

1.0 INTRODUCTION

1.1 Findings of Fact

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

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

Having received, reviewed and considered the Final Menifee Commerce Center Project (Project), State Clearinghouse (SCH) # 2021060247; as well as all other information in the record of proceedings on this matter, the following Findings Regarding the CEQA Documents for the Project are hereby adopted by the City of Menifee (City).

1.2 Document Format

These Findings have been categorized into the following sections:

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

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

- 6) Section 6.0 sets forth findings for significant and unavoidable project impacts.
- 7) Section 7.0 sets forth findings regarding growth-inducing impacts.
- 8) Section 8.0 sets forth findings regarding alternatives to the Project.
- 9) Section 9.0 contains findings regarding the Mitigation, Monitoring and Reporting Program (MMRP) for the Project.
- 10) Section 10.0 contains other relevant findings adopted by the City with respect to the Project.
- 11) Section 11.0 contains the Statement of Overriding Considerations for the Project.
- 12) Section 12.0 contains information pertaining to the certification of the Final EIR.

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

1.3 Custodian and Location of Records

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

2.0 PROJECT SUMMARY

2.1 Project Description/Location

The Project site is generally located southeast of the Interstate 215/Ethanac Road interchange in the City of Menifee, County of Riverside, State of California. The Project site is generally bounded by a Riverside County Flood Control channel, Southern California Edison easement and McLaughlin Road to the south, Ethanac Road to the north, Dawson Road to the east, and Trumble Road to the west, in the northeastern part of the City of Menifee, and consists of seven parcels total (Assessor Parcel Numbers [APNs]: 331-110-035, 331-110-027, 331-110-041, 331-140-010, 331-140-018, 331-140-021, and 331-140-025).

The Project site consists of mostly vacant undeveloped land. There are existing single-family residences and associated out structures located on APNs 331-110-027 and 331-140-018 of the site. The Project would include the construction of two (2) concrete tilt-up buildings, identified as Building 1 and Building 2. Building 1 would total 1,254,160 square feet and proposes a structural roof height of 50 feet and includes 679 automobile parking spaces and 369 truck trailer parking spaces. Building 2 would total 385,970 square feet and proposes a structural roof height of 47 feet and includes 232 automobile parking spaces and 154 truck trailer parking spaces. At both buildings, portions of the parapet wall would exceed 50 feet to completely screen all rooftop equipment and to provide roof height offsets for an overall

enhanced building façade on all sides. The maximum parapet wall height at Building 1 would be 52 feet and at Building 2, 51 feet.

Associated facilities and improvements of the Project include loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities).

2.2 Discretionary Actions

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

General Plan Amendment No. PLN21-0100 proposes to change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).

Specific Plan Amendment No. 2019-006 proposes to modify the boundary of the Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-110-027 within Planning Area 2 (“Industrial”).

Change of Zone No. PLN21-0101 proposes to change the zoning classification of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 (“Industrial”).

Tentative Parcel Map No. 38156 (PLN21-0205) proposes to combine (APNs 331-140-010, 331-140-018, 331-140-021, and 331-140-025) into one (1) parcel for a total of 56 gross acres and a proposal to combine (APNs 331-110-035, 331-110-027, and 331-110-041) into one (1) parcel for a total of 21.79 gross acres.

Plot Plan No. 2019-005 proposes to construct two concrete tilt-up buildings. Building 1 would total 1,254,160 square feet and include 1,095,440 square feet of warehouse, 144,220 square feet of mezzanine and 14,500 square feet of office. Building 2 would total 385,970 square feet and include 375,970 square feet of warehouse and 10,000 square feet of office. A total combined 894 standards size spaces and 17 ADA spaces, for a total of 911 vehicle parking spaces. Additionally, 523 trailer parking stalls would be provided.

2.3 Statement of Objectives

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

Objective 1: Develop an industrial project that conforms to the City’s General Plan and the Menifee North Specific Plan.

Objective 2: Provide a new development that will generate a positive fiscal balance for the City moving forward.

Objective 3: Design and build a Class-A institutional quality industrial project that will attract high end tenants and increase the City's tax base.

Objective 4: Generate employment opportunities within the City while improving the local balance of housing to job ratio.

Objective 5: Facilitate the movement of goods and services for the benefit of local and regional economic growth.

Objective 6: Develop a warehouse project adjacent to transportation corridors, truck routes, local amenities, and the nearby Interstate 215 Freeway for employee convenience and efficiencies of transporting goods.

Objective 7: Develop a warehouse project which efficiently uses the property, while conforming with all City regulatory policies.

Objective 8: Improve public safety and traffic flow in North Menifee with roadway and infrastructure improvements of Trumble Road, Sherman Road, Dawson Road, McLaughlin Road, and Ethanac Road.

Objective 9: Provide enhanced landscaping along City designated corridors with the construction of wide streets and landscaping setbacks.

Objective 10: Provide the backbone infrastructure for future growth and prosperity of the surrounding benefit area that will serve the immediate and long-term needs of the community.

3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A Notice of Preparation (NOP) was distributed for the Project by the City on June 9, 2021. As well, the State of California Clearinghouse issued a project number for the project, SCH # 2021060247. In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of 30 days, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. These NOP responses were considered in the preparation of the Draft EIR, which upon release, was made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087.

The State-mandated public review of the Draft EIR began on Tuesday June 7, 2022 and concluded July 21, 2022 (30 days). The Final EIR includes a Response to Comments package, which presents all written comments received during the public review period of the Draft EIR and includes responses to these comments and associated changes made to the EIR.

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

the Project and the EIR. The following findings for the Project and each fact in support of a finding are thus based upon substantial evidence in the record.

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

The City finds, based upon the analysis presented in Section 4.0 of the Draft EIR, dated June 2022, as the following environmental effects of the Project either have no impact or are less than significant, and, therefore, no mitigation measures are required. The City hereby finds that existing regulatory requirements, policies, and/or Project conditions have been identified and incorporated into the Project which avoids or substantially lessens the potentially significant effect on the environment to a less than significant level.

4.1 Aesthetics

Impact 4.1-1: Less than Significant Impact

The Project will not significantly impact 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. Notably, the Project's building structural roof height for Building 1 would be 50 feet and Building 2 would be 47 feet in height. At both buildings, portions of the parapet wall would exceed 50 feet to completely screen all rooftop equipment and to provide roof height offsets for an overall enhanced building façade on all sides. The maximum parapet wall height at Building 1 would be 52 feet and at Building 2, 51 feet. Moreover, the Project would not significantly obscure views of these relatively close scenic vistas to nearby residents or motorists traversing along Tremble Road, Sherman Road and Ethanac Road. (Draft EIR, p. 4.1-10.) For these reasons and the reasons discussed in the EIR, the Project's impacts on scenic vistas would be less than significant, and no mitigation relating to this issue is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.1-2: Less than Significant Impact

No adopted State of California (State) or Riverside County (County) scenic highways exist within the City. The nearest officially designated state scenic highway is approximately 18 miles east of the Project site (SH 74 from the west boundary of the San Bernardino National Forest to SH 111 in Palm Desert). Therefore, construction and operation of the Project site would not damage or obstruct any scenic resource (e.g., trees, rock outcroppings, or historic buildings) within a state scenic highway. (Draft EIR, p. August 2022

4.1-810) For these reasons and for the reasons discussed in the EIR, the Project would not substantially damage scenic resources within a state scenic highway, and no mitigation relating to this issue is required. (Draft EIR, p. 4.1-10.)

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.1-10.

Impact 4.1-3: No Impact

The Project would require a GPA, Zone Change, and Specific Plan Amendment. Following approval of these actions, the Project site would be fully zoned as Menifee North SP. Project construction and operation would comply with the development standards and design standards and guidelines laid out in the Menifee North SP. Standards and guidelines specific to scenic quality include the general standards, PA 2 planning standards, and lighting standards. Through compliance with the Menifee North SP development standards and design standards and guidelines, and GP goals and policies, the Project would not conflict with applicable zoning and other regulations governing scenic quality.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.1-15 through 4.1-16.

Impact 4.1-4: Less than Significant Impact

The Project will not result in any construction-related lighting, as construction of the Project would be limited to the daytime hours of construction permitted by the City's Municipal Code. Once operational, all lighting at the Project site would be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features would be permitted that create adverse glare effects pursuant to the Menifee North Specific Plan which references Section 10.4. Development Standards for Article XII M-H Zone of Ordinance No. 348, all lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. Thus, consistent with Section 10.4, as well as Article XVIII General Provisions of Ordinance No. 348, all lighting shall be indirect, hooded, and positioned so as not to reflect onto adjoining property or public streets.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.1-17 through 4.1-18.

4.2 Agriculture and Forestry Resources

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

No Project actions were concluded to be less than significant, but rather designated as not having an impact as the site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there are no lands within the City that are currently under a Williamson Act contract, and there is no forest or timberland present on the Project site that could be lost from Project implementation.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.3 Air Quality

Impact 4.2-3: Less than Significant Impact

The South Coast Air Quality Management District (“SCAQMD”) has set forth Localized Significance Thresholds (“LSTs”) to determine whether a project could expose sensitive receptors to substantial pollutant concentrations. The LST methodology, used in the EIR, assesses localized impacts associated with Project-specific emissions. Here, neither construction nor operation of the Project would result in pollutant concentrations that would exceed the applicable SCAQMD thresholds. The Project’s emissions would be well below the SCAQMD’s applicable LSTs. For these reasons and the reasons set forth in the EIR, the Project would not expose sensitive receptors to substantial pollutant concentrations, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.2-28 through 4.3-35.

Impact 4.2-4: No Impact

The Project does not involve any of the land uses that would result in emissions, such as those leading to odors, that would adversely affect a substantial number of people. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, the Project would not create objectionable odors, and no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.3-36.

4.4 Biological Resources

Impact 4.3-2: No Impact

No jurisdictional drainage features, riparian/riverine areas, wetlands, or vernal pools were observed within the Project site during the field survey. Therefore, regulatory approvals from the USACE, RWQCB, or CDFW, or a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis under the MSHCP would not be required and no impact would occur.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to riparian habitat or other sensitive natural community beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

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

Impact 4.3-3: No Impact

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. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-15.

Impact 4.3-4: Less than Significant Impact

The Project site is isolated from regional wildlife corridors and linkages, and there are no riparian corridors, creeks, or useful patches of stepping-stone habitat (natural areas) within or connecting the Project site to distant wildlife corridors. As such, development of the Project site is not expected to impact wildlife movement opportunities or prevent distant wildlife corridors from continuing to function as a wildlife corridor. Therefore, impacts to wildlife corridors or linkages are not expected to occur and impacts would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-15.

Impact 4.3-5: Less than Significant Impact

The Project would be constructed in compliance with the requirements of the Menifee General Plan (GP), Menifee North Specific Plan, and the Menifee Municipal Code (MC). The Menifee GP provides goals and policies for the conservation of biological resources. Goal OSC-8 protects biological resources and Policy OCS-8-5 calls for the recognition of the impacts new development will have on the city's natural resources and to identify ways to reduce these impacts. Through adherence with § 9.200.060 of the Comprehensive Development Code and the above guidelines, impacts would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.5 Cultural Resources

Impact 4.4-1: Less than Significant Impact

According to the cultural resource's investigation, four sites of historical origin have previously been recorded on roads that potentially would be subject to improvement. Three houses, P-33-015382, P-33-015383, and P-33-015389, constructed in 1934, 1918, and 1960, respectively, are located on Ethanac Road. Due to additions and modernization of these residences, they were determined to possess a low degree of historical integrity at the time of recordation, and as such, were not considered significant according to CEQA criteria. The fourth historical-era site (P-33-020502/CA-RIV-10403), recorded in 2011,

is comprised of two segments of Sherman Road. Since the portion of Sherman Road recorded as a site was already an improved road, no further research or mitigation was recommended. As a result of the cultural resource records search and intensive pedestrian survey, each of the four previously recorded historical-era sites were field checked, but nothing further was done since they had already been recorded as not being significant per CEQA criteria. Overall, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. A less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-15 through 4.4-16.

Impact 4.4-2: Less than Significant Impact

The cultural report did not warrant or recommend further monitoring as the chance of encountering buried archaeological deposits is considered very low. However, to avoid any inadvertent discovery of archaeological resources, monitoring of future earth-disturbing activities will be conducted according to COA-CUL-1 through COA-CUL-8. Additionally, a record search of the NAHC SLF was completed for the area of potential effect “the Project site” and the search also returned negative results. Therefore, the Project’s potential impacts concerning the significance of an archaeological resource would be less than significant. Adherence to Standards Conditions of Approval COA-CUL-3 through COA-CUL-7 would further minimize impacts.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-16 through 4.4-17.

Impact 4.4-3: Less than Significant Impact

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

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.4-18.

4.6 Energy

Impact 4.5-1: Less than Significant Impact

The Project would comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. Therefore, potential impacts are considered less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.5-7 through 4.5-18.

Impact 4.5-2: Less than Significant Impact

Project design and operation of the Project will comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. The Project development of the Project will not cause inefficient, wasteful and unnecessary energy use, and impacts will be less than significant. Additionally, the Project will be subject to compliance with all federal, state, and local requirements for energy efficiency. For all of the foregoing reasons and the reasons set forth in the EIR, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Overall, the Project would not conflict with any of state or local plans. As such, a less than significant impact is expected.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.5-18 through 4.5-19.

4.7 Geology and Soils

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

There are no known active or potentially active faults on or trending toward the Project site and the Project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Because there are no known faults located on or trending towards the Project site, the Project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

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

The Project site is not subject to a significant risk associated with seismic-related ground failure, including liquefaction. Notably, the Project site is not located within a zone identified as having a potential for liquefaction by the State. Additionally, according to the City's Liquefaction and Landslides map, the Project site and the immediate area are not within a zone of generalized landslide susceptibility. A less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.6-12 through 4.6-13.

Impact 4.6-5: Less than Significant Impact

Construction activities such as excavation and grading would be minimal given that the Project site is relatively flat. No major grading or excavation would be needed to substantially alter the slope of the site, create, or remove steep slopes, create retaining walls, or make other landform modifications. Nevertheless, grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. During construction, the Project site would be required to comply with erosion and siltation control measures. This would include measures such as sand-bagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commences, and construction begins the erosion measures would be removed or relocated as necessary. In addition,

a network of storm drains and gutters would be installed and maintained as necessary throughout the developed site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.6-13 through 4.6-15.

Impact 4.6-6: Less than Significant Impact

Research conducted by SCG on the Riverside County GIS website indicates that the Project site is located within a zone of low liquefaction susceptibility. In addition, the soil conditions encountered at the boring locations are not considered to be conducive to liquefaction. These conditions consist of dense, well-graded, granular soils and very stiff to hard cohesive soils extending to depths of 25 feet. Furthermore, the static groundwater table does not exist within 50 feet of the ground surface. Based on these considerations, liquefaction and landslides are not considered to be a design concern for the Project, and potential for lateral spreading would be low. Additionally, groundwater was not encountered which could exacerbate the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse. The geotechnical report provides recommendations to support the proposed structures and offset impacts from subsidence. The City has already adopted the CBC by reference and after compliance with the recommendations in the geotechnical report, impacts from potential subsidence of 0.10 feet would be reduced to a less than significant level.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.6-15.

4.8 Greenhouse Gas Emissions

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

4.9 Hazards and Hazardous Materials

Impact 4.8-2: Less than Significant Impact

Database searches did not reveal any Leaking Underground Storage Tanks (LUSTs), Underground Storage Tanks (USTs), or Above Ground Storage Tanks (ASTs) located on the Project site. Additionally, the Project

site has not been cited or issued violation notices by any environmental regulatory agency for improper use or disposal of hazardous materials. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Operation of the Project site would involve typical hazardous materials and chemicals such as solvents and cleaning products associated with operation of an industrial/warehouse type use. The CUPA program provided by the County is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout Riverside County. Furthermore, household hazards such as cleaners and solvents contain such low quantities of liquid and material that they do not pose a significant threat related to the release of hazardous materials into the environment. A less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts through the emission or generation of hazardous materials beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

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

Impact 4.8-3: Less than Significant Impact

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest operating school to the Project site is 0.4 mile to the northeast. Romoland Elementary School is located at 25890 Antelope Road, Menifee, CA 92585. The Health Risk Assessment (Appendix 9.2.1) concluded that the Project would not exceed South Coast Air Quality Management Plan localized significance thresholds during construction. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during Project construction. Additionally, the Project would not exceed the South Coast Air Quality Management District localized significance thresholds during operational activity. Further Project traffic would not create or result in a CO “hotspot.” Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Project operations. Therefore, impacts would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-22 through 4.8-23.

Impact 4.8-4: Less than Significant Impact

According to the Phase I ESA, the Project site is not included on the hazardous sites list compiled pursuant to Government Code Section 65962.5.9. In addition, the Phase I ESA (2021) did not identify any environmental concerns for the Project site. Therefore, impacts would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.8-5: Less than Significant Impact

The Project site is located within Compatibility Zones D and E of the MARB. Within Compatibility Zones D and E of the AIA, residential density and non-residential intensity are not restricted. The Project would be developed in accordance with the Compatibility Zone D and E regulations, and all state, county, and local goals, policies, and regulations. Furthermore, the Project has previously been reviewed and approved by the ALUC on October 14, 2021, subject to COA-HAZ-1 through COA-HAZ-5. Therefore, the Project would not result in a significant impact.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-23 through 4.8-25.

Impact 4.8-6 Less than Significant Impact

The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation of the Project, adequate emergency access for emergency vehicles would be maintained along public streets that abut the Project site. Additionally, the improvement of Sherman and Dawson Roads will benefit future response times in this area, as these two roads are currently unimproved. Because both Project construction and operations would not disrupt or interfere with emergency access to nearby roadways, would not interfere with the City's emergency response plan, and would comply with design standards for emergency services, impacts would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.8-26.

Impact 4.8-7 Less than Significant Impact

CalFire does not identify the Project site as being within an area susceptible to wildland fires. Moreover, the City's Fire Department will review all building plans for compliance with the California Building Code and state and local statutes, ordinances and regulations relating to the prevention of fire and the protection of life and property against fire. For these reasons and the reasons set forth in the EIR, the Project would not result in a significant impact relating to this issue, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.8-26 through 4.8-27.

4.10 Hydrology and Water Quality

Impact 4.9-2: Less than Significant Impact

The Project would include elements to reduce the effects of the new impervious areas pursuant to design measures in the enhanced watershed management plan (EWMP). These measures include, but are not limited to, low impact development (LID) BMPs and other stormwater drainage controls. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows water to slowly infiltrate the ground and helps facilitate recharge. In addition, LIDs that include permeable materials, enable run-off to immediately infiltrate and begin the recharge process. Lastly, the Project site also includes areas that will be landscaped with permeable surfaces in accordance with EMWD's Water Efficient Guidelines for New Development, which also would facilitate groundwater recharge. Therefore, with the required measures in place, the loss of the permeable area would not be substantial and groundwater recharge would maintain pre-Project conditions.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.9-19 and 4.9-20.

Impact 4.9-7: Less than Significant Impact

The Project's components are not anticipated to obstruct groundwater facilities as groundwater facilities are not planned by EMWD for this Project. Furthermore, it was concluded that the Project would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies. Thus, the Project would not conflict with the Hemet/San Jacinto Groundwater Management Plan or the West Jacinto Groundwater Basin Management Plan. For these reasons and the reasons set forth in the EIR, the Project's impacts relating to this issue are less than significant, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.11 Land Use and Planning

Impact 4.10-1 No Impact

The Project will not be located in an established residential community, and it would not physically divide any such community. The Project would occupy an area to be fully designated/classified as Menifee North SP, considering that there are currently three different designations. The Project, a proposed warehousing development, would conform to the established land use and zoning of the area, after the General Plan, Zone change, and Specific Plan Amendment. The Project would displace two non-conforming residential units located on the site. The residential uses are not permitted uses under the existing General Plan land use and zoning designations of Heavy Industrial/Manufacturing (HI) and Business Park/Light Industrial (BP). Additionally, the Project would not involve the removal of vital roadways or points of connection for residents but would improve Project area roadways. Therefore, development of the Project would not divide an established community and no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.10-6 through 4.10-7.

Impact 4.10-2: Less than Significant Impact

The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. As set forth in the EIR, regionally, the Project would comply with the goals and policies presented in Southern California Association of Government's ("SCAG") Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS"). Locally, the Project would comply with the City's General Plan and its land use goals and policies, the City's Development Code, and the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. For these reasons and the reasons set forth in the EIR, the Project would have a less than significant impact relating to this issue, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.10-7 through 4.10-24.

4.12 Mineral Resources

Impact 7.3-1: No Impact

The Project is located within Resource Zone (MRZ) 1 area and the remainder of the site is located within MRZ-3. MRZ-1 are areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources, and MRZ-3 identifies areas containing known or inferred mineral occurrences of undetermined mineral resource significance. The Project site would be within an area of the City which is currently disturbed and partially developed. None of the past existing uses included uses that focused on mineral refinement or mining. No mineral resources have been identified in or around the Project site. No impact to mineral resources would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 7-3.

Impact 7.3-2: Less than Significant Impact

The Project would be located in a previously disturbed and partially developed portion of the City. The previous uses at the Project site did not include mining activities or mineral processing. Further, no active mining sites exist within the City, according to the California Department of Conservation's Mines Online mapper. Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.13 Noise

Impact 4.11-2: Less than Significant Impact

The Project would not generate excessive groundborne vibration or groundborne noise levels. The closest inhabited dwelling to construction activity is a non-conforming residential dwelling at 26230 Trumble Road, 15 feet from the north property line near Building 2. At this distance, Project construction would generate vibration levels up to approximately 0.07 in/sec, which are not expected to be readily perceptible and pose virtually no risk of damage. Construction is not expected to generate significant vibration levels. All mechanical equipment would be located over 100 feet from vibration-sensitive land uses. Additionally, groundborne vibration levels resulting from mechanical equipment are dependent of the design of the equipment. All ground-mounted mechanical equipment would be installed using vibration-dampening resilient isolators designed to ensure that vibration levels would be lower than 0.2 in/sec PPV at Project property lines adjacent to vibration-sensitive land uses. No significant operational vibration impacts would be expected.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.11-14 through 4.11-15.

Impact 4.11-3: Less than Significant Impact

The Project site is not within the Airport Influence Area (AIA) Boundary or noise contours for Perris Valley Airport or French Valley Airport. The Project is within the AIA of the March Air Reserve Base (zones D and E), but not within noise contours. The runway for March Air Reserve Base/Inland Port Airport is located

approximately 9.2 miles northwest of the Project site. Due to the distance, the Project site would not be exposed to excessive noise levels from airport operations. The Project site is not within two miles of any other public airport/public-use airport or in the vicinity of a private airstrip; therefore, the Project would not expose people residing or working in the Project area to excessive airport/airstrip-related noise levels. As such, this impact would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.11-15.

4.14 Population and Housing

Impact 7.4-1: Less than Significant Impact

The Project would not induce substantial unplanned population growth in the area. Notably, the Project entails the construction of warehouse facilities, would not result in the construction of additional housing, and would not remove obstacles to population growth. The County of Riverside has a 4.3 percent unemployment rate and it is anticipated that the new jobs provided by the Project would be acquired by local residents or those from the surrounding communities. Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 7.4-2: No Impact

There are two nonconforming single-family residences with associated out structures located on the Project site. Both residences appear to be manufactured homes, which can be relocated elsewhere. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere; therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.15 Public Services

Impact 4.12-1: Less than Significant Impact

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

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-6 through 4.12-8.

Impact 4.12-2: Less than Significant Impact

The Project would be subject to the applicable DIFs. Additionally, funding for the operation and maintenance of existing services comes from the City's General Fund, Measure DD funds, as well as County Service Area 86 monies. It is anticipated that the Project site would be adequately served by existing Menifee Police Department (MPD) facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the Project warehouses. Additionally, development of the site would increase property tax revenues to provide a source of funding to offset any increases in the anticipated demands for public services generated by the Project.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-8 through 4.12-9.

Impact 4.12-3: Less than Significant Impact

The Project does not include residential land uses and would not directly introduce new school-age children within the Romoland Unified School District (“RUSD”) boundaries. Furthermore, the Project is not expected to draw a substantial number of new residents to the surrounding area and would not, therefore, substantially increase enrollment at RUSD schools. Because the Project would not directly generate students and is not expected to indirectly draw a substantial number of students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for public school services, RUSD currently requires school mitigation impact fees of \$0.48 per square foot for commercial/industrial developments. RUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. Additionally, DIFs from the Perris Union High School District (within Perris) could be applicable at \$0.1848 per square foot. Payment of these fees in compliance with Government Code section 65996 fully addresses all impacts to school facilities. For the foregoing reasons and the reasons discussed in the EIR, the Project would not result in a significant impact relating to this issue, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.12-4

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no park facilities exist on the Project site, the Project would not conflict with existing park structures or require modification of park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.12-5: Less than Significant Impact

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no public facilities exist on the Project site, development of the Project would not conflict with existing public structures or require modification of public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.12-10 through 4.12-11.

4.16 Recreation

Impact 7.5-1: No Impact

The Project is industrial and warehouse buildings with office space and does not propose any residential development or other land use that may generate a population that would increase the use of these parks or any existing neighborhood or regional parks or other recreational facility. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 7.5-2: No Impact

The Project applicant does not propose, nor require, the construction or expansion of recreational facilities. The Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for parkland recreational purposes. Implementation of the Project would not have an adverse physical effect on the environment as it pertains to construction/expansion of recreational facilities. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

4.17 Transportation

Impact 4.13-2: Less than Significant Impact

As shown in **Table 4.13-9: Core 5 Warehouse – Roadway VMT Within the City of Menifee**, the Project reduces vehicle miles traveled (VMT) within the City boundary under all scenarios. Based on the City thresholds, a project would have a significant effect on VMT if the baseline link-level Citywide boundary VMT per specific plan (SP) increases under the plus project condition compared to the no project condition. The plus project VMT per SP is lower than the no project condition, in all analysis scenarios,

The baseline project VMT per service population is 33.14 miles and the cumulative project VMT is 35.58 miles, which are both lower than the threshold of 35.68 miles. Further, the Project would reduce VMT within the City boundary under baseline and cumulative conditions. Therefore, the Project would have a less than significant impact on VMT.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.13-20 through 4.13-23.

Impact 4.13-3: Less than Significant Impact

The Project would not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. The project design features (PDFs) would create new driveways and improve adjacent roadways. The anticipated on-site and off-site roadway improvements would be compatible with the surrounding existing and future land uses. All on-site and site-adjacent improvements would be constructed as approved by the City of Menifee Public Works Department. Sight distance at Project access points would comply with applicable City of Menifee sight distance standards and no sharp curves are proposed as part of the Project design (Development Code § 9.160.060). Therefore, a less than significant impact would occur, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.13-23 through 4.13-24.

Impact 4.17-4: Less than Significant Impact

The Project would not result in adequate emergency access. During construction, access roads will be kept and maintained in such condition to allow for safe passage of emergency response vehicles. The Project's compliance with applicable City laws and regulations, along with its provision of access points, will ensure that the Project's construction impacts relating to this issue will be less than significant. Emergency access lanes would be provided around the perimeter of both buildings. Following compliance with RCFD access requirements, adequate emergency access to the Project site would be provided. Project impacts concerning emergency access would be less than significant and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 4.13-24.

4.18 Tribal Cultural Resources

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

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

On February 24, 2019, the Soboba Band of Luiseño Indians acknowledged receipt of the City's notification and requested to initiate formal consultation with the City of Menifee. As of October 21, 2021, the Soboba Band of Luiseño Indians concluded consultation with the incorporation of the Standard Conditions of Approval, as listed in Section 4.4: Cultural Resources. On January 24, 2019, the Pechanga Band of Luiseño Mission Indians (Pechanga Tribe) responded, requesting to begin consultation under AB 52 for the Project. The Pechanga Tribe asserted that the Project area is part of Luiseño, and therefore, the Tribe's aboriginal territory. Per Pechanga Tribe's request, the City provided Pechanga with a Phase I cultural resource assessment, archaeological, geotechnical, and conceptual grading plans. In December 2021, the Pechanga Tribe communicated to the City that it had no further comments and consultation was found to be concluded. Based on consultation with local tribes, Standard

Conditions of Approval COA-CUL-1 through COA-CUL-8 (see Section 4.4: Cultural Resources) would ensure that any impacts to potential tribal cultural resources would be less than significant

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.14-12 and 4.14-13.

4.19 Utilities and Service Systems

Impact 4.15-1: Less than Significant Impact

Although most of the Project site is vacant, two nonconforming residential dwelling units (DUs) exist on the site. The two residential DUs are served by all necessary utilities. The implementation of the proposed Project would require that the same utilities are expanded on the site but would not require new services to the site.

Based on land use information provided by the developer and the lead agency, the actual average water demand for the Project is estimated to be 48 AFY, which is well within the limits of the estimated demand considered in the 2020 UWMP. Based on the Project water usage rate, the Project would represent a nominal percentage of EMWD's present and future water supplies for both single- and multiple-dry-year scenarios. As such, the Project would have sufficient water supplies. Additionally, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant.

To prevent stormwater and drainage impacts, the Project would include off-site improvements which include storm drain lines running north on Sherman Road. All Project wastewater facilities would be constructed and operated in accordance with applicable guidelines and regulations of the EMWD and City and would also follow applicable EIR mitigation measures in each topical area addressed in the EIR. As such, EMWD would have adequate wastewater capacity. Additionally, in consideration of existing requirements and EIR mitigation measures, no significant impacts are anticipated with respect to Project wastewater facilities, with the exception of potentially significant temporary construction-related noise impacts addressed in Section 4.11: Noise. All other utilities such as electric, natural gas, and telecommunication services will be provided and the Project would not create increase impacts on the environment beyond those addressed for the overall Project.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.15-13 through 4.15-16.

Impact 4.15-2: Less than Significant Impacts

The Project's water service provider is anticipated to have adequate capacity to serve the projected demands. Projected water service demands for evaluated Project Scenarios 1 and 2 are expected to be similar. The Project would result in less than significant impacts on services provided by the water service provider.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.15-3: Less than Significant Impact

The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. Projected wastewater service demands for evaluated Project Scenarios 1 and 2 are expected to be similar. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.15-4: Less than Significant Impact

It was determined that the Project's solid waste disposal needs could be accommodated at one or a combination of disposal facilities. Operational activities would be subject to compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen and AB 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 4.15-5: Less than Significant Impact

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

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR pages 4.15-18 and 4.15-19.

4.20 Wildfire

Impact 7.6-1: No Impact

According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer,¹¹ the Project site is not located in or near a State Responsibility Area (SRA). The Project site is located in a Local Responsibility Area (LRA), but the Project site not in a very high fire hazard severity zone (VHFHSZ). No impact is anticipated to occur from Project implementation.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts to established emergency response or evacuation plans beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 7-6.

Impact 7.6-2: No Impact

The Project site is not located in or near an SRA and the Project site does not contain lands classified as VHFHSZs. The Project would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

Supportive Evidence: Please refer to Draft EIR page 7-6.

Impact 7.6-3: No Impact

The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project would include construction of warehouse facilities, with parking and landscaping included. Construction and operation of the Project would not increase the risk of fire nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

Impact 7.6-4: No Impact

The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. Because the site is located within an urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impact would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: No mitigation is required.

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

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

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

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

5.1 Aesthetics

No impacts were concluded to be significant.

5.2 Agriculture and Forestry Resources

No impacts were concluded to be significant.

5.3 Air Quality

Significant and unavoidable air quality impacts for thresholds occur for 4.2-1 and 4.2-2. Refer to Section 4.2, Air Quality and the Mitigation Monitoring and Reporting Program.

5.4 Biological Resources

Impact 4.3-1: Less than Significant with Mitigation Applied

No special-status plant species were observed on-site during the field survey. Based on habitat requirements for specific special-status plant species and the availability and quality of habitat needed by each species, it was determined that the Project site does not provide suitable habitat for any of the special-status plant species or special-status wildlife, that were determined to have the potential to occur in the vicinity of the Project site. To further avoid any potential impacts to biological resources, implementation of mitigation measures BIO-1 and BIO-2, a less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

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

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

MM BIO-1: If grading or construction activities, including vegetation removal, occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The Project Applicant shall ensure that impacts to nesting bird species at the project site are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:

1. The Project Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests

and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

2. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.
3. If an active avian nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to County for mitigation monitoring compliance record keeping.

MM BIO-2:

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

activities for 30 days or more, another burrowing owl survey shall be conducted and reported to CDFW.

If active burrowing owl burrows are detected during the breeding season, the onsite biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.

Supportive Evidence: Please refer to Draft EIR pages 4.4-11 through 4.3-14.

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

The Project site is located in the City of Menifee within the Harvest Valley/Winchester Area Plan of the MSHCP. No jurisdictional drainage features, riparian/riverine areas, or vernal pools were observed within the Project site during the field survey. Additionally, the Project site does not provide suitable habitat for any of the Narrow Endemic Plant Species. Additionally, the Project site is located within the Mitigation Fee Area of the SKR HCP. Therefore, the Project applicant would be required to pay the SKR HCP Mitigation Fee prior to development of the Project site. With completion of recommendations provided above and payment of the applicable MSHCP Local Development Mitigation Fee (\$17,764/acre)¹ for industrial developments and SKR HCP Mitigation fees, and implementation of Mitigation measures BIO-1 and BIO-2, development of the Project site would be fully consistent with the MSHCP.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with established conservation plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated with implementation of MM BIO-1 and BIO-2.

Mitigation Measures: BIO-1 and BIO-2.

Supportive Evidence: Please refer to Draft EIR pages 4.3-16 through 4.3-19.

¹ Regional Conservation Authority. 2022. *MSHCP Mitigation Fee Implementation Manual 2022 Update*. Available at <https://www.wrc-rca.org/development-applications/permits-and-fees/>. Accessed August 15, 2022.

5.5 Cultural Resources

No impacts were concluded to be significant.

5.6 Energy

No impacts were concluded to be significant.

5.7 Geology and Soils

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

The near-surface soils encountered during the geotechnical investigation consisted of silty sands and well-graded sands considered to have a low to medium expansive potential. Based on the presence of expansive soils at this site, the geotechnical study recommends that care should be given to proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent above the Modified Proctor optimum during site grading. All imported fill soils should have low expansive characteristics. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care must be taken to maintain moisture content of these soils at two to four percent above the Modified Proctor optimum. Due to the existing expansive soils potential, Mitigation Measure (MM) GEO-1 would be implemented. **MM GEO-2** requires additional soluble sulfate testing. Therefore, with compliance with **MMs GEO-1** and **GEO-2**, a less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

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

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

MM GEO-1: To reduce damage from expansive soils, the contractor shall frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather. Based on the presence of expansive soils, there shall be proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent optimum moisture content during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, all necessary steps shall be taken to maintain moisture content of these soils at two to four percent above the optimum moisture content.

MM GEO-2: Additional soluble sulfate testing shall be conducted by a qualified geologist prior to issuance of a building permit to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations above 0.10% are present, specialized concrete mix designs shall be required. A qualified geologist

will determine the specialized concrete mix, if needed, upon results of lab testing of soluble sulfate soils.

Supportive Evidence: Please refer to Draft EIR pages 4.6-16.

5.8 Greenhouse Gas Emissions

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

5.9 Hazards and Hazardous Materials

Impact 4.8-1: Less than Significant Impact with Mitigation Applied

Project construction would involve the use, storage, transport, and disposal of hazardous materials and would therefore be required to conform to existing laws and regulations. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Therefore, hazards to the public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project construction would be less than significant. Operation of the Project would involve the use of small amounts of hazardous materials, such as industrial cleansers, greases, and oils for cleaning and maintenance purposes. The Project may also involve transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. Mandatory compliance with laws and regulations, would ensure that operational impacts would be less than significant. Additionally, the Project would comply with Mitigation Measures HAZ-1 and HAZ-2. Therefore, with compliance with **MMs HAZ-1** and **HAZ-2**, a less than significant impact would occur.

Finding: The City adopts CEQA Finding 1.

The City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance pertaining to the routine transport, use, or disposal of hazardous materials.

Mitigation Measures: Based upon the analysis presented in **Section 4.8, Hazards and Hazardous Materials**, of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HAZ-1: Prior to issuance of a demolition permit of the on-site structures, preparation of a demolition plan for the safe dismantling and removal of building components and debris including a plan for lead and asbestos abatement shall be required. The demolition plan shall be submitted to the City's (Building and Safety Department) for review and approval prior to commencement of demolition activities.

Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos-containing materials (ACMs). The sampling method to be used shall be based on the

statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than one percent in construction materials. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

MM HAZ-2: If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.

If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High-Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, § 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Building Official.

Supportive Evidence: Please refer to Draft EIR pages 4.8-18 through 4.8-21.

5.10 Hydrology and Water Quality

Impact 4.9-1: Less than Significant with Mitigation Incorporated

Clearing, grading, excavation, and construction activities associated with Project buildout may impact water quality due to sheet erosion of exposed soils and subsequent deposition of particulates in nearby drainages. The Project is required to comply with the NPDES Construction General Permit, the water

quality policies of the City GP and the Riverside County DAMP, all which require the preparation and implementation of a SWPPP in order to obtain grading and building permits. The SWPPP shall identify site-specific construction BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater runoff from the Project site. The Project will be subject to best management practices (BMPs). Overall, the Project would not violate water quality standards or waste discharge requirements with implementation of MM HYD-1 and HYD-2.

Finding: The City adopts CEQA Finding 1.

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

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

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

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

- A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.
- B. Temporary erosion control measures shall be implemented on all disturbed areas.
- C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.
- E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.

F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure.

G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction.

H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval by the City of Menifee Engineer. The City of Menifee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.

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

- Site Design BMPs
- Source Control BMPs
- Treatment Control BMPs
- BMP Sizing
- Equivalent Treatment Control Alternatives
- Regionally-Based Treatment Control BMPs
- O&M Responsibility for Treatment Control BMPs

Supportive Evidence: Please refer to Draft EIR pages 4.9-15 through 4.9-19.

Impact 4.9-3: Less than Significant with Mitigation Incorporated

Although construction of the Project would alter the subject property's interior drainage patterns, the changes would not result in substantial erosion or siltation on- or off-site. The Project would be required to follow the State Water Resources Control Board's erosion control standards and would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). Although the existing drainage pattern is subject to change, the Project will preserve the existing drainage pattern to the southwest. The NPDES Construction Stormwater Permit and the SWPPP would be implemented to minimize soil erosion and siltation on and off the site. Overall drainage patterns would remain consistent, with flows directed to the Santa Ana Watershed Region, with water quality

measures applicable to the respective watershed. In consideration existing regulations, and with implementation of MM HYD-1 and MM HYD-2, no significant impacts are anticipated.

Finding: The City adopts CEQA Finding 1.

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

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

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

Impact 4.9-4: Less than Significant with Mitigation Incorporated

The Project site is mostly vacant and undeveloped, and the possibility of flooding could be significant. However, design features pursuant to the BMPs in the WQMP and SWPPP would be implemented to collect any excess runoff that may flow through the site. Implementation of the Project would introduce impervious surfaces on the site; therefore, increasing the amount and rate of surface runoff. The Project's drainage system has been designed to mitigate this impact, by providing on-site detentions basins and bio-retention basins, combined with a comprehensive on-site and off-site storm drainage system. The drainage design would prevent flooding on- and off-site due to an increase in surface water runoff, resulting in impacts to surface runoff being less than significant with mitigation incorporated. Additionally, with proposed on-site and off-site improvements, the Project would not cause additional flooding, exceed the capacity of existing drainage facilities, or impede or redirect flood flows such that on-site or off-site areas are significantly impacted. Water quality effects of the Project are addressed under Impact 4.9-1.

Finding: The City adopts CEQA Finding 1.

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

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

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

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

Impact 4.9-5: Less than Significant with Mitigation Incorporated

According to maps published by the FEMA, the Project site is located within an area subject to flood hazards, Flood Zone X. Zone X is defined as “Areas determined to be outside the 0.2 percent annual chance floodplain.” As part of the Project design features, on-site flows would be collected by a system of off-site storm drains proposed at Trumble Road, Sherman Road, and Dawson Road which would convey runoff to Line-A. On-site flows generated by the Project would surface flow through the Project site’s ribbon gutters. Minimal subsurface storm drains would be used to convey flow into the Project site’s proposed (two) detention basins located along Building 1 and Building 2’s western property line. Building-1-basin would discharge into the proposed Sherman Road storm drain, while Building-2’s basin would discharge into the proposed Trumble Road storm drain. Therefore, with implementation of efficient design measures and applicable BMPs pursuant the Project’s WQMP and SWPPP (MM HYD-1; MM HYD-2; MM HYD-3), the Project would not substantially impede or redirect flood flows and no on-site flooding would occur.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, Mitigation Measures **MMs HYD-1, HYD-2, and HYD-3** are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

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

Impact 4.9-6: Less than Significant with Mitigation Incorporated

According to Map No. 06065C2060H, portions of the Project site are located within the Zone X, which is defined as “Areas determined to be outside the 0.2 percent annual chance floodplain.” The WQMP concluded that no enclosed bodies of water lie adjacent to or up gradient of the site, the likelihood for induced flooding due to a dam failure or a seiche overcoming dam’s freeboard is considered nonexistent. With implementation of Project BMPs pursuant to the WQMP and SWPPP (**MM HYD-1, HYD-2, and HYD-3**), the Project’s risk would be reduced to less than significant.

Finding: The City adopts CEQA Finding 1.

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

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

HYD-3 are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

Supportive Evidence: Please refer to Draft EIR pages 4.9-22 through 4.9-23.

5.11 Land Use and Planning

No impacts were concluded to be significant.

5.12 Mineral Resources

No impacts were concluded to be significant.

5.13 Noise

Impact 4.11-1: Less than Significant with Mitigation Applied

Project construction would result in a temporary increase in noise levels in the Project vicinity. Construction is expected to last approximately 22 months, beginning no sooner than January 2023. Construction equipment generally produces noise levels of 85 dBA at 50 feet. The closest Perris residence is over 3,000 feet from the Project site. At this distance, construction noise levels would be below 80 dBA. Construction would occur during days and times prescribed by the City of Menifee and would not exceed 80 dBA in Perris residential zones, although the Project Applicant does not need to comply with City of Perris regulations. The impact of Project construction noise would be less than significant. However, to avoid unnecessary annoyance from construction noise, construction noise control Mitigation Measure (MM) NOI-1 would reduce construction noise impacts to a less than significant level.

On-site operations would generate noise levels ranging from approximately 27 dBA at the southern property line near Building 2 to 42 dBA at the north property line near Building 1. These noise levels are below the most-restrictive nighttime limit of 45 dBA. The impact from on-site operations and off-site traffic would be less than significant.

Finding: The City adopts CEQA Finding 1.

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

Mitigation Measures: Based upon the analysis presented in **Section 4.11, Noise** of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

MM NOI-1: *Construction Noise Control.* To avoid unnecessary annoyance from construction noise, the following construction noise control measures shall be implemented:

- Perform all construction in a manner to minimize noise and vibration. The contractor should be required to select construction processes and techniques that create the lowest noise levels.

- Equip all internal combustion engines with a muffler of a type recommended by the manufacturer.
- Turn off idling equipment.
- Perform noisier operations during the times least sensitive to receptors.
- Implement a noise control monitoring program to limit the impacts.
- The construction contractor should be required by contract specification to comply with all local noise ordinances and obtain all necessary permits and variances.

Supportive Evidence: Please refer to Draft EIR pages 4.11-11 through 4.11-13.

5.14 Population and Housing

No impacts were concluded to be significant.

5.15 Public Services

No impacts were concluded to be significant.

5.16 Recreation

No impacts were concluded to be significant.

5.17 Transportation

Impact 4.13-1: Less than Significant with Mitigation Applied

The Project TIA (see **Appendix 9.11.1**) used a multi-step process to estimate Project traffic. First, Project trip generation estimates the total arriving and departing traffic during a typical weekday and the weekday peak hours by applying the appropriate vehicle trip generation rates to the Project development tabulation. Next, trip distribution identifies the origins and destinations of Project traffic based on existing and expected future travel patterns. Finally, traffic assignment allocates the distributed Project traffic to specific roadways and intersections.

Thirty-two study intersections were analyzed for level of service (LOS) per Policy C-1.2 of the Menifee GP. The City of Menifee identified LOS D as the threshold for acceptable operating conditions for intersections except at constrained intersections and roadway segments in close proximity to I-215, where LOS E is accepted during peak hours. Therefore, any intersection operating at LOS E or F was considered deficient for the purposes of the analysis.

Based on the discussion above, Study intersections No. 1, 9, 15, and 16 operate below the minimum acceptable level of service (LOS) standard under existing conditions (Year 2021). Study intersections No. 1, 8, 9, 10, 11, 12, 15, and 16 would operate below the minimum acceptable LOS standards during Opening Day Conditions (Year 2023). Study intersection No. 1, 7, 8, 9, 10, 11, 12, 13, 15, 16, and 25 would operate below the minimum acceptable LOS standard during Cumulative Conditions (Year 2023); refer to Section

4.13, Transportation, threshold 4.13-1, page 4.13-13 through 4.13-15, or Tables 13, 14, and 17, correspondingly, of the Traffic Impact Analysis, provided as Appendix 9.8 to this EIR.

It is noted that although the intersection of Case Road/Bonnie Drive at I-215 SB is expected to be directly impacted by the Project, an improvement project is currently under design at this location that would provide the additional lane capacity and operational improvements necessary to mitigate the expected Project impact. Therefore, it is not expected that the Project would contribute to this ongoing improvement project.

It is further noted that the City of Perris has considered and approved an entitlement project that would eliminate the intersection of Ethanac Road at Encanto Drive by constructing a new two-lane east/west roadway that would connect Encanto Drive to Trumble Road. In this case, if the approved project is constructed, the new traffic signal at Ethanac Road and Encanto Drive would not be installed. Just as the Project traffic would comprise a portion of the traffic at impacted intersections, the Project would contribute to the cost of improvements proportionately, per City and regional funding programs (**Table 4.13-4: Project Fair Share Contribution**).

Table 4.13-4: Project Fair Share Contribution

Intersection	AM Peak Hour			PM Peak Hour			Project Fair Share
	EACP Growth	Project Traffic	Fair Share	EACP Growth	Project Traffic	Fair Share	
1 Case Rd / Bonnie Dr @ I-215 SB	225	34	15.1%	acceptable LOS conditions			15.1%
7 Ethanac Rd @ I-215 SB	acceptable LOS conditions			1,488	647	43.5%	43.5%
8 Ethanac Rd @ I-215 NB	direct project impact						100%
9 Ethanac Rd @ Encanto Dr	1,189	883	74.3%	1,683	1,177	69.9%	74.3%
10 Ethanac Rd @ Trumble Rd	direct project impact						100%
11 Ethanac Rd @ Sherman Rd	direct project impact						100%
12 Ethanac Rd @ Dawson Rd	direct project impact						100%
13 Ethanac Rd @ Antelope Rd	acceptable LOS conditions			614	186	30.3%	30.3%
15 SR-74 @ Menifee Rd	528	89	16.9%	741	125	16.9%	16.9%
16 SR-74 @ Briggs Rd	460	67	14.6%	acceptable LOS conditions			14.6%
25 McCall Blvd @ I-215 SB	acceptable LOS conditions			743	73	9.8%	9.8%

Source: Albert A. Webb Associates. 2021. *Menifee Commerce Center Project Traffic Impact Analysis*.

However, the Project is expected to contribute to traffic impacts along SR-74 and Ethanac Road. SR-74 is currently built out to its ultimate designated width from the I-215 interchange to Sherman Road; therefore, no further roadway capacity improvements can be constructed there. For those roadway segments with cumulative impacts, the Project fair share contributions are given in **Table 4.13-5: Roadway Segment Fair Share Contributions**.

Overall, with implementation of the Project Design Features (PDFs) and MMs noted in **Table 4.13-7, Mitigation Measures (Recommended Improvements)**, the Project would be consistent with all applicable traffic thresholds and therefore, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. The Project's traffic impacts, in terms of being consistent with all applicable traffic thresholds, would be less than significant with mitigation incorporated.

Finding: The City adopts CEQA Finding 1.

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

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

MM TRF-1 through TRF-12: As detailed above, several study intersections are expected to operate below the minimum acceptable LOS standard in one or more peak-hour study scenario. Table 4.13-7 summarizes the intersection improvements. It should be noted that these improvements will either be met via fair share contribution or constructed as part of the Project. Final engineering of street improvements for the Project would be reviewed and approved by the City of Menifee Engineering Department. The intersections noted in Table 4.13-7 of the Draft EIR shall be modified or constructed consistent with the recommended improvements and at the City of Menifee Conditions of Approval for the Project:

Mitigation Measures	Intersection	Deficient Operations		Type of Impact	Scenario Needed	Recommended Improvements
1	1	Case Rd / Bonnie Dr @ I-215 SB	AM	Cumulative	Opening Day	- provide second SB through lane
2	7	Ethanac Rd @ I-215 SB	PM	Cumulative	Cumulative	- provide second EB through lane (no widening) - provide second WB left-turn lane (no widening)
3	8	Ethanac Rd @ I-215 NB	AM/PM	Direct	Opening Day	- restripe/widen Ethanac for 2 thru lanes per direction
					Cumulative	- provide second EB left-turn lane - provide WB right-turn lane
4	9	Ethanac Rd @ Encanto Dr	AM/PM	Cumulative	Opening Day	- widen Ethanac to provide 2 thru lanes each direction - install new traffic signal
5	10	Ethanac Rd @ Trumble Rd	AM	Direct	Opening Day	- widen Ethanac to provide 2 thru lanes each direction
6	11	Ethanac Rd @	AM/PM	Direct	Opening Day	- install new traffic signal - provide E/W left-turn lanes - provide SB, EB, WB right-turn lane
		Sherman Rd				- NB: provide 2 left-turn lanes, shared thru/right lane - provide N/S protected left-turn phasing
					Cumulative	- provide WB shared through/right lane at intersection - provide EB right-turn overlap phasing - install new traffic signal
7	12	Ethanac Rd @ Dawson Rd	AM/PM	Direct	Opening Day	- provide WB left-turn lane
8	13	Ethanac Rd @ Antelope Rd	PM	Cumulative	Cumulative	- widen Ethanac Rd to provide two-way left-turn lane through intersection
9	15	SR-74 @ Menifee Rd	AM/PM	Cumulative	Opening Day	- provide N/S left-turn lanes - modify signal to eliminate N/S split phase operation - modify signal to provide N/S protected left-turn - modify signal to provide NB right-turn overlap phasing
					Cumulative	- provide second WB left-turn lane

Mitigation Measures	Intersection	Deficient Operations		Type of Impact	Scenario Needed	Recommended Improvements
10	16	SR-74 @ Briggs Rd	AM	Cumulative	Opening Day	- provide second NB left-turn lane, NB right-turn lane
						- provide SB right-turn lane
						- modify signal to eliminate N/S split phase operation
						- modify signal to provide N/S protected left-turn
11	25	McCall Blvd @ I-215 SB	PM	Cumulative	Cumulative	- modify signal to provide EB right-turn overlap phasing
						- provide second SB left-turn lane
						- provide second SB right-turn lane
12	Ethanac Rd (I-215 to Sherman Rd)			Direct	Opening Day	- widen from 1 to 2 lanes each direction (approx. 0.7 mi)
Source: Albert A. Webb Associates. 2021. <i>Menifee Commerce Center Project Traffic Impact Analysis</i> .						

Supportive Evidence: Please refer to Draft EIR pages 4.13-12 through 4.13-20.

5.18 Tribal Cultural Resources

No impacts were concluded to be significant.

5.19 Utilities

No impacts were concluded to be significant.

5.20 Wildfire

No impacts were concluded to be significant.

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

6.1 Aesthetics

No impacts were concluded to be significant and unavoidable.

6.2 Agriculture and Forestry Resources

No impacts were concluded to be and significant and unavoidable.

6.3 Air Quality

Impact 4.2-1: Significant and Unavoidable Impact

The Project would be inconsistent with AQMP Criterion No. 1, resulting in a determination that impacts in this regard would be considered significant. The Project would implement development-specific air quality mitigation measures identified in this analysis (**MM AQ-1** through **MM AQ-12**), acting to generally reduce the Project's operational-source air pollutant emissions. Additionally, incorporation of contemporary energy-efficient technologies and operational programs, and compliance with SCAQMD emissions reductions and control requirements act to reduce Project air pollutant emissions generally.

In combination, the Project air quality mitigation measures; and Project emissions-reducing design features, and operational programs are consistent with and support overarching AQMP air pollution

reduction strategies. Project support of these strategies would globally promote timely attainment of AQMP air quality standards and would bring the Project into conformance with the AQMP to the extent feasible. Notwithstanding, based on the analysis presented here, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria, resulting in a significant and unavoidable impact. Note that the City's General Plan EIR had a similar level of significance.

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

- MM AQ-1** Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Menifee denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project.
- MM AQ-2** The Project's contractors shall prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day. The Project's general contractor shall designate an officer to monitor the construction equipment operators on-site for compliance.
- MM AQ-3** The Project Applicant shall be required to provide information on transit and ridesharing programs to construction employees, which shall be made available in the construction trailer at all times.
- MM AQ-4** The Project shall be required to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. All specifications, plans, and or details necessary to verify compliance shall be included in the Project's applicable construction drawings. Prior to issuance of a building permit, the City of Menifee Building and Safety Department shall confirm that plans include the following specifications:
- To reduce VOC emissions associated with architectural coating, the Project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications shall be reviewed by the City of Menifee's Building and Safety Department for compliance with this mitigation measure prior to issuance of the Project's building permit.
 - Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.

- Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
- For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org).
- Use compliant low-VOC cleaning solvents to clean paint application equipment.
- Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
- Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

MM AQ-5: Prior to issuance of tenant occupancy permits, Project operator's with more than 100 employees shall prepare 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 employers, employees, and visitors of surrounding transportation options.
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site.
- Provide on-site car share information for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day.
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service.
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
- Post both bus and MetroLink schedules in conspicuous areas.
- Configure their operating schedules around the MetroLink schedule to the extent reasonably feasible.

MM AQ-6: 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.

MM AQ-7: 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.
- Recommends the use of electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters.
- Recommends the use of water-based or low VOC cleaning products.

MM AQ-8: Prior to issuance of Certificate of Occupancy, the Project shall be required to install air filtration in the unconditioned warehouse facility, with a minimum of 1 air change per hour, in order to promote worker well-being.

MM AQ-9: All on-site outdoor cargo-handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be electric or non-diesel fueled. All on-site indoor forklifts shall be powered by electricity or other non-diesel fuel.

MM AQ-10: Conduits for the installation of electrical hookups to allow future electric vehicle (EV) trucks and trucks with auxiliary power units (APU) shall be installed at a ratio of one charging station for every 50 dock high doors.

MM AQ-11: Parking areas shall be designed to accommodate EV charging stations for passenger cars consistent with CalGreen Chapter 5 requirements.

MM AQ-12: All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Menifee Planning Department to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric powered.

Supportive Evidence: Please refer to Draft EIR pages 4.2-15 through 4.2-17.

Impact 4.2-2: Significant and Unavoidable Impact

Even with the Project's compliance with applicable rules, and the imposition of all feasible mitigation measures identified above (see **MM AQ-1** through **MM AQ-12**), the Project's operational VOC and NO_x emissions under Scenario 1 and NO_x emissions under Scenario 2 would exceed the applicable regional thresholds of significance. As such, Project operational-source VOC and NO_x emissions (Scenario 1) or NO_x emissions (Scenario 2) are considered significant and unavoidable.

Under Scenario 1, Building 1 is evaluated as high-cube fulfillment center warehouse space and Building 2 is evaluated as general warehousing space. Under Scenario 1, the Project would be expected to generate a total of approximately 8,749 vehicular trips per day, which includes 470 truck trips per day. Under

Scenario 2, Building 1 as high-cube transload and short-term storage warehouse space and Building 2 as general warehousing space. Under Scenario 2, the Project would be expected to generate a total of approximately 2,429 vehicular trips per day, which includes 509 truck trips per day.

It should be noted that, approximately 99 percent of the Project's NO_x emissions are derived from vehicle usage which cannot be directly regulated by the City. The City cannot substantively or materially affect reductions in project-related vehicular source emissions beyond regulatory requirements, and mitigation measures identified herein. While there are no feasible mitigation measures that would reduce vehicular emissions, the Project Applicant, consistent with Mitigation Measures AQ-10 and AQ-11, would provide conduits for the installation of electrical hookups for future EV trucks and parking areas would be designed to accommodate EVs in accordance with the California Building Code would allow charging stations to be supplied based on demand. Charging stations could lead to less use of gasoline-burning automobiles and thus, less air pollutant emissions, but these charging stations would not decrease the impact to a level of insignificance. Hence, overall, there are no feasible mitigations that would reduce ozone precursor emissions consistent with the *2016 Air Quality Attainment Plan*, and this impact is considered significant and unavoidable. Thus, VOC and NO_x emissions under Scenario 1 and NO_x emissions under **Mitigation Measures**: Based upon the analysis presented in **Section 4.2, Air Quality**, of the Draft EIR, under Scenario 2 are considered significant and unavoidable.

It is important to note that the majority of on-site operational VOC emissions are derived from consumer products. For analytical purposes, consumer products include cleaning supplies, aerosols, and other consumer products. As such, the Project cannot meaningfully control the use of consumer products by future building users via mitigation. On this basis, it is concluded that Project operational-source VOC emissions under Scenario 1 cannot be definitively reduced below applicable SCAQMD thresholds. VOC emissions under Scenario 2 do not exceed the applicable SCAQMD thresholds.

In response to the increase in warehouse development in California, the State of California Department of Justice issued a Memorandum in March 2021, entitled *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Memorandum). The Memorandum encourages warehouse projects to implement certain best practices regarding air quality impacts. In response to the Memorandum, the City and the Project Applicant have voluntarily incorporated numerous best practices recommended in the Memorandum. These best practices are enforceable by the City and must be implemented by the Project Applicant. Adherence to the below standard conditions and requirements, and mitigation measures, represents the Project Applicant's willingness to go above and beyond to address the Department of Justice's concerns regarding air quality impacts.

However, despite adherence to standard conditions and requirements, the design features and mitigation measures provided by the Project Applicant, and the anticipated regulations implemented by the U.S. EPA and CARB to improve truck efficiency, the Project would represent a substantial increase in emissions compared to existing conditions. The estimated long-term emissions generated under full buildout of the Project would exceed SCAQMD's regional operational thresholds and would cumulatively contribute to the nonattainment designations in the SCAB. Therefore, the Project would result in a significant impact in this regard. Note that the City's General Plan EIR had a similar level of significance

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, of the Draft EIR, which is incorporated herein by reference, Mitigation Measures AQ-1 through AQ-12, listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable.

Supportive Evidence: Please refer to Draft EIR pages 4.2-17 through 4.2-28.

6.4 Biological Resources

No impacts were concluded to be and significant and unavoidable.

6.5 Cultural Resources

No impacts were concluded to be and significant and unavoidable.

6.6 Energy

No impacts were concluded to be and significant and unavoidable.

6.7 Geology and Soils

No impacts were concluded to be and significant and unavoidable.

6.8 Greenhouse Gas Emissions

Impact 4.7-1: Significant and Unavoidable Impact

Under Scenario 1, the Project would be expected to generate a total of approximately 8,749 vehicular trips per day, which includes 470 truck trips per day. Under Scenario 2, the Project would be expected to generate a total of approximately 2,429 vehicular trips per day, which includes 509 truck trips per day.

As shown in **Table 2.7-3, Project Scenario 1 and 2 GHG Emissions**, construction and operation of the Project would generate a total of 20,078.73 MTCO₂e/yr under Scenario 1 and a total of 12,722.54 MTCO₂e/yr under Scenario 2.

To further reduce emissions, **Mitigation Measures (MM) AQ-1 through AQ-12 in Section 4.2, Air Quality** and **MMs GHG-1 through GHG-5** have been applied. Even with the Project's compliance with applicable rules, adherence to standard conditions and requirements, and the imposition of all feasible mitigation measures identified above, the Project's operational GHG would exceed the applicable regional thresholds of significance under both Scenarios 1 and 2. As such, Project operational-source GHG emissions are considered significant and unavoidable. It should be noted that, approximately 90 percent of the Project's GHG emissions under Scenario 1 and 85 percent of the Project's GHG emissions under Scenario 2 are derived from vehicle usage which cannot be directly regulated by the City. Neither the Project applicant nor the City can substantively or materially affect reductions in project-related vehicular source emissions beyond regulatory requirements, and mitigation measures identified herein.

While there are no feasible mitigation measures that would reduce vehicular emissions, the City's Industrial Good Neighbor Policies² requires Projects with 50 or more dock doors to identify the location of future electric truck charging stations (1 charging station for every 50 dock doors) and install conduit to those stations. The Project would include electric vehicle supply equipment in accordance with the California Building Code which would allow future charging stations to be supplied based on demand. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions under both scenarios are considered significant and unavoidable. Note that the City's General Plan EIR had a similar level of significance

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, Mitigation Measures AQ-1 through AQ-12, listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable. Additionally, the following mitigation measures apply:

- MM GHG-1** Prior to issuance of tenant occupancy permits, the Project owner or operator shall be required to install a total 314kwdc solar photovoltaic (PV) system on Building 1 (226kwdc) and Building 2 (88kwdc) or offset an equivalent amount of energy demand with renewable energy through either the purchase of renewable energy or implementation of alternative renewable measures that would offset an equivalent amount of energy demand subject to approval by the Community Development Director or his/her designee. To allow future operators to earn WAIRE Program points pursuant to SCAQMD's Rule 2305, the exact timing of the PV system installation may be modified at the discretion of the Community Development Director or his/her designee. The PV requirement is subject to the utility provider agreeing to serve and facilitate the use of PV as well as final approval from the Airport Land Use Commission (if required).
- MM GHG-2** Prior to the issuance of a building permit for tenant improvements, the Project Applicant or successor in interest shall provide documentation to the City of Menifee demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) Certified equivalent standards. This mitigation measure applies only to tenant permits and not the building shell approvals.
- MM GHG-3** 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 City of Menifee standards for Recyclable Collection and Loading Areas within the screened truck court area subject to approval by the Community Development Director or his/her designee. This mitigation measure applies only to tenant permits and not the building shell approvals.

² City of Menifee, *Design Guidelines Appendix A: Industrial Good Neighbor Policies*, March 2022, https://www.cityofmenifee.us/DocumentCenter/View/14902/Design-Guidelines_Amended-March-2-2022?bidId= August 2022

MM GHG-4 Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that the property's landscape maintenance contract includes contractual language that all landscaping maintenance equipment used onsite shall be 100 percent electrically powered. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-5 Prior to issuance of Certificate of Occupancy, the Project shall be required to construct cool pavement and/or portland cement concrete (PCC) for site paving in order to reduce heat island effects.

Supportive Evidence: Please refer to Draft EIR pages 4.7-27 through 4.7-35.

Impact 4.7-2: Significant and Unavoidable Impact

As shown in **Section 4.7, Greenhouse Gas Emissions**, the Project would not conflict with any of the 2017 *Scoping Plan* elements as any regulations adopted would apply directly or indirectly to the Project. Further, recent studies show that the State's existing and proposed regulatory framework would allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030. Notwithstanding, the Project would result in a significant and unavoidable impact with respect to this threshold, as the Project exceeds the SCAQMD's 3,000 MTCO_{2e} screening thresholds for GHG emissions and therefore has potential to impede the State's ability to achieve the 40 percent below 1990 level reduction target. A significant and unavoidable impact would occur as a result of the Project.

Mitigation Measures: Based upon the analysis presented in **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, Mitigation Measures AQ-1 through AQ-12, and GHG-1 through GHG-5 listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than significant. As such, the impact remains significant and unavoidable. Additionally, the following mitigation measures apply:

Supportive Evidence: Please refer to Draft EIR pages 4.7-34 through 4.7-39.

6.9 Hazards and Hazardous Materials

No impacts were concluded to be and significant and unavoidable.

6.10 Hydrology and Water Quality

No impacts were concluded to be and significant and unavoidable.

6.11 Land Use and Planning

No impacts were concluded to be and significant and unavoidable.

6.12 Mineral Resources

No impacts were concluded to be and significant and unavoidable.

6.13 Noise

No impacts were concluded to be and significant and unavoidable.

6.14 Population and Housing

No impacts were concluded to be and significant and unavoidable.

6.15 Public Services

No impacts were concluded to be and significant and unavoidable.

6.16 Recreation

No impacts were concluded to be and significant and unavoidable.

6.17 Transportation

No impacts were concluded to be and significant and unavoidable.

6.18 Tribal Cultural Resources

No impacts were concluded to be and significant and unavoidable.

6.19 Utilities

No impacts were concluded to be and significant and unavoidable.

6.20 Wildfire

No impacts were concluded to be and significant and unavoidable.

7.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) requires that an EIR:

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

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

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects; or

- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

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

First, the Project would not directly foster population growth as the Project does not involve the construction of residential uses, nor does the site zoning allow for residential development. The Project would generate employment, but the existing 4.3% unemployment rate in Riverside County³ suggests that there is a need for local employment opportunities which are anticipated to be filled by locals.

Second, the Project would not remove obstacles to population growth. The proposed Project's development is localized to the Project site. The Project would not amend the Land Use Element or increase density on the parcels adjacent to the Project site. While the development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections and the improvement of existing roadways, these improvements would serve the existing residences and businesses in the City and would improve services to these facilities and City connectivity. Substantial upgrades to the roadway system outside of the general Project area, which would promote further development, are not included as components of the Project. All infrastructure improvements associated with the Project are required of the Project itself, and do not contemplate future development in the area. All future projects in the general area would be subject to provide improvements to serve each project, as necessary.

Third, the Project would not tax existing community service facilities nor require the construction of new or expanded facilities that could cause significant environmental effects. The Project site was previously disturbed and is occupied by two nonconforming residential dwellings. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to existing facilities to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and fiber optics) along the Project's frontage streets. The environmental impacts associated with the facility improvements associated with the proposed Project were analyzed in the EIR, but none of the infrastructure improvements associated with the Project would result in a significant environmental effect. Further, the proposed Project would not require the expansion of utility facilities such as water treatment plants or landfills, as such facilities have adequate capacity to serve the Project.

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

Finding – The City adopts CEQA Finding 1.

³ State of California Employment Development Department. 2021. Local Area Unemployment Statistics (LAUS) - Riverside County (Preliminary for March 2022). <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed May 2022).
August 2022

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

Supportive Evidence – Please refer to Draft EIR pages 5-4 through 5-5.

8.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The following alternatives were addressed in the Draft EIR:

- 1) The No Project Alternative
- 2) Reduced Building Intensity Alternative
- 3) Trailer Storage and/or Additional Vehicular Parking on Smaller Site Alternative

8.1 No Project Alternative (Alternative 1)

Description: State CEQA Guidelines § 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project site would not be developed, which means there would be no warehousing facilities, landscape improvements, or surface lot improvements developed on the Project site or off-site.

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

Finding – The City adopts Finding 3.

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

Supporting Evidence – Please see Draft EIR Pages 6-6 through 6-12.

8.2 Reduced Building Intensity (15% Reduction) (Alternative 2)

Description: Alternative 2 would minimize overall impacts related to the scale of the Project by 15 percent in square feet of proposed buildings. Therefore, environmental impact areas such as aesthetics, energy, utilities and service systems, and wildfire hazards are anticipated to see a 15 percent improvement regarding potential impact significance.

Finding – The City adopts Finding 3.

The City finds that Alternative 2 would likely lead to reduced impacts in aesthetics, land use and planning, energy, public services, and utilities and service systems. The smaller size of the warehouse building

proposed in Alternative 2 would create a less distinct impact to aesthetic resources such as reduction in viewership of scenic vistas. A smaller building size would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building size as well, along with the associated fire hazards. Additionally, Alternative 2 would reduce air quality and GHG emissions and traffic by approximately 15%.

Alternative 2 would meet all of the Project Objectives. However, Alternative 2 does not maximize the City's benefits realized nor achievement of the Project Objectives when compared to the proposed Project due to the reduced land coverage (47% versus 55.32%).

Supporting Evidence – Please see Draft EIR Pages 6-13 through 6-17.

8.3 Trailer Storage and/or Additional Vehicular Parking on Smaller Site (Alternative 3)

Description: Alternative 3 would not construct Building 2 originally considered in the proposed Project. As noted in **Table 6-3**, this would mean that building site coverage would be reduced from 55.3% to 39.8% from the proposed Project to Alternative 3. Building 2 considered in the proposed Project scenario would be replaced by an automobile and truck/trailer parking lot. This would mean that the 385,970 SF Building 2 warehouse would not be constructed. The major change between the proposed Project and Alternative 3 would be that Alternative 3 would reduce long-term impacts to scenic views and would have a slight reduction in utilities and public services as the typical needs from Building 2 construction and operations would not occur. Other resource areas such as traffic, air quality, energy, GHG, and noise among others would have a similar or greater impact from implementation of Alternative 3.

Finding – The City adopts Finding 3.

The City finds that Alternative 3 would only develop the site with one warehouse (Building 1). The square feet of Building 1 would decrease slightly under Alternative 3 and Building 2 would not be constructed. Rather, the portion of the site for Building 2 would be developed with a vehicle/truck/trailer parking yard. Overall, Alternative 3 would be slightly less construction intensive, but has the potential to be more traffic intensive and thus generate more air quality, energy, greenhouse gas emissions, noise, and transportation impacts than the proposed Project.

Supporting Evidence – Please see Draft EIR Pages 6-17 through 6-23.

9.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

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

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

10.0 OTHER FINDINGS

The City hereby finds as follows:

- 1) The foregoing statements are true and correct;
- 2) The City is the "Lead Agency" for the Project evaluated in the CEQA Documents and independently reviewed and analyzed in the Draft EIR and Final EIR for the Project;
- 3) The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;
- 4) The public review period for the Draft EIR was for 45 days between June 7, 2022 and July 21, 2022. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and notices of availability of the Draft EIR were published by the City. The Draft EIR was available for review on the City's website. Physical copies of the environmental documents are available at the City of Menifee Community Development Department, Sun City Library, and the Menifee Library;
- 5) The CEQA Documents were completed in compliance with CEQA;
- 6) The CEQA Documents reflect the City's independent judgment;
- 7) The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provided adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR.

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

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

11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

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

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program (MMRP), when implemented, would avoid, or substantially lessen all of the significant effects identified in the Final EIR for the Menifee Commerce Center (Project). However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts would result from air quality impacts due to inconsistency with AQMP Criterion No. 1 and exceedance Project operational VOC and NO_x, resulting in a determination that impacts in this regard would be considered significant. The Project would implement development-specific air quality mitigation measures identified in this analysis (**MM AQ-1** through **MM AQ-12**), acting to generally reduce the Project’s operational-source air pollutant emissions.

In combination, the Project air quality mitigation measures; and Project emissions-reducing PDFs, and operational programs are consistent with and support overarching AQMP air pollution reduction strategies. Project support of these strategies would globally promote timely attainment of AQMP air quality standards and would bring the Project into conformance with the AQMP to the extent feasible. Notwithstanding, based on the analysis presented here, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria, resulting in a significant and unavoidable impact. Note that the

City's General Plan EIR had a similar level of significance. Additionally, greenhouse gas emissions would exceed the Project's operational-source GHG emissions threshold and even with **Mitigation Measures (MM) AQ-1 through AQ-12 in Section 4.2, Air Quality** and **MMs GHG-1 through GHG-5 in Section 4.7, Greenhouse Gas Emissions**, a significant impact would remain.

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

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

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; and furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.
2. The Project is consistent with and will contribute to achieving the goals and objectives established by the General Plan. Implementing the City's General Plan as a policy is a legal and social prerogative of the City. The Project would be consistent with the following General Plan Goals and Policies through the implementation of PDFs and Mitigation Measures:

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

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

Policy C-1.1: Require roadways to:

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

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

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

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

- Policy C-2.2** Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low-speed roadways for connectivity wherever it is safe to do so.
- Policy C-2.3** Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- Policy C-2.4** Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.

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

- Goal CD-3** **Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.**
- Policy CD-3.3** Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes but is not limited to appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).
- Policy CD-3.5** Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.
- Policy CD-3.8** Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.
- Policy CD-3.9** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
- Policy CD-3.10** Employ design strategies and building materials that evoke a sense of quality and permanence.
- Policy CD-3.14** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.
- Policy CD-3.15** Require property owners to maintain structures and landscaping to high standards of design, health, and safety.
- Policy CD-3.16** Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.
- Policy CD-3.17** Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
- Policy CD-3.19** Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.

- Policy CD-3.20** Avoid the blocking of public views by solid walls.
- Goal CD-6** **Attractive landscaping, lighting, and signage that conveys a positive image of the community.**
- Policy CD-6.3** Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.
- Policy CD-6.4** Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.
- Policy CD-6.5** Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.

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

- Goal OSC-8** **Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.**
- Policy OCS-8.4** Identify and inventory existing natural resources in the City of Menifee.
- Policy OCS-8.5** Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.

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

- Goal OSC-9** **Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.**
- Policy OCS-9.2** Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses.
- Policy OCS-9.5** Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

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

- Goal OSC-5** **Archaeological, historical, and cultural resources are protected and integrated into the city's-built environment**
- Policy OCS-5.1** Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.
- Policy OCS-5.4** Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.

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

- Goal OSC-4** **Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.**
- Policy OCS-4.1** Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.
- Policy OCS-4.2** Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.

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

- Goal S-1** **A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.**
- Policy S-1.1** Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the city.
- Goal S-2** **A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.**
- Policy S-2.1** Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.
- Policy S-2.2** Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.
- Policy S-2.3:** Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.
- Goal S-4** **A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.**
- Policy S-4.1** Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire.
- Policy S-4.2:** Ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. The City will continue to coordinate with the Riverside County Fire Department, for Interagency coordination, to respond to emergency calls in Menifee and to provide training and ongoing programs for public education.
- Policy S-4.4** Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

- Policy S-4.17** The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.
- Goal S-5** **A community that has reduced the potential for hazardous materials contamination.**
- Policy S-5.1** Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.
- Policy S-5.4** Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.
- Policy S-5.5** Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.

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

- Policy LU-3.4** Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.
- Policy LU-3.5** Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.
- Goal LU-4** **Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**
- Policy LU-4.2** Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

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

- Goal OSC-7:** **A reliable and safe water supply that effectively meets current and future user demands.**
- Policy OCS-7.1** Work with the Eastern Municipal Water District to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.
- Policy OCS-7.2** Encourage water conservation as a means of preserving water resources.

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

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

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

Policy N-1.1 Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.

Policy N-1.2 Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the city's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.

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

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

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

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

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

Goal N-2 **Minimal Noise Spillover. Minimal noise spillover from noise-generating uses, such as agriculture, commercial, and industrial uses into adjoining noise-sensitive uses.**

Policy N-2.1 Require that new developments abutting residentially designated properties that operate stationary noise sources such as industrial, commercial, entertainment, institutional uses, hospitals, or large hotels, be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise-generating features to the extent feasible.

3. Approval of the Project will create maximum employment-generating opportunities for citizens of Menifee and surrounding communities. The Project's initial building and infrastructure construction spending will provide a one-time stimulus to the local and regional economies by creating hundreds of construction related jobs and services. The permanent annual recurring impact will also be substantial by creating long-term employment and generating indirect jobs off site within the City.

4. Approval of the Project will contribute towards maximizing employment opportunities within the City to improve the jobs-housing balance and to reduce systemic unemployment within the City. The Project will attract businesses that can expedite the delivery of essential goods to consumers and businesses in Menifee and beyond the City boundary.
5. Development of the Project site would result in the increase in property taxes through development of vacant and unused parcels through a General Plan Amendment, Specific Plan Amendment, Change or Zone, Tentative Parcel Map and Plot Plan to allow for the development and to allow the City orderly and efficient control of the land use planning of the area. Additionally, payment of applicable DIFs would add to the City's fiscal performance. The Project will also have a wider regional economic impact in the near future. The surrounding area would greatly benefit due to the Applicant's and the City's investment in infrastructure. The extended benefit area would experience tremendous amount of growth in that it would bring more permanent City jobs and increase the annual recurring economic output in north Menifee. The sales tax revenues generated on behalf of the City by the local employees and residents within the Project and extended benefit areas would represent a sizeable boost to the City's economy.
6. Approval of the Project will result in improved infrastructure to keep pace with the City's ongoing development and will enhance the quality of life for the City's residents by linking land use, transportation and infrastructure development. The Project includes the following Project Design Feature (PDFs):
 - Construct curb, sidewalk, bike lane, and driveway improvements on Trumble Road, Sherman Road, and Dawson Road adjacent to Project site.
 - Provide roadway pavement on unpaved roadway sections adjacent to Project site.
 - Provide roadway pavement on Sherman Road south of Project frontage to McLaughlin Road and on McLaughlin Road between Trumble Road and Sherman Road to provide a two-lane roadway.
 - Signing/stripping to be implemented along with detailed construction plans for the Project site.
 - Sight distance at the Project driveways would be reviewed with respect to City of Menifee standards at the time of preparation of final grading, landscape, site development, and street improvement plans.

With implementation of the PDFs and Mitigation Measures (MMs) **Table 4.13-7: Mitigation Measures**, the Project would be consistent with all applicable traffic thresholds and would provide adequate transportation infrastructure for the Project and the community overall.

7. The Project would provide a high quality and sustainable development. The Project would promote a planning approach that supports a sustainable and healthy community and reduces impacts on the natural environment. For instance, the Project would meet CalGreen Building Code energy efficiency requirements: consistent with Mitigation Measures AQ-10 and AQ-11, the Project would provide conduits for the installation of electrical hookups for future EV trucks and parking areas would be designed to accommodate EVs. Additionally, as

noted in SC-9, the Project would be designed consistent with CalGreen Code 24 CCR, Part 11, as follows:

- a. Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
- b. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 (nonresidential) of the California Green Building Standards Code Part 11.
- c. Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
- d. Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance Section 5.106.5.2 (nonresidential), Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.

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

12.0 CERTIFICATION OF THE FINAL EIR

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

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

Accordingly, the City Council certifies the Final EIR for the Menifee Commerce Center Project.

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