment expresses concern for the longer wait times at the entrance of Floyd Avenue on Murrieta Road due to the increase in traffic from trucks and workers accessing the site.

Response 13.7: Per CEQA Guidelines Section 15064.3, automobile delay is no longer considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The discussion included in the DEIR concerning Level of Service (LOS) was provided for informational purposes only for the City's use in evaluating the proposed Project and considering conditions of approval outside of CEQA's framework. This is clearly identified in Section 5.12, *Transportation*, where it states that the LOS analysis is intended for "Non-CEQA Level of Service Analysis – For Informational Purposes Only."

Furthermore, it should be noted that a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. Appendix K, *Traffic Impact Analysis*, of the DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. Furthermore, the Traffic Impact Analysis provides an analysis and recommended improvements for both Project specific traffic-related impacts and cumulative traffic-related impacts. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment 13.8: This comment states that the greatest concern for the commenter is the Project size and the use of Geary Street to operate "off-site." The commenter further states that the Project is poorly cited for its proposed warehouses use and should be downsized to only operate within the Project site or to buy the nearby residences out of their property.

Response 13.8: The commenter incorrectly states that the Project proposes "off-site" operational activity on Geary Street. Geary Street would be improved and paved which would result in construction activities and would be utilized for outbound truck circulation exiting the Project site northbound. Once operational, trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment 13.9: This comment concludes the letter by stating that the negative impact on the commenters' daily lives should be taken into consideration.

Response 13.9: This comment is conclusionary in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Revisions to the Draft EIR

This section contains revisions to the Draft EIR based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. The revisions do not alter any of the significance conclusions that were previously disclosed in the Draft EIR. Changes made to the Draft EIR are identified here in ~~strikeout~~ text to indicate deletions and in bold double underlined text (i.e., **bold double underlined**) to signify additions. These changes are meant to provide clarification, corrections, or minor revisions made to the Draft EIR initiated by the Lead Agency, the City of Menifee, and reviewing agencies, the public, and/or consultants based on their review. Text changes are presented in the section and page order in which they appear in the Draft EIR. None of the corrections or additions constitute significant new information or substantial project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

3.1 REVISIONS IN RESPONSE TO WRITTEN COMMENTS AND CITY CHANGES TO TEXT

The following text, organized by Draft EIR Sections, has been revised in response to comments received on the Draft EIR and corrections identified by the City.

Section 1.0, Executive Summary

Page 1-4, Section 1.3, *Project Objectives*, is revised as follows:

1.3 PROJECT OBJECTIVES

The Murrieta Road Warehouse Project has been designed to meet a series of Project-specific objectives that have been carefully crafted in order to aid decision makers in their review of the Project and its associated environmental impacts. The primary purpose of the proposed Project is to develop a vacant or underutilized property with a speculative warehouse building to provide an employment-generating use to help grow the economy in the City of Menifee. The Project would achieve this goal through the following objectives.

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

Section 3.0, Project Description

Page 3-2, Section 3.3, Project Objectives, is revised as follows:

3.3. PROJECT OBJECTIVES

The Murrieta Road Warehouse Project has been designed to meet a series of Project-specific objectives that have been carefully crafted in order to aid decision makers in their review of the Project and its associated environmental impacts. The primary purpose of the proposed Project is to develop a vacant or underutilized property with a speculative warehouse building to provide an employment-generating use to help grow the economy in the City of Menifee. The Project would achieve this goal through the following objectives.

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

Section 5.2, Air Quality

Page 5.2-41 and 5.2-42, in Section 5.2.8, Existing Plans, Programs, and Policies, is revised as follows:

Plans, Programs, and Policies

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

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

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

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

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

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

Section 5.3, Biological Resources

Page 5.3-22, Section 5.3.11, *Mitigation Measures*, is revised as follows:

5.3.11 MITIGATION MEASURES

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

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

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

Section 5.6, Greenhouse Gas Emissions

Page 5.6-21, Section 5.6.9, *Project Design Features*, is revised as follows:

5.6.9 PROJECT DESIGN FEATURES

None.

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

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

Section 5.9, Land Use and Planning

Page 5.9-12, Table 5.9-1: SCAG RTP/SCS Consistency Analysis, is revised as follows:

Table 5.9-1: SCAG RTP/SCS Consistency Analysis

RTP/SCS Goal Statements	Project Consistency
Goal 5: Reduce greenhouse gas emissions and improve air quality.	Consistent. While the Project would not improve air quality <u>and would have a significant and unavoidable GHG emissions impact as described in Section 5.6, Greenhouse Gas Emissions.</u> it would not prevent SCAG from implementing actions that would improve air quality within the region. Mitigation measures are specified to reduce the Project's greenhouse gas impacts to the maximum extent feasible, and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy

RTP/SCS Goal Statements	Project Consistency
	Efficiency Standards. <u>Furthermore, as discussed within Section 5.2, Air Quality, the proposed Project would be below SCAQMD thresholds for criteria air pollutants.</u>
Goal 6: Support healthy and equitable communities.	Consistent. The Project would be constructed consistent with the City of Menifee General Plan land use designation/zoning classification and associated development standards. The Project would be constructed to current building codes, and state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents. <u>Furthermore, a Health Risk Assessment (Appendix G) was prepared for the proposed Project and determined all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.</u>
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Consistent. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. <u>Although the proposed Project would have a significant and unavoidable GHG emissions impact as described in Section 5.6, Greenhouse Gas Emissions, implementation of the proposed Project would not conflict with this goal. Furthermore, the proposed Project would implement all feasible mitigation measures, including MM GHG-1 through MM GHG-89, as described within Section 5.6, Greenhouse Gas Emissions.</u>

Section 5.10, Noise

Page 5.10-32, Section 5.10.6, *Environmental Impacts*, is revised as follows:

Off-Site Traffic Noise

Significant and Unavoidable Impact. The proposed Project would generate traffic-related noise from operation. As described in Section 3.0, *Project Description*, access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. To identify the potential of traffic from the proposed Project to generate noise impacts, noise contours were developed based on the Traffic Impact Analysis included as Appendix K. Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway.

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

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

Page 5.10-24, Section 5.10.7, *Cumulative Impacts*, is revised as follows:

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. **A significant impact would result only if both the difference between existing and opening year with project (combined effects) and difference between opening year without project and opening year with project (incremental effects) thresholds have been exceeded, and the resultant noise level exceeds the Normally Acceptable land use compatibility noise standard. Noise, by definition, is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.** Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the opening year cumulative traffic volumes on the roadways in the Project vicinity. The noise levels associated with these traffic volumes with the proposed Project were identified previously in Table 5.10-20 and 5.10-21. As shown, cumulative development along with the proposed Project would increase local noise levels above the threshold for those roadway segments, therefore cumulative impacts associated with traffic noise would also be cumulatively considerable and significant and unavoidable, consistent with the cumulative traffic noise impact identified by the 2013 General Plan EIR.

Additionally, Table 5.10-24 presents a summary of the cumulative and project incremental noise level increases for each of the study area roadway segments. The cumulative traffic noise analysis describes the future changes in noise levels in comparison to the existing baseline noise levels. As shown in Table 5.10-24, the overall increase in off-site traffic noise levels from the existing (baseline) to the Opening Year with Project Scenario 1 conditions ranges from 0.5 to 17.6 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, nine of the study area roadway segments are shown to experience potentially significant off-site traffic noise level increases due to cumulative traffic conditions. The Project increment shown in Table 5.10-24 represents the difference between the Opening Year without Project and the Opening Year with Project Scenario 1 is shown to range from 0.0 to 17.2 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 5.10-3, land uses adjacent to the study area roadway segments are shown to experience potentially significant noise level impacts due to the Project-related traffic. Therefore, the Project contributions to the off-site cumulative traffic noise levels are cumulatively considerable for two of the impacted roadway segments, as identified above.

Figure 5.10-24: Cumulative Offsite Traffic Noise Increases

ID	Roadway	Segment	Receiving Land Use	CNEI at Receiving Land Use (dBA CNEI)			Cumulative Conditions			Cumulatively Considerable Project Contribution		
				Existing No Project (a)	OY Without Project (b)	OYP2 With Project (c)	Cumulative Increase (c-a)	Cumulative Limit	Cumulative Impact?	Project Increment (c-b)	Project Limit	Project Impact?
1	Geary St.	s/o Ethanac Rd.	Sensitive	48.3	48.7	65.9	17.6	1.5	Yes	17.2	1.5	Yes
2	Murrieta Rd.	n/o Ethanac Rd.	Sensitive	64.9	71.4	71.4	6.5	1.5	Yes	0.0	1.5	No
3	Murrieta Rd.	s/o Ethanac Rd.	Sensitive	68.1	68.6	70.3	2.2	1.5	Yes	1.7	1.5	Yes
4	Murrieta Rd.	n/o Circulation Dwy.	Non-Sensitive	68.2	68.8	69.7	1.5	1.5	Yes	0.9	1.5	No
5	Murrieta Rd.	n/o McLaughlin Rd.	Non-Sensitive	68.2	68.7	68.7	0.5	1.5	No	0.0	1.5	No
6	Ethanac Rd.	w/o Geary St.	Sensitive	73.6	75.9	75.9	2.3	1.5	Yes	0.0	1.5	No
7	Ethanac Rd.	w/o Murrieta Rd.	Sensitive	73.8	75.9	76.5	2.7	1.5	Yes	0.6	1.5	No
8	Ethanac Rd.	e/o Murrieta Rd.	Sensitive	74.4	78.3	79.0	4.6	1.5	Yes	0.7	1.5	No
9	Ethanac Rd.	w/o Barnett Rd.	Non-Sensitive	74.3	78.2	79.0	4.7	1.5	Yes	0.8	1.5	No
10	Ethanac Rd.	e/o Barnett Rd.	Non-Sensitive	76.0	79.8	80.4	4.4	1.5	Yes	0.6	1.5	No

Source: Urban Crossroads, 2024 (Appendix A).

Page 5.10-42, Section 5.10.8, Existing Regulations and Plans, Programs, or Policies, is revised as follows:

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

Appendix H, Noise Report

Appendix H of the DEIR has been revised and is included as Appendix A of the FEIR:

Page 38 of Appendix A includes revisions to Section 7.6, *Offsite Cumulative Traffic Impacts*, consistent with the above revisions to the DEIR Section 5.10, *Noise*. Page 43 of Appendix A now includes the addition of Table 7-11, *Cumulative Offsite Traffic Noise Increases*, consistent with the above revisions to the DEIR Section 5.10, *Noise*.

Appendix K, Traffic Impact Analysis

Appendix K of the DEIR has been revised and is included as Appendix B of the FEIR:

Table 5.5 within Appendix C, *Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 1 – No Signal)*, has been revised to show the correct Opening Year AM Peak Hour Delay for Intersection #8 consistent with Table 5.6 of Appendix C, *Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 2 – With Signal)*.

4. Mitigation Monitoring and Reporting Program

4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Murrieta Road Warehouse Project (Project). The City of Menifee is the Lead Agency for the Project and is responsible for implementation of the MMRP. This section describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

4.2 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Murrieta Road Warehouse Project. The table identifies the Standard Conditions of Approval; Plans, Programs, and Policies (PPPs); Project Design Features (PDFs); and Mitigation Measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As the PPPs and Mitigation Measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**Table 4-1: Mitigation Monitoring and Reporting Program
Murrieta Road Warehouse Project Final EIR**

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AIR QUALITY			
<p>Plan, Program, or Policy (PPP) AQ-1: SCAQMD Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less. 	In construction plans and specifications. Prior to construction permits.	City of Menifee Engineering/Public Works Department and SCAQMD.	
<p>Plan, Program, or Policy (PPP) AQ-2: SCAQMD Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>	In construction plans and specifications. Prior to construction permits.	City of Menifee Building & Safety Division and SCAQMD.	
<p>Plan, Program, or Policy (PPP) AQ-3: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	In construction plans and specifications. During Project operation. Prior to grading and building permits.	City of Menifee Building & Safety Division, Engineering/Public Works Department, and SCAQMD.	
<p>Plan, Program, or Policy (PPP) AQ-4: Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. The Project is required to obtain a permit from SCAQMD for the proposed diesel fire pump and would be required to comply with Rule 1470, regulating the use of diesel-fueled internal combustion engines.</p>	Prior to issuance of certificates of occupancy permits.	City of Menifee Building & Safety Division and SCAQMD.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Plan, Program, or Policy PPP AQ-5: Rule 2305 - Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 2305 and Rule 316.	Prior to issuance of certificates of occupancy permits.	City of Menifee Building & Safety Division and SCAQMD.	
BIOLOGICAL RESOURCES			
Plan, Program, or Policy (PPP) BIO-1: California Fish and Game Code, Sections 3503.5, 3511, 3515. Section 3503.5 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that it is unlawful to take any non-game migratory bird protected under the MBTA.	Prior to the issuance of grading permits.	Qualified biologist and City of Menifee Community Development Department.	
<p>Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. A 30-day preconstruction survey is required prior to the commencement of project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding project activities. A qualified biologist shall conduct the survey and submit the results of the survey to the City of Menifee Planning Division prior to obtaining a grading permit.</p> <p>If burrowing owl are not detected during the preconstruction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed within the established buffer area. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active.</p>	Prior to the commencement of Project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering).	Qualified biologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.</p> <p>If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a preconstruction survey will again be required to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above shall be required.</p>			
<p>Mitigation Measure BIO-2: Nesting Bird Survey. Vegetation removal is recommended to be conducted during the non-nesting season for migratory birds to avoid direct impacts. The non-nesting season is between September 1 and January 31. If vegetation removal occurs during the migratory bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal or ground disturbing activities. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If active nests are found during nesting bird surveys, they shall be flagged and a no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet for raptors and special status species) shall be determined by the biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. A biological monitor shall visit the site a minimum of once a week during ground disturbing activities to ensure all fencing is in place and no sensitive species are being impacted. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.</p>	<p>Prior to the issuance of grading permits. Conduct take avoidance surveys for nesting birds if vegetation removal occurs during nesting bird season. Submittal of pre-activity nesting bird field survey results report (during Feb 1 – Aug 31). Three days prior to initiating vegetation removal/clearing.</p>	<p>Qualified biologist and City of Menifee Community Development Department.</p>	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
CULTURAL RESOURCES			
<p>Mitigation Measure CUL-1: Cultural Resources Monitoring Program. Monitoring during ground-disturbing activities, such as grading or trenching, by a qualified archaeologist is required to ensure that if buried features (i.e., human remains, hearths, or cultural deposits) are present, they will be handled in a timely and proper manner. The scope of the monitoring program is provided below:</p> <ul style="list-style-type: none"> • Prior to issuance of a grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency. • The project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. • The certified archaeologist shall attend the pregrading meeting with the contractors to explain and coordinate the requirements of the monitoring program. • During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on-site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated. • Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed. • Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. • All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be 	Prior to issuance of permits required to conduct ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.</p> <ul style="list-style-type: none"> • A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site Forms. 			
<p>Standard Condition CUL-1: 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).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	During ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, and recommendations of the project archaeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."</p>			
<p>Standard Condition CUL-2: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>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:</p> <ol style="list-style-type: none"> 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 	During ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>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.</p>			
<p>Standard Condition CUL-3: 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.</p> <p>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.</p> <p>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.</p> <p>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</p>	<p>During ground-disturbing activities and prior to first building permit.</p>	<p>Qualified archaeologist and City of Menifee Community Development Department.</p>	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) Project grading and development scheduling; b) The Project archaeologist and the Consulting Tribe(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis; c) The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. 			
<p>Standard Condition CUL-4: Archeology Report - Phase III and IV. Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archaeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Prior to final inspection of the first building permit associated with each phase of grading.</p>	<p>Qualified archaeologist and City of Menifee Community Development Department.</p>	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
ENERGY			
Plan, Program, or Policy (PPP) E-1: CalGreen Compliance: The Project is required to comply with the CalGreen Building Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.	Prior to issuance of building permits.	City of Menifee Building & Safety Division.	
GEOLOGY AND SOILS			
<p>Mitigation Measure GEO-1: Paleontological Resource Impact Mitigation Program (PRIMP). Prior to issuance of grading permits, the applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a PRIMP, subject to the guidelines outlined below, and the guidelines of the Society of Vertebrate Paleontology (2010) for any mass grading and excavation-related activities, including utility trenching, during construction within the property. This PRIMP, when implemented, would reduce potential impacts to paleontological resources to a level below significant:</p> <ol style="list-style-type: none"> 1. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable. 2. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor supervised by a qualified paleontologist. Starting at five feet below the surface, monitoring shall be conducted full-time in areas of grading or excavation in undisturbed Pleistocene very old alluvial fan deposits. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level. 3. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery. 	Prior to issuance of grading permits.	Qualified paleontologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>4. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.</p> <p>5. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils are collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils are collected in a similar manner, with notes and photographs being taken before removing the fossils. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.</p> <p>6. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.</p> <p>7. In accordance with the "Microfossil Salvage" section of the SVP guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.</p> <p>8. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).</p>			

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>9. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.</p> <p>10. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the WSC) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (the City of Menifee) will be consulted on the repository/museum to receive the fossil material.</p> <p>11. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions. When the final report of findings is accepted by the Community Development Director it will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.</p> <p>12. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.</p>			
GREENHOUSE GAS EMISSIONS			
<p>Mitigation Measure GHG-1: Prior to issuance of tenant occupancy permits, the Project applicant shall be required to install a minimum 101.3 kW DC solar photovoltaic (PV) system or offset an equivalent amount of energy demand through the purchase of renewable energy or implementation of alternative renewable measures, subject to approval by the Community Development Director or his/her designee and SCE. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the Project</p>	<p>Prior to issuance of tenant occupancy permits.</p>	<p>City of Menifee Community Development Department.</p>	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25 percent larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25 percent excess demand capacity.			
<p>Mitigation Measure GHG-2: Prior to issuance of tenant occupancy permits, Project operators with more than 100 employees shall prepare and submit to the Community Development Director or designee, a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> • Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options. • Incorporate bicycle parking and storage, and self-service bicycle repair areas. • Provide employee break areas as well as kitchen amenities for employees to prepare and/or heat meals. • Promote a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes. • Post Riverside Transportation Authority schedules in conspicuous areas. • Reference Riverside Transportation Authority schedules when creating employees' operating schedules. 	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
<p>Mitigation Measure GHG-3: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage equipment for warehousing</p>	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department City of Menifee Building and Safety Division.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
purposes. Cold storage was not included in the analysis for the EIR and is therefore prohibited.			
Mitigation Measure GHG-4: The tenant shall provide information packet that: <ul style="list-style-type: none"> Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On- Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped. Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall be encouraged to use carriers that are SmartWay carriers. 	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
Mitigation Measure GHG-5: Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready", with all necessary conduit installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed and operational. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles.	Prior to issuance of certificates of occupancy.	City of Menifee Community Development Department	
Mitigation Measure GHG-6: The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with County standards for Recyclable Collection and Loading Areas, and the facility's operator shall be required to provide the City with a copy of the Project's recycling program. This mitigation measure applies only to tenant permits and not the building shell approvals.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
Mitigation Measure GHG-7: Prior to issuance of building permits, building plans shall identify the location of future electric truck charging stations (minimum of three) and install conduit to those spaces.	Prior to issuance of building permits.	City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Mitigation Measure GHG-8: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include conveyance of natural gas utility lines and that the Project will not use natural gas cargo handling equipment and shall be electric and non-diesel powered, per contemporary industry standards and as required City of Menifee Good Neighbor Policies.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	
Project Design Feature (PDF) GHG-1: Tier 4 Interim Construction Equipment. In order to comply with the City of Menifee Good Neighbor Policies the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. Prior to grading permits, the City of Menifee Building and Safety Division shall confirm that the Project utilizes at minimum, Tier 4 Interim compliant construction equipment (or electric) as well as Tier 4 Interim compliant final engines. Offroad construction equipment shall be consistent with, and meet, at minimum, Tier 4 Interim standards as specified in Title 40 of the Code of Federal Regulations Part 1039. The Project shall also be required to keep construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items listed above. Maintenance records shall be kept on-site and furnished to the City upon request. The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large fleets, defined by the CARB as, "A fleet with a total max hp (as defined below) greater than 5,000 hp." In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.	Prior to issuance of grading permits.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
HYDROLOGY AND WATER QUALITY			
Plan, Program, or Policy (PPP) HYD-1: NPDES/SWPPP. Prior to issuance of any grading permits, the applicant shall provide the City Building and Safety Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.	Prior to issuance of a demolition or grading permits.	City of Menifee Engineering/Public Works Department. City of Menifee Building and Safety Division.	
Plan, Program, or Policy (PPP) HYD-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of a grading permit.	City of Menifee Engineering/Public Works Department. City of Menifee Building and Safety Division.	
NOISE			
Plan, Program, or Policy (PPP) NOI-1: Construction Noise. The Menifee Municipal Code Section 8.01.010 permits construction activities Monday through Saturday from 6:30 a.m. to 7:00 p.m. and prohibits construction on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.	During grading/excavation, and construction activities.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	
Plan, Program, or Policy (PPP) NOI-2: Off-site Construction Noise on Ethanac Road. Construction associated with the proposed off-site storm drain line improvement, specifically the portion of construction of the offsite storm drain line improvement on Ethanac Road within the City of Perris Jurisdiction, is required to adhere to the construction noise hours permitted by Section 7.34.060 of the Perris Municipal Code which states: construction is permitted between the hours of 7:00 a.m. and 7:00 p.m., and is not permitted on Sundays or on any legal holiday, with the exception of Columbus Day and Washington's birthday.	During grading/excavation, and construction activities.	City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Project Design Feature (PDF) NOI-1: Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.	During grading/excavation, and construction activities.	City of Menifee Building & Safety Division and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-2: All stationary construction equipment shall be placed in such a manner so that the emitted noise is directed away from any sensitive receivers.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-3: Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-4: The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment (between the hours of 6:30am to 7:00pm, with no deliveries allowed on Sundays and nationally recognized holidays.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-5: Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-6: No music or electronically reinforced speech from construction workers shall be allowed.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
PUBLIC SERVICES			
Plan, Program, or Policy (PPP) PS-1: Development Impact Fees. The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).	Prior to issuance of certificates of occupancy or prior to building permit final inspection.	City of Menifee Community Development Department.	
TRANSPORTATION			
Project Design Feature (PDF) TRA-1: Sidewalks. The Project would construct 6-foot-wide sidewalks along the Project's frontage on Geary Street, Murrieta Road and the new driveway south of the building.	Prior to issuance of certificates of occupancy.	City of Menifee Engineering/Public Works Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
TRIBAL CULTURAL RESOURCES			
Mitigation Measure TCR-1: Native American Monitoring (Pechanga & Soboba). Tribal monitor(s) from both tribes shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseño, as well as the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.	Prior to issuance of permits associated with ground-disturbing activities; Monitoring during ground-disturbing activities.	City of Menifee Community Development Department.	
Plan, Program, or Policy (PPP) TCR-1: Human Remains. Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	
Standard Condition TCR-1: Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The county Coroner must be notified of the find immediately. The remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) within the period specified by law (24 hours). The NAHC will determine and notify a "most likely descendant." With the permission of the landowner or his/her authorized representative, the most likely descendent may inspect the site of the discovery. This inspection	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
shall be completed within 48 hours of notification by the NAHC. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.			
Standard Condition TCR-2: Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code section 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code section 7927.000.	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	

EXHIBIT A

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

1.0 INTRODUCTION

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

1.1 FINDINGS OF FACT

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

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR [referred to in these Findings as “Finding 1”].
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency [referred to in these Findings as “Finding 2”].
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR [referred to in these Findings as “Finding 3”].
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

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

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

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

1.2 RECORD OF PROCEEDINGS

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

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

1.3 DOCUMENT FORMAT

These Findings have been organized into the following sections:

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

1.4 CUSTODIAN AND LOCATION OF RECORDS

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

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

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

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

2.0 PROJECT SUMMARY

2.1 PROJECT LOCATION

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

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

2.2 PROJECT DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

2.3 DISCRETIONARY ACTIONS

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

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

2.4 STATEMENT OF PROJECT OBJECTIVES

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

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

3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

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

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

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

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

4.0 CEQA FINDINGS OF INDEPENDENT JUDGEMENT

4.1 INDEPENDENT REVIEW AND ANALYSIS

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

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

5.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

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

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

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

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

For those environmental impacts that were analyzed in the Draft EIR, the City determined, based upon the CEQA threshold criteria for significance, that the Project would have no impact or a less-than-significant impact to the following environmental topic areas, and that no mitigation measures were required. This determination is based upon the environmental analysis in the Draft EIR and the comments received on the Draft EIR. The City hereby finds that existing regulatory requirements, policies, and/or Project conditions have been identified and incorporated into the Project which avoids or substantially lessens the potentially significant effect on the environment to a less than significant level. No substantial evidence was submitted to or identified by the City which indicated that the Project would result in a significant impact related to the following.

5.1 AESTHETICS

5.1.1 SCENIC VISTAS

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

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

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

5.1.2 SCENIC RESOURCE DAMAGE WITHIN A STATE SCENIC HIGHWAY

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

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

5.1.3 SCENIC QUALITY

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

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

5.1.4 SOURCES OF LIGHT OR GLARE

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

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

5.1.5 CUMULATIVE AESTHETICS IMPACTS

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

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

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

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

5.2 AGRICULTURE AND FORESTRY RESOURCES

5.2.1 CONVERSION OF AGRICULTURAL LANDS AND FORESTLANDS

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

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

5.2.2 WILLIAMSON ACT CONTRACT

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

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

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

5.2.3 TIMBERLAND PRODUCTION

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

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

5.2.4 FORESTLAND

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

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

5.2.5 CONVERSION OF FARMLAND

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

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

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

5.2.6 CUMULATIVE AGRICULTURE

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

Facts in Support of Finding:

Agricultural Resources

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

Forestry Resources

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

5.3 AIR QUALITY

5.3.1 CONFLICT WITH AN APPLICABLE AIR QUALITY PLAN

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

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

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

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

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

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

5.3.2 CUMULATIVELY CONSIDERABLE NET INCREASE OF CRITERIA POLLUTANTS

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

Facts in Support of Finding:

Construction

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

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

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

Operation

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

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

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

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

5.3.3 EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS

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

Facts in Support of Finding:

CO Hotspots

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

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

Localized Construction Air Quality Impacts

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

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

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

Localized Operational Air Quality Impacts

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

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

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

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

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

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

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

Diesel Mobile Source Health Risk

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

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

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

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

Residential Exposure

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

5.3.4 OTHER EMISSIONS

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

5.3.5 CUMULATIVE AIR QUALITY IMPACTS

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

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

5.4 BIOLOGICAL RESOURCES

5.4.1 WETLANDS

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

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

5.4.2 LOCAL POLICIES AND ORDINANCES

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

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

5.5 CULTURAL RESOURCES

5.5.1 HISTORICAL RESOURCES

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

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

5.5.2 DISTURBANCE OF HUMAN REMAINS

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

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

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

5.6 ENERGY

5.6.1 WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY

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

Facts in Support of Finding:

Construction

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

Operation

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

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

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

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

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

5.6.2 CONFLICT WITH PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY

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

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

5.6.3 CUMULATIVE ENERGY IMPACTS

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

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

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

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

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

5.7 GEOLOGY AND SOILS

5.7.1 EXPOSE PEOPLE OR STRUCTURES TO FAULT RUPTURE

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

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

5.7.2 EXPOSE PEOPLE OR STRUCTURES TO STRONG SEISMIC GROUND SHAKING

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

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

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

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

5.7.3 EXPOSE PEOPLE OR STRUCTURES TO LANDSLIDES

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

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

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

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

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

5.7.4 SOIL EROSION OR LOSS OF TOPSOIL

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

Facts in Support of Finding:

Construction

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

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

Operation

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

5.7.5 EXPANSIVE SOIL

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

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

5.7.6 SOILS INCAPABLE OF SUPPORTING SEPTIC TANKS

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

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

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

5.7.7 CUMULATIVE GEOLOGICAL HAZARDS AND SOILS IMPACTS

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

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

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

5.8 HAZARDS AND HAZARDOUS MATERIALS

5.8.1 ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS

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

Facts in Support of Finding:

Construction

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

Operation

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

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

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

5.8.2 RELEASE OF HAZARDOUS MATERIALS AND THE POTENTIAL FOR UPSET CONDITIONS

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

Facts in Support of Finding:

Construction

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

Historical Use

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

Recognized Environmental Conditions.

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

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

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

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

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

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

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

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

5.8.4 CORTESE LIST

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

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

5.8.5 NEAR AN AIRPORT OR WITHIN AN AIRPORT LAND USE PLAN

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

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

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

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

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

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

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

Construction

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

Operation

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

5.8.7 WILDLAND FIRES

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

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

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

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

5.8.8 CUMULATIVE HAZARDS AND HAZARDOUS MATERIALS IMPACTS

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

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

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

5.9 HYDROLOGY AND WATER QUALITY

5.9.1 VIOLATE WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS

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

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

Facts in Support of Finding:*Construction*

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

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

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

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

Operation

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

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

PPP WQ-2: WQMP. As previously listed.

5.9.2 DEplete groundwater supplies or interfere with GROUNDWATER RECHARGE

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

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

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

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

5.9.3 EROSION OR SILTATION

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

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

Facts in Support of Finding:

Construction

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

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

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

Operation

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

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

Standard Conditions, Plans, Programs, and Policies

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

PPP WQ-2: **WQMP.** As previously listed.

5.9.4 SURFACE RUNOFF

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

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

Facts in Support of Finding:

Construction

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

Operation

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

PPP WQ-2: **WQMP.** As previously listed.

5.9.5 STORMWATER SYSTEM CAPACITY

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

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

5.9.6 IMPEDE OR REDIRECT FLOOD FLOWS

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

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

5.9.7 FLOOD HAZARD, TSUNAMI, OR SEICHE ZONES

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

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

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

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

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

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

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

PPP WQ-2: WQMP. As listed previously.

5.9.9 CUMULATIVE HYDROLOGY AND WATER QUALITY IMPACTS

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

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

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

Water Quality

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

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

Drainage

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

Groundwater Basin

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

Standard Conditions, Plans, Programs, and Policies

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

PPP WQ-2: WQMP. As listed previously.

5.10 LAND USE AND PLANNING

5.10.1 DIVISION OF AN EXISTING COMMUNITY

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

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

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

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

5.10.2 CONFLICT WITH LAND USE PLANS

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

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

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

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

5.10.3 CUMULATIVE LAND USE IMPACTS

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

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

5.11 MINERAL RESOURCES

5.11.1 LOSS OF KNOWN MINERAL RESOURCES

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

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

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

5.11.2 LOSS OF RESOURCE RECOVERY SITES

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

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

5.11.3 CUMULATIVE MINERAL RESOURCE IMPACTS

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

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

5.12 NOISE

5.12.1 EXCESSIVE GROUNDBOURNE VIBRATION OR GROUNDBOURNE NOISE LEVELS

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

Facts in Support of Finding:

Construction

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

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

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

Operation

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

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

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

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

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

5.13 POPULATION AND HOUSING

5.13.1 INDUCEMENT OF POPULATION GROWTH

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

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

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

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

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

5.13.2 DISPLACEMENT OF EXISTING HOUSING AND PEOPLE

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

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

5.13.3 CUMULATIVE POPULATION AND HOUSING IMPACTS

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

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

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

5.14 PUBLIC SERVICES

5.14.1 NEW OR PHYSICALLY ALTERED GOVERNMENT FACILITIES

Fire Protection Services

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

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

Police Services

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

Schools

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

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

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

Parks

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

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

Other Public Facilities

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

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

Cumulative Public Services Impacts

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

5.15 RECREATION

5.15.1 EXISTING RECREATIONAL FACILITIES

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

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

5.15.2 EXPANDED AND NEW RECREATIONAL FACILITIES

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

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

5.15.3 CUMULATIVE RECREATIONAL IMPACTS

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

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

5.16 TRANSPORTATION

5.16.1 CONFLICT WITH CIRCULATION SYSTEM PLAN, ORDINANCE, OR POLICY

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

Facts in Support of Finding:

Transit

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

Bicycle Facilities

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

Pedestrian Facilities

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

Truck Route Facilities

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

Roadway Facilities

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

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

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

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

5.16.2 VEHICLE MILES TRAVELED

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

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

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

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

5.16.3 DESIGN HAZARD

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

Facts in Support of Finding:*Construction*

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

Operation

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

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

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

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

5.16.4 EMERGENCY ACCESS

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

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

5.17 UTILITIES AND SERVICE SYSTEMS

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

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

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

Water

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

Wastewater

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

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

Stormwater Drainage

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

Solid Waste

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

Energy and Communications Utilities

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

Conclusion

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

5.17.2 SUFFICIENT WATER SUPPLIES

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

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

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

5.17.3 ADEQUATE CAPACITY FOR WASTEWATER TREATMENT

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

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

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

5.17.4 GENERATION OF SOLID WASTE

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

Facts in Support of Finding:

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

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

Construction

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

Operation

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

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

5.17.5 SOLID WASTE STATUTES AND REGULATIONS

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

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

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

5.17.6 CUMULATIVE UTILITY AND SERVICES SYSTEM IMPACTS

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

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

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

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

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

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

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

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

5.18 WILDFIRE

5.18.1 IMPAIR AN ADOPTED EMERGENCY RESPONSE PLAN

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

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

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

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

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

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

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

5.18.3 EXACERBATE FIRE RISK FROM INSTALLATION OR MAINTENANCE OF ASSOCIATED INFRASTRUCTURE

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

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

5.18.4 EXPOSE PEOPLE OR STRUCTURES TO SIGNIFICANT RISKS

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

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

5.18.5 CUMULATIVE WILDFIRE IMPACTS

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

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

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

6.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

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

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

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

6.1 BIOLOGICAL RESOURCES

6.1.1 CANDIDATE, SENSITIVE, OR SPECIAL-STATUS SPECIES

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

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

Facts in Support of Finding:

Plant Species

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

Animal Species

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

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

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

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

Mitigation Measures

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

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

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

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

6.1.2 ADVERSE IMPACTS ON WILDLIFE MOVEMENT

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

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

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

Mitigation Measures

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

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

6.1.3 CONFLICT WITH BIOLOGICAL RESOURCES PROTECTION POLICIES AND ORDINANCES

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

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

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

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

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

Mitigation Measures

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

6.1.4 CUMULATIVE BIOLOGICAL RESOURCE IMPACTS

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

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

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

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

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

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

Mitigation Measures

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

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

6.2 CULTURAL RESOURCES

6.2.1 ARCHAEOLOGICAL RESOURCES

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

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

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

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

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

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

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

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

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

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

Mitigation Measures

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

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

6.2.2 CUMULATIVE CULTURAL RESOURCE IMPACTS

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

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

Facts in Support of Finding:

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

Archaeological Resources

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

Standard Conditions, Plans, Programs or Policies

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

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

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

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

Mitigation Measures

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

6.3 GEOLOGY AND SOILS

6.3.1 PALEONTOLOGICAL RESOURCES AND UNIQUE GEOLOGIC FEATURES

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

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

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

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

Mitigation Measure

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

6.4 TRIBAL CULTURAL RESOURCES

6.4.1 REGISTER OF HISTORICAL RESOURCES

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

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

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

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

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

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

Mitigation Measures

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

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

6.4.2 PUBLIC RESOURCE CODE SECTION 5024.1

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

Mitigation Measures

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

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

6.4.3 CUMULATIVE TRIBAL CULTURAL RESOURCES IMPACTS

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

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

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

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

Standard Conditions, Plans, Programs, and Policies

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

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

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

Mitigation Measures

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

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

7.0 IMPACTS DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

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

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

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

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

7.1 GREENHOUSE GAS EMISSIONS

7.1.1 GENERATION OF GREENHOUSE GAS EMISSIONS

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

Facts in Support of Finding:*Construction*

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

Operation

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

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

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

Project Design Features

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

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

Mitigation Measures

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

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

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

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

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

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

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

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

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

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

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

7.1.2 CUMULATIVE GREENHOUSE GAS EMISSION IMPACTS

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

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

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

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

Mitigation Measures

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

7.2 NOISE

7.2.1 TEMPORARY AND PERMANENT NOISE IMPACTS

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

Facts in Support of Finding:

Onsite Construction

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

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

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

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

Offsite Construction

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

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

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

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

Nighttime Concrete Pour

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

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

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

Operation

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

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

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

Offsite Traffic Noise Impacts

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

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

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

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

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

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

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

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

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

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

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

Summary

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

Plans, Programs, or Policies

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

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

Project Design Features

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

7.2.2 CUMULATIVE NOISE IMPACTS

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

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

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

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

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

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

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

8.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

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

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

Impact Finding: The Project would not directly result in any significant growth-inducing impacts. The Project would not result in a net increase in the number of residents and employees on the Project site from the originally anticipated increase associated with development of the site (Draft EIR page 6-2).

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

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

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

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

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

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

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

9.0 FINDINGS REGARDING PROJECT ALTERNATIVES

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

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

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

9.1 RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

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

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

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

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

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

9.2 ALTERNATIVES CONSIDERED BUT REJECTED

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

9.2.1 ALTERNATE SITE ALTERNATIVE

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

9.3 ALTERNATIVES SELECTED FOR ANALYSES

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

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

9.3.1 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Description

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

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

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

Finding

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

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

Aesthetics

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

Agricultural and Forestry Resources

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

Air Quality

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

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

Biological Resources

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

Cultural Resources

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

Energy

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

Geology and Soils

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

Greenhouse Gas Emissions

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

Hazards and Hazardous Materials

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

Hydrology and Water Quality

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

Land Use and Planning

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

Noise

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

Population and Housing

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

Public Services

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

Recreation

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

Transportation

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

Tribal Cultural Resources

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

Utilities and Service Systems

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

Wildfire

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

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

Conclusion

Ability To Reduce Impacts

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

Ability To Achieve Project Objectives

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

9.3.2 ALTERNATIVE 2: 30 PERCENT REDUCED PROJECT ALTERNATIVE

Description

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

Finding

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

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

Aesthetics

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

Agricultural and Forestry Resources

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

Air Quality

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

Biological Resources

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

Cultural Resources

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

Energy

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

Geology and Soils

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

Greenhouse Gas Emissions

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

Hazards and Hazardous Materials

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

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

Hydrology And Water Quality

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

Land Use and Planning

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

Mineral Resources

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

Noise

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

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

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

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

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

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

Population and Housing

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

Public Services

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

Recreation

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

Transportation

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

Tribal Cultural Resources

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

Utilities and Service Systems

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

Wildfire

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

Conclusion

Ability to Reduce Impacts

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

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

Ability to Achieve Project Objectives

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

9.3.3 ALTERNATIVE 3: 51 PERCENT REDUCED PROJECT ALTERNATIVE

Description

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

Finding

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

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

Aesthetics

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

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

Agricultural and Forestry Resources

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

Air Quality

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

Biological Resources

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

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

Cultural Resources

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

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

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

Energy

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

Geology and Soils

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

Greenhouse Gas Emissions

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

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

Hazards and Hazardous Materials

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

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

Hydrology and Water Quality

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

Land Use and Planning

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

Mineral Resources

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

Noise

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

Population and Housing

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

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

Public Services

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

Recreation

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

Transportation

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

Tribal Cultural Resources

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

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

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

Utilities and Service Systems

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

Wildfire

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

Conclusion

Ability to Reduce Impacts

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

Ability to Achieve Project Objectives

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

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

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

Description

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

Finding

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

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

Aesthetics

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

Agricultural and Forestry Resources

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

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

Air Quality

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

Biological Resources

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

Cultural Resources

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

Energy

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

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

Geology and Soils

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

Greenhouse Gases

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

Hazards and Hazardous Materials

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

Hydrology and Water Quality

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

Land Use and Planning

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

Mineral Resources

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

Noise

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

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

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

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

Population and Housing

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

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

Public Services

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

Recreation

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

Transportation

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

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

Tribal Cultural Resources

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

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

Utilities and Service Systems

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

Wildfire

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

Conclusion

Ability to Reduce Impacts

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

Ability to Achieve Project Objectives

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

9.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

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

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

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

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

10.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

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

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

11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

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

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

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

11.1 OVERRIDING BENEFITS RESULTING FROM THE PROJECT

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

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

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

12.0 CERTIFICATION OF THE FINAL EIR

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

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

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

Findings:

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

Conclusions:

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

13.0 CONCLUSION

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

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

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RESOLUTION NO. PC24-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING PLOT PLAN NO. PLN22-0179 FOR THE 517,720 SQUARE-FOOT SPECULATIVE WAREHOUSE BUILDING ON APPROXIMATELY 28.27 ACRES LOCATED SOUTH OF FLOYD AVENUE, EAST OF GEARY STREET, WEST OF MURRIETA ROAD, AND NORTH OF MCLAUGHLIN ROAD.

WHEREAS, on July 12, 2022, the applicant, RPD Development, Inc. (“Applicant”), filed a formal application with the City of Menifee for the approval of Plot Plan (PP) No. PLN22-0179 for the construction of a 517,720 square-foot (SF) speculative warehouse building on an approximately 28.27-acre site. This environmental analysis includes a development buffer to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The Project site is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road within the City of Menifee (City), County of Riverside, State of California (APNs: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005); and

WHEREAS, collectively, all the applications are referred to as the “Project” or “Murrieta Road Warehouse Project”; and

WHEREAS, Conditions of Approval for PP No. PLN22-0179 have been prepared and attached hereto as Exhibit “A” of the resolution; and

WHEREAS, on October 23, 2024, the Planning Commission of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for the Project including the consideration of the Final Environmental Impact Report (FEIR), which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notices placed on the Project site, notice to property owners and non-owner residents within 500 feet of the Project boundaries, notice to all relevant agencies and to persons requesting notification; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Menifee resolves as follows:

Section 1: The City of Menifee’s Planning Commission hereby makes the following findings for PP No. PLN22-0179 in accordance with Title 9, Article 2, Chapter 9.80.70, “Findings for Approval for Plot Plans” of the City of Menifee Comprehensive Development Code:

Finding 1 - The proposed design and location of the Plot Plan is consistent with the adopted General Plan and any applicable specific plan.

The Project site has a General Plan land use designation of Economic Development Corridor – Northern Gateway (EDC-NG) which is intended to provide economic vitality and flexibility in land use options to promote

economic development along the City's major corridors. All development and design standards of the City of Menifee Development Code have been uniformly applied to the entirety of the Project, and the Project is consistent with the General Plan.

In addition, the Project is consistent with the following City of Menifee General Plan policies:

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

The proposed industrial Project is in close proximity to Ethanac Road, a designated truck route per the City's General Plan. Ethanac Road directly connects to the I-215 freeway interchange. The location is well suited for industrial development to promote easily accessible routes for employees and delivery personnel and the location helps concentrate activity and development near the major transit corridors of the City as opposed to the rural areas or traveling through residential areas.

- *LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.*

The Project's infrastructure improvements include new roadways, roadway widening, intersection improvements, and sidewalks. All these improvements will help promote multimodal transportation opportunities for employees and residents surrounding the Project site.

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

Perimeter landscaping have been provided to visually screen the parking lots, truck court, and drive aisles from surrounding roadways.

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

The Project is required to include security cameras at the entrances as well as within the property and the site has been designed to limit concealed areas to allow for greater visibility and security.

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

The proposed Project utilizes industrial architecture which focuses on efficiency for processing goods and products. The building is designed to prioritize employee safety and functionality. Nonetheless,

the building is still designed to meet the City's Industrial Good Neighbor Policies, as well as City of Menifee Design Guidelines such as building form, roof form, massing and articulation, materials and colors, windows, doors, and entries.

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

The architecture of the Project incorporates varied colors, recesses, varied roof lines, wall plane changes, glazing, and other architectural treatments that break up wall areas to avoid long expanses of blank, monotonous walls. Screen walls have also been designed to incorporate architectural elements from the building for compatibility. Additionally, dense perimeter landscaping is proposed to reduce the visual height of the building and truck court walls from the public view and to provide a visually pleasing street scene.

Finding 2 - The proposed project meets all applicable standards for development and provisions of this title.

Per Section 9.80.020 "Applicability" of the Development Code, new construction of non-residential projects of more than 2,500 square feet of floor area requires the processing of a PP. The PP is for the site and architectural review, to allow for the construction of one 517,720 SF warehouse building.

The Project was reviewed against the City's Development Code, Industrial Good Neighbor Policies, and Design Guidelines. The design of the Project is consistent with the development standards of the Development Code and the Industrial Good Neighbor Policies and Industrial Design Guidelines.

Under Section 9.215.070 of the City's Development Code ("Alternative Programs for Parking"), an industrial project is allowed to provide for alternative programs which reduce parking demand in return for a reduction in the number of off-street parking spaces required up to a maximum reduction of 15 percent of the required parking standard. The Project Applicant is requesting a 10 percent reduction. A total of 433 spaces are required (390 spaces with the 10 percent reduction [43-space reduction]) and 390 passenger car parking spaces are provided. The Project implements multiple alternative programs allowed under Section 9.215.070 including the provision of lot consolidation (five percent) and renewable energy (five percent) (i.e., photovoltaic system). In addition, the Project's Mitigation Monitoring and Reporting Program (MMRP) requires preferential parking spaces for employees who participate in a carpool or vanpool (two-space reduction for every one space marked for preferential parking).

Therefore, the proposed design and location of the PP meets all applicable standards of development and operation of the City's Zoning Code, including any applicable specific use regulations.

Finding 3 - The establishment, maintenance, or operation of the proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City.

To ensure the Project would not affect the general health, safety and/or welfare of the community, an Environmental Impact Report (EIR) was prepared to analyze potential impacts to the surrounding persons residing or working in the community. The EIR examined the Project including planning, construction and operation and determined potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Greenhouse Gas (GHG) Emissions and Noise. A Statement of Overriding Conditions (SOOC) is included for the EIR stating the impacts of the Project are outweighed by the benefits of the Project. With the exception of these environmental categories (GHG Emissions and Noise), the proposed entitlements are not anticipated to create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the project vicinity.

In addition, the Project incorporates quality architecture and landscaping which will enhance the surrounding area. The Project has been reviewed by a variety of Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Community Development, Engineering and Public Works, Office of the Fire Marshall, Police, Riverside County Environmental Health, Eastern Municipal Water District, Riverside County Flood Control District, California Department of Transportation, California Fish and Wildlife, and United States Department of Fish and Wildlife Resources. Some of these Departments have provided conditions of approval as appropriate to ensure compliance with applicable regulations.

The City of Menifee has two active conservation plans within the City's boundary, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR-HCP). The subject site is within the jurisdiction of the SKR-HCP and the Western Riverside County MSHCP. The Project site is located inside the SKR-HCP (*Dipodomys stephensi*) Fee Area. The proposed Project is located within the boundaries of the Western Riverside County MSHCP; however, the Project is not located within a Criteria Cell or Cell Group. The Project will be subject to the payment of fees consistent with Menifee Municipal Code Chapter 17.03 as adopted by the City of Menifee. Therefore, the Project will not conflict with the provisions of the adopted HCP, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan and the impact is considered less than significant.

NOW THEREFORE, the Planning Commission of the City of Menifee hereby approves the following:

1. That the Planning Commission determine that the "Findings" set out above are true and correct.

2. That the Planning Commission determine the environmental review has been completed for the Project in accordance with State and local laws, and CEQA guidelines.
3. That the Planning Commission, pursuant to a separate Resolution, finds the facts presented within the public record provide the basis to certify the Murrieta Road Warehouse Project FEIR, adopt the Findings of Fact and a SOOC, and MMRP, which have been completed for the Project.
4. That the Planning Commission finds the facts presented within the public record and within the Planning Commission Resolution provide the basis to approve PP No. PLN22-0179, and that the Planning Commission approve said entitlements.
5. The documents and materials that constitute the record of proceedings on which this resolution has been based are located at the Community Development Department – Planning Division, 29844 Haun Road, Menifee, CA 92586. This information is provided in compliance with Public Resources Code section 21081.6.

PASSED, APPROVED AND ADOPTED this the 23rd day of October 2024.

Jeff LaDue, Chairman

Attest:

Rachel Valencia, Administrative Assistant

Approved as to form:

Thai Phan, Assistant City Attorney

EXHIBIT "A"

CONDITIONS OF APPROVAL

Planning Application No.: **Plot Plan No. No. PLN 22-0179 ("Murrieta Road Warehouse Project")**

Project Description: **Plot Plan No. No. PLN 22-0179** includes development of an approximately 517,720-square foot (SF) speculative warehouse building. The environmental analysis includes a development buffer in order to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The 533,252 SF warehouse building would include approximately 20,320 SF of ground floor office space, 7,000 SF of mezzanine office space, 505,932 SF of warehouse space, and would be approximately 55 feet tall. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

The Project would include 90 dock-high doors and 4 grade-level truck doors. Approximately 128 trailer parking spaces would be provided in the northern truck court and 64 trailer parking spaces would be provided in the southern truck court, within areas secured by sliding gates. The proposed Project would also provide 409 passenger car parking spaces. Access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road.

The Project would also include approximately 137,363 SF of ornamental landscaping that would cover 11.0 percent of the site. The proposed Project includes an approximately 14-foot-high retaining and screen wall along the interior of the northern and southern truck courts (outside facing wall would be 8 feet high with a landscaping berm), which would taper to a 6-foot-high screen wall along the northern property line outside of the truck court. The Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements.

The Project is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road

State Clearinghouse No.: 2023110162

Assessor's Parcel No.: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through

330-571-005

MSHCP Category: Non-residential (Industrial)

DIF Category: Industrial

TUMF Category: Determined by Western Riverside Council of Governments (WRCOG)

Quimby Category: N/A

Approval Date: October 23, 2024

Expiration Date: October 23, 2027

Section I: Community Development Department Conditions of Approval

Section II: Engineering/Grading/Transportation Conditions of Approval

Section III: Building and Safety Department Conditions of Approval

Section IV: Riverside County Fire Department Conditions of Approval

Section V: Riverside County Environmental Health Conditions of Approval

Section I:
Community Development Department
Conditions of Approval

GENERAL CONDITIONS

1. **Indemnification.** Within 48 hours of project approval, the Applicant/developer shall submit the necessary agreements to indemnify, defend, and hold harmless the City of Menifee and its elected city council, appointed boards, commissions, committees, officials, employees, volunteers, contractors, consultants, and agents from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either the City's approval of the Project or actions related to the Property or the acts, omissions, or operations of the applicant/developer and its directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the applicant/developer with respect to the ownership, planning, design, construction, and maintenance of the Project and the Property for which the Project is being approved.
2. **Filing Notice of Determination.** Within 48 hours of project approval, the Planning Division will determine the appropriate fees for the Notice of Determination (NOD) filing and request the payment of fees to the City of Menifee in the form of a check or cash. Upon receipt of payment, the Planning Division will file the NOD with the relevant agencies as required under Public Resources Code, California Code of Regulations and California Fish and Game Code.
3. **Exhibits.** The project shall be constructed as approved by the Planning Commission on October 23, 2024, and as shown in Attachment No. 1 in the accompanying staff report. Any subsequent changes shall be processed per Menifee Municipal Code Section 9.30.120 Modifications to Previously Approved Permits.
4. **Mitigation Monitoring.** The applicant shall comply with, prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this Project which must be satisfied prior to the issuance of a grading permit for review and approval. The Community Development Director may require inspection or other monitoring to ensure such compliance.
5. **Ninety (90) Days.** The applicant has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.
6. **Subsequent Submittals.** Any subsequent submittals required by these Conditions of Approval, including but not limited to grading plan, building plan or mitigation monitoring review shall include appropriate fees paid as may be in effect at the time of submittal, as required by Resolution No. 24-1423 (Cost of Services Fee Study),

or any successor thereto. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

7. **Expiration Date.** This approval shall become null and void three (3) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, or an extension of time application has been submitted to the Planning Division prior to the expiration date. Extensions may be granted per Menifee Municipal Code.
8. **Place of Sale.** The General Contractor/Developer is requiring that all contractors and subcontractors on the site direct local tax to the City of Menifee wherever possible. This direction will not increase the contractor's tax liability; however, it will increase the percentage amount of tax revenue the City will receive. The Developer is requiring the contractors and subcontractors work together with City officials and consultants to achieve an equitable outcome.

The Developer will require the contractors and subcontractors to exercise their option to obtain a California Department of Tax & Fee Administration sub-permit for the job site and allocate all eligible use tax payments to the City of Menifee. This condition applies to only those contractors/sub-contractors with individual contracts over \$5 million. Prior to any construction on-site, the developer will require the contractor and subcontractor to provide the City of Menifee with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Developer/Contractor will provide the City/County and their consultant with a list of subcontractors associated with the project.

9. **Modifications or Revisions.** The applicant shall obtain City approval for any modifications or revisions to the approval of this project pursuant to Menifee Municipal Code Section 9.30.120 (Modifications to Previously Approved Permits), and such requests.
10. **Comply with Ordinances.** This project shall comply with the applicable standards of the City of Menifee Development Code, City of Menifee Municipal Code, City of Menifee Design Guidelines and all other applicable ordinances and State and Federal codes and regulations.
11. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of Title 7 of the City of Menifee Municipal Code, unless modified by the conditions listed herein.
12. **Causes for Revocation.** In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit may be subject to the City's authority to initiate applicable permit revocation procedures.

13. **Reclaimed Water.** The permittee shall connect to a reclaimed water supply for landscape watering purposes if secondary reclaimed water is available to the site at the time of grading permit issuance or as required by Eastern Municipal Water District.
14. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way and so as to prevent either the spillage of lumens or reflection into the sky.
15. **Phases.** Construction of this project may be done progressively in phases provided a phasing map is submitted with appropriate fees to the Planning Division and approved prior to issuance of any building permits.
16. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby, Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
17. **Outside Agencies.** The applicant shall comply with all comments and conditions of approval from any responsible agencies as shown in the attached letters from associated agencies.
18. **Anti-Graffiti Coating.** An anti-graffiti coating shall be provided on all block walls constructed as part of any phase of the Project, and written verification from the developer shall be provided to the Community Development Department.
19. **Property Maintenance.** All parkways, entryway medians, on-site and off-site landscaping, walls, fencing, recreational facilities, basins, and on-site lighting shall be maintained by the owner or private entity or the City of Menifee Community Facilities District (CFD).

All landscaping and similar improvements not properly maintained by a property owners association, individual property owners, or the common area maintenance director must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of a property owner's association, or any other successor-in-interest.

The owners of each individual lot shall be responsible for maintaining all landscaping between the curb of the street and the proposed sidewalk and side yard landscaping between the curb of the street and proposed fencing, unless the landscaping is included within a separate common lot maintained by an HOA or other entity acceptable to the City of Menifee.

20. **Business Registration.** Every person conducting a business within the City of Menifee, as defined in Menifee Municipal Code, Chapter 5.01, shall obtain a

business license. For more information regarding business registration, contact the Finance Department.

21. **Cold Storage Prohibited.** Per the Environmental Impact Report Mitigation, Monitoring and Reporting Plan, prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Community Development Department shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in the Environmental Impact Report and is therefore prohibited.
22. **Loading Areas.** Loading and/or unloading of goods/supplies shall occur in designated loading areas as shown on the approved exhibits. No loading or unloading is allowed within drive aisles, parking areas, or on adjacent public streets. Loading areas shall be kept free of debris and clean throughout the life of this plot plan.
23. **Outdoor Storage.** No outdoor storage is allowed unless otherwise approved as part of the project.
24. **Screening.** Sliding gates into loading areas visible from the street shall be constructed with wrought iron or tubular steel and perforated metal screening or equivalent durable material. The gate shall be painted to complement adjacent walls.
25. **Sound Dampening.** The design of dock-high loading doors shall minimize noise through installation of devices such as rubber seals and/or other sound-dampening features, and shall be included on the tenant improvement building permit plans.

Landscaping

26. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department and the South Coast Air Quality Management District (SCAQMD).
27. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.

Archeology

28. **Standard Condition TCR-1: Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The county Coroner must be notified of the find immediately. The remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) within the period specified

by law (24 hours). The NAHC will determine and notify a "most likely descendant." With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. This inspection shall be completed within 48 hours of notification by the NAHC. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

29. **Standard Condition TCR-2: Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code section 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code section 7927.000.
30. **Standard Condition CUL-1: 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.

Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be

presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, and recommendations of the project archaeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

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

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

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.

Paleontology

32. **Inadvertent Paleontological Find.** In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within fifty (50) feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the

discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the Community Development Department to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the Community Development Department for review and approval and the Project proponent shall implement the approval plan.

PRIOR TO ISSUANCE OF GRADING PERMIT

33. **Processing Fees.** Prior to issuance of building permits, the Planning Division shall determine if any deposit-based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
34. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby, Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
35. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
36. **Mitigation Measure CUL-1: Cultural Resources Monitoring Program.** Monitoring during ground-disturbing activities, such as grading or trenching, by a qualified archaeologist is required to ensure that if buried features (*i.e.*, human remains, hearths, or cultural deposits) are present, they will be handled in a timely and proper manner. The scope of the monitoring program is provided below:

Prior to issuance of a grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency.

The project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials.

The certified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.

During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on-site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.

Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.

Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.

A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site Forms.

37. **Standard Condition CUL-3: 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 California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:

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

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.

38. **Mitigation Measure TCR-1: Native American Monitoring (Pechanga & Soboba).** Tribal monitor(s) from both tribes shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseño, as well as the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.
39. **Mitigation Measure GEO-1: Paleontological Resource Impact Mitigation Program (PRIMP).** Prior to issuance of grading permits, the applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a PRIMP, subject to the guidelines outlined below, and the guidelines of the Society of Vertebrate Paleontology (2010) for any mass grading and excavation-related activities, including utility trenching, during construction within the property. This PRIMP, when implemented, would reduce potential impacts to paleontological resources to a level below significant:

1. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an

understanding of any mitigation measures required during construction, as applicable.

2. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor supervised by a qualified paleontologist. Starting at five feet below the surface, monitoring shall be conducted full-time in areas of grading or excavation in undisturbed Pleistocene very old alluvial fan deposits. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level.
3. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.
4. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
5. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils are collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils are collected in a similar manner, with notes and photographs being taken before removing the fossils. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.
6. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.

7. In accordance with the "Microfossil Salvage" section of the SVP guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.
8. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).
9. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.
10. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the WSC) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (the City of Menifee) will be consulted on the repository/museum to receive the fossil material.
11. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions. When the final report of findings is accepted by the Community Development Director it will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.
12. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking

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

If burrowing owl are not detected during the preconstruction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting

efforts are observed within the established buffer area. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.

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

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

PRIOR TO BUILDING PERMIT ISSUANCE

43. **Processing Fees.** Prior to issuance of building permits, the Community Development Department shall determine if the deposit-based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.

44. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
45. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
46. **Lighting.** Light fixtures shall be decorative and consistent with the City of Menifee Design Guidelines and included in the Building and Safety plans. Architecturally appropriate themed lighting fixtures shall be located along the project roads, project entrances, walkways, open space areas and other focal points on the project site and shall be subject to Community Development Department review and approval.
47. **Roof-Mounted Equipment Plans.** Prior to issuance of certificate of occupancy, Community Development staff will verify that all roof mounted equipment will be screened in compliance with approved plans.
48. **Electrical Cabinets.** All electrical cabinets shall be located inside a room that is architecturally integrated into the design of the building.
49. **Screening of Accessory Structures.** Screening of accessory structures (including mechanical equipment) shall be compatible in color and materials to primary structures.
50. **Double Detectors.** Double detector check valve assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or at site entries) and shall be well-screened with shrubs, berming, or low screen walls.
51. **Crime Prevention through Environmental Design Guidelines.** All plants, landscaping and foliage shall fall within current CPTED (Crime Prevention through Environmental Design) guidelines.
52. **Break Areas.** Outdoor employee break/lunch areas with seating, trash bins, shade and landscaping shall be provided near each office area and located away from loading, storage and trash areas. The exact location and design shall be shown on the landscape and irrigation plans and shall be reviewed and approved by the Community Development Department prior to building permit issuance. An indoor break area can be substituted for an outdoor break area at the discretion of the Community Development Director if the indoor break area is determined to provide superior amenities or if it is determined that there is no acceptable location for an outdoor break area near the office area.

53. **Security Systems.** Prior to the issuance of Building Permits, the applicant shall prepare a security plan for the site and submit to the Menifee Police Department for review and approval. The security plan for this project shall include a comprehensive security camera system that clearly depicts the entire parking field. This security camera system shall be 4k quality with High-Definition Resolution based in the building containing the management office for this development, or inside a security office or other place acceptable to the City of Menifee Police Department, that is accessible to law enforcement at all times of the day and night. The security camera system shall have a recording capacity to minimally save footage for a period of 30 days or as approved by the Police Department. While not required for all developments, the integration of Automated License Plate Reader (ALPR) technology at vehicle entrance and exit points is strongly recommended. This technology serves as a powerful investigative tool for law enforcement agencies when investigating criminal activity. ALPR cameras are cameras specifically designed to read and record vehicle license plates as they enter and exit this complex. It should be noted that high quality day/night vision LPR cameras are relatively inexpensive. The plan shall be approved prior to issuance of Building Permits. The Police Department and/or Community Development Department shall verify that the security system has been installed prior to final occupancy.

In addition, the trash enclosure shall be properly secured and have a lock as well as a covering to keep unauthorized persons from entering the dumpster area.

54. **Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the applicant provides to the Building and Safety Division and the Planning Division a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

Landscaping

55. **Landscaping Submittals.** Final landscape plan submittals are divided into two different processes. All on-site landscaping plans shall be submitted to the Planning Department for review and approval. The on-site landscaping shall include any basins, streetscape, open space and planters on private property that is maintained by the property owner or private entity (HOA or Common Maintenance Entity/Association). All off-site landscaping plans shall be submitted to the Engineering and Public Works Department for review and approval. Off-site plans shall include landscaping in areas maintained by the Community Facilities District (CFD) and are located within the City of Menifee Right-of-Way which can include streetscape, basins or slopes.
56. **Construction Plans.** Prior to building permit issuance, the applicant shall submit the following construction plan applications to the Planning Division (pursuant to Menifee Municipal Code) for review and approval. The fee for each submittal will be determined by Resolution No. 24-1423 Cost of Services Fee Study and Planning Division Fee Schedule at the time of application submittal. Construction Plan Submittals include:

A. On-Site Landscaping – all Property Owner maintained landscaping and irrigation. Performance Securities will be required prior to approval of this Landscape Construction Plan.

Additional submittal requirements can be found in the submittal checklist found on the Community Development Department's website. All Landscape Construction Plans must be approved prior to the issuance of any building permit.

57. **Landscape Inspections.** Prior to issuance of Building Permits, the Applicant shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-installation inspections, installation inspections, Six Month Post Establishment and One Year Post Establishment Landscape Inspections.
58. **Performance Securities (Bonds).** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings and irrigation system in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and City staff. The applicant holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less.
59. **Utility Screening.** All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.
60. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blown sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department.

PRIOR TO FINAL INSPECTION

61. **Processing Fees.** Prior to final inspection, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
62. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).

63. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance
64. **Standard Condition CUL-4: Archeology Report** - Phase III and IV. Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archaeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).
65. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the applicant shall submit to the Community Development Department, an electronic copy of the Paleontology Monitoring Report in accordance with the procedures outlined in the PRIMP. The report shall be certified by a professional paleontologist listed on Riverside County's Paleontology Consultant List. A deposit for the review of the report will be required.
66. **Final Planning Inspection.** The applicant shall obtain final occupancy sign-off from the Community Development Department for each building permit issued by scheduling a final Planning inspection prior to the final sign-off from the Building Department. Planning staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, parking lot layout, decorative paving, public plazas, etc. The applicant shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

Landscaping

67. **Soil Management Plan.** The applicant shall submit a Soil Management Plan (Report) to the Community Development Department before the Landscape Installation Inspection. The report can be sent in electronically. Information on the contents of the report can be found in the County of Riverside Guide to California Friendly Landscaping page 16, #7, "What is required in a Soil Management Plan?"
68. **Landscape Inspections.** The applicant shall obtain a final certificate of completion from the Planning Division's Landscape Inspector for each building permit issued by scheduling a final landscape inspection prior to the final occupancy from the Planning Division.

69. **Landscaping.** All landscape planting and irrigation shall be installed and inspected in accordance with approved exhibits and Menifee Municipal Code.

Section II:
Engineering/Grading/Transportation
Conditions of Approval

The Following are the Public Works / Engineering Department Conditions of Approval for this project which shall be satisfied at no cost to the City or any other Government Agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Engineering Department, Land Development Section. The developer / property owner shall use the standards and design criteria stated in the following conditions and comply with all applicable City of Menifee standards and ordinances. Should a conflict arise between the City of Menifee Standards and design criteria, and any other standards and design criteria, those of the City of Menifee shall prevail.

PLN22-0179 ARES Warehouse proposes to consolidate existing Tract Map 31856 and Parcel Map 7285 into a single parcel. All public improvements will be required in one construction phase prior to any issuance of occupancies, unless otherwise approved by the City Engineer / Public Works Director. If the developer chooses to phase the subdivision map, the phasing of the public improvements will be considered, and the applicable conditions will be updated.

It is understood that the tentative parcel map must correctly show acceptable centerline elevations, all existing easements, traveled ways, cross sections, and drainage courses with appropriate drainage flows. Any omission or unacceptability may require the map to be resubmitted for further consideration. If there is a conflict between what is shown on the tentative parcel map and these conditions, these conditions will supersede what is shown on the tentative parcel map and any attachments to the tentative parcel map, including the site plan and other plans or exhibits. All questions regarding the true meaning of these conditions shall be referred to the Public Works / Engineering Department. **Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested shall be redesigned to meet city standards.**

70. **Consolidation of Parcels** – Prior to any development of the project site, the existing maps TM31856 and PM7285 must be consolidated into a single parcel encompassing the whole site. In the event where the developer / property owner is unable to process a parcel map as shown on the entitlement site plans, then the project shall be required to revisit entitlement and modify the site plan as deemed necessary (add applicable fees verbiage).

71. **Master Traffic Study** – In conjunction with the City of Perris in regards to Truck Circulation on Ethanac Roadway, as of the drafting of these conditions a Master Traffic Study encompassing the Northern Gateway Area of Menifee (West of the I-215, South of Ethanac Road, North of McLaughlin Road, East of Goetz Road) is being prepared. The following conditions of approval are provided for the ARES Warehouse project for this project standalone from said study, however in preparation for the requirements, the proposed development is conditioned to construct the future truck route along the southern boundary of the project site to a width of 32' Curb to Curb. This route shall be only for westbound truck traffic movement and ultimately will connect future developments east and west of the proposed projects.

72. **Drainage Study** – The following report was reviewed and approved by the City:

- a. *Preliminary Hydrology and Hydraulic Study for Ares Spec Industrial Murrieta Rd. & Ethanac Rd. Menifee CA 92374*, prepared by Ware Malcomb, dated May 27th 2023. Last Revised September 13th 2023.

The project shall comply with all mitigation recommended by the approved drainage study, and in accordance with City Standards. The design of drainage facilities will need to be revised if it does not adhere to City Standards.

Two copies of a final drainage study (also referred to as Hydrology/Hydraulics Report) shall be submitted to the City for review and approval. The study shall analyze at a minimum the following: project site drainage flow; all future improvements drainage flow; Q10, Q100, pre- and post- condition flow rates; anticipated total drainage flow into existing storm drain; and existing storm drain capacity. A fee for review of the Drainage Study shall be paid to the City, the amount of which shall be determined by City at first submittal of report.

73. Final Project Specific Water Quality Management Plan (Final WQMP). The following report was reviewed and approved by the City:

- a. *Preliminary Project Specific Water Quality Management Plan, Ares Spec Industrial DEV2022-017*, prepared by Ware Malcomb, dated May 7, 2022. Last revised September 13, 2023.

Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works Engineering Department. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a) Hydrology/hydraulics report
- b) Soils Report that includes soil infiltration capacity
- c) Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department.

74. Geotechnical Report – The following documentation was reviewed and approved by the City:

Geotechnical Investigation Proposed Warehouse Project No. 21G237-1, prepared by Southern California Geotechnical, dated November 3, 2021.

Two copies of City-approved geotechnical/soils report, no more than three (3) years from date of application for grading permit, shall be provided to the City Public Works / Engineering Department with initial submittal of a grading plan. If there is no approved report and/or said report is past three (3) years from date of application, a new geotechnical/soils report and/or update letter, respectively, shall be prepared and submitted to City for review and approval. The geotechnical/soils, compaction and inspection reports will be reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. A fee for review of the geotechnical/soils report and/or

update letter shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report.

Geotechnical Report - A geotechnical/soils report was submitted to the City and reviewed by staff. The geotechnical/soil report was reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. Prior to issuance of any grading permit, two copies of the City approved geotechnical/soils report shall be submitted to the Public Works Engineering Department. The developer/property owner shall comply with the recommendations of the report, and City standards and specifications. All grading shall be done in conformance with the recommendations of the report, and under the general direction of a licensed geotechnical engineer. An updated report may be required if deemed necessary by the Public Works Director prior to the issuance of any grading permit.

75. Off-Site Dedications - Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:

- a. The Developer shall enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made.
- b. The Developer shall pay all costs associated with acquiring the offsite real property interests required in connection with the development.

76. Murrieta Road / Geary Street Dedication. The developer / property owner shall dedicate the necessary Murrieta Road (Secondary undivided Roadway per City Circulation Element 50' Half-Width ROW) and Geary Street (Industrial Collector Undivided Roadway 39' Half-Width ROW) right of way fronting the development on a final map or through another acceptable recordable instrument prior to issuance of any building permit.

77. Traffic Study Report – The following report was reviewed and approved by the City:

Murrieta Road Warehouse Project, prepared by EPD Solutions, Inc. dated September 30, 2024,

The Public Works Department – Traffic Engineering Division has reviewed the Traffic Study and has generally concurred with its findings. The developer/property owner shall be responsible for all improvements and mitigations, required or identified in the approved traffic study and according to these Conditions of Approval, such as but not limited to right-of-way frontage improvements, traffic signal construction or modification, and fair share fees. All required improvements and mitigation measures identified in the study shall be included in all improvement plans for review and approval by the Public Works Department. Improvements identified in the Traffic Study are the absolute minimums recommend by the consultant traffic engineer. The City Engineer/PW Director may require traffic or street improvements beyond those identified in said study to address public safety and welfare, or to construct improvements eligible for DIF credits, RBBD credits/reimbursements or

reimbursement that front the project, as determined by the Public Works Director / City Engineer.

78. Summary of Frontage Improvements – The following is a summary of improvement requirements for the project. Construction of said improvements required prior to Certificate of Occupancy.

- a. **Murrieta Road** – Project shall improve Murrieta Road frontage to the ultimate half-width plus 12' in accordance with City of Menifee Secondary Roadway Standard Plan No. 111, including offsite transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
 - i. **Northern Driveway** – This driveway shall be restricted to right-in right-out movement only.
 - ii. **Southern Driveway** – This driveway shall be restricted to right-in right-out movement only.
 - iii. **Murrieta Road Northern Driveway**: Striping for southbound right turn access into this driveway shall insure adequate queuing for truck circulation and vehicle movements, as approved by the City Engineer / Public Works Director.
- b. **Geary Street** – Project shall improve Geary Road along project frontage to the ultimate half-width plus 12' in accordance with the City of Menifee Industrial Collector Roadway Standard Plan No. 112, including appropriate offsite transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
 - i. **Driveways** – The northern Driveways along Geary shall have full access, utilizing a two way left turn along the Geary Improvements in the ultimate condition. The southern drive will be limited to right out for trucks only.
- c. **Truck Route** – Project shall improve the westbound truck route along the southern project frontage to the ultimate width of 32' Curb to Curb, with parkway as shown on the site plan. This traffic shall be restricted to westbound movement only.
- d. **Driveway Radii** – Driveway Radii have been adjusted on the site to insure adequate ingress/egress into the project site. The following Radii shall be applicable:
 - i. **Murrieta Road Northern Driveway**: 50' Radius for Northern Half, 40' for southern half.
 - ii. **Murrieta Road Passenger Driveway**: Standard Commercial Driveway
 - iii. **Murrieta Road Southern Driveway**: 50' Radius for Northern Half, 35' for Southern.
 - iv. **Geary Street Northern Driveway**: 50' Radius for both halves
 - v. **Geary Street Southern Driveway**: 50' Radius for Northern Half, 20' for Southern. No right in for northbound trucks.

79. Reconstruction or Resurfacing of Murrieta Road – The Public Works Director / City Engineer may consider reconstruction or resurfacing of Murrieta Road paving fronting the development to meet existing conditions, provided the road is found to meet the minimum City standards for pavement conditions at the time of project construction. If it is determined during project construction that the existing road is found to be substandard, then the Public Works Director / City Engineer will require the developer / property owner to provide full reconstruction as provided for in these conditions of approval. The existing pavement shall

be cored during project construction to confirm the structural section, and any findings shall be incorporated into project design. The Public Works Director / City Engineer shall have the final approval for all road conditions.

80. Offsite Improvements – The following offsite improvements are required in order for the proposed project to function adequately:

- a. Geary Street Offsite Improvements – The developer / property owner shall construct Geary Street beyond the northern frontage of the project to Ethanac road to an interim condition of two 12' lanes, with 6' paved shoulders, as detailed in the tentative site plans
 - i. Note, that for ROW for the for Geary Street exists from the project boundary to Ethanac road, with a minimum width of 40'. In the instance where the 36' pavement section provided is unable to adequately be constructed within said ROW, the section width may be adjusted to insure adequate room for drainage, grading, water quality requirements, at the discretion/approval of the Public Works Director / City Engineer.
 - ii. If the roadway is unable to be constructed within the existing ROW, the developer / property owner may be required to obtain right of way from the adjacent property owners consistent with the "Off-Site Dedications" condition.
- b. Murrieta and Ethanac Road – The developer / property owner shall improve the intersection of Murrieta Road and Ethanac Road to a condition that allows for adequate turning movements for ingress and egress. This includes:
 - i. Extension of the Westbound Left Turn Pocket to 350'
 - ii. Widening at the southwest corner to allow for adequate turning movements southbound and widening at the southeast corner if a traffic signal is installed at the northern driveway for northbound truck traffic on Murrieta Road
 - iii. Any ROW acquisition with these improvements

81. Murrieta and Ethanac Road RBBD Reimbursement – In the event where an RBBD (Road Bridge and Benefit District) is established that includes improvements constructed by this project at Murrieta and Ethanac Road, the developer / property owner may enter into an RBBD Agreement with the City of Menifee providing reimbursement for applicable improvements in the form of credit to required RBBD payments.

- a. In the event where the constructed improvements exceed the project's RBBD obligations, the project shall received reimbursement for said improvements upon receipt of RBBD fees from applicable adjacent projects.

82. Fair Share Contributions – In addition to the required physical improvements listed in the previous conditions, the developer / property owner shall provide the following fair share contributions prior to any certificates of occupancy.

- a. Murrieta Road and Ethanac Road – The project shall contribute fair share costs equal to 4.17% for the following improvements.
 - i. Widening and restriping of northbound Murrieta Road to provide exclusive left turn, through and right turn lanes.
 - ii. Traffic Signal Modification associated with these improvements
- b. Case/Barnett Road and Ethanac Road – The project shall contribute fair share costs equal to 2.72% for the following improvements.
 - i. Widening and restriping of the northbound Case/Barnett Road to provide exclusive right turn and shared thru-left turn lane.

- ii. Implement recommended signage and striping for safety purposes.
- iii. Traffic Signal modification associated with these improvements

83. **RBBB replacement of Fair Share Contributions** – In the event where a RBBB (Road Bridge and Benefit District) is established prior to the fair share contribution requirements, the project's RBBB obligation shall supersede any applicable fair share requirement.
84. **Drainage Facilities for Ownership by the Flood Control District.** Some of the proposed drainage facilities may be requested for ownership and maintenance by the Flood Control District. For such drainage facilities, applicable Flood Control District Standards and guidelines shall be compiled with, including conditions of approval required for said drainage facilities. Prior to issuance of Certificate of Occupancy, the developer / property owner shall enter into a three-party cooperative agreement with the City and the Flood Control District. Both the Riverside County Board of Supervisors and the City Council shall approve the agreement.
85. **ADP Fees** - This project is located within the Homeland/Romoland Line A Area Drainage Plan. As such, this project is subject to Riverside County Flood Control's ADP fees associated with this area.

General Conditions:

86. All required public improvements must be constructed and accepted by the City prior to issuance of the first and any subsequent certificate of occupancy, unless approved by City Engineer/Public Works Director.
87. Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested are not approved.
88. The developer is responsible to furnish & install one 2" and one 3" conduit for traffic signal interconnect and broadband purposes, per City of Menifee Standard Detail 1005, along all circulation element roads and intersections along project frontage.
89. **Subdivision Map Act** – The developer / property owner shall comply with the State of California Subdivision Map Act and all other laws, ordinances, and regulations pertaining to the subdivision of land.
90. **Mylars** – All improvement plans and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch Mylar and signed by a licensed civil engineer and/or other registered/licensed professional as authorized by State law.
91. **Guarantee for Required Improvements.** Prior to grading permit issuance, construction permit issuance, and/or Final Map recordation, financial security or bonds shall be provided to guarantee the construction of all required improvements associated with each phase of construction, per the City's municipal code.
92. **Bond Replacement, Reduction, and Releases** - All requests for bond replacements (such as in changes of property ownerships), reductions (such as in partial completion of improvements), releases (such as in completion of improvements), shall conform to City

policies, standards, and applicable City ordinances. It shall be the responsibility of the developer / property owner to notify the City in time when any of these bond changes are necessary. The City shall review all changes in Bond Agreements and the accompanying bonds or security.

93. **Existing and Proposed Easements** - The final grading plan and improvement plans shall correctly show all existing easements, traveled ways, drainage courses, and encumbrances. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
94. **Engineered Plans** - All improvement plans, and grading plans shall be drawn on twenty-four (24) inches by thirty-six (36) inch Mylar and signed by a licensed civil engineer or other registered/licensed professional as required.
95. **Plan Check Submittals** – Appropriate plan check submittal forms shall be completed and submittal check list provided that includes required plan copies, necessary studies / reports, references, fees, deposits, etc. Prior to final approval of improvement plans by the Public Works / Engineering Department, the developer / property owner shall submit to the Public Works / Engineering Department CAD layers of all improvements to be maintained by the City (pavement, sidewalk, streetlights, etc.). A scanned image of all final approved grading and improvement plans on a Universal Serial Bus (USB) drive, also known as a “flash” drive or “thumb” drive, shall be submitted to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer. GIS and ACAD files 2004 or later are required for all final maps upon approval.
96. **Final Map Submittal Process** – Appropriate final map plan check submittal forms shall be completed and appropriate fees or deposits paid. Prior to approval of the final map by the City Council, the developer / property owner shall provide along with the final map mylars, electronic files of the final map on Compact Disc (CD), in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) and (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer.
97. **Plan Approvals** – Improvement plans and grading plans shall be submitted with necessary supporting documentation and technical studies (hydrology, hydraulics, traffic impact analysis, geotechnical studies, etc.) to the Public Works / Engineering Department for review and approval. All submittals shall be signed and date stamped by the Engineer of Record. The plans must receive Public Works / Engineering Department approval prior to issuance of any construction permit, grading permit, or building permits as applicable and as determined by the Public Works Director / City Engineer. All submittals shall include a completed City Fee or Deposit Based Worksheet and the appropriate plan check. For improvements proposed to be owned and maintained by the Riverside County Flood Control and Water Conservation District, improvement plans must receive district approval prior to Building permit issuance or as determined by the District.

All required improvement plans and grading plans must be approved by the Public Works Engineering Department prior to recordation of a final map for which the improvements are required, or prior to issuance of any construction and/or grading permit, whichever comes first and as determined by the PW Director. Supporting City approved studies including, but

not limited to, hydrologic and hydraulic studies and traffic studies must be provided prior to approval of plans. All required CFD landscape plans must be approved prior to building permit issuance.

98. **As-Built Plans** – Upon completion of all required improvements, the developer/property owner shall cause the civil engineer of record to as-built all project plans, and submit project base line of work for all layers on a USB drive to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). The timing for submitting the as-built plans shall be as determined by the Public Works Director / City Engineer.
99. **Construction Times of Operation.** The developer / property owner shall monitor, supervise, and control all construction and construction related activities to prevent them from causing a public nuisance including, but not limited to, strict adherence to the following:
- a. Construction activities shall comply with City of Menifee ordinances relating to construction noise. Any construction within the City limits located 1/4 of a mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 6:30 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.020. There shall be no construction permitted on Sunday or nationally recognized holidays unless prior approval is obtained from the City Building Official or City Engineer.
 - b. Removal of spoils, debris, or other construction materials deposited on any public street no later than the end of each working day.
 - c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant to remedies as set forth in the City Municipal Code. In addition, the Public Works Director / City Engineer or the Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such a time it has been determined that all operations and activities are in conformance with these conditions.
 - d. A Pre-Construction meeting is mandatory with the City's Public Works Inspection team prior to permit issuance and the start of any construction activities for this site.
100. **Dry Utility Installations** - Electrical power, telephone, communication, traffic signal, street lighting, and cable television conduits and lines shall be placed underground in accordance with current City Ordinances, and as approved by the Public Works Director / City Engineer. This applies also to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries. In cases where 33.6kV or below lines are collocated with high voltage lines (for example, 115kV), the low voltage lines shall be placed underground even when the high voltage lines are exempt from relocation or undergrounding in accordance with City standards and ordinances. Exemption from undergrounding low voltage lines shall only be by the Public Works Director / City Engineer or as directed by the City Council.

101. All grading activities shall conform to the latest adopted edition of the California Building Code, City Grading Ordinance, Chapter 8.26, applicable City design standards and specifications, City ordinances, policies, rules and regulations governing grading in the City.
102. **Regulations and Ordinance on Grading Within the City** – In addition to compliance with City Chapter 8.26, grading activities shall also conform to the latest edition of the California Building Code, City General Plan, other City Ordinances, City design standards and specifications and all other relevant laws, rules and regulations governing grading in the City of Menifee. Prior to commencing any grading, clearing, grubbing or any topsoil disturbances, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Grading activities that are exempt from a grading permit as outlined by the City ordinance may still require a grading permit by the Public Works Director / City Engineer when deemed necessary to prevent the potential for adverse impacts upon drainage, sensitive environmental features, or to protect property, health safety, and welfare.
103. **Dust Control** – All necessary measures to control dust shall be implemented by the developer during grading. Fugitive dust shall be controlled in accordance with Rule 403 of the California Air Quality Control Board.
104. **2:1 Maximum Slope** - Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the Public Works / Engineering Department.
105. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
106. **Slope Landscaping and Irrigation** – All slopes greater than or equal to 3 feet in vertical height shall be irrigated and landscaped with grass or ground cover. All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover, and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes exceeding 15 feet in vertical height shall be irrigated and planted with shrubs and/or trees per City Grading Ordinance Chapter 8.26. Drip irrigation shall be used for all irrigated slopes.
107. **Slope Erosion Control Plan** - Erosion control and/or landscape plans are required for manufactured slopes greater than 3 feet in vertical height. The plans shall be prepared and signed by a licensed landscape architect and bonded per applicable City ordinances.
108. **Erosion Control Plans** – All grading plans shall require erosion control plans prior to approval. Temporary erosion control measures shall be implemented immediately following rough grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing erosion control measures may be included as part of the grading plans or submitted as a separate set of plans for city review and approval. Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facilities deemed necessary to control or prevent erosion. Erosion and sediment control BMPs are required year-round in compliance with all applicable City of Menifee Standards and Ordinances and the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit from the California State Water Resources Control Board (SWRCB). Additional Erosion protection may be required during the rainy season.

109. **Water Quality Management Plan (WQMP)** - All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP, executed report. The developer / property owner shall comply with the requirements of the WQMP report, the NPDES municipal permit in force, and City standards and specifications.
110. **Design Grade Criteria** – Onsite parking areas shall be designed in accordance with the current version of City of Menifee Standards and Specifications. Non-compliance may require a redesign of the project. Significant redesigns may require a revised Plot Plan.

Design Grade Criteria:

- a. On-Site Parking – Where onsite parking is designed, such as in common areas, parking stalls and driveways shall not have grade breaks exceeding 4%. A 50' minimum vertical curve shall be provided where grade breaks exceed 4%. Five percent grade is the maximum slope for any parking area. Where ADA requirement applies, ADA requirement shall prevail.
 - b. Down Drains - Concrete down drains that outlet onto parking lot areas are not allowed. Drainage that has been collected in concrete ditches or swales should be collected into receiving underground drainage system, or should outlet with acceptable velocity reducers into BMP devices.
 - c. Pavement - Permeable pavement requires the layers of filter material to be installed relatively flat. As such, the permeable pavement areas should have a maximum surface gradient of 2%, or approved by the PW Director/City Engineer.
111. **Drainage Grade** - Minimum drainage design grade shall be 1% except on Portland cement concrete surfaces where 0.35% shall be the minimum. The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
112. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance California Building Code.
113. **Use of Maximum and Minimum Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector and will need to be removed and replaced at developer's or owner's expense.
114. **Licensed Geotechnical Engineer** - A California licensed Geotechnical Engineer shall perform final determination of the foundation characteristics of soils within on-site development areas, and per the approved geotechnical report reviewed and approved by the City.
115. **Retaining Walls** – Sections, which propose retaining walls, will require separate permits. They shall be obtained prior to issuance of any other building permits – unless otherwise approved by the Building Official and/or the Public Works Director / City Engineer. The walls shall be designed by a licensed civil engineer and conform to City Standards. The plans shall include plan and profiles sheets.

116. **Trash Racks:** Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
117. **Drainage Runoff Emergency Escape.** An emergency escape path shall be provided for the stormwater runoff at all inlets for the proposed underground facilities in the event that the inlets become blocked in any way. To prevent flood damage to the proposed structures, all proposed structures in the vicinity of the inlets and along the emergency escape path shall be protected from flooding by either properly elevating the finished floor in relation to the inlets and flow path or by making sure the structures are set back from the inlets to provide adequate flow through area in the event the emergency escape of the stormwater runoff is necessary.
118. **Riverside County Flood Control and Water Conservation District (RCFCWCD) Encroachment Permit Required.** An Encroachment Permit is required for any work within District right of way or any connection to District facilities. The Encroachment Permit application shall be processed and approved concurrently with the improvement plans.
119. **RCFCWCD Submittal of Plans.** A copy of the project specific WQMP, improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations (drainage report) shall be submitted to the District as reference material for the review and approval of the final drainage report and storm drain plans that propose construction of storm drain facilities that will be owned and maintained by the District.
120. **Grading Permit for Clearing and Grubbing** – City ordinance on grading requires a grading permit prior to clearing, grubbing, or any topsoil disturbances related to construction grading activities.
121. **Compliance with NPDES General Construction Permit** – The developer/property owner shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (GCP) from the State Water Resource Control Board (SWRCB). This is in addition to the Municipal permit governing design, WQMPs, and permanent BMPs.
- Prior to approval of the grading plans or issuance of any grading permit, the developer/property owner shall obtain a GCP from the SWRCB. Proof of filing a Notice of Intent (NOI) and monitoring plan, shall be submitted to the City; and the WDID number issued by the SWRCB shall be reflected on all grading plans prior to approval of the plans. For additional information on how to obtain a GCP, contact the SWRCB.
122. **SWPPP** - Prior to approval of the grading plans, the developer/property owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for the development. The developer/property owner shall be responsible for uploading the SWPPP into the State's SMARTS database system and shall ensure that the SWPPP is updated to constantly reflect the actual construction status of the site. A copy of the SWPPP shall be made available at the construction site at all times until construction is completed. The SWRCB considers a construction project complete once a Notice of Termination has been issued by SWRCB. The City will require submittal of NOTs for requests to fully release associated grading bonds.
123. **SWPPP for Inactive Sites** – The developer/property owner shall be responsible for ensuring that any graded area that is left inactive for a long period of time has appropriate SWPPP BMPs in place and in good working conditions at all times until construction is

completed and the Regional Board has issued a Notice of Termination (NOT) for the development.

124. **Import/Export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer/property owner shall have obtained approval for the import/export location from the Public Works / Engineering Department. If an Environmental Assessment did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Public Works Director / City Engineer for approval. Additionally, if the movement of import/export occurs using City roads, review, and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform to the requirements of Chapter 8.26.
125. **Offsite Grading Easements** - Prior to recordation of a final map phase, or the issuance of a grading permit within a phased map whichever occurs first, the developer/property owner shall obtain all required easements and/or permissions to perform offsite grading, from affected land owners. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works Engineering Department.
126. **Offsite Property and Right of Way** – The developer / property owner shall be responsible for acquiring any offsite real property interests that may be required in connection with the development project. Prior to recordation of a final map, or the issuance of a grading permit, whichever occurs first, the developer shall obtain all required ROW, easements and / or permissions to perform offsite grading, from all affected landowners.
127. **Acquisition of Property** – If the developer / property owner is unable to obtain necessary property and right of way, where needed the City will assist in processing eminent domain to obtain right of way, in accordance with all laws in regulations and only after good faith efforts have been undertaken in negotiating the acquisition of property. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.
128. **Increased Runoff Criteria.** The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin should be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District and the City for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable.

A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the City for review and approval. For design purposes, the proposed detention basin shall be sized using the 1-hour/100-year frequency storm event. Detention basin(s) and outlet(s) sizing will ensure that this storm event does not produce higher peak discharge in the "after" condition than in the "before" condition. For the 100-year event, an AMC II shall be used together with a constant loss rate.

Low Loss rates will be determined using the following:

- i. Undeveloped Condition --> LOW LOSS = 90%
- ii. Developed Condition --> LOW LOSS = .9 - (.8x%IMPERVIOUS)
- iii. Basin Site --> LOW LOSS = 10%

Where possible and feasible the onsite flows should be mitigated before combining with offsite flows to minimize the size of the detention facility required. If it is necessary to combine offsite and onsite flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (offsite plus onsite), and the second for the area to be developed alone (onsite). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or onsite alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Side slopes should be no steeper than 4: 1 and depths should be minimized where public access is uncontrolled.

Mitigation basins should be designed for joint use and maybe incorporated into open space or park areas. Side slopes should be not steeper than 4: 1 and depths should be minimized where public access is uncontrolled.

A viable maintenance mechanism, acceptable to the City should be provided for any flood control facilities to be owned and maintained by the City. Any facilities proposed to be owned by the District, should be provided with a viable maintenance mechanism acceptable to the City and the District. For the City this would be the citywide CFD. Facilities to remain private shall be maintained by commercial property owners association or homeowners associations.

129. **Site Drainage** - Positive drainage of the site shall be provided, and water shall not be allowed to pond behind or flow over cut and fill slopes. Where water is collected and discharged in a common area, protection of the native soils shall be provided by planting erosion resistant vegetation, as the native soils are susceptible to erosion by running water. All cut and fill slopes shall have a maximum 2:1 (H:V) grade, 2 horizontal to 1 vertical.
130. **Alteration of Drainage Patterns** – Prior to grading permit issuance or approval of improvement plans, the final engineering plans submitted by the applicant shall address the following: The project drainage system shall be designed to accept and properly convey all on- and off-site drainage flowing on or through the site. The project drainage system design shall protect downstream properties from any damage caused by alteration of drainage patterns such as concentration or diversion of flow. Concentrated drainage on commercial lots shall be diverted through parkway drains under sidewalks.
131. **100 Year Storm** - The 100-year storm flow shall be contained within the street top of curb.
132. **100 Year Drainage Facilities** - All drainage facilities shall be designed to accommodate 100-year storm flows as approved by the City of Menifee Public Works / Engineering Department.

133. **100 Year Design Criteria** - In final engineering and prior to grading permit issuance, subsurface storage systems shall be designed with emergency overflow inlets to mitigate flows in excess of the 100-year storm event in a controlled manner to the satisfaction of the Public Works / Engineering Department.
134. **100 Year Sump Outlet** - Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.
135. **Coordinate Drainage Design:** Development of this property shall be coordinated with the development of adjacent properties to ensure that watercourses remain unobstructed, and stormwaters are not diverted from one watershed to another. This may require the construction of temporary drainage facilities or offsite construction and grading. A drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows if needed. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review.
136. **Comingling of Flows.** Site restrictions may require the comingling of onsite and offsite flows. A treatment device approved by the City of Menifee Public Works Director shall be utilized to pretreat the flows before entering HOA facilities. The WQMP will need to show these catch basin inserts. This comingling of flows and the easement shall also be clarified in the CC&Rs for the project. If site restrains and existing conditions require said comingling, it will be the obligation of the HOA to accept this water and maintain the system, as well as performing maintenance on the associated filter inserts. The developer shall provide a storm drain and flowage easement, or other applicable document approved by the city of Menifee, providing the right of the city to drain onto the private property.
137. **Interceptor Drain Criteria/Guidelines:** The criteria for maintenance access of terrace/interceptor is as follows: flows between 1-5 cfs shall have a 5-foot wide access road, flows between 6-10 cfs shall be a minimum 6-foot rectangular channel. Terrace/interceptor drains are unacceptable for flows greater than 10 cfs. Flows greater than 10 cfs shall be brought to the street. These guidelines may be modified by the City Engineer/PW Director.
138. **BMP – Energy Dissipators:** Energy Dissipators, such as rip-rap, shall be installed at the outlet of a storm drain system that discharges runoff flows into a natural channel or an unmaintained facility. The dissipators shall be designed to minimize the amount of erosion downstream of the storm drain outlet.
139. **Trash Racks** – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
140. **Perpetuate Drainage Patterns.** The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the City for review and approval.
141. **Perpetual Drainage Patterns (Easements)** - Grading shall be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary

drainage areas and outlet points. Where these conditions are not preserved, necessary drainage easements shall be obtained from all affected property owners for the release onto their properties of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review.

142. **Protection of Downstream Properties** - The developer/property owner shall protect downstream properties from damages that can be caused by alteration of natural drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and securing necessary drainage easements.
143. **Storm Drain Lines 36" and larger** - All proposed storm drain lines greater than 36" in diameter may be considered for ownership and maintenance by the Flood Control District. The applicant shall enter into a cooperative agreement with the Flood Control District regarding the terms of the design, construction and operation of facilities proposed for ownership by the Flood Control District.
144. **No Building Permit without Legal Lot** – Prior to issuance of any building permit, the developer / property owner shall ensure that the underlying parcels for such buildings are complying with City Ordinances, Codes, and the Subdivision Map Act.
145. **No Building Permit Prior to Subdivision Map Recordation** – Prior to issuance of any building permit, the developer / property owner shall record the Subdivision Map. Model Homes are exempt from this requirement.
146. **No Building Permit without Grading Permit** - Prior to issuance of any building permit for any new structure or appurtenance, the developer/property owner shall obtain a grading permit and/or approval to construct from the Public Works Engineering Department.
147. **Final Rough Grading Conditions** – Prior to issuance of each building permit, the developer/property owner shall cause the Civil Engineer of Record and Soils Engineer of Record for the approved grading plans, to submit signed and wet stamped rough grade certification and compaction test reports with 90% or better compaction. The certifications shall use City approved forms and shall be submitted to the Public Works Engineering Department for verification and acceptance.
148. **Conformance to Elevations/Geotechnical Compaction** - Rough grade elevations for all building pads and structure pads submitted for grading plan check approval shall be in substantial conformance with the elevations shown on approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
149. **Final Grade Certification** – The developer/property owner shall cause the Civil Engineer of Record for approved grading plans, to submit signed and wet stamped final grade certification on City-approved form, for each building requesting a certificate of occupancy. The certification shall be submitted to the Public Works Engineering Department for verification and acceptance.
150. **Conform to Elevations** - Final grade elevations of all building or structure finish floors submitted for grading plan check approval shall be in substantial conformance with the

elevations shown on the approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.

151. **Plant & Irrigate Slopes** – All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes greater than or equal to 3' in vertical height shall have erosion control measures provided. Slopes that exceed 15' in vertical height are to be planted with additional shrubs and trees as approved by the Public Works / Engineering Department. Drip irrigation shall be provided for all irrigated slopes.
152. **Common Area Maintenance** – Any common areas identified on the tentative map shall be owned and maintained through a permanent master maintenance organization shall be established for the project, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or easement dedications shall be granted to the maintenance organization through map dedication, or separate recordable instrument, and shall be in a form acceptable to the city.
153. **Maintenance Exhibit** – Prior to final map recordation, the developer / property owner shall prepare an exhibit that shows all open space lots within the project development tract and the maintenance entity for each lot. The exhibit shall be reviewed and approved by the Community Development Department and the Public Works / Engineering Department.
154. **Conditions, Covenants and Restrictions (Private Common Areas)** – In the event that the Community Facilities District will not maintain all common areas, the establishment of a property owner association (POA or HOA) shall be the mechanism to maintain such common areas.
155. **CC&R Content, Submittal Process and Timing** – If necessary, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:
 - a. One hard copy and an electronic version of the CC&R's. A completed application form to review the CC&Rs, available at the Public Works / Engineering front counter. There is a fee associated with the application and required backup documents to review. The declaration of CC&R's shall:
 - i. provide for the establishment of a property owner's association,
 - ii. provide for the ownership of the common area by the property owner's association,
 - iii. contain provisions approved by the Public Works / Engineering Department, Community Development Department, and the City Attorney,
 - iv. Contain provisions with regards to the implementation of post development Water Quality Best Management Practices identified in the project's approved WQMP.
 - v. Contain provisions notifying initial occupants, or tenants of the project of their receipt of educational materials on good housekeeping practices which contribute to the protection of storm water quality. These educational

materials shall be distributed by the property owners' association and/or the developer.

- vi. Contain provisions for allowing the City a Right of Entry to maintain BMPs that are otherwise not maintained by responsible property owners. If a separate Right of Entry Agreement has been executed, this provision is not necessary to be in the CC&Rs.

- b. As part of the CC&R document submittal, exhibit(s) identifying the areas or improvements that will be maintained by the POA, the CFD or other entities shall be provided. The exhibit shall be reviewed and approved by the City.
- c. Once approved, the developer / property owner shall provide a hard copy of the CC&R's wet-signed and notarized to the Public Works / Engineering Department. The Public Works / Engineering Department shall record the original declaration of CC&R's prior to..... the issuance of Certificate of Occupancy or building permit issuance.
- d. A deposit to pay for the review of the CC&Rs pursuant to the City's current fee schedule at the time the above-referenced documents are submitted to the Public Works / Engineering Department.

156. **Street Design Standards** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, Ordinances, and all other relevant laws, rules and regulations governing street construction in the City.

157. **Concrete Work** – All concrete work including curbs, gutters, sidewalks, driveways, cross gutters, catch basins, manholes, vaults, etc. shall be constructed to meet a 28-day minimum concrete strength of 3,250 psi.

158. **Intersection Geometrics** – All final intersection geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer.

159. **Street Improvements** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, and all other relevant laws, rules and regulations governing street construction in the City.

160. **Soils and Pavement Report** - Street pavement structural designs shall comply with the recommendations in the City approved project soils and pavement investigation report, and must meet minimum City standards and specifications, as approved by the Public Works Director / City Engineer. R-Values shall be provided in said report and the Engineer of Record shall provide pavement calculations to the City.

161. **Driveways** - Final driveway geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.

162. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways required by this project shall be granted to the City through acceptable recordable instrument. Onsite easements and right-of way for public roadways

shall be granted to the City of Menifee through the final map, or other acceptable recordable instrument. Any off-site rights-of-way required for access road(s) shall be accepted to vest title in the name of the public if not already accepted. Any shared access roads necessary for the adequate circulation of the proposed project, shall be dedicated for reciprocal access by acceptable recordable instrument prior to any permit issuance.

163. **ADA Compliance** – ADA path of travel shall be designed at the most convenient accesses and the shortest distance to the buildings in accordance with ADA design standards and to the satisfaction of the Public Works Director / City Engineer and the City Building Official.
164. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by City of Menifee standards and ordinances. Paving and/or paving repairs for utility street cuts shall be per City of Menifee Standards and Specifications and as approved by the Public Works Director / City Engineer.
165. **Street Light Plan** – Street lights requiring relocations, or any required new streetlights shall be designed in accordance with current City Standards for LS-3 type streetlights. Street light construction plans shall be prepared as separate plans or combined with the public street improvement plans as approved by the Public Works Director / City Engineer.
166. **Public Streetlights Service Points** – All proposed public streetlights shall be provided with necessary appurtenances and service points for power, separate from privately owned streetlights. The developer/property owner shall coordinate with the PW Department and with Southern California Edison the assignment of addresses to streetlight service points. Service points for proposed public streetlights shall become public and shall be located within public right of way or within duly dedicated public easements.
167. **CFD Maintenance** - The property owner shall file for annexation or inclusion into the Citywide Community Facilities Maintenance District, CFD for street sweeping services, street pavement maintenance, landscaping, street lighting, etc.
168. **Offsite Grading** – If necessary, a notarized and recorded agreement, or City-approved documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
169. **Sight Distance Analysis** – Sight distance analysis shall be conducted at all project roadway entrances for conformance with City sight distance standards. The analysis shall be reviewed and approved by the Public Works Director / City Engineer, and shall be incorporated in the final grading plans, street improvement plans, and landscape improvement plans.
170. **Street Name Sign** - The developer/property owner shall install street name sign(s) in accordance with applicable City Standards, or as directed by the PW Engineering Department.
171. **Driveway Geometrics**- Final driveway geometrics may be modified in Final Engineering as approved by the Public Works Director. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.

172. **Construction Traffic Control Plan** - Prior to start of any project related construction, the developer/property owner shall submit to the Public Works Engineering Department for review and approval, a Construction Traffic Control Plan in compliance with all applicable City ordinances, standards and specifications, and the latest edition of the CAMUTCD. This traffic control plan shall address impacts from construction vehicular traffic, noise, and dust and shall propose measures to mitigate these effects. The traffic control plan shall include a Traffic Safety Plan for safe use of public roads right-of-way during construction.
173. **Traffic Signal Control Devices** – All new traffic signals and traffic signal modifications required for construction by this development project shall include traffic signal communication infrastructure, network equipment, and Advanced Traffic Management System (ATMS) license software. Said traffic signal control devices shall be submitted with the traffic signal design plans and shall be approved by the Public Works Director / City Engineer, prior to testing of a new traffic signal. Traffic signal poles shall be placed at the ultimate locations when appropriate.
174. **Cost participation through Payment of TUMF and DIF for Improvements-** The developer/property owner's TUMF and DIF payment obligations shall be considered as cost participation for Project's required offsite improvements only when the offsite improvements for which credits are claimed, are eligible TUMF and/or DIF facilities at time of TUMF and DIF payments. Determination for TUMF credits shall be at the discretion of the Western Riverside Council of Governments (WRCOG), the governing authority, which shall include entering a three party TUMF Credit Agreement with the developer, WRCOG and the City of Menifee.
175. **Improvement Bonds** – Prior to improvement plan approval and issuance of any construction permit for all required onsite and offsite public improvements, the developer/project owner shall enter into a bond agreement and post acceptable bonds or security, to guarantee the completion of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions, and municipal codes.
176. **Encroachment Permits** – The developer/property owner shall obtain all required encroachment permits and clearances prior to start of any work within City, State, or local agency right-of-way.
177. **Stormwater Management** - All City of Menifee requirements for NPDES and Water Quality Management Plans (WQMP) shall be met per City of Menifee Municipal Code Chapter 15.01 for Stormwater/Urban Runoff Management Program unless otherwise approved by the Public Works Director/City Engineer. This project is required to submit a project specific WQMP prepared in accordance with the latest WQMP guidelines approved by the Regional Water Quality Control Board.
178. **Trash Enclosures Standards and Specifications** – Storm runoff resulting in direct contact with trash enclosure, or wastewater runoff from trash enclosure are prohibited from running off a site onto the City MS4 without proper treatment. Trash enclosures in new developments and redevelopment projects shall meet new storm water quality standards including:
- a) Provision of a solid impermeable roof with a minimum clearance height to allow the bin lid to completely open.

- b) Constructed of reinforced masonry without wooden gates. Walls shall be at least 6 feet high.
- c) Provision of concrete slab floor, graded to collect any spill within the enclosure.
- d) All trash bins in the trash enclosure shall be leak proof with lids that are continuously kept closed.
- e) The enclosure area shall be protected from receiving direct rainfall or run-on from collateral surfaces.
- f) The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access.

Any standing liquids within the trash enclosures without floor drain must be cleaned up and disposed of properly using a mop and a bucket or a wet/dry vacuum machine. All non-hazardous liquids without solid trash may be put in the sanitary sewer as an option, in accordance with Eastern Municipal Water District (EMWD) criteria.

An alternate floor drain from the interior of the enclosure that discharges to the sanitary sewer may be constructed only after obtaining approval from EMWD. This option requires the following:

- a) The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access. This requirement may not be applicable to commercial complexes with multiple tenants.
- b) A waterless trap primer shall be provided to prevent escape of gasses from the sewer line and save water.
- c) Hot and cold running water shall be provided with a connection nearby with an approved backflow preventer. The spigot shall be protected and located at the rear of the enclosure to prevent damage from bins.

179. **SWRCB, Trash Amendments** - The State Water Resources Control Board (State Board) adopted amendments to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries – collectively referred to as the “Trash Amendments.” Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined to be within Priority Land Uses as defined in the Trash Amendments, shall provide trash full capture devices in all new and existing catch basins to which this development will be tributary to or receiving from all Priority Land Use areas that will contribute storm water runoff to the City of Menifee’s MS4. All trash full capture devices shall be listed on the State Board’s current list of certified full capture devices posted on their website (https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml), or otherwise approved by State or Regional Water Quality Control Board staff. Storm water runoff from privately owned Priority Land Use areas shall be treated by full capture devices located within privately owned storm drain structures or otherwise located on the privately owned property, whenever possible. Runoff from Priority Land Use areas created or modified by the project, and which are proposed to be City owned, shall be treated by full capture devices located within city-owned storm drains or otherwise located within the public right of way.

Existing and proposed catch basins shall be retrofitted with a catch basin insert device selected from the list of approved devices by the Santa Ana Regional Water Quality Control Board, and compliant with the State-wide Trash TMDL.

The State Water Resources Control Board, Resolution adopted an amendment to the Water Quality Control Plan for ocean waters of California to control trash, and Part 1 Trash Provisions of the Water Quality Control Plan for inland surface waters, enclosed bays, and estuaries of California. Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined as within Priority Land Uses as defined in the amendment, shall provide full trash capture devices in all new catch basins and existing catch basins to which this development will be tributary to. Devices shall meet the requirement of the new Trash Amendment.

180. Prior to issuance of a grading permit, a FINAL project specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works Engineering Department. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a) Hydrology/hydraulics report
- b) Soils Report that includes soil infiltration capacity
- c) Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM in pdf format shall be submitted to the Public Works Engineering Department.

181. **Revising The Final WQMP** - In the event the Final WQMP requires design revisions that will substantially deviate from the approved Prelim WQMP, a revised or new WQMP shall be submitted for review and approval by the Public Works / Engineering Department. The cost of reviewing the revised/new WQMP shall be charged on a time and material basis. The fixed fee to review a Final WQMP shall not apply, and a deposit shall be collected from the applicant to pay for reviewing the substantially revised WQMP.

182. **WQMP Maintenance Agreement** - All water quality features or BMPs shall be located within the property limits, and the maintenance shall be the full responsibility of the developer / project owner. Prior to, or concurrent with the approval of the FINAL WQMP, the developer / property owner shall record Covenants, Conditions and Restrictions (CC&R's) that addresses the implementation and maintenance of proposed WQMP BMPs, or enter into an acceptable maintenance agreement with the City to inform future property owners of the requirement to perpetually implement the approved FINAL WQMP.

183. **Implement Project Specific WQMP** - All structural BMPs described in the project-specific WQMP shall be constructed or installed and operational in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all BMPs described in the approved project specific WQMP and that copies of the approved

project-specific WQMP are available for the future owners/occupants. The City will not release occupancy permits for any portion of the project or subdivision map phase until all proposed BMPs described in the approved project specific WQMPs, to which the portion of the project is tributary to, are completed and operational.

The City will not release occupancy permits for any portion of the project, or any proposed map phase prior to the completion of the construction of all required structural BMPs, and implementation of non-structural BMPs.

184. **Inspection of BMP Installation** – Prior to issuance of Certificate of Occupancy, all structural BMPs included in the approved FINAL WQMP shall be inspected for completion of installation in accordance with approved plans and specifications, and the FINAL WQMP. The Public Works Stormwater Inspection team shall verify that all proposed structural BMPs are in working conditions, and that a hard copy and / or digital copy of the approved FINAL WQMP are available at the site for use and reference by future owners/occupants. The inspection shall ensure that the FINAL WQMP at the site includes the **BMP Operation and Maintenance Plan**, and shall include the site in a City maintained database for future periodic inspection.

185. **WQMP/BMP Education** - Prior to issuance of Certificate of Occupancy, the developer / project owner shall provide the City proof of notification to future occupants of all BMP's and educational and training requirements for said BMP's as directed in the approved WQMP. Proof of notification shall be provided to the Public Works / Engineering Department in forms determined acceptable by the Public Works Director / City Engineer. Public Education Program materials may be obtained from the Riverside County Flood Control and Water Conservation District's NPDES Section through their website at www.rcwatershed.org. The developer must provide to the Public Works / Engineering Department a notarized affidavit, or other notification forms acceptable to the Public Works Director / City Engineer, stating that the distribution of educational materials to future homebuyers has been completed prior to issuance of occupancy permits.

A copy of the notarized affidavit must be placed in the final WQMP report. The Public Works / Engineering Department MUST also receive the original notarized affidavit with the plan check submittal to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

186. **EMWD Minimum Standards** – All public water, sewer and recycled water improvements shall be designed per the City adopted Ordinances; Eastern Municipal Water Districts (EMWD) standards and specifications, including required auxiliaries and appurtenances. The final design, including pipe sizes and alignments, shall be subject to the approval of EMWD and the City of Menifee.

187. **Utility Improvement Plans** – Public Water, Sewer and Recycled Water improvements shall be drawn on City title block for review and approval by the Public Works / Engineering Department and EMWD.

188. **Onsite and Offsite Sewer, Water and Recycled Water Improvements** – All public onsite and offsite sewer, water and recycled water improvements shall be guaranteed for construction prior to approval of improvement plans and final map approval.

189. **Sewer Lines** – Any new public sewer line alignments or realignments shall be designed such that the manholes are aligned with the center of lanes or on the lane line and in accordance with City Ordinances and Eastern Municipal Water District standards.
190. **Water Mains and Hydrants** - All water mains and fire hydrants providing required fire flows shall be constructed in accordance with City Ordinances, and subject to the approval of the Eastern Municipal Water District and the Riverside County Fire Department.
191. **Annexation to the Citywide Community Facilities District (CFD)** - Prior to the issuance of a Building Permit Issuance the developer/property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services) CFD. The citywide CFD shall be responsible for:
- The maintenance of public improvements or facilities that benefit this development, including but not limited to, public landscaping, streetlights, traffic signals, streets, pavement maintenance, drainage facilities, street sweeping, water quality basins, graffiti abatement, and other public improvements or facilities as approved by the Public Works Director.
- The developer/property owner shall be responsible for all cost associated with the annexation of the proposed development in the citywide CFD.
192. **Landscape Improvement Plans for CFD Maintenance** – Landscape improvements within public ROW and/or areas dedicated to the City for the citywide CFD to maintain shall be prepared on a separate City CFD plans for review and approval by the PW Engineering Department. The plans may be prepared as one plan for the entire development as determined by the PW Director. When necessary, as determined by the PW Director, a separate WQMP construction plan on City title block maybe required for review and approval by the PW Engineering Department prior to issuance of a grading permit.
193. **Parkway Landscaping Design Standards** - The parkway areas behind the street curb within the public's right-of-way, shall be landscaped and irrigated per City standards and guidelines.
194. **CFD Landscape Guidelines and Improvement Plans** – All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD Landscape Guidelines, and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the PW Engineering Department prior to issuance of a construction permit.
195. **Maintenance of CFD Accepted Facilities** – All landscaping and appurtenant facilities to be maintained by the citywide CFD shall be built to City standards. The developer shall be responsible for ensuring that landscaping areas to be maintained by the CFD have its own controller and meter system, separate from any private controller/meter system.
196. **AB 341.** AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- a) Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- b) Subscribe to a recycling service with their waste hauler.
- c) Provide recycling service to their tenants (if commercial or multi-family complex).
- d) Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

197. **AB 1826.** AB 1826 (effective April 1, 2016) requires businesses that generate eight (8) cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.

Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

As of January 1, 2019, the above requirements are now applicable to businesses that generate four (4) or more cubic yards of solid waste per week and one (1) or more cubic yards of organic waste per week. Additionally, as of January 1, 2019, a third trash bin is now required for organics recycling, which will require a larger trash enclosure to accommodate three (3) trash bins. This development is subject to this requirement.

198. **Recyclables Collection and Loading Area Plot Plan.** Prior to the issuance of a building permit for each building, the applicant shall submit three (3) copies of a Recyclables Collection and Loading Area plot plan to the City of Menifee Engineering/Public Works Department for review and approval. The plot plan shall show the location of and access to the collection area for recyclable materials, along with its dimensions and construction detail, including elevation/façade, construction materials and signage. The plot plan shall clearly indicate how the trash and recycling enclosures shall be accessed by the hauler.

The applicant shall provide documentation to the Community Development Department to verify that Engineering and Public Works has approved the plan prior to issuance of a building permit.

199. **Waste Recycling Plan.** Prior to the issuance of a building permit for each building, a Waste Recycling Plan (WRP) shall be submitted to the City of Menifee Engineering/Public Works Department for approval. Completion of Form B "Waste Reporting Form" of the Construction and Demolition Waste Diversion Program may be sufficient proof of WRP compliance, as determined by the Public Works Director / City Engineer. At minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by

construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amounts of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins; one for waste disposal and the other for recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used to further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

200. **Waste Management Clearance.** Prior to issuance of an occupancy permit for each building, evidence (i.e., receipts or other type of verification) shall be submitted to demonstrate project compliance with the approved WRP to the Engineering and Public Works Department in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. Completion of Form C, "Waste Reporting Form" of the Construction and Demolition Waste Diversion Program along with the receipts may be sufficient proof of WRP compliance, as determined by the PW Director / City Engineer.
201. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, and/or issuance of certificate of occupancy, the developer/property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), , Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBD) Fee. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.
202. **Road Bridge Benefit District** –The city is in the process of creating a Road and Bridge Benefit District in the Area. The applicant shall pay the RBBD fees based on the designated land use and areas, prior to the issuance of a building permit, or enter into an RBBD credit Agreement with the City for qualifying improvements. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City, deferring said payment from the time of issuance of a building permit to issuance of a certificate of occupancy. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit of each parcel. If the owner / developer constructs RBBD eligible improvements through another project that exceed its RBBD obligation, those credits, at the approval of the Public Works Director / City Engineer, could be applied to other projects that the owner / developer is constructing via agreement.
203. **TUMF Fees** - Prior to the issuance of an occupancy permit, the developer/property owner shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of (building permit or certificate of occupancy) issuance, pursuant to adopted City Ordinance governing the TUMF program, unless otherwise stated where a three party agreement is executed between WRCOG, the City of Menifee, and the developer / property owner precluding property owner from paying TUMF Fees.
204. **Area Drainage Plan (ADP) Fees.** The proposed development is located within the bounds of the Homeland / Romoland ADP of the Riverside County Flood Control and Water Conservation District (Flood Control District), for which drainage fees have been established by the Riverside County Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior

to building permits for this project. The fee due will be based on the fee in effect at the time of payment. The developer acknowledges that if the estimated cost for required MDP / ADP facilities exceeds the required ADP fees and the developer wishes to receive credit for reimbursement in excess of his fees, the facilities will be constructed as a public works contract.

205. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, and/or issuance of certificate of occupancy, the developer/property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBD) Fee. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.

Section III:
Building and Safety Department
Conditions of Approval

General Requirements

206. Final Building & Safety Conditions. Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
207. Compliance with Code. All Design components shall comply with applicable provisions of the 2022 edition of the California Building, Plumbing and Mechanical Codes; 2022 California Electrical Code; California Administrative Code, 2022 California Energy Codes, 2022 California Green Building Standards, and City of Menifee Municipal Code, 2022 California Fire Code.
208. Disabled Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- Disabled access from the public way to the main entrance of the building.
 - Van accessible and standard accessible parking located as close as possible to the main entrance of the building.
 - Accessible path-of-travel from parking to the furthest point of improvement.
 - Accessible path-of-travel from public right-of-way to the main entrance of the structure.
 - Interior and Exterior disabled access requirements and details as required by California Building Code Chapter 11B.
209. California Green Building Code Requirements. Electric Vehicle (EV)
- Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 and shall be provided in accordance with regulations in the California Building Code and the California Electrical Code.
 - EV capable spaces shall be provided in accordance with Table 5.106.5.3.1
 - The plans shall clearly indicate the location and total amount of future medium and heavy-duty electric vehicle (EV) parking stalls within the site if the building site includes one or more of the following uses: Warehousing, grocery store, retail store with off-street loading areas.
210. County of Riverside Mount Palomar Ordinance. Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a "photometric study" showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
211. Street Name Addressing. Applicant must obtain street name addressing for all proposed buildings by requesting street name addressing and submitting a site plan for commercial, residential/tract, or multi-family residential projects.
212. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.

213. Obtaining Separate Approvals and Permits. Temporary construction/sales trailers, temporary power poles/generators, trash enclosures, patio covers, light standards, building and monument signage, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
214. Sanitary Sewer and Domestic Water Plan Approvals. On-site sanitary sewer and domestic water plans will require separate approvals and permits from Building and Safety. A total of 6 sets shall be submitted.
215. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
216. Hours of Construction. Signage shall be prominently posted at the entrance of the project indicating the hours of construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
217. House Electrical Meter. Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

At Plan Review Submittal

218. Submit one (1) digital complete set of fully dimensioned Structural, Architectural, Plumbing, Mechanical and Electrical Plans, along with one (1) digital set of geotechnical reports and one (1) digital set of precise grade plans. Hard copy plans will not be accepted.

All plans shall be submitted at a digital equivalent minimum 24" x 36"

General Requirements

All sheets of the plans and the first sheet of the calculations are required to be signed by the licensed architect or engineer responsible for the plan preparation. (Business & Professions Code 5802), (Business & Professions Code 5536.1, 5802, & 6735)

Cover Sheet

1. Vicinity Map
2. Parcel number and Site Address
3. Business Name
4. Occupancy Type
5. Occupant Load
6. Type of Construction
7. Number of stories
8. Building Height
9. Floor Area in sq. ft.

10. Building data: Building Type of Construction, Square Feet of leased area intended use/occupancy, occupant loads, Building Code Data: 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Green Building Code, 2022 California Energy Code, and 2022 California Fire Code.
11. List any flammable/combustible materials, chemicals, toxic, or hazardous materials used or stored and total quantities of each, including MSDS reports.
12. Indicate if the building has a fire sprinkler system.
13. Sheet Index

Plot Plans

14. North Arrow
15. Property Lines/Easements
16. Street/Alleys
17. Clearly dimension building setbacks from property lines, street centerlines, and from all adjacent buildings and structures on the site plan.
18. Accessible parking/unload areas, curb ramps, exterior route of travel to the leased area entry door and at least one route to the public right-of-way.
19. Precise grading plans indicating surface grades, locations and details for all accessible walkways, parking stalls, access aisles, ramps, etc...

Floor Plans

20. All wall lines to be indicated by double line.
21. Fully dimensioned and to scale (3/16 inch per foot minimum)
22. Exit door locations, widths, and direction of door swing.
23. Wall legend. Show walls as existing or new, with references to wall construction details indicating heights, framing member size, spacing and material type, connections at top and bottom and top of wall lateral bracing method.
24. Show all fixed elements of construction e.g., bathroom facilities, fixtures, cabinets, storage racks and/or shelves.
25. Accessible features e.g., fixed customer service counters, including kitchen, dining, or drinking bar counters, new bathroom facilities, access to new areas, features and elements.

Reflected Ceiling Plans

26. Indicate the ceiling treatment, ceiling grid, and the placement of all light fixtures.

Section Views

27. Walls and roof/ceiling finishes, complete occupancy separation and fire resistive construction if required, demising walls etc. For new conditioned spaces, section views shall indicate wall heights and insulation locations for walls and roof/ceilings.

Plumbing/Mechanical Plans

28. System material types and sizes, waste/vent and potable water layouts or isometrics, plumbing fixture schedule, etc.

29. HVAC equipment location, distribution layout, material type and sizes fire/smoke control devices and activation.
30. Include a line of site detail showing new roof top equipment shielding.
31. Gas line diagram, material type, sizes, and load demand.

Electrical Plans

32. Interior Main Distribution single line diagram, panel location/schedule, and load calculations, etc.
33. Electric power and lighting plans, interior fixture schedule, illuminated exit signs and emergency illumination.
34. Title 24 Energy Electrical requirements including multi-level switching arrangements and automatic electrical lighting shut-off system.

Structural Plan/Foundation/Floor/Ceiling/Roof Plan and Details

35. Structural design justification of the existing roof framing for new mechanical equipment exceeding 300lbs.
36. Foundation supporting elements and connections, reinforcement, slab, and footing details, etc.
37. Structural frame plan(s).
38. T-Bar ceiling standard details and seismic restraints.

Supplemental Information

39. Submittal to include one (1) digital set of original shell building Title 24 Energy Calculations or new Title 24 Energy calculations or Energy calculations as for newly constructed conditioned space.
40. Envelope or Mechanical for conditioned space as new construction or, as for an addition including, LTG (lighting) Energy calculations for new lighting with required forms copied to the full-size plan sheets.
41. Separate submittals and permits are required for signs. Planning approval required prior to submittal to Building & Safety.
42. Fees are based on the City of Menifee Adopted Fee Schedule.
43. Restaurant/Food establishments must obtain approval from the County Health Department/Food Division, and the local water/sewer purveyor for grease waste interceptors.
44. All contractors/sub-contractors must show proof of State and City licenses and shall comply with SEC. 3800 of the Labor Code regarding Workers Compensation.
45. Applicant shall obtain all required clearances and/or approvals from Planning, Engineering, Fire, and the appropriate water district(s) prior to issuance of any building permits.

Prior to Issuance of Building Permits

219. All associated Building Fees to be paid.
220. Each Department is **required** to Approve, with a signature.

Prior to Final Inspection

Each department that has conditions shall have completed and approved their final inspection prior to requesting the final inspection by the Building and Safety Department.

Prior to Certificate of Occupancy

221. The Business shall obtain a final inspection from all city departments and any other outside agency final inspections.

222. Each department is required to review and approve with a signature on the request for Commercial Occupancy form once ALL Conditions of Approval have been Met/Approved. The Request for Commercial Occupancy form is available on the City of Menifee website at <https://www.cityofmenifee.us/DocumentCenter/View/14362/Request-for-Commercial-Permit-Issuance>

You will be required to obtain the signatures in person at the City of Menifee City Hall.

223. The business shall obtain a City of Menifee business license after the Certificate of Occupancy has been issued. Information about the city business license may be found here <https://www.cityofmenifee.us/309/Business-License>

A business shall not be open to the public or operate without a city business license or a Certificate of Occupancy.

Section IV:
Office of the Fire Marshal
Conditions of Approval

It is the responsibility of the recipient of these Fire Department conditions to forward them to all interested parties. The permit number (**as it is noted above**) is required on all correspondence.

Additional information is available at our website: www.rvcfire.org

Questions should be directed to the Riverside County Fire Department, Office of the Fire Marshal at City of Menifee 29714 Haun Rd., Menifee, CA 92586. Phone (951)723-3767

CONDITIONS

224. **Surface Load and Capabilities** - Fire apparatus access roads shall be designed to support the imposed loads of fire apparatus [80,000 pound live load (gross vehicular weight) distributed over two axles] and shall be surfaced so as to provide all-weather driving capabilities [rear wheel drive apparatus] for the length and grade(s) of the fire apparatus access road.
225. **Aerial Fire Apparatus Access Roads** - Where the vertical distance between grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. Aerial fire apparatus access roads shall have unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof, with an unobstructed vertical clearance of 13 feet 6 inches.
226. **Gates** - Gate entrances shall be at least two feet wider than the width of the traffic lanes serving the gate. Any gate providing access from a road to a driveway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38 feet turning radius shall be used.
227. **Auto Gates** - Gates shall be automatic minimum 24 feet in width. Gate access shall be equipped with a rapid entry system to include OPTICOM and Knox Electric switches. Plan shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.
228. **Fire Department Access** - Fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
229. **Sprinkler System** - Buildings or structures exceeding 3600 sq. ft are required to have approved CFC and NFPA 13 compliant fire sprinkler systems installed.
230. **Building Access** - Shall comply per Table 3206.2 California Fire Code, fire apparatus access roads in accordance with Section 503 shall be provided within 150 feet of all portions of the exterior walls of buildings used for high pile storage.
231. **Access Doors** - Where building access is required by Table 3206.2, fire department access doors shall be provided in accordance with this section. Access doors shall be accessible without the use of a ladder.

232. **Number of Doors Required** - The required access doors shall be distributed such that the lineal distance between adjacent fire department access doors does not exceed 125 feet measured center to center.
233. **Smoke and Heat Removal** - Where smoke and heat removal is required by Table 3206.2 it shall be in accordance with Section 910.
234. **Additional Required Hydrants** - Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards. (TRANSPORTATION HYDRANTS OFF SITE)
235. **Minimum Required Fire Flow** - The Fire Department is required to set a minimum fire flow for the remodel or construction of all commercial buildings in accordance with Ordinance 787 and the California Fire Code
236. **Blue Dot Reflectors** - Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placements of markers must be approved by the Riverside County Fire Department.
237. **Minimum Required Fire Flow** - The Fire Department is required to set a minimum fire flow for the remodel or construction of all commercial buildings in accordance with Ordinance 787 and the California Fire Code. A fire flow of 8000 gpm for a 4 hour duration at 20 psi residual operating pressure must be available before any combustible material is placed on the job site. A minimum number of 8 Super fire hydrant(s) (6"x4"x2½"x2½") shall be provided for this project. Additional fire hydrants may be required to meet the spacing requirements of the California Fire Code.
238. **On/Off Looped FHA** - Combination of on-site and off-site super fire hydrants (6"x4"x2½"x2½") on a looped system shall be provided spaced an average of 200 feet between fire hydrants and in no case shall fire hydrants be further than 120 feet from any portion of on a street or road frontage as measured along approved vehicular travel ways. Fire hydrant(s) shall be located so that no portion of the building is farther than 250 feet from any hydrant(s) as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant(s) in the system.

Section V:
Riverside County Environmental Health
Conditions of Approval



COUNTY OF RIVERSIDE
DEPARTMENT OF ENVIRONMENTAL HEALTH
(888) 722-4234 • RIVCOEH.ORG

September 24, 2024

City of Menifee
Planning Department
Attn: Ryan Fowler
29844 Haun Road
Menifee, CA 92586

SUBJECT: CITY OF MENIFEE PLANNING CASE – DEV2022-017, PLN22-0179
ARES Warehouse (APN 330-560-001 to -040, 330-570-001 to -033, 330-571-001 to -005, 660-210-010, -011, -013, -062)

Dear Mr. Fowler:

The project listed in the subject heading of this letter is proposing the development of the following:

DEV2022-017, PLN22-0179 proposes to construct one (1) concrete tilt-up building totaling 551,685 square feet (sq. ft.) which includes 6,716 sq. ft. of office, and 544,969 square feet of warehouse on an approximately 23 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 544 automobile parking spaces, 65 trailer parking spaces, and 90 dock high doors. The proposed project location is west of Murrieta Road, east of Geary Street, north of McLaughlin Road, and south of Floyd Avenue.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Menifee, DEH offers the following final comments/recommendations:

POTABLE WATER AND SANITARY SEWER SERVICE:

A "General Condition" shall be placed on the project indicating that the subject property is proposing to continue potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of this facility to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, in addition to all other applicable agencies.

Prior to building permit issuance, provide documentation that establishes water and sewer service for the entire project from EMWD (ex: First Release Letter).

Prior to building permit final, applicant must provide documentation that verifies actual service from EMWD (ex: Final Release Letter).

Office Locations • Corona • Hemet • Indio • Murrieta • Palm Springs • Riverside

Phone (888)722-4234 • www.rivcoeh.org

REMOVAL/DESTRUCTION OF ANY EXISTING OWTS AND WELLS:

Prior to grading permit issuance, this facility shall be required to provide documentation that the Onsite Wastewater Treatment Systems (OWTS/septic systems) were properly demolished and received final permit clearance by the appropriate agency. If any existing wells and/or existing onsite wastewater treatment systems (OWTS) are discovered, they shall be properly removed and/or destroyed under permit with DEH.

HAZARDOUS MATERIALS MANAGEMENT BRANCH

Prior to building permit final, this facility shall be required to contact and have a review conducted by the Hazardous Materials Management Branch (HMMB). A business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances will be required. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances. Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

LOCAL ENFORCEMENT AGENCY

Ensure the appropriate size and number of refuse/recycle bins are provided at this site, in accordance with SB1383 and that an approved Solid Waste Hauler purveyor is utilized. For additional information please contact our Local Enforcement Agency (LEA) at (951) 955-8980.

Should you have any further questions or require further assistance, please contact me by email at sihampton@rivco.org or by phone at (951) 955-8980.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stacy Hampton', enclosed within a large, loopy oval flourish.

Stacy Hampton, REHS
Senior Environmental Health Specialist
Riverside County Department of Environmental Health
Environmental Cleanup Program

The undersigned warrants that he/she is an authorized representative of the project referenced above, that I am specifically authorized to consent to all of the foregoing conditions, and that I so consent as of the date set out below.

Signed

Date

Name (please print)

Title (please print)



**NOTICE OF PUBLIC HEARING
AND
NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT REPORT**

TIME OF HEARING: October 23, 2024
DATE OF HEARING: 6:00PM, or as soon thereafter as possible
PLACE OF HEARING: **MENIFEE CITY COUNCIL CHAMBERS**
29844 Haun Road, Menifee, CA 92586

A PUBLIC HEARING has been scheduled, pursuant to the City of Menifee Municipal Code, before the **CITY OF MENIFEE PLANNING COMMISSION** to consider the project shown below:

Project Title: “Murrieta Road Warehouse Project” – Plot Plan No. PLN 22-0179 – Environmental Impact Report (EIR) (State Clearinghouse Number #2023110162.)

Project Location: The Project is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road within the City of Menifee (City), County of Riverside, State of California (Assessor Parcel Numbers [APNs]: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005).



The Planning Commission will consider whether to approve of the following project at a public hearing:

Plot Plan No. No. PLN 22-0179 includes development of an approximately 517,720-square-foot (SF) speculative warehouse building. The environmental analysis includes a development buffer to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The 533,252 SF warehouse building would include approximately 20,320 SF of ground floor office space, 7,000 SF of mezzanine office space, and 505,932 SF of warehouse space, and would be approximately 55 feet tall. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

The Project would include 90 dock-high doors and 4 grade-level truck doors. Approximately 128 trailer parking spaces would be provided in the northern truck court and 64 trailer parking spaces would be provided in the southern truck court, within areas secured by sliding gates. The proposed Project would also provide 409 passenger car parking spaces. Access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road.

The Project would also include approximately 137,363 SF of ornamental landscaping that would cover 11.0 percent of the site. The proposed Project includes an approximately 14-foot-high retaining and screen wall along the interior of the northern and southern truck courts (outside facing wall would be 8 feet high with a landscaping berm), which would taper to a 6-foot-high screen wall along the northern property line outside of the truck court. The Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements.

Environmental Information: On May 24, 2024, a Notice of Availability of the Draft EIR was sent to Responsible and Trustee Agencies and mailed to surrounding property owners and non-owner residents within 500 feet of the project site, stating that copies of the Draft EIR were available for public review on the City's website, at the City of Menifee City Hall, the Sun City Library and Menifee Library. The public review period was for the State-mandated 45 days, from May 24, 2024, through July 8, 2024. Analysis presented in the Draft EIR indicated the proposed project would have certain significant and unavoidable greenhouse gas and noise impacts. The Draft EIR also presented mitigation measures, which will reduce project-specific and cumulative impacts. All other environmental effects evaluated in the Draft EIR are considered less than significant or can be successfully mitigated below the applicable significance thresholds.

The Final Environmental Impact Report (FEIR) responds to the comments and includes text revisions to the Draft EIR in response to input received on the Draft EIR. Unlike the Draft EIR, the City is not required to respond to comments on the FEIR. If written comments are received, they will be provided to the Planning Commission as part of the staff report for the Project. The Draft EIR and FEIR will be submitted to the Planning Commission for requested certification and action on the Project.

The FEIR is available on the City of Menifee Community Development Department website: <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>. A hard copy of the FEIR can be viewed at: **Menifee City Hall** – 29844 Haun Road, Menifee, CA 92586.

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

Any person wishing to comment on the proposed Project may do so in writing between the date of this notice and the public hearing and be heard at the time and place noted above. All comments must be received prior to the time of the public hearing. All such comments will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed Project.

If this Project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comments, the Planning Commission may amend, in whole or in part, the proposed Project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed Project, may be changed in a way other than specifically proposed.

For further information regarding this project or to provide written correspondence, please contact Ryan Fowler at (951) 723-3740 or e-mail rfowler@cityofmenifee.us.

CITY OF MENIFEE COMMUNITY DEVELOPMENT DEPARTMENT
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